



MULLEN  
COUGHLIN<sup>LLC</sup>  
ATTORNEYS AT LAW

RECEIVED

APR 20 2020

CONSUMER PROTECTION

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1275 Drummers Lane, Suite 302  
Wayne, PA 19087

April 16, 2020

**VIA U.S. MAIL**

Consumer Protection Bureau  
Office of the New Hampshire Attorney General  
33 Capitol Street  
Concord, NH 03301

**Re: Notice of Data Event**

Dear Sir or Madam:

We represent Merritt Park Holdings LLC (“Merritt Park”) located at 80 Jefferson Blvd, Fishkill, NY 12524, and are writing to notify your Office of an incident that may affect the security of some personal information relating to one (1) New Hampshire resident. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Merritt Park does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

**Nature of the Data Event**

Merritt Park learned of unusual activity associated with the Merritt Park property manager’s Entrata account. Entrata is a software application used by Merritt Park to process rent applications and manage resident accounts/communications. Merritt Park began an investigation, and with the assistance of Entrata and third-party forensic experts, Merritt Park determined that the property manager’s Entrata account was intermittently accessed without authorization from June 29, 2019 to February 8, 2020. The investigation revealed further that the property manager’s Entrata account was used to send emails to current Merritt Park residents and to modify resident rent account information. Merritt Park continued to work with Entrata and third-party computer forensics specialists to determine what, if any, information in Entrata was potentially impacted. Although the investigation did not confirm that specific personal information as defined by N.H. Rev. Stat. Ann. § 359-C:19 was accessed, on March 3, 2020, Merritt Park determined it was unable to rule out the potential of such access. Therefore, in an abundance of caution, Merritt Park reviewed its

files to confirm individuals with personal information stored in Entrata to provide notice of this event.

The type of information stored in Entrata varied by individual but may have included name and one or more of the following data elements: address, prior address, date of birth, Social Security number, Driver's license or identification card number, financial account information, and income verification documents.

### **Notice to New Hampshire Resident**

On or about April 16, 2020, Merritt Park provided written notice of this incident to affected individuals, which includes approximately one (1) New Hampshire resident. Written notice is being provided in substantially the same form as the letter attached hereto as *Exhibit A*.

### **Other Steps Taken and To Be Taken**

Upon discovering the event, Merritt Park moved quickly to investigate and respond to the incident, assess the security of Merritt Park systems, and reported this incident to law enforcement. Merritt Park also Merritt Park implemented additional safeguards within Entrata, including the use of multi-factor authentication, to further protect information.

Merritt Park is providing access to credit monitoring services for twelve (12) months, through Kroll, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals. Additionally, Merritt Park is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. Merritt Park is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, information on protecting against tax fraud, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4815.

Very truly yours,



Michael J. Bonner of  
MULLEN COUGHLIN LLC

MJB/zho  
Enclosure

# EXHIBIT A



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

<<first\_name>> <<middle\_name>> <<last\_name>> <<suffix>>  
<<address\_1>>  
<<address\_2>>  
<<city>>, <<state\_province>> <<postal\_code>>  
<<country >>

**RE: Notice of Data Event**

Dear <<first\_name>> <<middle\_name>> <<last\_name>> <<suffix>>,

The Village at Merritt Park ("Merritt Park") writes to notify you of an event that may impact the privacy of certain information provided to us during your rental application or while residing in our community. We are providing you with information on the incident, the steps Merritt Park is taking in response, and steps you may take to better protect your information, should you feel it is appropriate to do so.

Merritt Park learned of unusual activity associated with the Merritt Park property manager's Entrata account. Entrata is a software application used by Merritt Park to process rent applications and manage resident accounts/communications. Recently, the property manager's Entrata account was used to send emails to current Merritt Park residents and to modify resident rent account information. We conducted an investigation, with the assistance of Entrata and third-party computer forensics specialists to determine what, if any, information in Entrata was potentially impacted.

Although we have no evidence to suggest that specific resident information was targeted, at this time, we are unable to determine what specific information in Entrata, if any, was accessed. Therefore, in an abundance of caution, we are notifying you because your information was stored in Entrata.

The type of information stored in Entrata varies by individual, but includes information you provided as part of your Merritt Park rental application and information provided while residing in our community. The information may include your name, address, prior address, date of birth, Social Security number, driver's license or identification card number, financial account information, and income verification documents.

We take the security of our residents' and applicant's information seriously. We reported this incident to law enforcement and are taking additional steps to enhance our data security, including implementing increased security measures for Entrata account access. Additionally, although we have no evidence to suggest that specific resident information was targeted, in an abundance of caution, we are providing you access to 12 months of identity monitoring services through Kroll, at no cost to you. Information on how to activate these services may be found with this letter.

We also encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports for suspicious activity. You may review the information contained in the enclosed "Steps You Can Take to Help Protect Your Information" for guidance on how to safeguard your information. You may also activate the identity monitoring services we are making available to you as we are unable to activate these services on your behalf.

We understand that you may have questions about this incident that are not addressed in this letter. Therefore, we established a dedicated assistance line at [1-800-888-8888](tel:1-800-888-8888) which may be reached Monday through Friday, 9:00 a.m. to 6:30 p.m., ET. You may also write to us at 80 Jefferson Blvd, Fishkill, NY 12524.

We deeply apologize for any inconvenience this incident may cause. Protecting your information is important to us, and we remain committed to ensuring the security of information in our care.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristin Quinn".

Kristin Quinn  
Director of Asset Management

## Steps You Can Take to Help Protect Your Information

### Activate Identity Monitoring

To help relieve concerns and restore confidence following this incident, we have secured the services of Kroll to provide identity monitoring at no cost to you for one year. Kroll is a global leader in risk mitigation and response, and their team has extensive experience helping people who have sustained an unintentional exposure of confidential data. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration.

Visit [https://\[IDMonitoringURL\]](https://[IDMonitoringURL]) to activate and take advantage of your identity monitoring services.

You have until **[Date]** to activate your identity monitoring services.

Membership Number: <<Member ID>>

Additional information describing your services is included with this letter.

### Monitor Accounts

We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports for suspicious activity. Under U.S. law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report.

You have the 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. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

#### **Experian**

P.O. Box 9554  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com/freeze/center.html](http://www.experian.com/freeze/center.html)

#### **TransUnion**

P.O. Box 160  
Woodlyn, PA 19094  
1-888-909-8872  
[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

#### **Equifax**

P.O. Box 105788  
Atlanta, GA 30348-5788  
1-800-685-1111  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

In order 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 (5) 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 either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

As an alternative to a security freeze, you have the right to place an initial or extended "fraud alert" on your file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the agencies listed below:

#### **Experian**

P.O. Box 9554  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com/fraud/center.html](http://www.experian.com/fraud/center.html)

#### **TransUnion**

P.O. Box 2000  
Chester, PA 19016  
1-800-680-7289  
[www.transunion.com/fraud-victim-resource/place-fraud-alert](http://www.transunion.com/fraud-victim-resource/place-fraud-alert)

#### **Equifax**

P.O. Box 105069  
Atlanta, GA 30348  
1-888-766-0008  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

## **Additional Information**

You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself by contacting the consumer reporting agencies, the Federal Trade Commission, or your state Attorney General.

The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580, [www.identitytheft.gov](http://www.identitytheft.gov), 1-877-ID-THEFT (1-877-438-4338); TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement.

**For New York residents**, the Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>.

**For Maryland residents**, the Attorney General can be contacted at 200 St. Paul Place, 16th Floor, Baltimore, MD 21202, 1-410-528-8662, [www.oag.state.md.us](http://www.oag.state.md.us).

**For North Carolina residents**, the Attorney General can be contacted at 9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-566-7226 or 1-919-716-6000, [www.ncdoj.gov](http://www.ncdoj.gov). You can obtain information from the Attorney General or the Federal Trade Commission about preventing identity theft.

**For Rhode Island Residents**, the Rhode Island Attorney General can be reached at: 150 South Main Street, Providence, Rhode Island 02903; [www.riag.ri.gov](http://www.riag.ri.gov), 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. [There are XX Rhode Island residents impacted by this incident.](#)

**For New Mexico residents**, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the 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 credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; and you may seek damages from violators. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting [www.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf), or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

## **TAKE ADVANTAGE OF YOUR IDENTITY MONITORING SERVICES**

You've been provided with access to the following services<sup>1</sup> from Kroll:

### **Single Bureau Credit Monitoring**

You will receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who can help you determine if it's an indicator of identity theft.

### **Fraud Consultation**

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

### **Identity Theft Restoration**

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator can dig deep to uncover the scope of the identity theft, and then work to resolve it.

<sup>1</sup> Kroll's activation website is only compatible with the current version or one version earlier of Chrome, Firefox, Safari and Edge. To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.