## The Intersection of Landlord/Tenant Issues and the FCRA

## **Registration Information**

Webinar Date: Wednesday, March 13th 2013 Webinar Time: 2:00 PM – 3:00 PM EASTERN

Registration Fee: Members: \$25.00 Non-Members: \$50.00

## **How to Register**

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It has long been recognized that residential tenants are consumers. Consumer protection laws and landlord/tenant laws overlap in many ways.

One growing area where consumer rights and tenants' rights intersect involves the FCRA. Tenants are an excellent source of cases for FCRA lawyers in a variety of settings. For example, the 9th Cir. decision in Dennis v. BEH, (which arose from a settlement of a Housing Court case) provides many opportunities for practitioners bringing 1681e(b) and 1681i claims arising from the inaccurate reporting of eviction cases.

There are also situations where landlords impermissibly pull credit reports on current tenants. In a number of cases tenants have successfully sued landlords for violations of the FCRA for either impermissible pull or false pretense violations.

Another significant area where the FCRA intersects with tenant's rights is in tenant screening. There are hundreds of tenant screening bureaus ("TSB's") that provide Housing Court data to prospective landlords. Many of those reports are inaccurate, incomplete or obsolete and few cases have been brought against TSBs as compared to the Big 3. These cases easily lend themselves to class action treatment. This webinar will discuss the types of cases where plaintiff's lawyers can enforce tenant's FCRA rights, in a variety of settings, in both individual and class action cases.

## **Presenter**

James Fishman has been representing tenants and consumers in New York City for 33 years. A 1979 graduate of New York Law School, he was an Assistant Attorney General in the NY State Department of Law Bureau, of Consumer Frauds and Protection and then a senior staff attorney at The Legal Aid Society's Civil Division. In 1989 Mr. Fishman began his private practice and is now a partner at Fishman & Mallon, LLP, a 5 lawyer tenant and consumer rights firm in New York City. Mr. Fishman is an original member of NACA and a member of the Board of Directors

