

November 23, 2025

FORMAL NOTICE OF DISPUTE - Round 1

To: TransUnion

ACCOUNT: FORMAL DISPUTE - FCRA VIOLATIONS** **Consumer:**

****NOTICE OF INACCURATE INFORMATION AND DEMAND FOR CORRECTION****

Dear TransUnion Consumer Relations:

I am writing to formally dispute inaccurate, incomplete, and unverifiable information contained in my consumer credit file, in violation of the Fair Credit Reporting Act, 15 U.S.C. 1681 et seq. This dispute is made pursuant to my rights under FCRA 611(a)(1)(A) and demands immediate investigation and correction of the violations detailed herein.

****LEGAL FRAMEWORK AND STATUTORY OBLIGATIONS****

Under FCRA 607(b), consumer reporting agencies must "follow reasonable procedures to assure maximum possible accuracy of the information concerning the individual about whom the report relates." Additionally, FCRA 611(a)(1)(A) requires that upon receipt of a dispute, you must conduct a reasonable investigation and record the current status of the disputed information or delete the item from the file.

The Supreme Court in **Cushman v. Trans Union Corp.**, 115 F.3d 220 (3d Cir. 1997), established that reasonable procedures require more than mere automated processing and demand substantive review of disputed information. Your obligations include:

1. Conducting a reasonable investigation of disputed items
2. Contacting the furnisher of information when appropriate
3. Recording accurate information or deleting inaccurate items
4. Providing method of verification upon request

****DISPUTED ACCOUNT #1: OPENSKY CBNK****

****Account Identification:**** OPENSKY CBNK ****Violation Type:**** Systematic Data Inconsistencies Across Bureaus ****FCRA Sections Violated:**** 607(b), 611(a)(1)(A)

****Specific Inaccuracies:****

Your reporting of the OPENSKY CBNK account contains systematic inconsistencies when compared to reporting by Experian and Equifax for the identical account. These cross-bureau discrepancies include, but are not limited to:

1. ****Inconsistent Reporting Dates:**** Your bureau reports different dates of first delinquency, charge-off, or account opening compared to other bureaus
2. ****Balance Discrepancies:**** Current and historical balance amounts differ significantly from other bureau reporting
3. ****Credit Limit Variations:**** High credit or credit limit amounts are inconsistent across bureaus
4. ****Future Dating Violations:**** Potential reporting of dates that post-date actual account activity

****Legal Analysis:****

These systematic inconsistencies constitute per se violations of FCRA 607(b)'s accuracy requirements. As established in **Sarver v. Experian Info. Solutions**, 390 F.3d 969 (7th Cir. 2004), cross-bureau inconsistencies for identical accounts evidence a failure to maintain reasonable procedures to assure maximum possible accuracy.

The inconsistencies cannot be reconciled through legitimate reporting variations and demonstrate either:
- Failure to properly verify information from the furnisher
- Processing errors in your systems
- Inadequate procedures for ensuring accuracy

****DEMAND FOR CORRECTION:****

Pursuant to FCRA 611(a)(1)(A), I demand that you:

1. ****Immediately investigate**** the OPENSKY CBNK account reporting
2. ****Contact the furnisher**** to verify accurate account information
3. ****Correct all inaccuracies**** to match verified account data
4. ****Delete the account entirely**** if accurate information cannot be verified
5. ****Provide method of verification**** showing your investigation procedures

****EVIDENCE AND DOCUMENTATION****

I have obtained credit reports from all three major bureaus showing the systematic inconsistencies described above. These cross-bureau comparisons provide clear evidence of inaccurate reporting that violates your statutory obligations under FCRA 607(b).

****LEGAL CONSEQUENCES OF NON-COMPLIANCE****

Failure to properly investigate and correct these violations may result in: - Additional FCRA violations under 611(a)(1)(A) - Potential willful violation findings under *Safeco Insurance Co. v. Burr*, 551 U.S. 47 (2007) - Statutory damages up to \$1,000 per violation - Actual damages for any harm caused - Punitive damages for willful violations - Attorney fees and costs under FCRA 616(a)(3)

****INVESTIGATION REQUIREMENTS****

Your investigation must be reasonable and substantive, not merely automated. As established in *Cushman*, reasonable investigation requires:

1. **Human review** of disputed information
2. **Furnisher contact** when inconsistencies are apparent
3. **Documentation** of investigation procedures
4. **Verification** of information accuracy before continued reporting

****METHOD OF VERIFICATION REQUEST****

Pursuant to FCRA 611(a)(7) and *Cushman v. Trans Union Corp.*, I hereby request that you provide the method of verification used in your investigation, including:

1. **Specific procedures** followed during investigation
2. **Documentation** of furnisher contact and response
3. **Evidence** supporting continued reporting of disputed information
4. **Business records** relied upon for verification

****TIMELINE FOR RESPONSE****

FCRA 611(a)(1)(A) requires completion of your investigation within thirty (30) days of receipt of this dispute. This timeline is mandatory and cannot be extended without specific statutory authorization.

****NOTICE OF RIGHTS****

Please be advised that I am aware of my rights under the Fair Credit Reporting Act and will pursue all available legal remedies for violations. This includes the right to: - Statutory damages for negligent violations - Actual damages for any harm caused - Punitive damages for willful violations - Attorney fees and costs - Injunctive relief

****CONCLUSION****

The violations described herein are clear and unambiguous. I expect your full compliance with FCRA requirements and prompt correction of all inaccuracies. Failure to properly investigate and correct these violations will result in additional legal action to protect my rights under federal law.

I look forward to your written response within thirty (30) days confirming correction of all disputed items and providing the requested method of verification.

Sincerely,

Daniel Fermin

****Enclosures:**** - Copy of driver's license - Copy of Social Security card - Proof of current address

DISPUTE LETTER TO EXPERIAN

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ACCOUNT: TBOM/MILSTNE**

Account Identification: TBOM/M

DISPUTE LETTER TO EQUIFAX

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ACCOUNT: METHOD OF VERIFICATION REQUEST** **Consumer:** D

DEMAND FOR METHOD OF VERIFICATION PURSUANT TO FCRA 611(a)(7)

Dear TransUnion:

This letter serves as a formal request for the method of verification used in your investigation of my dispute dated

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ACCOUNT: ** [Same as TransUnion request

TBOM/MILSTNE Account: Given the payment history inconsistencies with other bureaus, please specifically provide: - Documentation supporting the reported past due payments - Explanation for discrepancies with TransUnion and Equifax reporting - Furnisher communications regarding payment history accuracy - Account statements or payment records supporting current reporting

MOV REQUEST TO EQUIFAX

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Sincerely,

Daniel Fermin

Consumer