

Job Applicant Waited Too Long to Sue Over Credit Report

The statute of limitations on an unsuccessful job applicant's Fair Credit Reporting Act claim began to run when he discovered that his credit report had been pulled, not when he learned that the employer's action was an FCRA violation, according to the U.S. Court of Appeals for the Sixth Circuit.

Richard A. Roth wrote in **Wolters Kluwer's** Law & Business website that the general rule is that a statute of limitations begins to run when the facts giving rise to a claim are discovered, and the FCRA adheres to that general rule. The case is *Rocheleau v. Elder Living Construction, LLC*, Feb. 18, 2016, Siler, E.

"The job applicant asserted that the two-year limit began to run not when he discovered that the background report had been ordered but rather when he discovered that doing so was an FCRA violation," **Roth explained**. But the appellate court disagreed.

Read the article.