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October 23, 2020

Attorney General Gordon J. MacDonald
Office of New Hampshire Attorney General
Attn: Security Breach Notification
33 Capitol Street
Concord, NH 03301
DOJ-CPB@doj.nh.gov

Re: *Wyndham Capital Mortgage, Inc. - Notice of Data Incident*

Dear Attorney General MacDonald:

I serve as outside counsel to Wyndham Capital Mortgage, Inc. (“WCM”), which is a mortgage banking company. WCM’s principal place of business is located at 4064 Colony Road, Morrocroft 2, Floor 2, Charlotte, NC, 28211.¹

This correspondence is to notify you of potential security issue caused by a phishing scam. WCM discovered that an employee was the victim of a phishing scam which allowed access to the employee’s email account for a limited period of time. Upon discovery, WCM took immediate action; WCM blocked the unauthorized access, changed passwords and launched an investigation. In response to this incident, WCM has put additional protections in place to keep this from happening again, has provided additional training to employees, and continues to strengthen system controls and monitoring.

Notification letters were sent to impacted individuals on August 25, 2020, including notification letters to 4 New Hampshire residents. The notification letters include instructions for activating one (1) year of credit monitoring services at no cost to the residents. The personally identifiable information (“PII”) that was potentially at risk included names, email addresses, Social Security numbers, and loan data.

A sample notification letter is enclosed for your reference and includes:

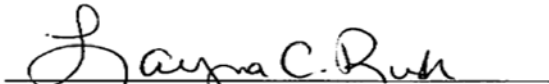
¹ By providing this notice, WCM does not waive any rights or defenses regarding the applicability of the New Hampshire breach notification law.

- A description of the security event;
- Steps taken to mitigate any potential harm to consumers;
- Instructions for activation of 1 year of free identity theft protection services that include credit monitoring;
- Instructions on how to place a security freeze on the recipient's consumer credit report; and
- Instructions regarding how to obtain more information about this event.

WCM is fully committed to protecting consumer privacy and the confidentiality of personal information. We will follow-up this correspondence with any forms or other documents that may need to be completed. Please contact me if you require any additional information regarding this incident.

Sincerely,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

By: 
Layna C. Rush

Enclosure:

Exhibit 1: Sample Notification Letter sent to 4 residents



{August 25, 2020}

{Borrower First and Last Name}

{Street Address}

{City, State Zip}

Re: Notice of Recent Data Incident

Dear Valued Customer,

Wyndham Capital Mortgage, Inc. (“WCM”) is committed to protecting your personal information. Unfortunately, we discovered that we may have experienced an information security incident. We are writing to inform you of the incident, which could potentially impact you, and to share the steps that you can take to protect yourself.

What Happened

For the period of June 30, 2020 through August 3, 2020, there appears to have been a compromise to our security protocols that allowed unauthorized access to an email account for one employee. We understand it is our responsibility to protect your information. Please know that we took immediate action to address the problem once identified, and we are actively taking steps to guard against any potential reoccurrence.

What Information Was Involved

Data elements exposed may include the following:

- Name
- Social Security Number
- Date of Birth
- Credit Score



What You Can Do

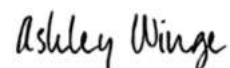
Here are some steps you can take to further protect your personal information and reduce your risk of additional impact:

1. **Sign up for One Year Free Credit Monitoring:** WCM is offering each borrower that may have been impacted one year of free credit monitoring and identity theft protection. Please sign up for this monitoring using the following link: <https://idcs.idandcredit.com/wyndhamcapital/index.php>.
2. **Consider Placing a Fraud Alert or a Credit Freeze on Your Credit Reports:** You may want to consider checking your credit profile across all three nationwide credit bureaus, and consider placing a Fraud Alert or a Credit Freeze on your accounts. A Fraud Alert allows creditors to get a copy of your credit report after they take steps to verify your identify. A Credit Freeze restricts access to your credit report. Both may make it more difficult for anyone to open a new account in your name. Below is the contact information for the three credit bureaus – contacting one will transfer a Fraud Alert across all three; however, you would need to contact each bureau separately to place a Credit Freeze:
 - a. Equifax: <https://www.equifax.com/personal/> or 1-800-685-1111
 - b. Experian: <https://www.experian.com/help/> or 1-888-397-3742
 - c. TransUnion: <https://www.transunion.com/credit-help> or 1-888-909-8872
3. **Be Aware of any Suspicious Activity:** Regularly monitor all bank, credit card, and insurance statements for fraudulent transactions. Take action quickly if you suspect that there has been Identify Theft. There are many resources available to you online – you might consider the Federal Trade Commission’s (FTC) Consumer Information site, and check the information within the “Privacy, Identity & Online Security” section. <https://www.consumer.ftc.gov/topics/online-security>

If you ascertain that your personal information has been misused, you may visit the FTC’s site at <https://identitytheft.gov/> for recovery steps to file an identity theft complaint. Your complaint will be added to the FTC’s Consumer Sentinel Network, where it will be accessible to law enforcers for their investigations.

At Wyndham Capital Mortgage, we strive to prevent incidents like this from occurring and will continue to explore measures to further protect customer data. If you have any further questions or concerns regarding this matter, please feel free to reach out to me directly at 704.369.2187 and/or ashley.winge@wyndhamcapital.com.

Sincerely,



Ashley Winge - Director of Compliance

Enclosure

