



CLEO | Consumer Series

Your credit report



August 2017

If you speak French

In many cases you have the right to government services and legal proceedings in French, including hearings before French-speaking decision-makers.

If you have a legal problem, you can ask a lawyer or a community legal clinic about your French language rights.

Si vous parlez français

Il existe de nombreuses situations où vous avez droit à des services gouvernementaux et à des procédures juridiques en français. Ainsi, vous pouvez avoir droit à ce qu'une audience à laquelle vous êtes partie soit tenue devant un décideur qui parle français.

Si vous avez un problème juridique, vous pouvez demander à un avocat ou à un intervenant d'une clinique juridique communautaire de vous informer des droits linguistiques liés au fait de parler français.

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III What is credit?

When someone lets you pay for something later, instead of before or at the time you buy or rent it, this is called giving you credit or “extending” credit to you.

Here are some examples of getting credit:

- A bank gives you a car loan.
- A furniture store gives you 6 months to pay for a couch.
- The hydro company bills you for electricity you have already used.

III What is a credit report?

A credit report is a detailed list of your credit and bill-paying history, and other information about you. In Ontario, the law calls them “consumer reports”. But most people call them credit reports and that is what we call them in this booklet.

Businesses usually want to see your credit report before giving you credit or billing you on a regular basis. Your credit report helps them to decide if you are a good credit risk and if you are likely to pay your bills or rent on time. This is often called a “credit check”.

If your credit report is bad, you may have a hard time with things like getting a credit card, borrowing money, or renting an apartment.

III Who prepares my credit report?

Credit reports are prepared by businesses called consumer reporting agencies or credit reporting agencies. The two main ones in Canada are TransUnion and Equifax.

These agencies collect information from businesses you have dealt with, and from public records like court or marriage records.

III What is in my credit report?

Ontario's Consumer Reporting Act is the law that says what can and cannot be included in a credit report. A credit report can include both "credit information" and "personal information".

Credit information includes:

- your name, age, and job title
- your spouse's name and age, if you are married or in a common-law relationship
- how many children and other dependents you have
- your address now and where you have lived in the past
- your education and work qualifications, such as diplomas, degrees, and trade licences

- where you work and your past jobs
- your estimated income
- your assets, such as your home or car
- whether you have paid your bills on time, paid them late, or have bills that you have not paid at all
- your debts, for example car loans and credit card balances
- your regular living expenses, for example rent or mortgage payments

The credit information in your report must come from the most reliable sources the agency can find. For example, if the hydro company claims you owe them money, they should be able to supply copies of your unpaid bills.

Personal information can be almost anything else that is not credit information. Personal information often includes information about your character, reputation, health, physical characteristics, and personal habits.

Unfavourable personal information cannot be included in your credit report unless the agency has made reasonable efforts to confirm that it is true. If the agency was not able to confirm the information, your credit report must say that.

III What cannot be included in my credit report?

The law also says that some kinds of information cannot be in a credit report at all, even if the information is reliable.

Criminal matters

Your credit report cannot include criminal convictions that have been discharged or pardoned, or criminal charges that were withdrawn, dismissed, or set aside.

Certain personal information

Your credit report cannot include information about your race, creed, colour, sex, ancestry, ethnic origin, or political affiliation.

Information more than 7 years old

If any of the following information is more than 7 years old, it cannot be included in your credit report:

- debt collection proceedings against you
- a bankruptcy, unless you have been bankrupt more than once
- a judgment against you, unless the creditor confirms that it is still unpaid

- unpaid fines or taxes
- criminal convictions (the 7 years is counted from the date of conviction or from the date of release or parole, whichever is later)

III What is a credit score?

Credit reporting agencies review the credit information they have about you and then use a formula to give you a credit score. This can range from a low score of 300 to a high score of 900.

Your credit score, which is sometimes called your credit rating, is supposed to show whether you are likely to pay your bills on time or repay a debt if someone gives you credit.

Lenders, landlords, and other businesses will look at both your credit score and any personal information they get about you from the credit reporting agency.

III When can someone see my credit report?

Credit reporting agencies are allowed to release your credit report only in these situations:

- When someone needs to use your report to give you credit, collect a debt, rent you a house or apartment, hire or promote you at work, give you insurance, or do other business with you.

- When you give someone permission to check your credit report. This permission must be in writing. For example, you usually give permission when you apply for a loan or a credit card, or when you want to rent an apartment.
- When another law says the government can see your report to check if you are eligible for a benefit. For example, this happens if you apply for social assistance.
- When the Ministry of Government and Consumer Services is looking into a complaint, they can order a credit reporting agency to give them your report.
- When a court orders a credit reporting agency to give your report to someone.

III What happens when there are a lot of requests for my credit report?

Credit reporting agencies keep track of each time anyone other than you asks to see your credit report. These requests are called “inquiries”. The agencies keep this information for 3 years.

Having a lot of inquiries can be bad for your credit score because it could be a sign that you are having financial problems.

III How can I see what is in my credit report?

Credit reporting agencies must send you a free copy of your report in the mail if you ask them to. You can also get your report online but you might have to pay for that.

You can contact Equifax at **1-800-465-7166** or www.equifax.ca.

You can contact TransUnion at **1-800-663-9980** or www.transunion.ca.

III What if my credit report has wrong information?

If you think that your credit report has information that is wrong or should not be there, you have the right to tell the credit reporting agency to correct or remove it.

The law says that the agency must reply to you and tell you what it is doing about it.

You can also give the agency a letter or other written information to keep with your credit file if you disagree with something that has been included in your report.

If the agency does not correct the information, you can complain to the Ministry of Government and Consumer Services.

You can file your complaint in writing or by going to www.ontario.ca/page/consumer-protection-ontario and clicking on “**How to file a complaint**”.

Ministry staff will decide if the information in your credit report is wrong or does not follow the rules of the Consumer Reporting Act.

The Ministry can order the credit reporting agency to correct or remove the information or not allow people to see it. The Ministry can also fine the agency or stop it from doing business.

To contact the Ministry of Government and Consumer Services:

Toll-free **1-800-889-9768**

Toronto area **416-326-8800**

TTY Toll-free **1-877-666-6545**

TTY Toronto area **416-229-6086**

Fax **416-326-8665**

Website www.ontario.ca/mcs

Email consumer@ontario.ca

Mailing Address:

Consumer Services Operations Division
77 Wellesley Street West,
Box 450
Toronto, ON M7A 2J6

III For more help

If the Ministry of Government and Consumer Services does not solve your problem, you may want to get legal help. Here are some places to try.

Community legal clinics

Some community legal clinics or law school legal clinics can help you with consumer law problems. You must be financially eligible to receive these services. If your clinic cannot help, they might be able to refer you to other services in your community.

To find the legal clinic that serves your area, visit the Legal Aid Ontario (LAO) website at www.legalaid.on.ca or call Legal Aid Ontario at:

Toll-free **1-800-668-8258**

Toronto area **416-979-1446**

Toll-free TTY **1-866-641-8867**

Toronto area TTY **416-598-8867**

Law Society Referral Service

The Law Society of Upper Canada has a directory of all lawyers and paralegals licensed to practise in Ontario. The Law Society Referral Service can give you the name

of a lawyer or paralegal in your area who can give you a free consultation for up to 30 minutes. There is no charge for this referral service.

Visit the Law Society website at www.lsuc.on.ca and click on “**Find a Lawyer or Paralegal**”.

JusticeNet

JusticeNet is a nonprofit service that helps people who do not qualify for legal aid to find legal help. JusticeNet has a directory of lawyers, paralegals, and mediators who offer help at reduced rates to financially eligible people. Visit their website at www.justicenet.ca or contact them at:

Toll-free **1-866-919-3219**

Toronto area **416-479-0552**

Email..... info@justicenet.ca

Law Help Ontario

If you are suing or being sued in court, you may be able to get help from Law Help Ontario. This free program offers information about court rules and help with completing court forms. If you qualify, you may also be able to get brief legal advice or, if your case is in Toronto or Ottawa, a lawyer to represent you in court. For more information call **1-855-255-7256** or visit their website at www.probonoontario.org.

III Other information

CLEO has a series of consumer law information resources available online and in print. To order these booklets or view them online, visit www.cleo.on.ca or call **416-408-4420**.

CLEO's **Steps to Justice** website has step-by-step information about common legal problems, including debt and consumer rights. Visit www.stepstojustice.ca.

This booklet gives only general information. You should get legal advice about your own situation.

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CLEO has more free publications on Consumer Law and other legal topics. We revise our publications regularly to reflect changes in the law. Our Discard List tells you which publications are out of date and should be thrown away.

For our Discard List, or to order or view our publications online, visit www.cleo.on.ca. You can reach us by phone at **416-408-4420**.

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