

OFFICE OF CONSUMER PROTECTION

Equifax Data Breach Settlement

August 1, 2019

The 2017 Data Breach

In 2017, Equifax suffered a data breach which harmed nearly **150 million U.S. consumers** and additional UK and Canadian consumers. The company [announced](#) that through a website application vulnerability, personally identifiable information (PII) was accessed. The PII includes:

- Names
- Social Security numbers
- Birth dates
- Addresses



- Driver's license numbers (in some cases)
- Credit card numbers (for 209,000 consumers)
- Dispute documents (containing PII for 182,000 consumers)

Equifax immediately set up a website to provide information to consumers about the breach, who was impacted, and the remedy offered at EquifaxSecurity2017.com. However, the remedy offered, credit monitoring, came with a catch: buried in the fine print for the company's TrustedID monitoring service was a clause that stripped the consumer's 7th Amendment



*Ensuring Integrity in
our Marketplace*

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If you have any questions or concerns about any consumer transaction, or would like to mediate a dispute for free, please contact the Office of Consumer Protection.

100 Maryland Avenue
Suite 330
Rockville, MD 20850
Main: 240.777.3636
Tip Line: 240.777.3681
Fax: 240.777.3768
MC311

You can also file a complaint online by clicking [HERE](#)



Constitutional rights. After complaints by consumer rights advocates, Equifax [agreed to remove](#) this buried clause.

The Settlement

The Federal Trade Commission (“FTC”), 50 Attorneys General, and numerous consumers filed investigations or lawsuits against Equifax. The FTC [announced a settlement](#), joined by the states, the Consumer Financial Protection Bureau, and consumers, which includes **up to** \$425 million to help people affected by the data breach. The value of the total settlement, once all benefits are considered, is between \$575 million and \$700 million. For consumers who do not know if they are impacted by the breach and covered by the settlement, Equifax has a [look-up tool](#) to use.

For consumers who had their PII compromised, Equifax allows them to [File A Claim Online](#). Alternatively, consumers can download a [claim form](#) to be mailed to:

Equifax Data Breach Settlement Administrator
c/o JND Legal Administration
P.O. Box 91318
Seattle, WA 98111-9418

Consumers can also call 1-833-759-2982 and have a claim form mailed to them.

The Remedies

The global settlement reached provides several [types of benefits](#) and consumers have until January 22, 2020 to file a claim:

1. Free credit monitoring (for at least 4 years or at most 10 years) **or up to** \$125 cash payment.
 - a. The [FTC advises](#) consumers to choose the credit monitoring given the “overwhelming” response by consumers choosing the cash option. The fund for the cash payments is only \$31 million

and a large pool of claimants will result in smaller cash payments.

- b. Consumers who chose the cash option [can change to monitoring](#) after receiving an email from the settlement administrator.
 - c. Cash only available if you already have [credit monitoring in place](#).
2. Reimbursement for time and out-of-pocket expenses (capped at \$20,000 per person)
 - a. Time spent protecting your identity (up to 20 hours) at \$25 hours
 - b. Money spent protecting identity or recovering from identity theft
 - c. Up to 25% refund of any Equifax credit monitoring or identity theft protection products purchased between September 7, 2016 and September 7, 2017.
 3. Free identity theft restoration services (for at least 7 years)
 4. The [Identity Theft Resource Center](#) recommends that whether or not a consumer participates in the settlement, “it is a good idea to place a freeze on your credit report.”
 - a. Credit freezes are free nationally, and in Maryland also free for minor children and adults under guardianship.

The Scams

With a large number of consumers searching for information, comes the real risk of scammers taking advantage. The FTC has already [warned consumers](#) to be aware that fake settlement websites, that look like they are the official Equifax settlement claims website, have appeared. Moreover, consumers do **not** have to pay to file a claim for any of these benefits. Finally, anyone who calls to “help” you file a claim “is almost certainly a scammer.”

