

(B) WHENEVER CREDIT FOR PERSONAL, FAMILY, OR HOUSEHOLD PURPOSES INVOLVING A CONSUMER IS DENIED OR THE CHARGE FOR CREDIT IS INCREASED EITHER WHOLLY OR PARTLY BECAUSE OF INFORMATION OBTAINED FROM A PERSON OTHER THAN A CONSUMER REPORTING AGENCY BEARING UPON THE CONSUMER'S CREDIT WORTHINESS, CREDIT STANDING, CREDIT CAPACITY, CHARACTER, GENERAL REPUTATION, PERSONAL CHARACTERISTICS, OR MODE OF LIVING, THE USER OF THE INFORMATION SHALL, WITHIN A REASONABLE PERIOD OF TIME, UPON THE CONSUMER'S WRITTEN REQUEST FOR THE REASONS FOR THE ADVERSE ACTION RECEIVED WITHIN SIXTY DAYS AFTER LEARNING OF THE ADVERSE ACTION DISCLOSE THE NATURE OF THE INFORMATION TO THE CONSUMER. THE USER OF THE INFORMATION SHALL CLEARLY AND ACCURATELY DISCLOSE TO THE CONSUMER HIS RIGHT TO MAKE THE WRITTEN REQUEST AT THE TIME THE ADVERSE ACTION IS COMMUNICATED TO THE CONSUMER.

(C) A PERSON MAY NOT BE HELD LIABLE FOR ANY VIOLATION OF THIS SECTION IF HE SHOWS BY A PREPONDERANCE OF THE EVIDENCE THAT AT THE TIME OF THE ALLEGED VIOLATION HE MAINTAINED REASONABLE PROCEEDURES TO ASSURE COMPLIANCE WITH THE PROVISIONS OF SUBSECTIONS (A) AND (B) OF THIS SECTION.

#### 14-1213. CIVIL LIABILITY.

(A) ANY CONSUMER REPORTING AGENCY OR USER OF INFORMATION WHICH WILFULLY FAILS TO COMPLY WITH ANY REQUIREMENT IMPOSED UNDER THIS SUBTITLE WITH RESPECT TO ANY CONSUMER IS LIABLE TO THAT CONSUMER IN AN AMOUNT EQUAL TO THE SUM OF

(1) ANY ACTUAL DAMAGES SUSTAINED BY THE CONSUMER AS A RESULT OF THE FAILURE;

(2) SUCH AMOUNT OF PUNITIVE DAMAGES AS THE COURT MAY ALLOW; AND

(3) IN THE CASE OF ANY SUCCESSFUL ACTION TO ENFORCE ANY LIABILITY UNDER THIS SECTION, THE COSTS OF THE ACTION TOGETHER WITH REASONABLE ATTORNEY'S FEES AS DETERMINED BY THE COURT.

(B) ANY CONSUMER REPORTING AGENCY OR USER OF INFORMATION WHICH IS NEGLIGENT IN FAILING TO COMPLY WITH ANY REQUIREMENT IMPOSED UNDER THIS SUBTITLE WITH RESPECT TO ANY CONSUMER IS LIABLE TO THAT CONSUMER IN AN AMOUNT EQUAL TO THE SUM OF

(1) ANY ACTUAL DAMAGES SUSTAINED BY THE CONSUMER AS A RESULT OF THE FAILURE;

(2) IN THE CASE OF ANY SUCCESSFUL ACTION TO ENFORCE ANY LIABILITY UNDER THIS SECTION, THE COSTS OF THE ACTION TOGETHER WITH REASONABLE ATTORNEY'S FEES AS DETERMINED BY THE COURT.