# Florida's Identity Theft Victim Kit

A guide for victims of identity theft, detailing what to do and who to contact.

This kit is designed to help you work through the process of resolving your identity theft case and clearing your name. While there are many general identity theft resource guides available, this kit was specifically developed to provide assistance to Floridians who are identity theft victims, as well as individuals in other states who had their personal information fraudulently used in the state of Florida.

Navigating through the system as an identity theft victim can be a lengthy and confusing process. As you contact law enforcement, creditors, and financial institutions, it is important that you keep track of the actions you take and retain a record of your progress.

When your identity is stolen your personal identifiers can be misused in a variety of different ways. As soon as you become aware that your information has been misused, there are several basic steps you should take that apply to nearly all kinds of identity theft cases:

## Step One

Report the incident to the fraud department of the three major credit bureaus.

- Ask the credit bureaus to place a "fraud alert" on your credit report.
- Order copies of your credit reports so you can review them to see if any additional fraudulent accounts have been opened in your name or if any unauthorized charges have been made to other accounts.
- Request a victim's statement that asks creditors to contact you prior to opening new accounts or making changes to any existing accounts.

Contact information for the three major credit bureaus is as follows:

Equifax
P.O. Box 740241
Atlanta, GA 30374-0241
To order your report: 1-800-685-1111
To report fraud: 1-800-525-6285
TDD: 800-255-0056
www.equifax.com

TransUnion
Fraud Victim Assistance
P.O. Box 6790
Fullerton, CA 92634-6790
Email: fvad@transunion.com
To order your report: 1-800-888-4213
To report fraud: 1-800-680-7289
TDD: 877-553-7803
www.transunion.com

Experian
P.O. Box 9532
Allen, TX 75013
To order your report: 1-888-EXPERIAN (397-3742)
To report fraud: 1-888-EXPERIAN (397-3742)
TDD: 800-972-0322
www.experian.com

## Step Two

Contact the fraud department of each of your creditors.

- Gather the contact information for each of your credit accounts (credit cards, utilities, cable bills, etc.) and call the fraud department for each creditor.

- Report the incident to each creditor, even if your account at that institution has not been tampered with. Close the accounts that you believe have been compromised. Ask the credit bureaus to place an "alert" on any accounts that remain open.

- Follow-up in writing immediately. The Federal Trade Commission provides an Identity Theft Affidavit (attached), a standardized form used to report new accounts fraudulently opened in your name. Check with the company to see if they accept this form. If not, request that they send you their fraud dispute form.

- Confirm all conversations in writing. Follow behind your phone call with a letter and any necessary documentation to support your claim.

- Call the Federal Trade Commission at 1-877-IDTHEFT (438-4338) and request a copy of their brochure "Identity Crime: When Bad Things Happen to Your Good Name." This brochure contains sample dispute letters to help get you started as well as more information on resolving credit problems. The brochure is also available through the Federal Trade Commission website at www.ftc.gov

## Step Three

Contact your bank or financial institution.

- If your checks have been stolen, or if you believe they have been used, contact your bank or credit union and stop payment right away.

- Put stop payments on any outstanding checks that you are unsure about.

- Contact the major check verification companies and request they notify retailers who use their databases not to accept your checks:

  **TeleCheck** 1-800-710-9898 or 927-0188
  **Cetergy, Inc** 1-800-437-5120
  **International Check Services** 1-800-631-9656

- Call SCAN at 1-800-262-7771 to learn if bad checks have been passed in your name.

- If you suspect your accounts have been compromised, cancel your checking and savings accounts and obtain new account numbers.

## Step Four

Report the incident to law enforcement.

- Contact your local police department or sheriffs office to file a report. Under Florida Statute 817.568, the report may be filed in the location in which the offense occurred, or, the city or county in which you reside.

- When you file the report, provide as much documentation as possible, including copies of debt collection letters, credit reports, and your notarized ID Theft Affidavit.

- Request a copy of the police report. Some creditors will request to see the report to remove the debts created by the identity thief.

## What Else Can I Do?

### File a complaint with the FTC's Identity Theft Clearinghouse

The Clearinghouse is the federal government's repository for ID theft complaints. Complaint information is entered into a central database, the Consumer Sentinel, which is accessed by many local and state law enforcement agencies in Florida, as well as Florida's Attorney General, for identity theft investigation. Call the toll-free hotline at 1-877-IDTHEFT.

### Flag your Florida Driver's License.

At your request, the Fraud Section of the Department of Highway Safety and Motor Vehicles (DHSMV) will place a flag on your driver's license if you are a victim of identity theft (regardless of whether your Florida Driver's License has been compromised). To reach the Fraud Section, call (850) 617-2405. You will be asked to submit your request in writing to:

Department of Highway Safety and Motor Vehicles
DDL/BDI - Fraud Section, Room A327
Neil Kirkman Building
Tallahassee, FL 32399-0570

If you believe that the identity thief has actually used your personal information to secure a Florida Driver's License or Identification Card, DSHMV will conduct a fraud investigation. To initiate this investigation, request a DHSMV Identity Theft Report Form and mail it to the address above. The form is also available through the DHSMV website at www.hsmv.state.fl.us

### Get assistance through Florida's Fraud Hotline.

Florida's Attorney General provides a toll-free fraud hotline for Floridians who are the victims of Fraud. Contact the hotline at 1-866-9-NO-SCAM (1-866-966-7226). Trained advocates can help provide additional resource information in your area.

### Check your Florida criminal history information.

In some instances of identity theft, a victim may be faced with a criminal record for a crime he or she did not commit. The Florida Department of Law Enforcement (FDLE) can provide a Compromised Identity Review (based on a fingerprint comparison of state criminal history files) to determine what, if any, criminal history belongs to you, and if any arrest records have been falsely associated with you as a result of someone using your identity. If a fingerprint check determines you are an identity theft victim, FDLE will work with local law enforcement agencies to attempt to clear fraudulent data from the criminal history files and provide you with a Compromised Identity Certificate. For more information, contact FDLE's Quality Control Section at (850) 410-8880 or visit www.fdle.state.fl.us

**Contact the Florida Department of Law Enforcement.**

After you have filed a report with local law enforcement and with the FTC's Identity Theft Clearinghouse, you may contact FDLE. FDLE Special Agents who work identity theft cases may be able to provide additional guidance and assistance. Check your phone book to find the nearest FDLE Regional Operations Center or visit www.fdle.state.fl.us

**Remove your personal identifiers from Florida court records.**

Any person has the right to request the Clerk or County Recorder to redact/remove his or her Social Security number, bank account number, credit, debit or charge card number from an image or copy of an Official Record that has been placed on such Clerk's/County Recorder's publicly available Internet website, or in a court file. If you believe your personal information appears in a publicly available record, contact your County Clerk's Office to initiate a request. A listing of all County Clerks can be found at www.flclerks.com

**Report Mail Theft to the U.S. Postal Inspection Service.**

The U.S. Postal Inspection Service will investigate if your mail has been stolen by an identity thief and used to obtain new credit or commit fraud. Incidents should be reported to your nearest U.S. Postal Inspection Service district office. Check your telephone book for your local office or visit www.usps.com

**Report Passport Fraud to the U.S. Department of State.**

If your passport is lost or stolen, or you believe it is being used fraudulently, contact your local Department of State field office. Check your telephone book for your local office or visit www.state.gov

**Protect your Social Security number.**

The Social Security Administration can verify the accuracy of the earnings reported on your social security number. To check for inaccuracies or fraud, order a copy of your Personal Earnings and Benefit Estimate Statement (PEBES) from the Social Security Administration by calling 1-800-772-1213 or visiting www.ssa.gov

# Instructions for Completing the ID Theft Affidavit

To make certain that you do not become responsible for the debts incurred by the identity thief, you must provide proof that you didn't create the debt to each of the companies where accounts were opened or used in your name.

A working group composed of credit grantors, consumer advocates and the Federal Trade Commission (FTC) developed this ID Theft Affidavit to help you report information to many companies using just one standard form. Use of this affidavit is optional. While many companies accept this affidavit, others require that you submit more or different forms. Before you send the affidavit, contact each company to find out if they accept it.

You can use this affidavit where a **new account** was opened in your name. The information will enable the companies to investigate the fraud and decide the outcome of your claim. (If someone made unauthorized charges to an **existing account**, call the company to find out what to do.)

This affidavit has two parts:

- **ID Theft Affidavit** is where you report general information about yourself and the theft.
- **Fraudulent Account Statement** is where you describe the fraudulent account(s) opened in your name. Use a separate Fraudulent Account Statement for each company you need to write to.

When you send the affidavit to the companies, attach copies (**NOT** originals) of any supporting documents (e.g., drivers license, police report) you have.

Before submitting your affidavit, review the disputed account(s) with family members or friends who may have information about the account(s) or access to them.

**Complete this affidavit as soon as possible.** Many creditors ask that you send it within two weeks of receiving it. Delaying could slow the investigation.

**Be as accurate and complete as possible.** You *may* choose not to provide some of the information requested. However, incorrect or incomplete information will slow the process of investigating your claim and absolving the debt. Please print clearly.

When you have finished completing the affidavit, mail a copy to each creditor, bank or company that provided the thief with the unauthorized credit, goods or services you describe. Attach to each affidavit a copy of the Fraudulent Account Statement with information only on accounts opened at the institution receiving the packet, as well as any other supporting documentation you are able to provide.

**Send the appropriate documents to each company by certified mail, return receipt requested**, so you can prove that it was received. The companies will review your claim and send you a written response telling you the outcome of their investigation. **Keep a copy of everything you submit for your records.**

If you cannot complete the affidavit, a legal guardian or someone with power of attorney may complete it for you. Except as noted, the information you provide will be used only by the company to process your affidavit, investigate the events you report and help stop further fraud. If this affidavit is requested in a lawsuit, the company might have to provide it to the requesting party.

Completing this affidavit does not guarantee that the identity thief will be prosecuted or that the debt will be cleared.

# ID Theft Affidavit

## Victim Information

(1) My full legal name is _____
(First) (Middle) (Last) (Jr., Sr., III)

(2) (If different from above) When the events described in this affidavit took place, I was known as

_____
(First) (Middle) (Last) (Jr., Sr., III)

(3) My date of birth is _____
(day/month/year)

(4) My social security number is_____

(5) My driver's license or identification card state and number are_____

(6) My current address is _____

City _____ State _____ Zip Code _____

(7) I have lived at this address since _____
(month/year)

(8) (If different from above) When the events described in this affidavit took place, my address

was_____

City _____ State _____ Zip Code _____

(9) I lived at the address in #8 from _____ until _____
(month/year) (month/year)

(10) My daytime telephone number is (____)_____

My evening telephone number is (____)_____

## How the Fraud Occurred

**Check all that apply for items 11 - 17:**

(11) ☐ 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.

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

(13) ☐ My identification documents (for example, credit cards; birth certificate; driver's license; social security card; etc.) were ☐ stolen ☐ lost on or about _____.
(day/month/year)

(14) ☐ 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) |

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

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

_____

_____

_____

_____

_____

(Attach additional pages as necessary.)

## Victim's Law Enforcement Actions

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

(18) (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 prosecution of the person(s) who committed this fraud.

(19) (check all that apply) I ☐ have ☐ have not reported the events described in this affidavit to the police or other law enforcement agency. 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) |

## Documentation Checklist

Please indicate 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.

(20) ☐ 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.

(21) ☐ 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).

(22) ☐ A copy of the report you filed with the police or sheriff's department. If you are unable to obtain a report or report number from the police, please indicate that in Item 19. Some companies only need the report number, not a copy of the report. You may want to check with each company.

## 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)

**Knowingly submitting false information on this form could subject you to criminal prosecution for perjury.**

_____
(Notary)

*[Check with each company. Creditors sometimes require notarization. If they do not, please have one witness (non-relative) sign below that you completed and signed this affidavit.]*

**Witness:**

_____ _____
(signature) (printed name)

_____ _____
(date) (telephone number)

# Fraudulent Account Statement

**Completing this Statement**

- Make as many copies of this page as you need. **Complete a separate page for each company you're notifying and only send it to that company.** Include a copy of your signed affidavit.
- List only the account(s) you're disputing with the company receiving this form. **See the example below.**
- If a collection agency sent you a statement, letter or notice about the fraudulent account, attach a copy of that document (**NOT** the original).

**I declare (check all that apply):**

☐ As a result of the event(s) described in the ID Theft Affidavit, the following account(s) was/were opened at your company in my name without my knowledge, permission or authorization using my personal information or identifying documents:

| **Creditor Name/Address** *(the company that opened the account or provided the goods or services)* | **Account Number** | **Type of unauthorized credit/goods/services provided by creditor** *(if known)* | **Date issued or opened** *(if known)* | **Amount/Value provided** *(the amount charged or the cost of the goods/services)* |
|---|---|---|---|---|
| Example<br>Example National Bank<br>22 Main Street<br>Columbus, Ohio 22722 | 01234567-89 | auto loan | 01/05/2000 | $25,500.00 |
| | | | | |
| | | | | |

☐ During the time of the accounts described above, I had the following account open with your company:

Billing name _____

Billing address _____

Account number _____