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February 24, 2022

Mark Begor  
CEO  
Equifax, Inc.  
1550 Peachtree Street, N.W.  
Atlanta, Georgia 30309

Brian Cassin  
CEO  
Experian North America  
475 Anton Blvd  
Costa Mesa, CA 92626

Chris Cartright  
President and CEO  
TransUnion  
555 West Adams Street  
Chicago, Illinois 60661

Francis Creighton  
President  
Consumer Data Industry Association  
1090 Vermont Avenue, NW, #200  
Washington, DC 20005

**Re: Response to CDIA Press Release on Credit Issues After Transgender and Nonbinary Individuals File a Legal Name Change**

Dear Messrs. Begor, Cassini, Cartright and Creighton:

The undersigned organizations write on behalf of a coalition of LGBTQ+, consumer, and legal advocacy groups that have come together to address the serious credit-related problems encountered by transgender and nonbinary people. We appreciate that CDIA acknowledged these issues in its press release addressing how transgender and nonbinary individuals can prevent disruptions to their credit after a legal name change.<sup>1</sup> The language in both the CDIA statement and the corresponding policies of all three credit bureaus are an encouraging start.

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<sup>1</sup> *Credit Reporting Industry: Helping Transgender and Nonbinary Individuals Prevent Potential Disruptions to Their Credit* (Feb. 2, 2022), CDIA, <https://www.cdiaonline.org/news/2022/02/02/credit-reporting-industry-helping-transgender-and-nonbinary-individuals-prevent-potential-disruptions-to-their-credit/>.

That said, there is still more work to do and we are hopeful that we can continue working together to address the many pressing credit reporting needs that still remain for transgender and nonbinary consumers.

As CDIA is undoubtedly aware, the vast majority of credit reporting complaints filed by transgender and nonbinary people with the Consumer Financial Protection Bureau reference repeated unsuccessful attempts to get Experian, Equifax and TransUnion to correct their records.

Transgender and nonbinary consumers face myriad credit reporting problems after they change their names — with serious consequences for their financial and personal lives. Many consumers report that their credit report fragments into two or more unconnected files upon their name change. Others report that their name change and any credit actions that follow are never reflected in their report at all. Some consumers then find that their credit scores drop by hundreds of points, precluding them from accessing banking services, mortgages, auto financing, employment, and rental housing.

Moreover, even when some of these problems get fixed, they do not stay that way. Transgender and nonbinary consumers have reported that even when they were able to contact and persuade a customer service representative at one of the Big Three credit bureaus to manually fix their report, a new upload of data would revert their credit histories back to fragmented or incomplete files. Still others reported serious fallout after their credit histories reflected their “deadname” or former name, thereby outing them as transgender to potential employers, rental agents, car dealerships, or financial institutions.

The press release provides some direction to consumers about how to go about alerting the Big Three credit bureaus of their legal name change; however, each of the policies enacted by the agencies is different and will likely yield very different results. For instance, of the three bureaus, only Experian promises to remove a consumer’s deadname from the report.<sup>2</sup> The policies still require consumers to undergo an onerous process of submitting their name change documentation to each credit bureau and each of their former creditors to ensure their reports accurately reflect their credit history in their legal name.

Moving slowly to enact a real fix causes profound harm to a significant number of people. Mistakes in credit reports are replicated endlessly and have resulted in cascading problems in other areas that are based on identification.

To meaningfully address these problems the credit reporting industry should take the following steps:

- Utilize consumers’ full 9-digit Social Security numbers in matching algorithms to ensure credit information is associated with the correct credit file.

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<sup>2</sup> Wil Lewis, *Experian Supports Transgender and Non-binary Consumers with Name Change Process on Credit Reports* (Jan. 31, 2022), Experian, <https://www.experian.com/blogs/news/2022/01/31/experian-supports-transgender-and-non-binary-consumers/>.

- Facilitate name changes by having clear procedures to update a consumer's name on their credit report when presented with a legal name change order, and ensure that staff are sufficiently trained in those procedures and are able to provide culturally competent service to transgender and nonbinary consumers.
- Reduce the burden on transgender and nonbinary consumers to submit name-change documentation to each credit reporting agency by instituting a "one-stop" system that allows a consumer to submit a single request to have the legal name on their report updated, and ensures the request is communicated to all consumer reporting agencies.
- Prevent the occurrence and recurrence of fragmented credit files by creating procedures to detect when a consumer changes their legal name with a creditor, to associate the new name with their credit file, and to consolidate a consumer's credit information in their current and previous names in a single credit file — as the industry presently does when cisgender women and other consumers change their last names.
- Prevent the disclosure of transgender and nonbinary consumers' deadnames to landlords, employers, and underwriters by disclosing only a consumer's current legal name in reports provided to credit report users.

The coalition would welcome the opportunity to have another conversation in the near future with CDIA and senior executives in the Big Three credit bureaus to discuss these proposals and identify additional steps.

We appreciate the responsiveness of the bureaus and CDIA on this issue, and look forward to working together toward a day when transgender and nonbinary consumers can view credit reporting as a support, rather than an obstacle.

Sincerely,

A Better Balance  
 Ace and Aro Alliance of Central Ohio  
 Affirmations Community Center  
 AIDS Alabama  
 All Under One Roof LGBT Advocates of Southeastern Idaho  
 American Civil Liberties Union  
 Americans for Financial Reform Education Fund  
 Athlete Ally  
 The Atlanta Pride Committee, Inc  
 Bayard Rustin Center for Social Justice  
 Bergen County LGBTQ+ Alliance  
 Bet Tzedek Legal Services  
 BiNet USA  
 Bradbury-Sullivan LGBT Community Center  
 Brooklyn Community Pride Center  
 California Employment Lawyers Association (CELA)  
 California Reinvestment Coalition  
 Campus Pride  
 Center for LGBTQ Economic Advancement & Research (CLEAR)  
 Center for Responsible Lending

CenterLink: The Community of LGBT Centers  
Colors+ Youth Center  
Community Legal Services in East Palo Alto  
Compass LGBTQ Community Center  
Connecticut Gay & Lesbian Chamber  
Consumer Action  
Consumer Reports  
Consumer Federation of America  
Daylight  
Eastern PA Trans Equity Project  
Empire Justice Center  
Equality California  
Equality Federation  
Equality Nevada  
Equality Ohio  
Equality Texas  
Equal Rights Advocates  
Equitas Health  
Family Equality  
FORGE, Inc.  
Four Corners Rainbow Youth Center  
FreeState Justice, Maryland's LGBTQ Advocates  
GLAAD  
GLBTQ Legal Advocates & Defenders (GLAD)  
GLMA: Health Professional Advancing LGBTQ Equality  
GLSEN  
Golden Gate Business Association  
Greater Dayton LGBT Center  
Greater Houston LGBT Chamber of Commerce  
Henderson Equality Center  
Hetrick-Martin Institute  
Hispanic Federation  
Housing and Economic Rights Advocates  
Hudson Pride Center  
Hugh Lane Wellness Foundation  
Human Rights Campaign  
Independence Business Alliance  
interACT: Advocates for Intersex Youth  
Lambda Legal  
Lancaster LGBTQ+ Coalition  
Legal Aid at Work  
Legal Aid Service of Broward County, Inc.  
LGBT Center of SE Wisconsin  
LGBT Community Center Of Greater Cleveland  
LGBTQ Center of Bay County Inc.  
LGBTQ Community Center of Southern Nevada  
The LOFT LGBTQ+ Community Center  
Los Angeles LGBTQ Chamber of Commerce

Louisville Pride Foundation  
Mazzoni Center  
Miami Dade Gay and Lesbian Chamber of Commerce  
Mid-America LGBT Chamber of Commerce  
Minority Veterans of America  
Modern Military Association  
Montrose Center  
Movement Advancement Project (MAP)  
Naper Pride  
National Association of Consumer Advocates  
National Association of Social Workers  
National Black Justice Coalition  
National Center for Lesbian Rights  
National Center for Transgender Equality  
National Community Reinvestment Coalition (NCRC)  
National Consumer Law Center (on behalf of its low-income clients)  
National Consumers League  
National LGBT Chamber of Commerce (NGLCC)  
National LGBTQ Task Force  
National Women's Law Center  
New Mexico Out Business Alliance  
North Texas LGBT Chamber of Commerce  
Oklahomans for Equality  
One In Long Beach, Inc.  
Openhouse  
OutFront Kalamazoo  
OUT Georgia Business Alliance  
Out Leadership  
PFLAG National  
PGH Equality Center  
Plexus LGBT & Allied Chamber of Commerce  
Power Safe Place Resource Center of Virginia  
Pride Center at Equality Park  
Pride Community Center  
Public Citizen  
Public Good Law Center  
Public Justice  
Public Law Center  
QWELL Community Foundation  
Rainbow Families  
Rebirth Obgyn  
Resource Center  
Sacramento LGBT Community Center  
SAGE  
Sam & Devorah Foundation for Trans Youth  
San Francisco Office of Transgender Initiatives  
San Joaquin Pride Center  
SCV Pride Center

Seacoast Outright  
Shoals Diversity Center  
Silver State Equality  
Spahr Center  
Spectrum Resource Center  
Stand with Trans  
Stonewall Columbus, Inc  
Tampa Bay LGBT Chamber  
Texas Appleseed  
Three Rivers Business Alliance  
Transcend Charlotte, Inc.  
TransFamily Support Services  
The Transgender District  
Transgender Law Center  
Transgender Legal Defense & Education Fund  
Transgender Michigan  
The TransLatin@ Coalition  
TransOhio  
Tranz Central Coast  
The Trevor Project  
Tzedek DC  
UC Berkeley Center for Consumer Law & Economic Justice  
Uptown Gay & Lesbian Alliance (UGLA)  
URGE: Unite for Reproductive & Gender Equity  
Utah LGBTQ+ Chamber of Commerce  
Voices for Progress  
West Virginia Gay and Lesbian Community Center  
Woodstock Institute  
Yale University's Office of LGBTQ Resources

[List in formation]

cc:

Consumer Financial Protection Bureau  
Federal Trade Commission  
Agatha So, House Financial Services Committee  
Sneha Pandya, Senate Banking Committee