

Legal Assistance of Western New York, Inc. ®



We provide free legal aid to people with civil legal problems in western New York.

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Unemployment Insurance Benefits (UIB) Identity Fraud???????

What is UIB Identity Fraud?

Unemployment Insurance Benefits (UIB) Identity Fraud is one form of UIB fraud where **someone else uses your personal information to claim UIB**. This can happen whether or not you have claimed UIB in the past, whether or not you are currently working, and whether or not you receive other government benefits.

What can UIB Identity Fraud impact?

UIB Identity Fraud is done in your name without you knowing, but can impact many aspects of your life. UIB Identity Fraud can impair:

- Income-based assistance program eligibility (SNAP, HEAP, rental assistance, community-based programs, public assistance, etc.)
- Social Security benefits eligibility
- Your credit report, if other credit, loans, or accounts are opened in your name
- Income taxes
- Your current or future UIB applications

Are there resources for reporting UIB Identity Fraud?

Yes, there are many ways to report UIB Identity Fraud. Which methods you use may depend on the ways you were impacted and/or how you found out.

1. **Report UIB Identity Fraud to the New York State Department of Labor (NYSDOL).** The NYSDOL is the New York State agency that oversees all aspects of New York State and federal UIB. They are aware of increased cases of fraudulent applications, and have created dedicated online and telephone reporting contacts.
 - a. To report online, visit <https://www.labor.ny.gov/agencyinfo/uifraud.shtm>.
 - b. To report by phone, call 1 (888) 598-2077.
 - c. Both options are available 24 hours a day. Reporting online is generally quicker. The NYSDOL will confirm your fraud report and tell you that they are going to investigate. They will let you know that they will contact you if they have further questions for you. You, very likely, will not be contacted by the NYSDOL again, so it is important that you provide as much information as possible in the report.
2. **Report UIB Identity Fraud to the Federal Trade Commission (FTC).** The FTC has an identity theft reporting tool that can be used to report any suspicious credit/identity theft activity. This reporting process has recently been updated to include additional information on UIB Identity Fraud. The reporting form is available online at identitytheft.gov. This process will gather all information you know about the fraud and how it has impacted you into one place, and provide more information on next steps based on the types of accounts that may also have been impacted.
3. **Make a report to your local police department.** Identity theft is generally reported to the police department/law enforcement agency for your local city, town, or village. You can contact their non-emergency line to either make a report, or to learn more about making a report. Some localities have online reporting systems as well, such as the [Greece Police Department](#). You may need a police report to get more information on certain accounts that were opened, or to close those accounts.
4. **Let your caseworkers know.** If you receive financial-based assistance from governmental agencies or other local organizations (like SNAP, HEAP, rental assistance, student loans), you may wish to report the fraud to them. Receipt of UIB is generally considered income for financial-based assistance programs, and the NYSDOL typically reports to other government agencies that a person is receiving UIB. This “added” income could reduce or eliminate the benefits and assistance you are eligible for through that agency or organization. It is important that those assistance programs know you are not receiving the UIB, and that it should not be counted toward your income.

What else can I do?

1. **Monitor your credit report.** Now through April 2021, individuals can request a copy of their credit reports from each of the credit reporting bureaus (TransUnion, Equifax, and Experian) once per week. These reports show all of your known credit card accounts, loans, employers, addresses, and other information. Accounts linked to your name and information will show up on this report even if you did not open the account. Reviewing these reports will let you know if the identity theft is limited to UIB Fraud or if there are other

fraudulent accounts in your name. You can request a copy of your credit report using annualcreditreport.com.

2. **Contact other fraudulent accounts.** If there are other fraudulent accounts in your name, it is important to contact those companies to report the fraud and close the accounts. To close accounts, companies usually need identifying information to find the account and verify the fraud. To be safe, research the company to find the contact information and contact them yourself. It is very unlikely that a company will contact you regarding a fraudulent account, **unless** you have contacted them first. It can be very uncomfortable to provide identifying information, especially when you suspect there is already fraud, so taking control by confirming the company's contact information can ease some of the discomfort. It is also important to note who you talk to and when you talk to them.
3. **Contact the credit reporting bureaus.** You can report suspected fraud to the credit reporting bureaus. Making a report to one bureau is enough—that bureau is required to alert the other two. As part of the report, you will be able to choose to require additional proof of identity before new accounts can be opened. You can also choose to not allow accounts to be opened for a certain period of time. You can learn more at Equifax.com, Experian.com, and/or Transunion.com.
4. **Request review of tax documentation from NYSDOL.** NYSDOL provides tax documentation, called Form 1099-G, to all individuals who received UIB. These forms show how much an individual was paid during the tax year and how much was withheld for taxes.
 - a. If you have been a victim of UIB Identity Fraud you can contact NYSDOL and ask that they review your 1099-G.
 - b. If you did not receive UIB during 2020 but received a 1099-G, you can report UIB Identity Fraud to NYSDOL and request review of the 1099-G to ensure that you are not charged taxes on income you did not receive.
 - c. Please note, **NYSDOL only mails a copy of a 1099-G when a paper copy is requested**; it is important to use other methods to determine if there may be UIB Identity Fraud.
 - d. More information is available from:
 - i. **NYSDOL** at <https://dol.ny.gov/unemployment/1099-g-tax-form>
 - ii. **Internal Revenue Service (IRS)** at <https://www.irs.gov/newsroom/irs-offers-guidance-to-taxpayers-on-identity-theft-involving-unemployment-benefits>.

For more information, advice, and/or assistance please call (585) 325-2520 or apply online at lawny.org

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