Information to victims of identity theft

It is vital that you follow these steps if you suspect that you may be a victim of identity theft. If you believe that someone has taken out a loan in your name, used your information to apply for a credit card, or bought items or services in your name, you need to act immediately. By acting fast, you will uncover the extent of the identity theft, as well as you are protecting yourself from further fraud.

According to Norwegian contract law, an agreement is invalid if you have not agreed to it yourself. However, banks and other creditors may still hold you financially responsible if you have not acted with sufficient care to prevent or limit the fraud.[[1]](#footnote-1)1 Therefore, we recommend that you carry out the following steps right away:

1. **Report the incident to the Police**

You should report the incident to the police. You can do this either at a police station or on their website ([www.politiet.no](http://www.politiet.no)). If you have a suspicion of who the swindler could be, or how he or she obtained your personal information, it is important that you share this information with the police. After reporting the identity theft, you should request a confirmation from the police that they have received your report of the incident. You can use the confirmation as evidence in a possible dialogue or conflict with your creditors.

1. **Notify the banks that you have been a victim of identity theft**

The lawdemands that you contact the banks without any unfounded delay (“uten ugrunnet opphold”) after you became conscious of the identity theft[[2]](#footnote-2). You should therefore contact all the affected banks as soon as possible after you become aware of, or suspect, that you have been a victim of identity theft. We recommend that you give a written notice, so you can document that you notified the banks in time. You can get an overview of the affected banks, which you should notify, by checking your credit report. You can read more about credit registers under point 5.

1. **Change your passwords and block your BankID and/or credit card.**

Contact the bank that issued your BankID or credit card. Explain that you have been a victim of identity theft, and that you want to block your BankID or credit card. It is also important that you change all passwords that may have been used in the identity theft. Otherwise, there runs a risk that the swindler continues to use your personal information for taking up further loans.

1. **Register a credit freeze**

Another way of protecting yourself from identity theft, is by registering a credit freeze. Registering a credit freeze prevents banks and other lenders from running a credit check on your name. This will prevent lenders from giving out loans or credit cards in your name. Therefore, a credit freeze will protect you against further identity theft. Four companies can assist you with registering a credit freeze: *Bisnode, Evry, Creditsafe,* and *Experian*. You can contact the companies through their websites.

1. **Check the credit register (“gjeldsregisteret”)**

The credit register gives an overview of all unsecured credit accounts or loans opened in your name. As of today, two debt registers are in operation: [*www.gjeldsregisteret.com*](http://www.gjeldsregisteret.com)and [*www.norskgjeld.no*](http://www.norskgjeld.no). Even though they are supposed to contain identical information, we recommend that you check both.

1. **Request information from the banks**

To get the full picture of the identity theft, you should request information from the banks and lenders about how the loans or credit cards were established. The following are suggestions for questions you should ask the relevant banks and lenders:

* How and when was the credit established? Has a loan agreement been set up in your name, or was a credit card issued and thereafter used by the swindler? Did the swindler use your BankID, and was your personal password entered? You should also ask for the specific loan application made by the swindler.
* To what accounts were the loans paid out? Has the swindler opened a bank account in your name, before transferring the money to his or her own bank account? Alternatively, did the lender transfer the credit amount directly to the swindler’s account? Is there a promissory note involved?
* Who manages the claim now? Have the claims been forwarded to a debt collection company, the Enforcement Officer (*Namsmannen),* or the Conciliation Board (*Forliksrådet*)? Has the Conciliation Board made any judgments in the case?

1. **Check if you are insured against identity theft**

Some insurance companies cover costs for legal assistance in cases of identity theft. Contact your insurance company or your bank and find out what your insurance covers.

On the following pages, we have created two templates for letters that you can send to the banks. You can send these either as a letter in the post or as an e-mail.

Template for Request for Claims to be Put on Hold (berostillelse) due to Identity Theft

This is a template for a letter you can send to the banks to inform them that you are a victim of identity theft, as well as to request that further collection of the claim is to be put on hold (berostillelse). This is to prevent the banks from sending the claim to debt collection, where more costs can occur. In this letter, it may also be useful to ask some questions about the relevant claim, see the suggestion below. We recommend that you send this letter to all the banks where you have outstanding credit due to the identity theft. We also recommend attaching as much information and documentation as possible about the identity theft. This could be the police report and other information that can document that you have been defrauded.

Your name Place:............ Date:…..........

Address

The name of the bank

Address

Hello,

I have been a victim of extensive identity theft. By misusing my identity, swindlers have taken up credit from you. *(Write how you think the identity theft has occured, with either BankID and personal password, stolen/lost payment card, or similar situations)*. I have reported the matter to the Police, and the matter is under investigation, please see the attached report.

I request that the matter will be put on hold (berostillelse) until the Police have investigated the concern, and until I have been informed of the extent of the identity theft. I also ask for more information about how the loans were taken up, and ask you to answer the following questions:

1. How and when was the debt established? Has a loan agreement been set up in my name, or was a credit card issued and thereafter used by the swindler? Did the swindler use my BankID, and was my personal password entered? I ask that you send the specific loan application made by the swindler.
2. To what account were the loans paid out? Has the swindler opened a bank account in my name, before transferring the money to his or her own bank account? Alternatively, did the lender transfer the credit amount directly to the swindler’s account? Is there a promissory note involved?
3. Who manages the claim now? Have the claims been forwarded to a debt collection company, the Enforcement Officer (*Namsfogden*), or the Conciliation Board (*Forliksrådet*)? Are there any conciliation board judgments in the case?

Sincerely,

Your name

Template for Request for Waiver (frafallelse) of Claims as Result of Identity Theft

This is a template for a letter you can send for a request for waiver of claims, which means that the banks delete their claim against you. We recommend that you send this in writing so that you can receive written confirmation that the bank deletes the claim. We would like to point out that it is not always easy to get the banks to delete their claim against you. We recommend attaching as much information and documentation as possible about the identity theft. This could be the police report and other information that can document that you have been defrauded.

Your name Place:......... Date:….......

Address

The name of the bank

Address

Hello,

I have been a victim of extensive identity theft. By misusing my identity, swindlers have taken out credit from your institution. (*Explain how you think the identity theft has occured, either with use of BankID and personal password, stolen/lost payment card, or similar situations).* I have reported the matter to the Police, and the matter is under investigation, please see the attached report.

This overview shows the total extent of the identity theft: *(Write which other banks have claims against you due to the identity theft. You can, for example, create a table with banks and loan amount in each column, or attach a printout of the overview from* [*www.gjeldsregisteret.com*](http://www.gjeldsregisteret.com) *or* [*www.norskgjeld.no*](http://www.norskgjeld.no)*).*

I have not, nor will I later, have the opportunity to service a loan that I have not taken out myself. *(Here you can explain your financial situation briefly).*

I therefore ask the claim to be waived in its entirety.

Sincerely,

Your name

1. 1 Financial Contracts Act («finansavtaleloven») Section 34 and 35 [↑](#footnote-ref-1)
2. Financial Contracts Act («finansavtaleloven») Section 34 [↑](#footnote-ref-2)