

Consumer Protection Commission FY 2021 Annual Report



Fairfax County Consumer Protection Commission
December 2021

FAIRFAX COUNTY BOARD OF SUPERVISORS



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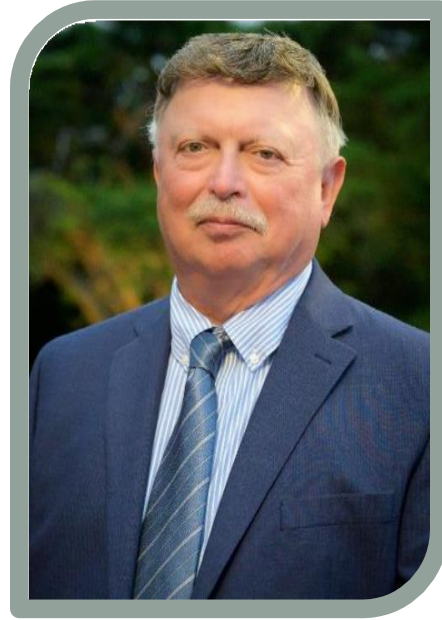


CHAIRPERSON'S MESSAGE

The Consumer Protection Commission continues to protect Fairfax County consumers from illegal, fraudulent, or deceptive consumer practices in the marketplace. Commission members work with Department of Cable and Consumer Services staff to fulfill Commission goals.

I thank the Board of Supervisors for the opportunity to serve residents and businesses of Fairfax County.

John T. Fee
Chairperson
Consumer Protection Commission



EXECUTIVE SUMMARY

The Consumer Protection Commission was established in 1964 by the Board of Supervisors. The Commission serves to help protect consumers from illegal, fraudulent, and deceptive consumer practices in the marketplace. The Commission is responsible for the recommendation of the allocation of taxicab certificates and taxicab rates, and the consideration of license and permit appeals on the denial, suspension, or revocation of hackers, peddlers and solicitors, pawnbrokers, massage therapists and massage establishments, tow operators, and shared mobility device operators and certificates. In addition, the Commission analyzes consumer issues in Fairfax County and makes recommendations to the Board of Supervisors as needed. The Commission meets to hear license and permit appeals, to review information updates from the cable franchise operators (Comcast, Cox, and Verizon), to hold public hearings on taxi rates and taxicab certificates, and to review and approve staff recommendations to proposed County Code revisions.



Staff support for the Commission is provided by the Consumer Services Division of the Department of Cable and Consumer Services.

Consumer Affairs responded to 5,499 case inquiries in FY 2021, which included consumer complaints, advice calls, and walk-ins. Inquiries processed were on a variety of consumer issues such as tenant-landlord, home improvement, cable television, towing, and retail.

Consumer Affairs also mediates and investigates consumer complaints and offers voluntary and legally binding arbitration when mediation efforts have been exhausted.

After voluntary mediation or arbitration is completed, the case is closed and a summary outlining the details of the complaint is made available to the public on the County Web site. Reviewing complaint summaries offers consumers an overview of Consumer Affairs mediation efforts and can also provide helpful information on businesses operating in Fairfax County.

The Commission participates with Consumer Affairs in providing community outreach to educate the public on information and resources available through Consumer Affairs. Presentations are made throughout the year to community groups, homeowner associations, condominium associations, civic associations, senior centers, schools, and faith-based and non-profit organizations. Consumer Affairs conducted 109 presentations throughout the community during FY 2021.

The Commission assists with the development of educational material in partnership with Consumer Affairs, Fairfax County Government Channel 16, other County agencies, and community stakeholders. Consumer Affairs publishes information on social media, the County Web site, and Fairfax County Government Channel 16.

The Commission is committed to creating awareness and knowledge of the services available to the community. The Commission ensures both consumers and businesses are aware of their rights and responsibilities through information, education, mediation, and arbitration.



CONSUMER PROTECTION COMMISSION



John T. Fee, Chairperson

Denis Gulakowski, Vice-Chairperson

Jacqueline G. Rosier, Secretary

Harold G. Belkowitz, Esq.

Dennis Dean Kirk, Esq.

Wesley P. Callender

Jason J. Kratovil

Dirck A. Hargraves

Michael J. Roark

Dr. Maurice B. Springer

Paul Svab

The Board of Supervisors established the Public Utilities Commission in 1964 and in June of 1972 the Board designated the Commission to address consumer protection issues and changed the name to the Consumer Protection and Public Utilities Commission. The name was changed to the Consumer Protection Commission on March 2, 1981.

The Commission is composed of Fairfax County residents appointed by the Board of Supervisors to three-year terms. The Commission has 13 members, of which at least seven are consumers not actively engaged in business in Fairfax County.

The business of the Commission is guided by the Bylaws adopted by a majority vote of the Commission members and approved by the Board of Supervisors.

The mission of the Commission is to help protect Fairfax County consumers from illegal, fraudulent, and deceptive consumer practices in the marketplace.

The duties of the Commission are to:

- Advise the Board of Supervisors on issues regarding consumer affairs, cable communications, and taxicabs;
- Work with the Department of Cable and Consumer Services on consumer issues;
- Hear license and permit appeals; and,
- Hold public hearings to approve applications for taxicab certificates.

During FY 2021, the Commission meetings included the following items:

COVID-19 PANDEMIC OVERVIEW JULY – 2020

Director Michael Liberman provided an update on the status of Fairfax County Government. Director Liberman also outlined in-person and electronic options due to the COVID-19 pandemic for future meetings of the Commission.

COVID-19 PANDEMIC RESPONSE – AUGUST 2020

Director Michael Liberman provided an overview of the work performed by the Department of Cable and Consumer Services. Director Liberman also provided an overview of Board of Supervisors and Boards, Authorities, and Commissions meeting logistics.

CONSUMER PROTECTION COMMISSION BUSINESS – OCTOBER 2020

The Commission discussed topics of interest to plan the Commission annual calendar.

CPC FY 2020 ANNUAL REPORT AND CPC BYLAWS DRAFT UPDATE – NOVEMBER 2020

Director Michael Liberman presented the FY 2020 Annual report to the Commission. Rebecca Makely, Director, Consumer Services Division, provided an overview of the draft CPC Bylaws.

CPC OFFICER NOMINATIONS – DECEMBER 2020

The Commission nominated a slate of candidates for Chairperson, Vice-Chairperson, and Secretary.

CPC ELECTION OF OFFICERS AND ANNUAL CALENDAR – JANUARY 2021

The Commission elected officers for Chairperson, Vice-Chairperson, and Secretary.

CPC BYLAWS AND COVID-19 SCAM PRESENTATION – FEBRUARY 2021

Rebecca Makely, Director, Consumer Services Division, provided an update on the amended Consumer Protection Commission Bylaws. Consumer Affairs staff provided a presentation on COVID-19 scams.

CPC BYLAWS APPROVAL AND LEGISLATIVE UPDATE – MARCH 2021

The Commission approved the amended CPC Bylaws. Rebecca Makely, Director, Consumer Services Division, provided an overview of the legislative bills reviewed by Consumer Affairs which included the areas of Homeowners/Condominium Associations, Manufactured Homes, and Tenant-Landlord relations.

CPC APPEAL HEARING ON MASSAGE THERAPIST PERMIT DENIAL – APRIL 2021

The Commission held an appeal hearing on a massage therapist permit denial and voted to reverse the decision of the Director, to include directing staff to issue the applicant's Massage Therapist permit effective April 20, 2021, provided the applicant is otherwise eligible for a Massage Therapist permit.

AGING SERVICES 101, ONE FAIRFAX, AND CPC POLICIES AND PROCEDURES – MAY 2021

Fairfax County Department of Family Services staff provided an overview of services and resources. Rebecca Makely, Director, Consumer Services Division, stated the Board of Supervisors instituted a policy requiring all Boards, Authorities, and Commissions (BAC) members to read the County's One Fairfax Policy, watch the One Fairfax video, and submit a One Fairfax acknowledgment form by June 30, 2021. Commissioner Kratovil provided a presentation on the Power and Duties of the Commission for discussion.

ONE FAIRFAX POLICY VIDEO – JUNE 2021

The Commission watched the One Fairfax Policy Video.

The Commission meets the third Tuesday of each month at 7:30 p.m. In person meetings are open to the public and electronic meetings are publicly accessible.

Additional information on the Commission, including a copy of this annual report, is available on the Commission Web site at <https://www.fairfaxcounty.gov/cableconsumer/csd/consumer-protection-commission>.

COVID-19 PANDEMIC RESPONSE

The efforts and work by the Department of Cable and Consumer Services was accomplished with the majority of staff teleworking and those required to be onsite having adopted protocols necessary to conduct work in a safe manner. The Department of Cable and Consumer Services created and posted Coronavirus-related consumer advice posts on social media. Consumer Affairs continues to have a strong social media presence, posting 168 consumer advice posts in reference to COVID-19, scams, price gouging, evictions, utility providers, and more. Consumer Affairs participated in virtual consumer outreach events and produced a special edition of the television show, *Your Community, You're Connected*, to provide resources to homeowner and community

[Stay Informed about Coronavirus \(COVID-19\) in Fairfax County](#)

DCCS Announcements.

The Department of Cable and Consumer Services (DCCS) will continue to be available to the public by telephone at 703-222-8435, TTY 711, or email at consumer@fairfaxcounty.gov.

If you have an open complaint, please contact the assigned Consumer Specialist preferably by email.

- **CONSUMER COMPLAINT:** File an online consumer [complaint form](#).
- **TENANT-LANDLORD:** Read the updated [Eviction Process](#).
- **SCAMS:** Stay alert for Coronavirus (COVID) [Scams](#).
- **UTILITIES:** Review the list of [utilities](#) suspending service disconnections, offering other billing options.
- **PRICE-GOUGING:** Understand the [Virginia Disaster Anti-Price Gouging Act](#).

associations on how to navigate electronic meetings and other member issues. Regulation and Licensing processed license applications on an as-needed basis and was a resource for the community on towing and solicitation during this time. Staff also prepared the Government Center Conference Center to serve as a vaccination clinic activated by the Fairfax County Health Department in January 2021 and still in operation. The Department of Cable and Consumer Services remains responsive to the changing conditions and requirements in order to fulfil the agency mission during the pandemic.

CONSUMER INQUIRIES

Consumer Affairs responds to inquiries for information, offers advice, provides referrals, and assists consumers with mediation regarding consumer issues.

Inquiries include complaints, advice, and customer walk-ins. Inquiries vary from month to month for a variety of reasons such as holidays, tax season, weather, school, and travel.

During FY 2021, Consumer Affairs responded to 5,499 inquiries relating to tenant-landlord, home improvement, towing, automotive, and retail transactions. Compared to FY 2020 there was a 35 percent decrease in FY 2021 due to the impact of the COVID-19 pandemic on businesses and consumer activity. Specifically, March 2021, had a 47 percent decrease in outreach as a result of transitioning to a virtual National Consumer Protection Week with reduced events and participants.

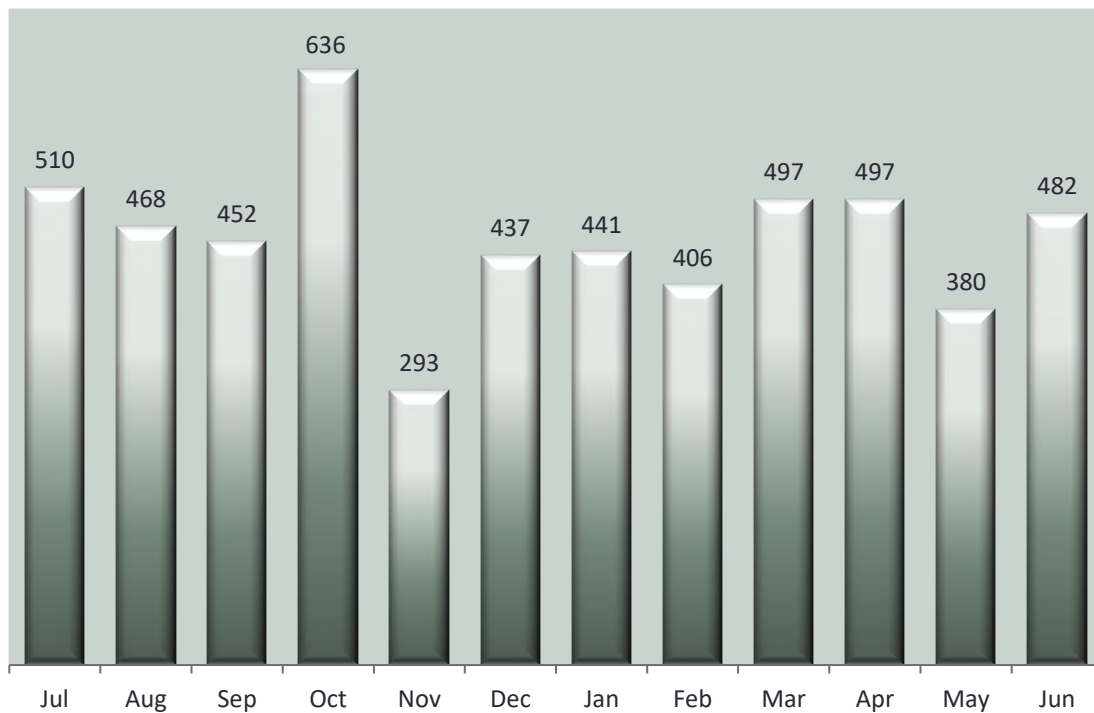


Figure 1 Consumer Inquiries for Fiscal Year 2021

CONSUMER COMPLAINTS

Consumers can file a complaint on the County Web site, in-person, or through the U.S. Mail. Once a complaint is filed, a Consumer Specialist works with the consumer and business to assist both parties in reaching a favorable resolution.

In FY 2021, Consumer Affairs mediated and investigated consumer complaints on a variety of topics, such as tenant-landlord, home improvement, cable television, towing, and automotive.

Tenant-landlord complaints include security deposit issues, maintenance issues, and lease terminations. Home improvement complaints include contractors failing to complete work, faulty service or repairs, and warranty issues. Cable television complaints include billing issues, reception quality, and private property restoration. Towing complaints include authorized tows, towing fees, and failure by towing companies to properly display signs. Automotive complaints involve billing and repair issues. The “Other” category includes complaints related to internet and wireless service billing, medical billing, professional services, and retail.

The chart below shows complaint trends over the last five years with tenant-landlord issues the most received complaint over that time.

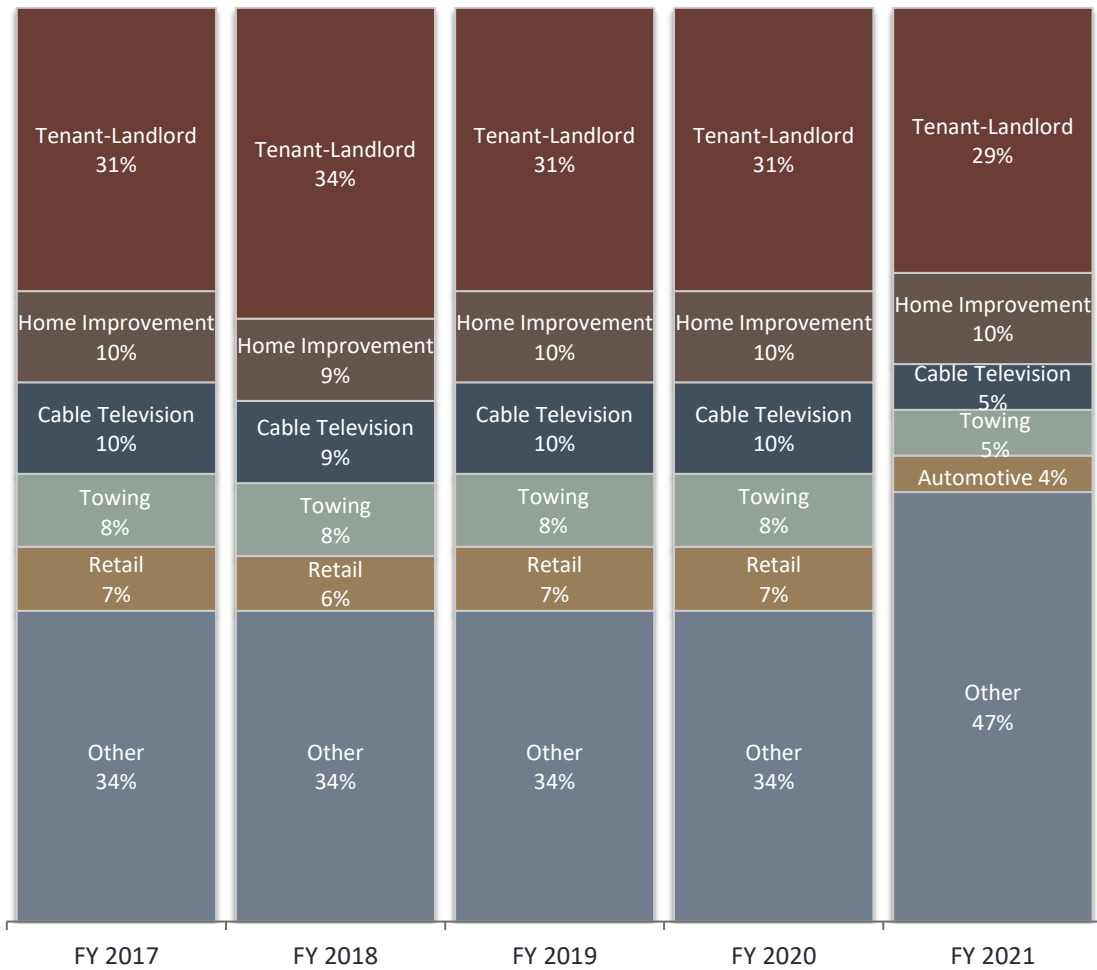


Figure 2 Consumer Complaint Categories from Fiscal Year 2017 to 2021

While there has not been a significant change in the total number of consumer complaints, a variety of factors can lead to slight variations in the type of complaints received from year to year. Through the mediation efforts provided by Consumer Affairs, \$404,649 was recovered for consumers in FY 2021.

COMPLAINT ARBITRATION

When mediation efforts are exhausted, a voluntary and legally-binding [arbitration process](#) is available. Arbitration provides an efficient and free alternative to court for resolving consumer complaints.

In FY 2021, no consumer arbitration cases were held by Consumer Affairs.

COMPLAINT SUMMARIES

Consumer Affairs publishes [case summaries](#) of all closed complaints for one year on the County Web site. Reviewing complaint summaries offers an overview of Consumer Affairs mediation efforts and can also provide information to consumers about businesses operating in Fairfax County.

Complaint summaries featuring comments from consumers satisfied with the mediation provided by Consumer Affairs are highlighted below:

RUNNING ON EMPTY

Anne, the consumer, purchased a treadmill from a business. The consumer alleged the business failed to respond to the consumer's request for a replacement motor for the treadmill. The consumer requested the business honor its lifetime warranty by providing a replacement drive motor for the treadmill at no cost to the consumer.

After Consumer Affairs intervention and mediation, the business shipped a new motor to the consumer at no

charge. The consumer confirmed receipt and installation of the motor and reported the treadmill runs smoothly to the consumer's satisfaction. The value of the motor and installation was \$357.

*"THANK YOU FOR THE SUPPORT WE RECEIVED.
YOU HAVE A GREAT TEAM."*

ANNE

CABLE BLUES

Kurt, the consumer, had cable services with a cable company. The consumer claimed the cable bill increased even though the consumer agreed to a specific price with the cable company. The consumer requested the cable company honor their agreement. After Consumer Affairs intervention and mediation, the cable company confirmed the consumer's promotion was not correctly explained to the consumer. The cable company stated the consumer opted to cancel the cable service. The cable company mailed the consumer a refund check of \$233 under the cable company's 30-day satisfaction guarantee, to the consumer's satisfaction.

"WE RECEIVED IN THE MAIL THE REFUND CHECK. YOUR FOLLOW-UP IS HIGHLY RECOMMENDED AND ADMIRABLE."

KURT

MOLD REMEDIATION

Gladis, the tenant, rents a home from a private landlord. The tenant requested mediation for mold in the home. The tenant stated the landlord failed to remediate the mold after repeated requests. After Consumer Affairs intervention and mediation, the landlord provided an invoice to show the mold remediation work was completed to the tenant's satisfaction.

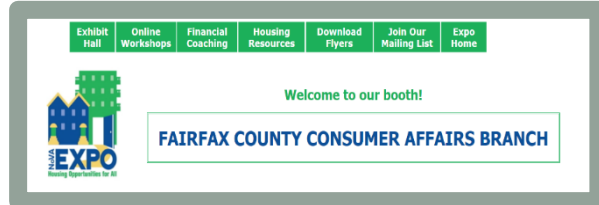
"I WANT TO TAKE A MOMENT TO THANK YOU FOR SERVICE, SUPPORT, AND HONEST INTENTIONS TO HELP MY FAMILY ON THIS CASE."

GLADIS

COMMUNITY OUTREACH

Consumer Affairs analyzes trends and issues of concern in response to complaints received and mediated by staff. This analysis is used to develop educational information for outreach, publications, and programming.

Consumer Affairs develops educational programs for audiences of all ages on current consumer topics and trends. Consumer Affairs provides outreach presentations throughout the year to community groups, homeowner associations, condominium associations, civic associations, senior centers, schools, and faith-based and non-profit organizations. Consumer Affairs collaborates with Fairfax County Public Schools and develops interactive case studies and presentations that are used both in the academy programs that focus on college and career readiness and STEM programs (Science, Technology, Engineering, and Mathematics). Both approaches allow high school students to become aware of consumer transactions and resources.



Consumer Affairs conducted 109 outreach events in FY 2021. The COVID-19 pandemic impacted the ability for in-person outreach events to take place; however, staff was able to participate in virtual outreach events. Additionally, staff worked with Fairfax County Public Schools to develop a virtual curriculum for a high school consumer program which launched in the middle of FY 2021 and continues to be available.

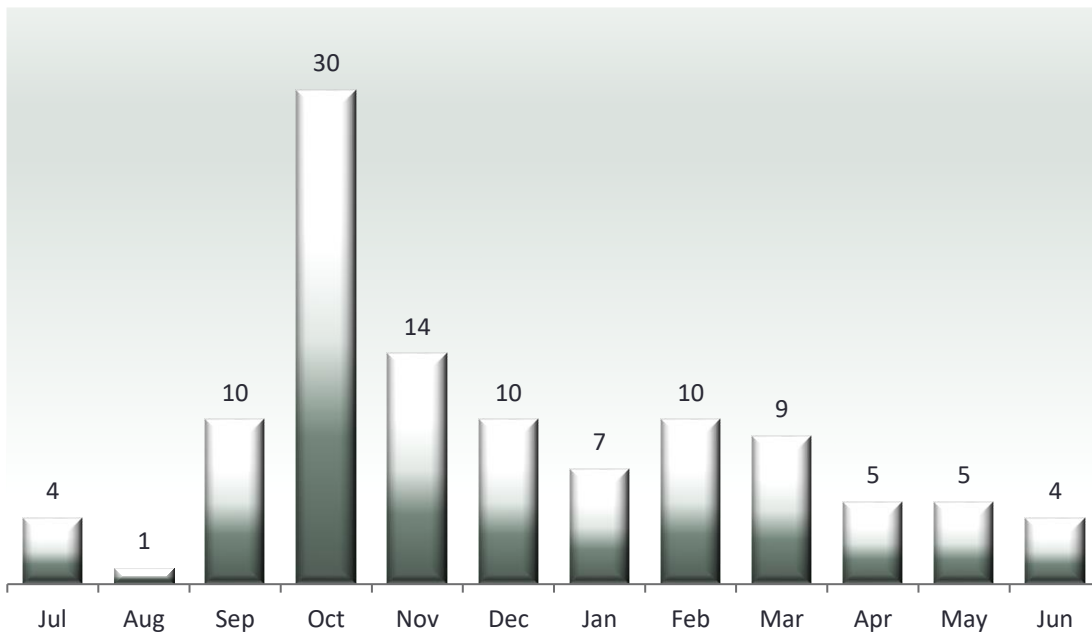


Figure 3 Community Outreach Events for Fiscal Year 2021

Consumer Affairs offers presentations on the following topics:

- Consumer Affairs 101
- Building a Better Credit Report
- Data Breaches
- Door to Door Scams
- Financial Education
- Funeral Planning
- High School 101
- Home Improvement
- How to Block Unwanted Calls
- Identity Theft
- Managing Expenses and Debt During COVID-19
- Medical Identity Theft
- Online Shopping
- Scams Against Seniors
- What Landlords Need to Know
- What Tenants Need to Know

Consumer Affairs promotes services through publications such as the *Informed Consumer* electronic newsletter, a comprehensive consumer Web site, and social media.

Consumer Affairs participates in the following consumer programs and initiatives:

CONSUMER FOCUS

Consumer Affairs records a program highlighting various consumer issues that is televised on Fairfax County Government Channel 16 and available through Video-on-Demand on the County Web site.

CONSUMER CONNECTION

Consumer Affairs hosts a monthly Facebook Live program on consumer topics, such as COVID-19 Scams, Tenant and Landlord Responsibilities during the Pandemic, Scam Trends during COVID-19, Consumer Update for Fairfax County Residents, Holiday Scams, COVID-19 Scams, Resources Provided by Consumer Affairs, Medical Billing, Funeral Planning, and Tenant-Landlord 101. Viewers are able to comment with questions that are answered in real-time during the online program.

YOUR COMMUNITY, YOU'RE CONNECTED

Consumer Affairs hosts a bi-monthly program on various homeowner association issues and trends such as 2020 Legislative Review, Maintaining a Sense of Community, Board Leadership in 2021, Common Interest Community Association Disclosures, and Association Communication. This program is televised on Fairfax County Government Channel 16 and also available through Video-on-Demand on the County Web site.

SILVER SHIELD ANTI-SCAM CAMPAIGN

Consumer Affairs is a partner agency in the County's Silver Shield initiative. This campaign helps older adults avoid being scammed by sharing critical information about current scams. Resources available include outreach presentations at community events, podcasts, Fairfax County Government Channel 16 programs, publications, and Web sites with additional information.

FINANCIAL EXPLOITATION PREVENTION TASKFORCE

Consumer Affairs is a partner agency on the County's Financial Exploitation Prevention Taskforce. This taskforce meets monthly to review prevention and intervention strategies for assisting older adults with issues such as scams and exploitation. Consumer Affairs regularly participates in the Speakers Bureau associated with this initiative.

EVICTON PREVENTION TASKFORCE

Consumer Affairs is a partner agency on the County's Eviction Prevention Taskforce. This taskforce meets monthly to collaborate on efforts to connect residents who are facing evictions with services provided by the County.

Consumer Affairs regularly posts relevant consumer information on social media including tips, warnings, and resources. Commissioners also share consumer tips with fellow constituents. Following are several examples advising the public of relevant consumer issues and information:



IN REVIEW

The Commission and Consumer Affairs monitor consumer trends to ensure educational information is made available to consumers so they can make informed decisions. The Commission is committed to serving consumers and businesses to make certain that all state and County codes are met. The Commission continues to make recommendations on taxicab certificates and rates to the Board of Supervisors, follows the appeals process for licenses and permits, and stays abreast of changes to legislation that affect consumers.

Fairfax County Consumer Protection Commission

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703-222-8435 TTY 711

<https://www.fairfaxcounty.gov/cableconsumer/csd/consumer-protection-commission>

<https://www.fairfaxcounty.gov/cableconsumer/csd/consumer>

www.facebook.com/fairfaxcountyconsumer



To request this information in an alternate format, call the Department of Cable and Consumer Services, 703-222-8435 TTY 711.



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