



## TIPS FOR AVOIDING IDENTITY THEFT

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Identity theft should be a concern to all because of its pervasiveness. One form of theft is the opening of a credit card account using a pre-approved credit card solicitation. You may have received one or more of these solicitations every day, if not every week. Sometimes, the same company will send more than one such solicitation. The credit card companies do this because they receive information from credit reporting agencies and those with acceptable credit scores are sent more attractive offers.

There are some simple ways to reduce the possibility of someone using these solicitations. First, you can call (888) 567-8688 and notify the service that you no longer wish to receive the solicitations. The credit reporting agencies sponsoring the service will stop the solicitations. Second, you can go to [www.optoutscreen.com](http://www.optoutscreen.com), and follow the instructions to opt out on line. This is an alternative to using the phone and will have the same result.

If you receive a solicitation that you do not wish to accept, destroy it immediately. Merely throwing them away is not enough because persistent thieves will go through your trash and use them to open a fraudulent account. Do not merely throw them away. Shred them either by hand or using a shredder.

You should also check your credit report regularly. Each credit reporting agency is required to provide you with a free report once each year. You can also obtain a free report from [www.freecreditreport.com](http://www.freecreditreport.com) and sign up for the free service. The service will also offer a paid service and provide you with alerts when your credit report is accessed, allowing you to know if someone is accessing your account.

Once you obtain a credit report, check it carefully. If you find that any entry is incorrect, notify both the credit reporting agency (there are three major agencies) as well as the creditor. This includes entries claiming that you missed a payment that was actually made, which can lower your credit score. Most importantly, if you find an account that you are not aware of, take immediate action. Notify the credit reporting agencies and the credit grantor (credit card company or bank) that the account is



fraudulent. You will be asked to complete an affidavit of fraud. Do so as soon as possible.

In addition, if you know the person who stole your identity, notify the police and file a criminal complaint. Local police agencies are inundated with such claims because incidents of identity theft are rising so quickly. Do so even if the person who stole your identity is someone you know, including relatives. After all, it is a crime to falsely use someone's identity.

Some companies recognize the damage that may be caused by identity theft. Some insurers, such as Safeco, are offering insurance protection against identity theft. At least one company, Lifelock ([www.lifelock.com](http://www.lifelock.com)) is offering commercial protection against identity theft. Whether the service works is not verified by us; we are instead merely alerting you to the fact the service exists so that you can conduct your own investigation.

Prevention takes time and some effort on your part. You can help minimize the possibility of theft and also reduce the effect of the theft once you become aware of it. It is, however, your responsibility to take action. Don't wait to become a victim.

This article was written by Darryl J. Horowitz. Darryl is the managing partner at Coleman & Horowitz, LLP, where he works in the firm's litigation department and represents clients in complex business, construction, banking and real estate litigation, consumer finance litigation, commercial collections, casualty insurance defense, insurance coverage, and alternative dispute resolution. He has been named a Northern California Super Lawyer® (Thomson Reuters) in business litigation from 2006-2020, a Top 100 Northern California Super Lawyer® (Thomson Reuters) from 2015-2019, has received an AV®-Preeminent rating from Martindale-Hubbell and a perfect 10.0 rating from Avvo. He is a member of the Fresno County, Los Angeles County and American Bar Associations, the Association of Business Trial Lawyers (former President and Board Member). Darryl can be reached at [dhorowitz@ch-law.com](mailto:dhorowitz@ch-law.com) or (559) 248-4820, ext. 111.