

FTC WARNS TENANT SCREENING WEB SITES ON FCRA DUTIES

from The Privacy Times

The Federal Trade Commission has warned six companies operating websites that share information about consumers' rental histories with landlords that they may be subject to the requirements of the Fair Credit Reporting Act (FCRA).

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(function() {  
var s = document.createElement('SCRIPT'), s1 = document.getElementsByTagName('SCRIPT')[0];  
s.type = 'text/javascript';  
s.src = 'http://widgets.digg.com/buttons.js';  
s1.parentNode.insertBefore(s, s1);  
})();
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(function() {  
var po = document.createElement('script'); po.type = 'text/javascript'; po.async = true;  
po.src = 'https://apis.google.com/js/plusone.js';  
var s = document.getElementsByTagName('script')[0]; s.parentNode.insertBefore(po, s);  
})();
```

If it turns out they collect information on tenants and their rental history and then provide it to landlords so they can make judgments about renting to those tenants, the companies would be considered credit reporting agencies subject to the FCRA.

The FTC told the firms they were obligated to protect the privacy of tenants whose information they collected, including ensuring that those buying tenant data have a legitimate reason to acquire it. It reminded them of their obligation to ensure that the information they provide is accurate, to give consumers a copy of the information about them on request, and to allow consumers to dispute information they believe is inaccurate. The FTC also told them they must notify landlords if they use the data to deny housing to a tenant, and to notify the sources of their information of the requirement that they provide accurate information.

The recipients were: The BlueChip Group LLC (www.donotrentto.com) M & R Rental Properties (www.badtenantlistings.com), The Landlord Protection Agency (www.thelpa.com), National Tenant Network (www.ntnonline.com), 123 Rent Inc. (www.therentersblacklist.com), and Tenancy Bureau Inc. (www.tenancybureau.us).

The FTC told the firms it had not yet made a determination whether the companies have violated the law but encourages them to review their business practices to ensure that they comply with the FCRA. The FTC acknowledged the assistance of the San Diego-based Privacy Rights Clearinghouse.

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