

September 26, 2019

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VIA OVERNIGHT MAIL

Attorney General Gordon MacDonald
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Re: Incident Notification

Dear Attorney General MacDonald:

We are writing on behalf of our client, Ashton Woods Homes, to notify your office of a security incident involving one New Hampshire resident.

Ashton Woods recently determined that unauthorized access was gained to several Ashton Woods employee email accounts between April 8, 2019 and June 21, 2019. As soon as Ashton Woods discovered the unauthorized access, it took steps to secure the accounts, launched an investigation, and a cyber security firm was engaged to assist in determining what, if any, personal information may have been viewed in the accounts. The investigation was not able to determine whether personal information was actually viewed or acquired. But, because Ashton Woods could not completely rule out that possibility, it conducted a comprehensive search of the messages stored in the accounts that were accessed. On August 27, 2019, Ashton Woods determined that certain emails or attachments that could have been viewed as a result of the unauthorized access may have contained personal information related to one New Hampshire resident. That information may have included individual's name, financial account information, and payment card number.

On September 26, 2019, Ashton Woods mailed the notification letter via United States Postal Service First-Class mail to the one New Hampshire resident in accordance with N.H. Rev. Stat. Ann. § 359-C:20, in substantially the same form as the enclosed letter.¹ Ashton Woods has established a dedicated call center that individuals may call with related questions, and it is offering individuals whose Social Security number or driver's license number was potentially contained in the email accounts with one year of complimentary credit monitoring and identity theft protection services through Kroll. The notification letter provides a toll-free number for individuals to call with questions, including questions about the credit monitoring services.

¹ This report does not waive Ashton Woods' objection that New Hampshire lacks personal jurisdiction over the company related to this incident.

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To further protect personal information, Ashton Woods has implemented additional security enhancements to protect systems that store personal information.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "John Hutchins". The signature is written in a cursive style with a large initial "J" and "H".

John Hutchins

Enclosure



ASHTON WOODS.

<<Date>> (Format: Month Day, Year)

<<FirstName>> <<MiddleName>> <<LastName>> <<NameSuffix>>
<<Address1>>
<<Address2>>
<<City>>, <<State>> <<Zip>>
<<country >>

Dear <<FirstName>> <<MiddleName>> <<LastName>> <<NameSuffix>>,

Ashton Woods Homes recognizes and takes seriously the importance of protecting the privacy of personal information. We are writing to inform you that we recently identified and addressed a security incident that may have involved some of your information. This notice describes the incident, outlines the measures we have taken in response, and advises you on steps you can take to help protect your information.

We recently determined that an unauthorized person gained access to several Ashton Woods employee email accounts between April 8, 2019 and June 21, 2019. As soon as we discovered the unauthorized access, we took steps to secure the accounts, launched an investigation, and a cyber security firm was engaged to assist us in determining what information may have been viewed in the accounts. Our investigation was not able to determine whether your personal information was actually viewed or acquired. But, because we could not completely rule out that possibility, we conducted a comprehensive search of the messages stored in the accounts that were accessed. On August 27, 2019, we determined that certain emails or attachments that could have been viewed as a result of the unauthorized access may have contained your passport number, financial account information, credit card number, email address and password, username and password, and/or electronic signature. The emails that may have been viewed did not contain your Social Security number.

We encourage you to remain vigilant for incidents of fraud or identity theft by reviewing your account statements for any unauthorized activity. For more information on additional steps you can take to protect yourself, please see the pages that follow this letter.

We regret that this incident occurred and further regret any inconvenience it may have caused. We have implemented additional security enhancements in our continuing efforts to protect our systems and the personal information stored therein. If you have questions about this matter or the recommended next steps, please call 1-833-943-1372, Monday through Friday, from 9:00 a.m. to 6:30 p.m. Eastern Time.

Sincerely,

Ken Balogh
President and Chief Executive Officer
Ashton Woods Homes

ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit www.annualcreditreport.com or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

- *Equifax*, PO Box 740241, Atlanta, GA 30374, www.equifax.com, 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, www.experian.com, 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, www.transunion.com, 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

- *Federal Trade Commission*, Consumer Response Centre, 600 Pennsylvania Avenue NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), www.ftc.gov/idtheft

Residents of **Maryland, North Carolina, Rhode Island, or Connecticut** may contact and obtain information from your state attorney general at:

- *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, www.oag.state.md.us
- *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6400 / 1-877-566-7226, www.ncdoj.gov
- *Rhode Island Attorney General's Office*, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, www.riag.ri.gov
- *Connecticut Attorney General's Office*, 55 Elm Street, Hartford, CT 06106, 1-860-808-5318, www.ct.gov/ag

If you are a resident of Rhode Island, note that pursuant to Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze.

This incident involves 1,926 individuals.

If you are a resident of West Virginia, you have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described below. You also have a right to place a security freeze on your credit report, as described below.

Fraud Alerts: There are two types of fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one (1) year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. You can place a fraud alert on your credit report by contacting any of the three national credit reporting agencies.

Credit Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, so that no new credit can be opened in your name without the use of a PIN that is issued to you when you initiate a freeze. A security freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a security freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a security freeze may delay your ability to obtain credit.

There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- **Experian Security Freeze**, PO Box 9554, Allen, TX 75013, www.experian.com
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, www.transunion.com
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, www.equifax.com

To request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.)
2. Social Security number
3. Date of birth
4. If you have moved in the past five years, provide the addresses where you have lived over the prior five years
5. Proof of current address such as a current utility bill or telephone bill
6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
7. If you are a victim of identity theft, include a copy of the police report, investigative report, or complaint to a law enforcement agency concerning identity theft

The credit reporting agencies have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five business days and provide you with a unique personal identification number ("PIN") or password or both that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, or to lift a security freeze for a specified period of time, you must submit a request through a toll-free telephone number, a secure electronic means maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to the credit reporting agencies and include proper identification (name, address, and Social Security number) and the PIN or password provided to you when you placed the security freeze as well as the identity of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have one hour after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must submit a request through a toll-free telephone number, a secure electronic means maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to each of the three credit bureaus and include proper identification (name, address, and Social Security number) and the PIN number or password provided to you when you placed the security freeze. The credit bureaus have one hour after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to remove the security freeze.

A Summary of Your Rights Under the Fair Credit Reporting Act: The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under FCRA. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- You must be told if information in your file has been used against you.
- You have the right to know what is in your file.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.
- Consumer reporting agencies may not report outdated negative information.
- Access to your file is limited.
- You must give your consent for reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.