

CIVIL REMEDIES

2240

(No. 4 October 1998)

An individual may bring a civil action against the department within two years for any of the following reasons (CC Section 1798.45):

- Refusal to comply with an individual's lawful request to inspect his/her record.
- Failure to maintain any record concerning an individual with accuracy, relevancy, timeliness and completeness, which results in a determination adverse to the individual.
- Failure to comply with the act in such a way that it has an adverse effect on the individual.

The individual may be awarded the following:

- Costs of the action together with reasonable attorney's fees as determined by the court.
- Actual damages, including mental suffering.
- A minimum of \$2,500 in exemplary damages (CC Section 1798.53).

FORMS AND/OR FORMS SAMPLES: RETURN TO ISSUANCE HOME PAGE FOR FORMS/FORMS SAMPLES SITE LINK.

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