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U.S. Supreme Court Clarifies FCRA Issues

The United States Supreme Court reversed and remanded two cases (*Safeco Insurance Company of America v. Burr*; *GEICO General Insurance Company v. Edo*) from the Ninth Circuit. In doing so, the Supreme Court clarified what constitutes an "adverse action" under the Fair Credit Reporting Act (FCRA) when insurance companies use consumer reports, including credit scores, for underwriting purposes. The Supreme Court also resolved a conflict among the federal Circuit Courts as to what qualifies as a willful violation of the FCRA, adopting a "reckless disregard" standard for willful violations.

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