***USE YOUR LETTERHEAD***

**CALIFORNIA**

**SAMPLE PRE-ADVERSE ACTION LETTER**

Dear Applicant,

This notification is being provided to advise you of our intent to take adverse employment action, e.g., not hire, terminate, etc., against you, based in whole or in part, upon information contained in a consumer report provided to us by DataCheck. (A copy of that report is attached for your reference, along with a copy of your rights under the Fair Credit Reporting Act.) The criminal record(s) in question are highlighted on the report.

If you believe that this report is incomplete or inaccurate or wish to explain and/or provide mitigating information relating to the reported matter and/or evidence of rehabilitation, please advise us immediately. You may contact DataCheck at 800-253-3394 and advise them that you dispute the report if you, in fact, dispute its contents. They will begin an investigation or your dispute. To ensure accurate communication, have the report in hand when you call them. We will delay taking adverse action for \_\_\_\_\_\_\_ business days from the date of this letter. However, if you notify us within the above time frame that you dispute the accuracy of the report, you will have an additional five (5) business days to obtain evidence that the report is inaccurate. At the conclusion of that period we may take the contemplated adverse action if we have not heard from you. However, that does not affect your rights to dispute the contents of the report or your file with DataCheck at any time. It is our policy to individually assess each applicant, and your input regarding the explanation of, or provide mitigating information regarding a criminal record or other adverse information is welcomed. Contact us so we can properly evaluate your situation and determine whether or not to take the contemplated adverse action.

If you have any questions, please contact our office.

Very truly yours,