



## Disputing erroneous information appearing on your credit report



A credit report is a record of one's past and current debt as well as debt repayment history. In Kenya, Credit reference bureaus (CRB) established under the Credit Reference Bureau Regulations 2013 act under license from Central Bank of Kenya provide credit reports. Credit reports have become increasingly important sources of information affecting everyday life. For instance, they are used by financial institutions to determine the credit score of their potential customers prior to making a decision whether to lend money or approve issuance of a credit card. Credit reports are also used by employers to make hiring decisions in relation to certain cadres of employees whereby a poor credit score will adversely affect employability.

Given that a credit report affects many parts of one's life, it is important to review the information carried on it regularly to ensure it is free from incorrect information including misspelling of one's name. This is particularly important where one intends to apply for a loan soon. Inaccuracies to a credit report should be reported or disputed with the CRB immediately one notices them. Section 35 of the Credit Reference Bureau Regulations 2013 provides for customer's right of access and correction of credit reports. A customer has the right to know what information has been submitted by his/her credit institution to the bureau. This information is usually provided in the credit report.



In an instance where the customer believes that the information contained in the CRB database is inaccurate, erroneous or outdated, the customer may notify the Bureau in writing of the information disputed. Within 5 working days of being informed that the information in a customer's credit report is disputed, the Bureau shall:

- Attach a note to the credit information report, warning that the disputed information is under investigation, which notice shall remain on the file until resolution of the dispute; and
- Give the institution or credit information provider that supplied the information a notice of dispute requesting confirmation from the institution or credit information provider as to the accuracy of the information.

The Bureau shall, within 14 days, conduct investigation, based on the relevant information

provided by the customer, and may contact any person who has furnished information. Upon receipt of notice of dispute from the Bureau, the institution or credit information provider shall within 14 days of the receipt of notice complete all the necessary investigations into the disputed information and give the Bureau a notice of resolution advising whether the disputed information is to be deleted, corrected or is to remain unchanged.

If the investigations reveal an error on the information provided in the report, the Bureau shall remedy the error and inform all persons affected by the information including the customer. Where the Bureau does not complete its investigations within 21 days, the bureau shall delete the disputed information as requested by the customer. If the Bureau later completes its investigation, it may re-insert or revise the disputed information based on the results of such investigation and shall inform the customer of the action taken.

Upon receipt of a notice of resolution or an amendment notice from an institution the Bureau shall, within 5 working days of such receipt, send a notice of change to any subscriber that has in the previous 12 months obtained a credit information report from the Bureau containing the incorrect information.

Where the customer disagrees with the resolution of the disputed information, the customer may request the Bureau to attach a statement of not more than 100 words to the customer's credit report, setting out the customer's claim that the information is not accurate, and the Bureau shall take reasonable steps to comply with the customer's request. The customer has a right to further refer a dispute to court.