

Fair Credit Reporting Act (FCRA)

Defending Clients in Claims Arising Under the Fair Credit Reporting Act (FCRA)

Companies that fail to comply with the requirements of the federal Fair Credit Reporting Act (FCRA) are exposing their businesses to serious risks and consequences, including high-stakes class action litigation. Originally enacted in 1970, FCRA is designed to protect consumers from inaccurate information appearing in their credit reports. The Act requires entities that collect and furnish consumer credit information to ensure that such information is accurate, complete and kept private.

When a consumer reporting agency (CRA) or other company subject to FCRA rules violates a consumer's rights under the Act, the consumer has the right to take legal action in court. Regardless of whether the violation was negligent or willful, the consumer can recover substantial damages along with attorneys' fees and costs. Additionally, where an individual proves that a CRA or other entity acted willfully in violating its obligations under the FCRA, the individual may be able to recover punitive damages. Because the statute affords consumers the ability to recover large rewards and attorney's fees, an increasing number of FCRA cases are being filed as class action lawsuits. In a FCRA class action suit, plaintiffs can seek actual damages, statutory damages of up to \$1,000 per class member, punitive damages as well as attorney's fees.

Strategic Representation in FCRA Lawsuits

The practitioners in Kaufman Dolowich's Class Action Team handle complex claims brought under the Fair Credit Reporting Act. We are a team of aggressive class action lawyers with a full understanding of the numerous requirements entities must comply with under the federal FCRA statute and state laws governing the collection, use and protection of consumer credit information. Our attorneys defend credit furnishers, screening agencies, as well as credit reporting agencies across the country in FCRA class action claims alleging inaccurate or misleading credit reporting practices. When these types of cases arise, our firm strives to resolve the matter in the quickest and most favorable manner possible. We assess the potential costs and risks associated with the claims and work with our clients to develop a strategic plan of action. We are often able to settle these matters through negotiation and alternative dispute resolution. Our attorneys are also seasoned litigators with a track record of success in defending large-scale class action cases in jurisdictions across the country.

Cognizant that class action litigation can destroy a company's financial well-being and reputation, our lawyers take quick and decisive action to secure an early dismissal of the matter. If necessary, we will vigorously oppose any class certification motions. Our FCRA class action attorneys are fully prepared to defend our clients at every stage of the proceeding, including trial and any appeals. We focus on building solid defense strategies that produce favorable outcomes and protect our clients' business and financial interests.

Beyond litigation, the attorneys in our Class Action Practice regularly provide counsel and assistance to debt buying entities, tenant screening agencies, building management companies, credit reporting agencies and other companies seeking to develop FCRA best practices. Our lawyers assess our clients' current operations and work with them to implement policies and procedures designed to avoid potential violations of FCRA and companion state statutes and regulations.