

## Summary of Rights and Disclosure

Fairway Independent Mortgage Corporation and its wholly owned affiliate Frisco Lender Services, LLC (collectively the “Company”) may request background information about you from multiple consumer reporting agencies in connection with your employment application and for employment purposes. This information may be obtained in the form of consumer reports and investigative consumer reports. These reports may be obtained at any time after receipt of your authorization and, if you are hired by the Company, throughout your employment.

Sterling Talent Solutions d/b/a TalentWise, Inc. (“Sterling”) or another consumer reporting agency, will obtain reports for the Company. Further information regarding Sterling may be found online at [www.sterlingtalentsolutions.com](http://www.sterlingtalentsolutions.com). Sterling is located at 19910 North Creek Parkway, Suite 200, Bothell, Washington 98011 and can be reached at (877) 982-9888.

The reports may contain information bearing your character, general reputation, personal characteristics, mode of living, and credit standing. The types of information that may be obtained include, but are not limited to, social security number verifications; authorization to work checks; criminal records checks; civil record checks; financial information and credit checks; federal record checks; public court record checks; driving record checks; drug testing results; physical tests; educational records checks; employment history verification; personal and professional references checks; and sanction, licensing, and certification checks. The information in the report will be obtained from private and public record sources, including, as appropriate, personal interviews with sources identified by you in your job application or through interviews or correspondence with your past or present coworkers, neighbors, friends, associates, current or former employers, educational institutions, or other acquaintances.

You may request more information about the nature and scope of any investigative consumer reports by contacting Human Resources at 4801 S. Biltmore Lane, Madison, Wisconsin 53718 or (608) 837-4800. A summary of your rights under the Fair Credit Reporting Act and state-specific notices is provided below.

### A Summary of Your Rights Under the Fair Credit Reporting Act

*Para información en español, visite [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.*

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.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

- **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 identity 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, all consumers are entitled to one (1) free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) 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.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) 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 as 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 (7) 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.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).
- **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.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

**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. For information about your federal rights, contact:**

Type of Business:	Contact:
<p>1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:</p>	<p>a. Consumer Financial Protection Bureau 1700 G Street, N.W. Washington, DC 20552</p> <p>b. Federal Trade Commission: Consumer Response Center – FCRA 600 Pennsylvania Avenue, NW Washington, DC 20580 (877) 382-4357</p>
<p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations</p> <p>d. Federal Credit Unions</p>	<p>a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050</p> <p>b. Federal Reserve Consumer Help Center P.O. Box. 1200 Minneapolis, MN 55480</p> <p>c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106</p> <p>d. National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach (DCCO) 1775 Duke Street Alexandria, VA 22314</p>
<p>3. Air carriers</p>	<p>Asst. General Counsel for Aviation Enforcement &amp; Proceedings, Aviation Consumer Protection Division, Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590</p>
<p>4. Creditors Subject to the Surface Transportation Board</p>	<p>Office of Proceedings, Surface Transportation Board, Department of Transportation 395 E Street, S.W. Washington, DC 20423</p>
<p>5. Creditors Subject to the Packers and Stockyards Act, 1921</p>	<p>Nearest Packers and Stockyards Administration area supervisor</p>
<p>6. Small Business Investment Companies</p>	<p>Associate Deputy Administrator for Capital Access, United States Small Business Administration 409 Third Street, S.W., 8<sup>th</sup> Floor Washington, DC 20416</p>
<p>7. Brokers and Dealers</p>	<p>Securities and Exchange Commission 100 F Street, N.E. Washington, DC 20549</p>
<p>8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations</p>	<p>Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090</p>
<p>9. Retailers, Finance Companies, and All Other Creditors Not Listed Above</p>	<p>FTC Regional Office for region in which the creditor operates or Federal Trade Commission: Consumer Response Center – FCRA 600 Pennsylvania Avenue, NW Washington, DC 20580 (877) 382-4357</p>

## ADDITIONAL STATE LAW NOTICES

**CALIFORNIA:** Pursuant to Cal. Civ. Code § 1785.20.5, this notice is to inform you that the Company is requesting a copy of your consumer report from Sterling. The report will be used for employment purposes pursuant to Cal. Lab. Code § 1024.5(a)(1), (4)–(7). Under Cal. Civ. Code § 1786.22, you may view your file maintained by Sterling during normal business hours. You may also obtain a copy of this file, upon submitting proper identification and paying the costs of duplication services, by appearing at Sterling’s offices in person, during normal business hours, and on reasonable notice, or by mail. You may also receive a summary of the file by telephone, upon submitting proper identification. Sterling has trained personnel available to explain your file to you, including any coded information. If you appear in person, you may be accompanied by one other person, provided that person furnishes proper identification.

**MAINE:** You have the right, upon request, to be informed of whether an investigative consumer report was requested, and if one was requested, the name and address of the consumer reporting agency furnishing the report. You may request and receive from the Company, within five (5) business days of receipt of your request, the name, address, and telephone number of the nearest unit designated to handle inquiries for the consumer reporting agency issuing an investigative consumer report concerning you. You also have the right, under Maine law, to request and promptly receive from all such agencies copies of any such reports.

**MASSACHUSETTS:** Pursuant to Mass. Gen. Laws ch. 93, § 53, this notice is to inform you that the Company is requesting a copy of your consumer credit report from Sterling. You have the right to obtain a copy of the investigative consumer report upon request from the Company or the consumer reporting agency. For information on how to correct a criminal record and the Company’s Criminal Background Check Policy, please see below.

**MINNESOTA:** You may make a written request to the consumer reporting agency for information on the nature and scope of the consumer report prepared.

**NEW JERSEY:** You have the right to have a copy of the investigative consumer report upon request.

**NEW YORK:** You have the right, upon request, to be informed of whether or not a consumer report was requested. If a consumer report was requested, you will be provided with the name and address of the consumer reporting agency furnishing the report. You may inspect and receive a copy of the report by contacting that agency. For a summary of your rights under New York state law, see N.Y. Correct. Law §§ 750–55.

**WASHINGTON STATE:** If the Company requests an investigative consumer report, you have the right, upon written request made within a reasonable period of time after your receipt of this disclosure, to receive a complete and accurate disclosure of the nature and scope of the investigation requested. You also have the right to request from the consumer reporting agency a written summary of your rights and remedies under the Washington Fair Credit Reporting Act, Wash. Rev. Code § 19.182.080(7).

### Information Concerning the Process to Correct a Criminal Record in Massachusetts

If you have undergone a background check by an agency that received a criminal record from the Department of Criminal Justice Services (DCJIS), you may ask the agency to provide you with a copy of the criminal record. You may also request a copy of your adult criminal record from the DCJIS at 200 Arlington Street, Suite 2200, Chelsea, Massachusetts 02150, (617) 660-4640, <http://www.mass.gov/eopss/crime-prev-personal-sfty/bkgd-check/cori/request-rec/requesting-more-than-ten-criminal-records.html>.

If you believe that a case is opened on your record that should be marked closed, you may contact the Office of the Commissioner of Probation Department at the court where the changes were brought and request that the case(s) be updated. If you believe that a disposition is incorrect, contact the chief probation officer at the court where the charges were brought or the CARI Unit at the Office of the Commissioner of Probation and report that the court incorrectly entered a disposition on your criminal record. If you believe that someone has stolen or improperly used your identity and you were arraigned on criminal charges under your name, you may contact the Office of the

Commissioner of Probation CARI Unit or the chief probation officer in the court where the charges were brought. For a list of the courthouses and telephone numbers, please see [www.mass.gov/cjis/cori\\_codes\\_court.html](http://www.mass.gov/cjis/cori_codes_court.html). In some situations of identity theft, you may need to contact the DCJIS to arrange to have fingerprints analysis conducted. If there is a warrant currently outstanding against you, you need to appear at the court and ask that the warrant be recalled. You cannot do this over the telephone. If you believe that an employer, volunteer agency, housing agency, or municipality was provided a criminal record that does not pertain to you, you should contact the CORI Unit for assistance at (617) 660-4640.

### **The Company's Massachusetts Criminal Background Check Policy**

This policy is applicable to the criminal history screening of prospective and current employees, subcontractors, volunteers and interns, professional licensing applicants, and applicants for the rental or leasing of housing. Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, or the rental or leasing of housing, the following practices and procedures will be followed:

#### **I. Inquiring About Criminal History**

In connection with any decision regarding employment, volunteer opportunities, housing, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about the subject's criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

#### **II. Determining Suitability**

If the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, the determination will be made based on factors including, but not limited to, the following:

- a. Relevance of the record to the position sought;
- b. The nature of the work to be performed;
- c. Time since the conviction;
- d. Age of the candidate at the time of the offense;
- e. Seriousness and specific circumstances of the offense;
- f. The number of offenses;
- g. Whether the applicant has pending charges;
- h. Any relevant evidence of rehabilitation or lack thereof; and
- i. Any other relevant information, including information submitted by the candidate or requested by the Company.

The applicant is to be notified of the decision and the basis for any decision in a timely manner.

#### **III. Adverse Decisions Based on Criminal Background Information**

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of this policy, information on how to correct a criminal record, a copy of the criminal history background check, and the source(s) of the background check. The subject will then be provided an opportunity to dispute the accuracy of the record.

Currently, the Company does not conduct CORI checks through the Massachusetts DCJIS iCORI database. If the Company chooses to conduct such checks in the future, the following procedures will apply.

#### **IV. Conducting CORI Screening**

CORI checks conducted through the DCJIS iCORI database will only be conducted as authorized by the DCJIS and Mass. Gen. Laws ch. 6, § 172 and only after a CORI Acknowledgment Form is completed. With the exception of screening for the rental or leasing of housing, if a new CORI check is made on a subject within a year of signing

the CORI Acknowledgment Form, the subject shall be given 72 hours notice that a new CORI check will be conducted. If a requestor is screening for the rental or leasing of housing, a CORI Acknowledgment Form shall be completed for each and every subsequent CORI check.

#### V. Access to CORI

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a “need to know.” Such individuals may include, but is not limited to, hiring managers, staff submitting CORI requests, and staff charged with processing job applications. The Company must maintain a current list of each individual authorized to have access to or view CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

#### VI. CORI Training

An informed review of a criminal record requires training. Accordingly, all personnel authorized to review or access CORI at the Company will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS. Additionally, if the Company is an agency required by Mass. Gen. Laws ch. 6, § 171A to maintain a CORI policy, all personnel authorized to conduct criminal history background checks and/or review CORI information will review, and be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

#### VII. Use of Criminal History in Background Screening

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they applied.

#### VIII. Verifying a Subject’s Identity

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgment Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant. If the information in the CORI record provided does not exactly match the identification provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

#### IX. Secondary Dissemination Logs

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record any dissemination of CORI outside the Company, including dissemination at the request of the subject.