ESUSU
215 W 125th Street, Suite 410
New York NY 10027

November 28, 2022

VIA E-MAIL: Idtheft@oag.state.md.us
Office of the Attorney General
Attn: Security Breach Notification
200 St. Paul Place
Baltimore, MD 21202

Re: Notification Pursuant to Md. Code Com. Law § 14-3501 *et seq.*

Dear Attorney General Frosh:

Pursuant to Md. Code Com. Law § 14-3501 *et seq*., we are writing to notify you of a breach of security involving the personal information of approximately two (2) individuals who reside in Maryland.

NATURE OF THE INCIDENT

Esusu Financial, Inc. ("Esusu") provides a number of financial services to rental property owners and property managers, and the tenants who rent apartments at their properties. One of these services is to assist renters in obtaining rent relief funds. Upon approval, the rent relief funds are sent directly to the property manager or owner. On November 7, 2022, Esusu was informed that due to a software error, one of its third-party vendors that assists Esusu with servicing rent relief funds inadvertently emailed approval and rent relief fund disbursement notices for renters at some properties to the owners or property managers of other, unrelated properties. These notices included very limited data about the tenant, specifically the Maryland residents' full name, relief amount, and unique identification number, which is solely used for repayment and cannot be used to obtain additional funds. While we do not believe this information can be used for identity theft or fraud, out of an abundance of caution we are considering the unique identification number to be an "account number" within the meaning of the Maryland Commercial Law § 14-3504 and providing you with this notice. This incident did not involve any outside or malicious party and was not the result of a failure or compromise of Esusu's cybersecurity measures.

Esusu has engaged Foley & Lardner LLP as counsel to advise Esusu on its legal obligations regarding the event.

NUMBER OF MARYLAND RESIDENTS AFFECTED

As a result of this event, two residents of the State of Maryland appear to have been affected. Although Esusu has no indication that any of the information can, has, or will be misused, the residents will receive a notice of this breach in writing via U.S. mail to be sent on or about the week of November 28, 2022. Enclosed is a sample copy of the notice being provided to the affected individuals. Within the letter, Esusu provided the Maryland residents with precautionary measures regarding identity theft protection and details on how to place a fraud alert or a security freeze on their credit file.

STEPS WE ARE TAKING RELATED TO THE INCIDENT

Upon learning of the issue, Esusu immediately commenced an investigation and disabled any further notifications from being sent to owners or property managers. Esusu continues to work with the vendor to determine the root cause of the incident and is working with the vendor to implement additional testing measures designed to prevent a recurrence of such an event and to further protect the privacy of its customers' tenants. Additionally, Esusu has requested that the owners and property managers who received the information in error immediately delete the information and not retain or disclose the information.

OTHER NOTIFICATION AND CONTACT INFORMATION

If you have any further inquiries concerning this notification, please do not hesitate to contact our counsel, Mr. Steven M. Millendorf; Foley & Lardner LLP; 11988 El Camino Real, Suite 400; San Diego, CA 92130; (858) 847-6737; smillendorf@foley.com.

Sincerely,

Wemino Abbey Samir Goel

Wemino Abbey & Samir Goel
Co-CEOs
Esusu Financial, Inc.

Encl: Sample Notification Letter

215 W 125th Street, Suite 410
New York NY 10027

[redacted]

[redacted]

[redacted]

Esusu Financial, Inc. ("**Esusu**") has been contracted by your property manager to assist with processing your rent relief fund application. We know the privacy of your information is important to you, and we work hard to maintain your trust and protect your information. We are writing you today as a precautionary measure to inform you of a recent incident that may involve your personal information and to share some steps that you can take to help protect yourself. While we do not believe that the personal information involved in this incident can be used in any manner for identity theft or financial fraud, we are notifying you out of an abundance of caution.

WHAT HAPPENED?

On November 7, 2022, we were informed that, due to a software error, one of our third-party vendors that assists with servicing rent relief inadvertently sent notices related to the distribution of rent relief funds of our customers' tenants to other property managers between the dates of November 4, 2022 and November 7, 2022. This incident did not involve any outside or malicious party and was not the result of a failure or compromise of Esusu's cybersecurity measures.

WHAT WE ARE DOING

Upon learning of the issue, we took immediate steps to investigate the incident, including discontinuing the sending of any rent relief confirmation notices until we could ensure the software issue was corrected. We have also requested that all of our customers who may have received an incorrect rent relief confirmation notice to delete the notice and not retain or disclose the information. Additionally, we continue to work with the vendor to correct the software error and implement additional safeguards designed to prevent a recurrence of such an event. Accordingly, while your information was inadvertently emailed to an incorrect property manager, we have no evidence to suggest that your information has or will be misused or disclosed.

WHAT INFORMATION WAS INVOLVED?

The information contained in the rent relief notices only includes your full name, rental payment, and unique identification number, which can only be used for repayment of the rent relief and cannot be used to access any financial account or obtain additional funds. This incident did **not** involve your Social Security number, financial account information, or any other personal information that is likely to be used for identity theft or financial fraud.

WHAT YOU CAN DO

We have no evidence that your information has or will be misused. Nevertheless, out of an abundance of caution, we wanted to make you aware of the incident and provide precautionary measures you can take to protect your information. Please review the enclosed "Additional Resources" document included with this letter for steps you can take to protect your information, including recommendations by the Federal Trade Commission regarding identity theft protection and details on how to place a fraud alert or a security freeze on your credit file. It is also recommended that you remain vigilant for incidents of fraud and identity theft by reviewing your account statements and monitoring your credit reports for unauthorized activity. If you discover any suspicious or unusual activity on your accounts, you should promptly notify the financial institution or company with which your account is maintained.

FOR MORE INFORMATION

For further information and assistance, please contact Sarah Kovit Hanna at sarah@esusu.org or 1-216-571-5324.

Sincerely,

Wemino Abbey Samir Goel

Wemino Abbey & Samir Goel
Co-CEOs
Esusu Financial, Inc.

ADDITIONAL RESOURCES

<u>Contact information for the three nationwide credit reporting agencies</u>:

Equifax, PO Box 740241, Atlanta, GA 30374, www.equifax.com, 1-800-685-1111
Experian, PO Box 2104, Allen, TX 75013, www.experian.com, 1-888-397-3742
TransUnion, PO Box 2000, Chester, PA 19022, www.transunion.com, 1-800-888-4213

<u>Free Credit Report</u>. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting agencies. To order your annual free credit report please visit **www.annualcreditreport.com** or call toll free at **1-877-322-8228**. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available from the U.S. Federal Trade Commission's ("FTC") website at www.consumer.ftc.gov) to:

Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281.

<u>Fraud Alert</u>. You may want to consider placing a fraud alert on your credit report by contacting any of the three nationwide credit reporting agencies identified above. An initial fraud alert is free and will stay on your credit file for at least 90 days. A fraud alert tells creditors to follow certain procedures, including contacting you before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit.

<u>Security Freeze</u>. You may also place a security freeze on your credit reports, free of charge. A security freeze prohibits a credit reporting agency from releasing any information from a consumer's credit report without written authorization. However, please be aware that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing or other services. Under federal law, you cannot be charged to place, lift, or remove a security freeze.

You must place your request for a freeze with each of the three (3) major consumer reporting agencies listed above. To place a security freeze on your credit report, you may send a written request by regular, certified or overnight mail at the addresses below. You may also place a security freeze through each of the consumer reporting agencies' websites or over the phone, using the contact information below:

Equifax Security Freeze P.O. Box 105788 Atlanta, GA 30348 1-800-349-9960 https://www.equifax.com/personal/credit-report-services/	Experian Security Freeze P.O. Box 9554 Allen, TX 75013 1-888-397-3742 https://www.experian.com/freeze/center.html	TransUnion Security Freeze P.O. Box 160 Woodlyn, PA 19094 1-888-909-8872 https://www.transunion.com/credit-freeze

In order to request a security freeze, you will need to provide some or all of the following information to the credit reporting agency, depending on whether you do so online, by phone, or by mail:

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, the addresses where you have lived over the prior five (5) years;
5. Proof of current address, such as a current utility bill, telephone bill, rental agreement, or deed;
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.

The credit reporting agencies have one (1) business day after receiving your request by toll-free telephone or secure electronic means, or up to three (3) 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 (5) 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. It is important to maintain this PIN/password in a secure place, as you will need it to lift or remove 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 (1) business day after receiving your request by toll-free telephone or secure electronic means, or three (3) 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 (3) 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 (1) business day after receiving your request by toll-free telephone or secure electronic means, or three (3) business days after receiving your request by mail, to remove the security freeze.

Federal Trade Commission and State Attorneys General Offices. 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 FTC, proper law enforcement authorities and/or your state attorney general. You may also contact these agencies for information on how to prevent or avoid identity theft and to obtain additional information about fraud alerts and security freezes.

You may contact the **Federal Trade Commission**, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580, www.identitytheft.gov, 1-877-FTC-HELP (382-4357). You may also wish to review the tips provided by the FTC on how to avoid identity theft. A copy of *Taking Charge: What to Do if Your Identity is Stolen*, a comprehensive guide from the FTC to help you guard against and deal with identity theft, can be found on the FTC's website at www.ftc.gov/bcp/edu/microsites/idtheft/.

- **For Maryland Residents**: You may obtain information about avoiding identity theft from the Maryland Attorney General's Office: Office of the Attorney General of Maryland, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, www.oag.state.md.us/Consumer, Telephone: (410) 576-6491.