



## FCRA Quick Reference Guide

### Federal FCRA

- **Civil, arrest and non-conviction records** are not reportable after 7 years from date of arrest or disposition
- **Convictions are reportable indefinitely**
- **Open Warrants can be reported indefinitely**

### State FCRA

Certain requirements are stricter than the Federal FCRA

(Applies to the following states only: California, Colorado, Kansas, Maryland, Massachusetts, Montana, Nevada, New Hampshire, New Mexico, New York, Texas, and Washington)

- **Convictions are not reportable after 7 years from the date of disposition, release, or parole.** (“The **sentencing date** is the default for convicted consumers whose sentence does not include confinement”)
  - If the consumer received probation **ONLY**, and was never incarcerated, the sentencing date is the default
  - If the consumer received probation and was incarcerated, the incarceration end date is the default
    - The incarceration may be included in the original sentence **AND/OR** may be a result of a probation violation
  - If the consumer was incarcerated (regardless if there is parole), the prison release date is the default
  - If there is a parole or probation violation, the violation date is the default (unless there is associated confinement. If the consumer is confined as a result of the violation, the confinement release date is the default)

\*Incarcerated = any type of confinement or jail time.

States that prohibit reporting non-Convictions (pending/open charges **are** reportable):

- New York, California, Kentucky