

YOUR RIGHTS AND RESPONSIBILITIES WHEN APPLYING FOR CREDIT OR LOANS

When you apply for credit, you'll be asked for information about yourself that covers several different areas. The company, business firm, bank, or store granting or extending credit will want to know your past credit record and whether or not you have a large enough income to meet all your expenses. It will want to know if your income is steady and how long you've been at your job. It will want to know if you've shown signs of poor money management in the past. It will also want to know how long you've been living in the community, how long in your present home and whether you are renting or buying. It will want to know about your assets -- your home, your furniture and your automobile and your liabilities, such as outstanding loans, credit card debts, final judgments, support obligations, etc. And it will want references.

These are the most important things a company, business firm, bank, or store granting or extending credit will need to know about you before it will let you borrow money. Your age isn't usually important unless you've just reached the age of eighteen and don't have an employment history. Or if you are a senior citizen who can't offer a steady job as proof of your ability to repay a loan, you may have some difficulty also. Usually, however, even people in these categories can get credit if they meet all the other requirements. You should be aware, however, that it is unlawful to be denied credit for a loan based solely upon your race, color, religion, national origin, sex, marital status, age, receipt of public assistance income, or the good faith exercise of rights under the Federal Consumer Credit Protection Act. And don't forget that good references do matter.

Beware of companies offering "advanced-fee" or "guaranteed" loans. The company will ask you to send a "handling fee" with your initial application. It often is the case that after you pay the requested fee, the loan is denied or the company disappears. Advanced fees for loans are illegal. Call the Florida Department of Financial Services at 1-800-848-3792 to check on the company before you send any money.

Before you decide to buy or borrow from anyone, become a comparison shopper -- look around for the best deal in goods and for loans. Deal only with recognized companies or agencies, and if you are in doubt about a company, contact the Florida Department of Financial Services at 1-800-848-3792, ask for information at your Better Business Bureau or from your attorney or the Legal Aid Society.

When you get a loan or buy on time, make sure you understand exactly what you are responsible for. Read all of the contract and read it carefully. Make sure all the details are spelled out for you and all blanks are filled in. Don't ever sign a contract that you don't understand and consult an attorney if necessary. Always keep a copy of every contract you sign.

If you make application for credit and you are turned down, you can get the name and address of the credit bureau which prepared the report used to deny you credit. That credit bureau has to tell you the nature, substance and, in most cases, sources of the information on the report -- in other words, just exactly what has been said about you and who said it.

You can take anyone you like with you to the credit bureau -- this includes an attorney. If there is information on your report which is incomplete or incorrect, you can, in most instances, have this information reinvestigated, and if it is found to be false, you can have it

removed from your file. If after all this you are still not satisfied with the accuracy of the report, you can have your own version of the material included in the report.

You can find out who has received a credit report on you within the last six months. If incorrect information has been sent out, the bureau will let you know to whom it has been sent.

You may have your credit report withheld from any business which does not legitimately need it, and you may sue an agency that used a report dishonestly. If you sue and your suit is successful, you may also collect your own attorney's fees from the company.

Finally, there can be no unfavorable information about you reported after seven years. There are several exceptions to this rule. You should contact the credit bureau to find out this information or you can contact an attorney who specializes in this area of law.

If you are applying for a credit card, there are several things to watch. Credit cards usually don't have the conditions and liabilities involved in their use printed on the card itself, so before signing and using a credit card, you should read carefully all the information that comes along with it. Be aware of finance charges, expected monthly payments and types of accounts or uses the card is limited to.

Notify the credit card company at once if your card is lost or stolen. If someone else is using your card, even if they don't have your permission, you can still be held responsible for up to \$50.00 charged on your card, unless the company is notified promptly. Let the company know right away -- call first, and then confirm in writing your report of a lost or stolen card. Keep a list of your credit cards. You won't be responsible for any charges on the card if you let the company know in a reasonable amount of time about any loss or theft of your card.

Credit cards are often stolen, so take care of your cards just as you would take care of your money.

Remember, credit has responsibilities and rights. Make sure you always know those responsibilities and rights so you get the most for your money.

If you believe you need legal advice, call your attorney. If you do not have an attorney, call The Florida Bar Lawyer Referral Service at 1-800-342-8011, or the local lawyer referral service or legal aid office listed in the yellow pages of your telephone book.