



MULLEN
COUGHLIN LLC
ATTORNEYS AT LAW

RECEIVED

JUL 10 2023

426 W. Lancaster Avenue, Suite 200
Devon, PA 19333
CONSUMER PROTECTION

July 6, 2023

VIA U.S. MAIL

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

Re: Supplemental Notice of Data Event

To Whom It May Concern:

We represent Mortgage Industry Advisory Corporation ("MIAC") located at 521 5th Ave, 6th Floor, New York, NY 10175, and are writing to supplemental our May 22, 2023 notice to your office of an incident that may affect the security of certain personal information relating to approximately two (2) New Hampshire residents. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, MIAC 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

On April 6, 2023, MIAC became aware of a cyberattack on its computer systems. MIAC immediately took steps to secure its systems and began an investigation into the nature and scope of the event. Third-party forensic, and other, external specialists were brought in to assist with this process. Through this investigation, MIAC determined that it was the victim of a ransomware attack and that an unauthorized actor accessed and exfiltrated certain files stored on its systems between April 5, 2023, to April 6, 2023. MIAC then undertook a comprehensive review of the affected data to confirm what information was impacted, and notified its impacted clients, who own the data at issue. On May 1, 2023, MIAC determined that information related to certain customers of MIAC's client, City Bank, was included in the impacted files. City Bank was notified of this on May 9, 2023. MIAC is unaware of any actual or attempted misuse of information as a result of this incident.

Mullen.law

The information subject to unauthorized access includes

Notice to New Hampshire Residents

On July 6, 2023, MIAC provided written notice of this incident to approximately two (2) New Hampshire residents at the direction of City Bank, the entity that owns the data at issue, located at 5219 City Bank Parkway, Lubbock, TX 79407.

Written notice was provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon discovering the event, MIAC moved quickly to investigate and respond to the incident, assess the security of its systems, and identify potentially affected information. Further, MIAC notified federal law enforcement regarding the event. MIAC is also working to implement additional technical safeguards to further increase the security of its environment. MIAC is providing access to credit monitoring services for 12 months through IDX, to individuals whose personal information was affected by this incident, at no cost to these individuals.

Additionally, MIAC is providing impacted individuals with guidance on how to better protect against identity theft and fraud. MIAC is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, 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.

MIAC is providing written notice of this incident to relevant state regulators as necessary at the direction of affected data owners.

Office of the Attorney General
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Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at ¹.

Very truly yours,

Rebecca J. Jones of
MULLEN COUGHLIN LLC

RJJ/dtg
Enclosure

EXHIBIT A



<<Return Mail Address>>

<<Name 1>> <<Name 2>>

<<Address 1>>

<<Address 2>>

<<City>>, <<State>> <<Zip>>

<<Country>>

<<Date>>

NOTICE OF DATA BREACH /SECURITY INCIDENT>>

Dear <<Name 1>> <<Name 2>>:

Mortgage Industry Advisory Corporation ("MIAC") is writing to notify you of a recent incident that involves your personal information. MIAC provides loan valuation and other financial analytics services to City Bank and maintains your information in connection with these services. MIAC takes the protection of your information very seriously, and although we currently have no evidence of identity theft or fraud as a result of this incident, this letter provides information about the incident, our response, and steps you may wish to take to protect against possible misuse of your information.

What Happened? On April 6, 2023, MIAC became aware of a cyberattack on our systems. We immediately took steps to secure our systems and began an investigation into the nature and scope of the event. The investigation determined that we were the victim of a ransomware attack and that, as a result, certain files stored on our systems were subject to unauthorized acquisition between April 5, 2023, and April 6, 2023. We then undertook a comprehensive review of the affected data to confirm what information was impacted. On or about May 1, 2023, we identified information relating to you was contained in the affected files, and on May 9, 2023, we notified City Bank that information pertaining to them may be affected. At this time, we are unaware of any actual or attempted misuse of your information as a result of this incident.

What Information Was Involved? The files that were acquired without authorization include

What We Are Doing. We take this incident and the security of information in our care seriously. Upon learning of this incident, we immediately secured our environment, investigated to determine the nature and scope of the incident, and notified law enforcement. We have also implemented additional technical safeguards to help prevent a similar incident in the future. Although we are unaware of any identity theft or fraud resulting from this incident, MIAC is offering you access to of complimentary credit monitoring and identity protection services through [Vendor]. Details of this offer and instructions on how to enroll in the services may be found in the attached *Steps You Can Take to Protect Personal Information*. If you would like to enroll in these services you will need to follow the attached instructions, as we are unable to enroll you automatically.

What You Can Do. You are entitled under U.S. law to one free credit report annually from each of the three nationwide consumer reporting agencies. We encourage you to remain vigilant against incidents of identity theft and fraud over the next twelve to twenty-four months by reviewing your account statements. If you detect an unauthorized transaction in another financial account, promptly notify the relevant financial institution. Additional information may be found in the attached *Steps You Can Take to Protect Personal Information*.

For More Information. If you have questions regarding this incident, you may contact our dedicated assistance line at [call center number] between the hours of X:00am and X:00pm Eastern. You may also write to MIAC at 521 Fifth Ave., 6th Floor, New York, NY 10175.

Sincerely,
Mortgage Industry Advisory Corporation

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Monitoring Services

1. **Website and Enrollment.** Go to <https://response.idx.us/customending> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.
2. **Activate the credit monitoring** provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.
3. **Telephone.** Contact IDX at [TFN] to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. MIAC recommends consumers periodically obtain their credit reports from each nationwide credit reporting agency and have information relating to any fraudulent transactions deleted. To order a free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their credit report.

Consumers have the right to place an initial or extended "fraud alert" on a credit 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 consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a "credit freeze" on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer's express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in a consumer's name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of the following information, depending on whether the request is made online, by phone, or by mail:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number or copy of Social Security card;
3. Date of birth;
4. Addresses for the prior two to 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, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, please contact the three major credit reporting bureaus listed below:

| Equifax | Experian | TransUnion |
|---|---|---|
| https://www.equifax.com/personal/credit-report-services/ | https://www.experian.com/help/ | https://www.transunion.com/credit-help |
| 1-888-298-0045 | 1-888-397-3742 | 1-800-916-8800 |
| Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069 | Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013 | TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016 |

Equifax Credit Freeze, P.O. Box 105788
Atlanta, GA 30348-5788

Experian Credit Freeze, P.O.
Box 9554, Allen, TX 75013

TransUnion Credit Freeze, P.O.
Box 160, Woodlyn, PA 19094

Additional Information

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect their personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and 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. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud and obtain a copy of it. Please note that in order to file a report with law enforcement for identity theft, consumers will likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and the relevant state Attorney General. This notice has not been delayed by law enforcement.

For District of Columbia residents, you may obtain information about preventing and avoiding identity theft by contact the District of Columbia Attorney General at: 400 6th Street, NW, Washington, D.C. 20001; 202-727-3400; and oag.dc.gov.

For Maryland residents, you may obtain information about steps you can take to avoid identity theft by contacting the Maryland Attorney General at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and <https://www.marylandattorneygeneral.gov/>. MIAC is located at 521 5th Ave., 6th Floor, New York, NY 10175.

For New Mexico residents, consumers have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in their credit file has been used against them, the right to know what is in their credit file, the right to ask for their credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to consumers' files is limited; consumers must give consent for credit reports to be provided to employers; consumers may limit "prescreened" offers of credit and insurance based on information in their credit report; and consumers may seek damages from violators. Consumers 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 consumers to review their rights pursuant to the Fair Credit Reporting Act by visiting 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.

For New York residents, you may obtain information about how to protect yourself from identity theft, and tips on how to protect your privacy online, by contacting the New York Attorney General at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov>.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.

For Oregon residents, you may report suspected identity theft to the Oregon Attorney General at: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096; (877) 877-9392 (toll-free in Oregon); (503) 378-4400; or <http://www.doj.state.or.us>.

For Rhode Island residents, you may obtain information about preventing and avoiding identity theft from the Rhode Island Attorney General at: 150 South Main Street, Providence, RI 02903; www.riag.ri.gov; and 1-401-274-4400. Under Rhode Island law, individuals have the right to obtain any police report filed in regard to this event. There are approximately [#] Rhode Island residents that may be impacted by this event.