

Dear Client:

The information which you requested and we provided is classified as a “consumer report” and is governed by the *Fair Credit Reporting Act* (FCRA). The FCRA provides protections and responsibilities to those who use information (you), those upon whom the information is about (applicants or “consumers”), and those who provide the information (*Durham & Associates*).

On September 30, 1996, Congress passed and the President signed into law the *Consumer Credit Reporting Act of 1996*. The effective date was September 30, 1997. *Durham & Associates* is pleased to announce our compliance with Sections 609 and 615 as well as all conditions of the FCRA. In the interest of remaining fully compliant with all relevant federal and state regulations, *Durham & Associates* makes it a point to keep you informed.

One of the new provisions of the FCRA requires users (client companies) to certify their compliance with the FCRA. Please sign and mail, fax or email the enclosed “FCRA Compliance Agreement to *Durham & Associates*. We are required to obtain certification in order to provide consumer reports to your company.

Please note that all types of background investigations including criminal records, civil records, motor vehicle reports, Social Security Number verification and all other services provided by *Durham & Associates*, are considered “consumer reports” according to the law effective September 30, 1997.

Also take special note that Section 615 of the FCRA requires users of consumer reports to provide and adverse action notice to a consumer whenever adverse action is taken. Your adverse action notice must include the name, address and telephone number of the consumer reporting agency that furnished the report. The new FCRA regulations further require that you provide the consumer with the toll-free number of the consumer reporting agency, if the agency maintains files on a nationwide basis.

Durham & Associates, Inc., address and toll free numbers for purpose of Section 615 compliance are as follows:

Durham & Associates, Inc.

1266 W Paces Ferry Road NW, Suite 589

Atlanta, Georgia 30327

Toll-free Office: (800) 975 0865

Toll-free Fax: (877) 287 9244

These numbers are active and you can include them on your adverse action notices immediately. A sample “Dear Applicant” letter is posted on our website (www.durham-assoc.com). Please note that should you use an alternate adverse action notice letter other than the one provided, you must include a statement that the consumer reporting agency (*Durham & Associates*) did not make the decision to take adverse action and it is unable to provide the specific reasons why the adverse action was taken.

You must also advise the consumer of their right to obtain a free copy of their consumer report within sixty (60) days of the adverse action and their right to dispute the accuracy or completeness of any information in the consumer report.

A summary of applicant rights must now be sent by Durham & Associates, Inc., to employers with each applicant background report provided. Employers must keep a summary of applicant rights on file with individual applicant reports for use in the case of an adverse action situation. The notification of applicant rights is structured to be a meticulous process under the FCRA.

We ask that you take the time to carefully examine each of these documents in their entirety. It is imperative that a user (client company) of consumer reports (all services provided by *Durham & Associates*) has a thorough understanding of the obligations set forth by the Federal Trade Commission.

Because of the new law, it is going to be even more prudent for companies and organizations to rely more on intermediaries like *Durham & Associates* to stay in compliance with the law. While there are more responsibilities for all of us, it is going to be more advantageous in many ways for both the user (you) and the CRA (*Durham & Associates*).

We thank you for your continued support you have shown *Durham & Associates*. It is our goal to make this legal transition as smooth as possible for you and your company. Please know we are available to address any questions or concerns you may have regarding this matter. Your willingness to comply with all aspects of the FCRA is most appreciated.

Sincerely,

Durham & Associates, Inc.

The full text of the *Fair Credit Reporting Act* (FCRA) as amended can be found on the internet at:
<http://www.ftc.gov/os/statutes/fcra.html>.
