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# ID Theft Victim Toolkit

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# IDENTITY THEFT VICTIM KIT

*A Message from Attorney General Roy Cooper*

**Dear Consumer:**

**Realizing you are a victim of identity theft can be both traumatic and confusing. It is difficult to figure out how to reclaim your good name and to make sure you do not become responsible for the debts incurred by the identity thief in your name.**

**This Identity Theft Victim Kit is designed to help you through this maze-like process. The Kit provides concrete tips about how to remove this blemish from your record. It also includes an Identity Theft Affidavit that will help you report information to many companies using just one standard form.**

**Please review the instructions in the Identity Theft Victim Kit carefully, and contact my Consumer Protection Division toll free at (877) 5-NOSCAM if you have any questions about the Kit or you can also call the Federal Trade Commission toll free at (877) ID THEFT, or (877) 438-4338.**

Sincerely

A handwritten signature in black ink that reads "Roy Cooper". The signature is written in a cursive, flowing style.

**Roy Cooper  
Attorney General**

## **WHAT DO I DO WHEN IDENTITY THEFT HAPPENS TO ME?**

You are about to embark on a challenging process, but have hope. You can successfully reclaim your good name, and North Carolina and the federal government have many resources to help you. To minimize the damage to your credit history and reputation, it is important to act quickly, though.

In dealing with creditors and law enforcement, keep a log of all conversations, including dates, names, phone numbers, report numbers, if any, and additional comments. Note the time spent and any expenses incurred in case you are able to obtain restitution in a later judgment or conviction against the thief. Confirm conversations in writing. Send correspondence by certified mail, return receipt requested. Keep copies of all letters and documents. Do not send originals; send only photocopies. Finally, do not give in no matter how frustrated you are. You do not owe the money. There is a light at the end of the tunnel. Your credit rating will be repaired, and no legal action should be taken against you.

Three basic steps should be taken in nearly all instances of identity theft.

### **Step 1: Promptly report the fraud to law enforcement.**

North Carolina law provides that identity theft is a felony. Report the fraud to your local police department, and, if known, the police department in the location where your identity was used for illegal purposes. Get a copy of the police report. This immediately alerts local law enforcement to the crime, and it establishes that you acted diligently. Get a police report, complaint number or other similar record, which you may need when contacting your creditors. Also, keep the phone number of your fraud investigator handy.

Identity theft is a crime often involving more than one jurisdiction. Therefore, you may need to be persistent when attempting to file a police report. Stress the importance of a police report; many creditors require one to resolve your dispute. Credit bureaus will automatically block the fraudulent accounts and bad debts from appearing on your credit report, but only if you can give them a copy of the police report.

Also, file a complaint with the Federal Trade Commission by contacting the FTC's Identity Theft Hotline by phone [1 (877) ID-THEFT (438-4338)] or online at [www.consumer.gov/idtheft](http://www.consumer.gov/idtheft). The FTC maintains a confidential, national Identity Theft database, and may also be able to assist in pursuing identity thieves through federal channels.

## **Step 2: Contact the fraud department at any one of the three major credit bureaus.**

Ask the credit bureau you contact to take a report and to place a "*fraud alert*" on your credit report. Request a victim's statement asking that creditors call you before opening any new accounts or changing your existing accounts. As soon as the credit bureau confirms your fraud alert, the other two credit bureaus should be automatically notified to place fraud alerts. Ask the one you have contacted to confirm this. Credit reports from all three credit bureaus will be sent to you free of charge. Review the credit reports carefully.

If you already have a police report, file number or complaint number from your local law enforcement agency, give that information to the credit bureaus as well, to help them investigate any disputed accounts or other reports of fraud.

The three major credit bureaus may be contacted as follows:

Equifax: (800) 525-6285

Experian: (888) 397-3742

TransUnion: (800) 680-7289

## **Step 3: Contact the fraud department of each of your creditors.**

Collect all your credit cards, bank account statements and other creditor information (such as utility or cable bills) and make note of the phone number/address of their "fraud" departments. Report the fraud to each creditor, even if that particular creditor has not been the subject of fraud, to ensure the creditor knows that an identity thief may have your account information. Ask each creditor to place a "*fraud alert*" on your account. Follow up in writing.

If there are charges on your accounts that are illegal, most creditors will also ask you to submit a written report of the fraud, along with a police report, complaint number or file number from law enforcement. You may use the enclosed *Identity Theft Affidavit* as part of your written report, to make sure you include all the necessary information. Many creditors will ask you to submit such an Affidavit within two weeks of your report of fraud, so you need to act promptly.

## **Step 4: Your next steps.**

Depending on the type of identity theft that happened to you, there are some additional things you can do to take control of the situation.

**Stolen or fraudulently acquired North Carolina drivers license.** If your drivers license has been stolen or you suspect that an ID thief has obtained a fraudulent drivers license using your personal information, contact the North Carolina Department of Motor Vehicles License and Theft section at (919) 861-3185 and ask that they place a notation on the comments section of your license file. If a drivers license has already been acquired by an ID thief, request that they investigate the matter.

**Stolen checks and fraudulent bank accounts.** If you have had checks stolen or bank accounts set up fraudulently in your name, notify the bank. Put stop payments on any outstanding checks that you are unsure of. Cancel your checking and savings accounts and obtain new account numbers. Give the bank a secret password for your accounts. If a store rejects one of your own checks, contact the check verification company the store uses. The major check verification companies are:

CheckRite: (800) 766-2748

ChexSystems: (800) 428-9623

Equifax: (800) 437-5120

International Check Services (formerly NPC): (800) 526-5380

SCAN: (800) 262-7771

TeleCheck: (800) 710-9898

**ATM cards.** If your ATM or debit card has been stolen or compromised, report it immediately. Get a new card, account number and password. Do not use your old password. When creating a password, don't use common numbers like the last four digits of your Social Security number or your birth date.

**Fraudulent change of address.** Notify the U.S. Postal Inspection Service if you suspect an identity thief has filed a change of your address with the post office or has used the mail to commit credit or bank fraud. Find out where fraudulent credit cards were sent. Notify the local Postmaster for that address to forward all mail in your name to your own address. You may also need to talk with the mail carrier.

**Social Security number misuse.** Call the Social Security Administration's fraud hotline (1-800-269-0271) to report fraudulent use of your Social Security number. Order a copy of your Personal Earnings and Benefit Estimate Statement (PEBES) and check it for accuracy—the thief might be using your Social Security number for employment purposes. You can request a PEBES application at your local Social Security office or download one from the Social Security Administration's website: <http://www.ssa.gov>. As a last resort, you might want to request a new number. The SSA will only assign you a new number, however, if you fit its fraud victim criteria.

**Passports.** If you have a passport, notify the passport office in writing to be on the lookout for anyone ordering a new passport in your name. Washington Passport Agency, 1111 19th Street, N.W., Washington DC 20524; (202) 647-0518.

**Phone service.** If your long distance calling card has been stolen or you discover fraudulent charges on your bill, cancel the account and open a new one. Provide a password that must be used any time the account is changed.

**Legal help.** You may want to consult an attorney to determine legal action to take against creditors and/or credit bureaus if they are not cooperative in removing fraudulent entries from your credit report or if negligence is a factor.

# IDENTITY THEFT AFFIDAVIT

## *Directions*

The Identity Theft Affidavit will help you report information to many creditors using one form. It is an important tool to help you reclaim your good name and reputation.

It is very important that you complete your Identity Theft Affidavit promptly and accurately. You may make as many copies of this Identity Theft Affidavit as you need. Please make sure you fill in all the requested information, and please write neatly. While you *may* choose not to provide some of the information requested in the Affidavit, please bear in mind that incorrect or incomplete information may slow the process.

Many companies investigating your claim will accept this Identity Theft Affidavit as your main report of fraud. However, some companies may require that you submit additional or different information, or may require you to use their own forms. Either way is fine. But by completing the Identity Theft Affidavit, you will have all the key facts necessary to report the fraud in one convenient document.

Before you send your Identity Theft Affidavit to your creditors, contact each creditor to find out if they will accept this Affidavit. It is also important that you include all relevant documents with your Identity Theft Affidavit. Make sure you only send copies of your documents - do not send the originals.

You should also prepare a cover letter to each creditor to accompany the ID Theft Affidavit and documentation. A sample letter is attached for your use. Send the cover letter, ID Theft Affidavit and appropriate documents to each company **by certified mail, return receipt requested.**

Once a creditor has investigated your fraud complaint, you will receive a written response telling you the outcome of their investigation. Keep a copy of everything you send and everything you receive.

While completing this Affidavit does not guarantee that the identity thief will be captured, and that all disputed credit information will be fully resolved, it will help law enforcement and your creditors investigate the fraud and work towards helping you restore your good name.

**IDENTITY THEFT AFFIDAVIT**  
**PART I - Victim Information**

1. My full legal name is \_\_\_\_\_  
(First) (Middle) (Last) (Jr., Sr., III)
2. I have/have not used any other names during the last two year period. (If so, please state name(s) used).

\_\_\_\_\_  
(First) (Middle) (Last) (Jr., Sr., III)

3. My date of birth is \_\_\_\_\_  
(month/day/year)
4. My Social Security number is \_\_\_\_\_
5. My driver's license or state identification card number is \_\_\_\_\_
6. My current address is \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_
7. I have lived at this address since \_\_\_\_\_
8. My previous address was \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_
9. I lived at my previous address from \_\_\_\_\_ to \_\_\_\_\_.
10. My daytime telephone number is ( \_\_\_\_\_ ) \_\_\_\_\_
11. My evening telephone number is ( \_\_\_\_\_ ) \_\_\_\_\_



**PART II - How the Fraud Occurred**  
**Check all that apply for items 12 -17:**

12.  I did not authorize anyone to use my name or personal information to seek the money, credit, loans, goods or services described in this report.

13.  I did not receive any benefit, money, goods or services as a result of the events described in this report.

14.  My identification documents (for example, credit cards, birth certificate, driver's license, Social Security card, etc.) were

stolen       lost on or about \_\_\_\_\_  
(month/day/year)

15.  To the best of my knowledge and belief, the following person(s) used my information (for example, my name, address, date of birth, existing account numbers, Social Security number, mother's maiden name, etc. ) or identification documents to get money, credit, loans, goods or services without my knowledge or authorization:

\_\_\_\_\_  
Name (if known)

\_\_\_\_\_  
Name (if known)

\_\_\_\_\_  
Address (if known)

\_\_\_\_\_  
Address (if known)

\_\_\_\_\_  
Phone number(s) (if known)

\_\_\_\_\_  
Phone number(s) (if known)

\_\_\_\_\_  
Additional information (if known)

\_\_\_\_\_  
Additional information (if known)

16.  I do NOT know who used my information or identification documents to get money, credit, loans, goods or services without my knowledge or authorization.

17.  Additional comments: (for example, description of the fraud, which documents or information were used or how the identity thief gained access to your information.)

\_\_\_\_\_  
\_\_\_\_\_

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(Attach additional pages as necessary)

**PART III - Victim’s Law Enforcement Actions**

18. (check one) I  am  am not willing to assist in the prosecution of the person(s) who committed this fraud.

19. (check one) I  am  am not authorizing the release of this information to law enforcement for the purpose of assisting them in the investigation and the prosecution of the person(s) who committed this fraud.

20. (check all that apply) I  have  have not reported the events described in this affidavit to the police or other law enforcement agencies. The police  did  did not write a report.

In the event you have contacted the police or other law enforcement agency, please complete the following:

\_\_\_\_\_  
(Agency # 1)

\_\_\_\_\_  
(Officer/Agency personnel taking report)

\_\_\_\_\_  
(Date of report)

\_\_\_\_\_  
(Report Number, if any)

\_\_\_\_\_  
(Phone number)

\_\_\_\_\_  
(e-mail address, if any)

\_\_\_\_\_  
(Agency # 2)

\_\_\_\_\_  
(Officer/Agency personnel taking report)

\_\_\_\_\_  
(Date of report)

\_\_\_\_\_  
(Report Number, if any)

\_\_\_\_\_  
Phone number)

\_\_\_\_\_  
(e-mail address, if any)

### **PART IV - Documentation Checklist**

Please identify the supporting documentation you are able to provide to the companies you plan to notify. Attach copies (**NOT** originals) to the affidavit before sending it to the companies.

21.  A copy of a valid government-issued photo-identification card (for example, your driver's license, state-issued ID card or your passport). If you are under 16 and don't have a photo-ID, you may submit a copy of your birth certificate or a copy of your official school records showing your enrollment and place of residence.

22.  Proof of residency during the time the disputed bill occurred, the loan was made or the other event took place (for example, a rental/lease agreement in your name, a copy of a utility bill or a copy of an insurance bill).

23.  A copy of the report you filed with the police department. If you are unable to obtain a report number from the police, please indicate that in Paragraph 20, above. Some companies only need the report number, not a copy of the report. You may want to check with each company.

### **PART V - Signature**

I declare under penalty of perjury that the information I have provided in this affidavit is true and correct to the best of my knowledge.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date Signed)

\_\_\_\_\_  
(Notary Public)

(Check with each creditor - not everyone requires notarization)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Telephone)

**PART VI - Fraudulent Account Statement**

Please make as many copies of this page as you need. **Complete a separate Part VI-Fraudulent Account Statement for each company you're notifying and only send it to that company.** Include a copy of your signed affidavit. Be sure to list only the account(s) you are disputing with the creditor who is going to receive this form. If a collection agency sent you a statement, letter or notice about the fraudulent account, attach a copy of that letter or notice with Part VI. (Do not send the original).

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I hereby declare as follows:

As a result of the events described in my Identity Theft Affidavit, (copy attached), the following account(s) was/were opened or charges made at your company in my name without my knowledge, permission or authorization using my personal information or identifying documents:

| <b>Creditor Name/Address</b>                               | <b>Account Number</b> | <b>Type of Credit, goods or services provided by creditor</b> | <b>Date Issued or Provided (if known)</b> | <b>Amount/Value Provided</b> |
|--|-----------------------|---|---|------------------------------|
| Example:<br>ABC Bank<br>1 Main Street<br>Raleigh, NC 27601 | 01234567-89           | Education loan  | 1/1/03                                    | \$10,000.00                  |
|  |                       |   |   |                              |
|  |                       |   |   |                              |

# **SAMPLE LETTER TO CREDITORS**

**Date**

Your Name  
Your Address  
Your City, State Zip Code

Name of Creditor  
Address

**City, State Zip Code**

*Via Certified Mail, Return Receipt Requested*

Re: Your Account Number

Dear Sir or Madam:

I am writing to advise you that I have been a victim of identity theft and my personal financial information has been used without my consent or knowledge to obtain credit, goods and/or services on the account referenced above.

Enclosed is a completed, signed and notarized ID Theft Affidavit. I expect to hear from you within the next few weeks if there is any additional information you require from me for your investigation. Assuming that the information provided is sufficient and uncontested, I am requesting correspondence from you relieving me of responsibility for this debt and communicating this fact to the credit reporting bureaus and collection agencies. Thank you in advance for your attention to this matter.

If you require further information, please contact me at (your telephone #).

Sincerely,

Your Name

Enclosures: ID Theft Affidavit  
(Other documents you are enclosing)