



Adverse Action Mandatory Process - How to dispute a Background Screening Report Result?

What happens when a background check yields information about a candidate that, if true, would cause the contracting organization to potentially deny mortgage field service work projects to the individual? This will be denoted on the background screening report as an IC02 - IC04 grade. How should you handle such a situation in a fair and legally compliant manner?

The Employers Adverse Action Duties:

The FCRA says that the employer must send the Pre-Adverse Action Notice to the candidate – this letter will alert the candidate that there is an issue on his background screening report that may limit his job assignments. This letter will provide him contact information to the Quick Search dispute hotline where he can formally review his report with Quick Search management and formally open a dispute if required. From time of receipt of the letter, the candidate has five business days to contact Quick Search to open a formal dispute. Step 4 of your Quick User guide will show the employer how to order the Pre-Adverse action letter from your Quick Search dashboard. See draft of Pre-Adverse Action letter below:

Notice of Pre-Adverse Action

*John Doe
123 Main Street
New York, NY 12345*

Re: Pre-Adverse Action Letter

Dear John Doe,

Enclosed is a background screening report that was requested in connection with your opportunity for employment on certain mortgage field service work projects as an employee or independent contractor with our company. In accordance with the Federal Fair Credit Reporting Act (FCRA), we have also enclosed a copy of your rights under the FCRA.

You have the right to dispute the accuracy or completeness of information contained in the background screening report by contacting the Quick Search's dispute hotline number or emailing the Quick Search operations manager:

214-358-2880 Opt. 5 or kadams@quicksi.com

If Quick Search does not receive any additional information from you disputing the criminal record within a five day period, we will send a follow-up adverse action letter indicating that your ability to work on certain mortgage field service work, at certain locations and/or without certain supervision may be adversely affected by the enclosed background screening report.

Sincerely,



Human Resources Department

{{CLIENTNAME}}

{{CLIENTADDRESS}}

Enclosures:

Copy of Background Screening Report

FCRA Notice of Rights/Contact Sheet

If the Candidate Disputes his background screening report

Quick Search will open the dispute, review information provided by the candidate and perform a record recheck at the appropriate courthouse. If information provided as well as court recheck results in a report revision, Quick Search will revise the report, regrade the report and send the updated report with new grade to the Vendor owner. If the resultant report has an IC01 grade then this grade will be forwarded automatically to the Aspen iRecord system. If the report has an IC02 – IC04 grade, an adverse action letter is required to be sent to the candidate. See below for Adverse Action letter draft and how to order.

No Dispute by Candidate

If the candidate does not need to dispute the original or revised background screening report and the report grade is IC02 - IC04, then on the fifth day the employer will provide the candidate an adverse action letter, see Step 4 in the Quick User Guide to see how to order. See draft of adverse action letter below:

Adverse Action Letter

*John Doe
123 Main Street
New York, NY 12345*

Re: Adverse Action letter

Dear John Doe,

Enclosed is a background screening report that we requested in connection with your opportunity for employment on certain mortgage field service work projects as an employee or independent contractor with our company. In accordance with the Federal Fair Credit Reporting Act, also enclosed is a copy of your Summary of Rights.

Based on our hiring criteria and the contents of the background screening report, we have made a decision that your ability to work on certain jobs, at certain locations and/or without certain supervision will be limited or prohibited. This decision was made in part from information we received from Quick Search. Please be advised that Quick Search does not make these decisions and is unable to provide you with the specific reasons for them.



If you believe a charge/conviction accurately recorded in the background screening report should not be taken into account in the formation of an individual compliance result then you may lodge an appeal with the Mortgage Industry Working Group Appeals committee by emailing:

support@industryworkinggroup.com

Sincerely,

Human Resources Department

{{CLIENTNAME}}

{{CLIENTADDRESS}}

Enclosures:

Copy of Consumer Report

FCRA Notice of Rights/Contact Sheet

You must decide whether to release the report grade if IC02 – IC04 to Aspen iRecord?

For all reports that are graded IC02, IC03 or IC04, the vendor owner has the option to choose whether to release, or not release the result grade to their Aspen iRecord® account. The implications of deciding to release, or not release the result grade of an IC02, IC03 or IC04 are available within your Aspen iRecord® account. From there, you can see the implications by searching for the contact the decision is being made for and then clicking on the “Ready for Review” link. For reports that are graded IC02, IC03 or IC04, an email is also sent to the primary contact of your Aspen iRecord® account outlining the implications of the decision you make.

See Screenshot below on how to release a report that is graded IC02 – IC04 to Aspen iRecord:

QUICKSEARCH

If this search is part of an "AspenGrove" client and is "In Progress" Then: - a new report-level disposition section will appear here.

The save routine for report-level disposition: - will mark the report complete and release it to iRecord with the disposition provided.

Quick Find Who are you looking for? Advanced Search

Applicant: Detailed View | Back to List | Previous Applicant | Next Applicant

Guthrie, Donald Bryan
SSN: 454-84-****
DOB: 03/19/****
Ordered: 08-03-2015
Complete

View Report Options
view report summary
print report summary
mark unread
archive this report

send e-mail report
other upload document(s) for this report

Search Types Done
SSN Address Trace ☒

SSN Address Trace
Details: None

SSN Address Trace Documents Add doc
No Documents

SSN Address Trace Notes Add note
No Notes

My Reports
In Progress (0)
Completed (23) Archive all
Swiftfire (0 / 3)
Archived (0)
Needs Attn (0)
Discrepancy (2)
View Options

Unread Status Update Needs Attention Discrepancy Archived