

From: elenabg  
Sent: Friday, August 27, 2004 2:24 PM  
To: FCRAnotices  
Subject: FACTA Notices, Matter No. R411013

Dear Sir/Madam

I understand that you are soliciting comments about the accuracy of general consumer rights under the Fair Credit Reporting Act. I'd like to describe my process with all three credit bureaus regarding a particular account that Data line credit Corp, 18652 FLORIDA ST STE 105, HUNTINGTON BEACH, CA, 92648 continuously lists on my credit report. Here is brief background to this account:

"I have had an ongoing battle with Data line since 2001. The company placed a collection account from a towing company on my credit report. To date all letters requesting debt validation and information on this account have been ignored as have letters to the original towing company. In fact certified letters requesting debt validation were refused by Data line credit and the original creditor has also not been responding to any requests for information. In addition, Norm Rogers the pseudonym used by Barry L. Williams, the owner of the collection agency, was harassing me with letters every 5-10 days demanding debt payment until I filed a complaint and this account was temporarily removed from my credit report. However, a year later it was placed back on, again without any response to letters requesting debt validation. The account amount on the credit report also keeps increasing although no explanation is provided for it.

It is absolutely astounding that this company is allowed to repetitively violate every section of the FDCPA, FCRA and the California's Fair debt Collection Practices Act and nothing is being done about it. In addition there are dozens of complaints that are amazingly similar in nature listed on the rip off report [www.ripoffreport.com](http://www.ripoffreport.com) (consumer organization)".

I have over a three year time period tried to have this account removed. In 2002 the account was removed by all three credit bureaus for approximately a year, then it was placed back again with no notification that the collection company had again placed this account on my credit report.

Equifax " investigated" and stated several times that the company verified that this is my account which I dispute. Their verification process consists of phoning the company and asking whether the account is in the collection company's database, which was confirmed by my repeated phone calls to experian. They stated that they cannot do anything to remove the account as the collection company has to remove it, despite the fact that the collection company in question is refusing certified letters, is not responding to faxes or complaints filed with the better business bureau, Attorney General, FTC and the American collection association (ACA) which is currently processing my 48 page complaint.

Trans Union sent a refusal to investigate letter until I submitted another dispute and cc'd it to the Attorney general and the FTC. They have now sent another letter indicating that the information is being updated as Data line credit is again verifying the information and they have again increased the amount that is allegedly owed. Trans Union also refuses to remove the statement that Data Line credit added onto my credit report which states "Dispute resolved/customer disagrees." Please note that this account has never been resolved as this company is refusing all letters requesting information on account.

Equifax has sent a security freeze letter but has not responded to my repeated requests for investigation.

My telephone conversation with the credit bureaus proceeded along the following lines:

Experian: "I'm sorry we cannot remove the account as the collection company has to remove the account. You should take it up with the collection company".

Me: "I have taken it up with the collection company, this company is refusing all certified letters and is not responding to faxes or postal proof of delivery letters, so how exactly am I supposed to contact this company?"

Experian: "I'm sorry but we cannot remove the account until we get a letter from the collection company".

Me: "I have repeatedly shown that this company is refusing all certified letters, is being investigated by the FTC, Attorney General etc and yet you still can't remove this account, how was this account verified".

Experian: "We phoned the collection company and they verified that this is your account."

Me: "How did they verify it?"

Experian: "We don't know you have to take it up with the collection company".

Me: "I have. You don't find it strange that they are refusing all certified letters".

Experian: "Sorry you'll have to contact the collection company to remove this account as the problem lies with them. Is there anything else we can help you with?"

Me: "Why has no one responded to my letter dated the 27th of July disputing this account? In two phone conversations ((8/19/04 and 8/26/04) you confirm that experian received this letter".

Experian: "We already investigated this item in April and all we would do is phone the company again and they would verify that this is your account, it is up to the collection company to remove the account, and you have to take it up with them."

8/27/04

Trojan: "We cannot remove this account as the creditor (data line credit verified)".

Me: "This company is refusing certified letters violating sections of the FDCPA and yet you still cannot remove this account. Why?"

Trojan: "We are a warehouse and store information we have no legal authority, Data line credit is refusing to investigate any more disputes that we submit on your behalf. You have to take it up with Data line credit".

This is outrageous. Why are unethical collection companies given so much power by experian to place fraudulent accounts on the credit report, and if the consumer in this case comes up with documented proof of how the collection company is violating every section of the FDCPA, FCRA and California fair credit act, this is ignored?

So not only do we have to deal with unethical and criminal collection companies now consumers are also becoming victims of credit bureaus who are supposed to "accurately" report consumer information. Where is the accuracy in this case?

I had another account on my credit report that was listed as a collection account. I disputed the account with experian who verified it as accurate. I eventually was able to obtain a letter from the company reporting the account that indicated that they had made an error in reporting the account. This shows that the verification process of the credit bureaus is not accurate at all.

I would strongly recommend a complete overhaul of the system as consumers are not only becoming victims of unscrupulous collection agencies but also of the credit reporting bureaus.

I would appreciate any assistance in this matter.

Elena Blank Gross