

The following pages are sample consumer disclosures and release forms. You are not required to use our forms; however, you are required to comply with the procedures outlined below.

The following is a summary of the amendments to the Fair Credit Reporting Act and their impact in both providers and end users of consumer reports. Consumer reports are defined as any report requested in conjunction with determining an individual's eligibility, as indicated in the FCRA, for employment, tenant screening, extension of credit, underwriting of insurance or any financial transaction. How does this affect you, the end user? Some of you may already be following these steps, but if not, you must comply with the following procedures and by signing the Agreement for Service you certify that you will comply with the following procedures:

- Each applicant or individual being considered for employment or promotion must be given a statement, in a document consisting solely of the disclosure, indicating that a background report will be requested (sample enclosed, titled NOTICE REGARDING BACKGROUND INVESTIGATION) page 2.
- Additionally, a separate release from signed by the consumer will be required for any report requested for employment purposes (pre-employment, promotions, as well as updates of background checks) (sample enclosed, titled EMPLOYMENT INQUIRY RELEASE) pages 3 & 4.
- BEFORE taking adverse action based on information in the report, provide to the consumer a copy of the report and the notice from the FTC of the Summary of Rights under the FCRA (sample enclosed, titled PRE-ADVERSE ACTION NOTICE) page 5.
- AFTER taking adverse action you will provide the consumer (1) the name, address and telephone number of Back Track Screening and a statement that the agency did not make the decision to take the adverse action and is unable to provide the consumer with the specific reasons why the adverse action was taken, and (2) a notice of the consumer's right to obtain a free copy of the consumer report from the consumer reporting agency within 60 days of the notice and to dispute the accuracy or completeness of any information in the report.
- If you decide not to hire based in whole or part due to the information contained in the report, you are required to provide the name, address and telephone number of Back Track Screening, a copy of the consumer report (the actual background report that we sent to you) to the applicant, an adverse action notice (sample enclosed titled, ADVERSE ACTION NOTICE page 6, and a copy of the Summary of Your Rights Under the FCRA) pages 7 & 8.

If you have any questions or concerns regarding this notice, please feel free to contact us at 801-326-8276

NOTICE REGARDING BACKGROUND INVESTIGATION

Important – Please Read Carefully

Please be advised that the Employer may obtain a consumer report or an investigative consumer report from a consumer reporting agency for the purpose of evaluating you for employment, promotion, reassignment or retention as an employee.

This report may contain information bearing your credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living from public record sources or through personal interviews with your neighbors, friends or associates.

These reports may be obtained anytime after receipt of your authorization, and if you are hired, throughout your employment. These reports will include checks regarding your criminal history, social security verification, employment and education references, credit history, professional licenses and credentials. You have the right, upon written request made within a reasonable time after receipt of this notice, to request disclosure of the nature and scope of any investigative consumer report. Please be advised that the nature and scope of the most common form of investigative consumer report obtained with regard to applicants for employment is an investigation into your education and/or employment history conducted by Back Track Screening, 8 East Broadway, Suite 215, Salt Lake City, UT 84111, Phone 801-326-8276, 866-456-8276 or another outside organization. The scope of this notice is all-encompassing, however, allowing the Employer to obtain from any outside organization all manner of consumer reports and investigative consumer reports now and, if you are hired, throughout the course of your employment to the extent permitted by law. As a result, you should carefully consider whether to exercise your right to request disclosure of the nature and scope of any investigative consumer report.

Prior to the obtaining of a consumer report or investigative consumer report, you will be asked for your written authorization to obtain such information.

New York applicants or employees only – You have the right to inspect and receive a copy of any investigative consumer report requested by the Employer by contacting the consumer reporting agency identified above directly.

EMPLOYMENT INQUIRY RELEASE (page 1 of 2)

In connection with my application for employment, I understand that investigative inquires on my background, in accordance with the Fair Credit Reporting Act and all state and federal laws, are to be made on me, including information as to my personal character, abilities, work habits, mode of living, residency, general reputation, performance, experience, and other qualities pertinent to my qualifications for employment, including reasons for termination of past employment.

I understand that my prospective employer and/or Back Track Screening, 8 East Broadway, Suite 215, Salt Lake City, UT 84111, phone 801-326-8276, 866-456-8276, may make inquiries, including but not limited to my consumer credit history, education, professional licensing, criminal history and driving history. Furthermore, I understand that my prospective employer and/or Back Track Screening may request information from various federal, state and other agencies that maintain records concerning my past driving history, credit history, criminal history, military history, civil and other experiences.

I understand that according to the Fair Credit Reporting Act, I am entitled to know if employment is denied because of information obtained by my perspective employer from a Consumer Reporting Agency. Upon written request, I will be informed whether an investigative consumer report was requested and will be given full information as to the nature and the scope of the investigation, as well as the name of the reporting agency or sources of information.

I authorize without reservation, any party (including, but not limited to, employers, law enforcement agencies, state agencies, institutions and private information bureaus or repositories) contacted by prospective employer and/or Back Track Screening to furnish any or all of the above mentioned information. In addition, I hereby release Back Track Screening and prospective employer from any and all liability for damages arising from the investigation and disclosure of the requested information. I further release and discharge all liability from all companies, agencies, officials, officers, employees and other persons, who, in good faith provide to my prospective employer and/or Back Track Screening the above mentioned information as requested, in order to successfully complete a background investigation for my application of employment. I will allow a photocopy of this authorization to be as valid as the original.

Minnesota and Oklahoma applicants or employees only – Please check this box if you would like to receive a copy of a consumer report if one is obtained by the company

California applicants or employees only – By signing below, you also acknowledge receipt of the NOTICE REGARDING BACKGROUND INVESTIGATION PURSUANT TO CALIFORNIA LAW. Please check this box if you would like to receive a copy of an investigative consumer report or consumer credit report if one is obtained by the Company at no charge whenever you have a right to receive such a copy under California law.

Please Print Clearly or Type

Name
Last First Middle
Social Security # - - Date of Birth* / /
MM DD YYYY

Please list all addresses in which you have resided during the last seven years

Current Address

City/State/Zip / /
City State Zip

2nd Previous Address

City/State/Zip
City State Zip

3rd Previous Address

City/State/Zip
City State Zip

**CONSUMER DISCLOSURE
PRE-ADVERSE ACTION NOTICE**

123 TEST COMPANY
1214 5th AVE NE Suite C
SALT LAKE CITY, UT 84106
801-555-0100

CONFIDENTIAL TO BE OPENED BY ADDRESSEE ONLY

JONATHAN CONSUMER
1234 WESTWOOD ST
LOS ANGELES, CA 91502

January 16, 2004

Dear JONATHAN CONSUMER,

We are writing to inform you that in evaluating your application for employment we have received the enclosed consumer report. This notification is provided because an adverse decision may be made, based, in whole or part, on this report. We are hereby informing you of certain information pursuant to the Fair Credit Reporting Act.

The report was prepared pursuant to an authorization signed by you at the time of application. A summary of your rights as a consumer is enclosed. If you have any questions regarding this report or believe that it may contain incorrect information, you may contact this company and they will respond to your inquiry. Their mailing address and phone number are listed below:

Back Track Screening
8 East Broadway, Suite 215
Salt Lake City, UT 84111
Voice: 801-326-8276 Fax: 801-326-8277

Back Track Screening only provided us the consumer report and plays no part in the decision to take any action on your employment application. Back Track Screening is unable to provide you with specific reasons for any employment related decisions to be made.

Sincerely,
1234 Test Company
Enc.
Consumer Report
Consumer Rights Notification

ADVERSE ACTION NOTICE

123 TEST COMPANY
1214 5th AVE NE Suite C
SALT LAKE CITY, UT 84106
801-555-0100

CONFIDENTIAL TO BE OPENED BY ADDRESSEE ONLY

JONATHAN CONSUMER
1234 WESTWOOD ST
LOS ANGELES, CA 91502

January 16, 2004

Dear JONATHAN CONSUMER,

This letter is to inform you that an offer of employment will not be made at this time. This decision was based in whole or in part, on the information provided us in a *Consumer Report* or *Investigative Consumer Report*.

The report was prepared pursuant to an authorization signed by you at the time of application. Further, you received a copy of your consumer report and a summary of your rights under the Fair Credit Reporting Act. The consumer report was used only for employment purposes and prepared for us by the consumer-reporting agency whose mailing address and phone number are listed below:

Back Track Screening
8 East Broadway, Suite 215
Salt Lake City, UT 84111
Voice: 801-326-8276 Fax: 801-326-8277

Back Track Screening did not make the decision to take any action on your employment application, and is unable to provide you with specific reason(s) for not extending an offer of employment.

You may, upon providing proper identification, request another free copy of the report and may dispute with the consumer reporting agency the completeness or accuracy of any information in the report within 60 days of receipt of this notice with Back Track Screening.

Sincerely,
123 TEST COMPANY

Para informacion en espanol, visite www.ftc.gov/credit o escribe a la FTC Consumer Response Center, Room 130-A 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

A Summary of Your Rights under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to www.ftc.gov/credit or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment - or to take another adverse action against you - must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identify theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days.In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.ftc.gov/credit for additional information.
- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.ftc.gov/credit for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified is accurate.

- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need — usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.ftc.gov/credit.
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688)
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit www.ftc.gov/credit.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. Federal enforcers are:

TYPE OF BUSINESS:	CONTACT:
Consumer reporting agencies, creditors and others not listed below	Federal Trade Commission: Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219 800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Board Division of Consumer & Community Affairs Washington, DC 20551 202-452-3693
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)	Office of Thrift Supervision Consumer Complaints Washington, DC 20552 800-842-6929
Federal credit unions (words "Federal Credit Union" appear in institution's name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 703-519-4600
State-chartered banks that are not members of the Federal Reserve System	Federal Deposit Insurance Corporation Consumer Response Center, 2345 Grand Avenue, Suite 100 Kansas City, Missouri 64108-2638 1-877-275-3342
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation, Office of Financial Management Washington, DC 20590 202-366-1306