




County of Fairfax, Virginia

MEMORANDUM

DATE: November 9, 2021

TO: Consumer Protection Commission

FROM: Michael S. Liberman, Director 
Department of Cable and Consumer Services

SUBJECT: Consumer Protection Commission Meeting for November 16, 2021

Please find attached the Consumer Protection Commission meeting package. The next scheduled meeting is **Tuesday, November 16, 2021, 7:30 p.m. in Conference Room 11.**

Please RSVP with your attendance to Susan Jones by COB on Monday, November 15, 2021, at Susan.Jones@fairfaxcounty.gov or 703-324-5877.

Enclosures

cc: Rebecca L. Makely, Director
Consumer Services Division, DCCS



**FAIRFAX COUNTY
CONSUMER PROTECTION COMMISSION
November 16, 2021 AGENDA**

Call to Order by the Chairman (7:30 PM)

Remote Participation Policy

Minutes

- Draft of the October 19, 2021, meeting minutes attached.

Report of the Chairman

Report of the Director

Commission Matters

New Business

- FY 2021 CPC Annual Report
- Appointment of Nominating Committee

General Interest

- Consumer Protection Commission Calendar
- Consumer Protection Commission Membership
- Consumer Affairs Statistics
- Community Outreach
- Consumer Resources

Minutes of the Fairfax County Consumer Protection Commission

October 19, 2021

7:30 PM
Government Center, Conference 11
12000 Government Center Parkway
Fairfax, Virginia 22035
Chairperson Fee, presiding

Attendance:

Commissioners: Callender, Fee, Hargraves,
Kratovil, Kirk, Roark

Remote:

Commissioners: Belkowitz, Rosier

Absent:

Commissioners: Gulakowski

Staff:

Michael S. Liberman, Director
Cable and Consumer Services
Rebecca L. Makely, Director
Consumer Services Division
Susan C. Jones, Branch Chief
Consumer Affairs Branch
John W. Burton, Assistant County Attorney
Office of the County Attorney

The meeting was called to order at 7:31 PM by Chairperson Fee.

Chairperson Fee notified the Commission that Commissioner Belkowitz and Commissioner Rosier requested to participate in the meeting remotely.

Chairperson Fee made the motion to approve Commissioner Belkowitz's attendance remotely from Fairfax Station due to a medical condition. The motion was approved unanimously.

Chairperson Fee made the motion to approve Commissioner Rosier's attendance remotely from Great Falls due to a medical condition. The motion was approved unanimously.

Minutes

The minutes for the August 17, 2021, meeting were approved.

Report of the Chairman

Chairperson Fee had no matters to bring before the Commission.

Report of the Director

Rebecca Makely, Director, Consumer Services Division, informed the Commission that the County's workforce returned to work on Monday, October 11, 2021, after teleworking since March 2020. The County's policy allows employees to telework no more than 60 percent of their

normal weekly scheduled work hours, with approval of their Director. The County is at a Substantial community transmission status and all individuals in County facilities must wear a mask, regardless of vaccination status. The Health Department continues to provide vaccinations to the public at the Government Center.

Commission Matters

Commissioner Kirk had no matters to bring before the Commission.

Commissioner Callender notified the Commission that October 18-22, 2021, was Charity Fraud Awareness Week. Commissioner Callender provided a flyer from Charity Navigator to bring awareness of fraud and the sharing of information and resources that will help eliminate or drastically reduce the number of occurrences of fraud and its victims.

Commissioner Kratovil had no matters to bring before the Commission.

Commissioner Roark had no matters to bring before the Commission.

Commissioner Hargraves alerted staff that the “no surprise act” concerning medical billing was passed by Congress.

Commissioner Belkowitz had no matters to bring before the Commission.

Commissioner Rosier mentioned October was Breast Awareness Cancer month and encouraged women over 40 to get their mammograms. Commissioner Rosier stated she mailed several packages from the Post Office. She received a text from the Post Office that one of the packages was not delivered and to provide personal information. Commissioner Rosier stated this was a scam and the Post Office will not send a text or link to request information.

Chairperson Fee mentioned the trash haulers staffing issues surrounding yard waste. Chairperson Fee delivered wood to a friend’s house, and someone removed the wood off their property.

Old Business

There was no old business before the Commission.

Director Liberman arrived from the Board Auditorium where the Board of Supervisors meeting just ended. Director Liberman stated the Collective Bargaining Ordinance was approved by the Board of Supervisors.

New Business

1.Appeal Process Discussion. John W. Burton, Assistant County Attorney, Office of the County Attorney, gave a summary of how the appeal jurisdiction of the CPC set forth in County Code Chapter 28.1 differs from other chapters in the County Code. If County staff denies an applicant a license under Chapter 28.1 because of a disqualifying offense, the CPC appeal hearing is a determination of whether the applicant in fact committed a disqualifying offense. Under the relevant provisions of Chapter 28.1, a disqualifying offense precludes an applicant from obtaining a license pursuant to Chapter 28.1. County staff does not have discretion to issue a license if the applicant has committed a disqualifying offense. Because the right of appeal and the resulting hearing before the CPC are both part of Chapter 28.1, the CPC does not have

authority to order County staff to issue a license if the applicant did in fact commit a disqualifying offense. The CPC also discussed possibly recommending to the Board of Supervisors that Chapter 28.1 be amended to allow for greater CPC appeal authority in this area. County staff advised the CPC that the County has formed a task force to examine Chapter 28.1 as part of an effort to combat human trafficking, which may provide an opportunity for amendments.

A discussion ensued on disqualifying offenses and the appeal process under Chapter 28.1, contradictions to the code, providing notice to the applicant, legal guidance, staff's decision to deny the permit, may versus shall, lack of consistency in the code, revision to the special procedures, clear recommendations, protecting consumers practicing their craft, and the disparity of treatment of the applicants.

Director Liberman suggested the Commission consider updating the CPC's Special Procedures.

Chairman Hargraves made the motion to adjourn.

The meeting adjourned at 8:34 PM.

CPC Calendar

Fairfax County
Consumer Protection Commission
2021 Yearly Planning Calendar
November 16, 2021

- January 19 | Election of Officers
- February 16 | Bylaws
| COVID-19 Scams Presentation
- March 16 | Bylaws Approval
| Legislative Update
- April 20 | Appeal Hearing-Massage Therapist Permit Denial
- May 18 | Fairfax Area Agency on Aging
- June 15 | One Fairfax Policy Video (30:36)
| Appeal Process Discussion
- July 20 | Meeting Canceled (lack of quorum)
- August 17 | Staff Report on Trespass Towing Fees
- September 21 | Meeting Canceled
- October 19 | Appeal Process Discussion
- November 16 | FY 2021 CPC Annual Report
| Appointment of Nominating Committee
- December 21 ● 2022 Meeting Calendar
● Officer Nominations

CPC Membership

Name

Harold G. Belkowitz
Appt. Expires 7/31/2024

Wes Callender
Appt. Expires 7/31/2024

John Fee (Chairperson)
Appt. Expires 7/31/2024

Denis Gulakowski
(Vice-Chairperson)
Appt. Expires 7/31/2024

Dirck A. Hargraves
Appt. Expires 7/31/2023

Dennis D. Kirk
Appt. Expires 7/31/2022

Jason J. Kratovil
Appt. Expires: 7/31/2024

Michael J. Roark
Appt. Expires 7/31/2023

Jacqueline Rosier (Secretary)
Appt. Expires 7/31/2022

Dr. Maurice B. Springer
Appt. Expires 7/31/2024

Staff

Michael S. Liberman, Director
Department of Cable and Consumer Services
michael.liberman@fairfaxcounty.gov

Rebecca L. Makely, Director
Consumer Services Division
703-324-5947
rebecca.makely@fairfaxcounty.gov

Susan Jones, Chief
Consumer Affairs Branch
703-324-5877
susan.jones@fairfaxcounty.gov

Main number: 703-222-8435
Fax number: 703-653-1310

CAB Statistics



Consumer Affairs Branch
Monthly Summary - All Activities
October 2021

	Current Month		Fiscal Year-to-Date		Prior Fiscal YTD	
Cases Received	119		385		353	
Cases Closed	73		247		288	
Favorable	43	59%	136	55%	162	56%
Unfavorable	5	7%	30	12%	23	8%
Invalid	2	3%	7	3%	12	4%
Other	23	32%	74	30%	91	32%
Total (Checks column totals)	73	100%	247	100%	288	100%
Advice Inquires (closed)	331		1348		1713	
Case Inquires over 90+days (open)	21		70		50	
Amount Received	\$42,993.00		\$201,058.00		\$190,119.00	

CLOSED COMPLAINT CATEGORIES

FISCAL YEAR-TO-DATE	% FYTD	PRIOR FISCAL YTD	% PRIOR FYTD
Tenant-Landlord	47%	Tenant Landlord	32%
Housing-Service	14%	Cable Television (regulated)	21%
Automotive	11%	Housing - Service	11%
Communications - Media	4%	Automotive - Service	7%
Cable - Regulated	4%	Internet Sales	6%
Other	20%	Other	23%

Community Outreach

Outreach Event Calendar November 2021

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
11/1/2021	YCYC: Association Complaint Procedure	Fairfax County Government 12000 Government Center Parkway Fairfax, VA		1:30 p.m. - 3:30 p.m.	MLT
11/4/2021	Consumer Connection Cyber Security	Fairfax County Government 12000 Government Center Parkway Fairfax, VA		11:00 a.m. - 11:20a.m.	SCJ
11/5/2021	Building a Better Credit Report	Financial Empowerment Center (Zoom) 8350 Richmond Highway Alexandria, VA		10:30 a.m. - 11:30 a.m.	VFJ
11/22/2021	Consumer Connection Holiday Shopping and Avoiding Fraud	Fairfax County Government 12000 Government Center Parkway Fairfax, VA		11:00 a.m. - 11:20 a.m.	SCJ

Outreach Event Calendar December 2021

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
12/6/2021	Holiday Shopping Tips	George Mason Library (Virtual) 7001 Little River Turnpike Annandale, VA		10:30 a.m. - 11:30 a.m.	MDP
12/7/2021	Consumer Knowledge	Westfield High School 4700 Stonecroft Blvd. Chantilly, VA		7:00 a.m. - 3:30 p.m.	MDP
12/8/2021	Consumer Knowledge	Westfield High School 4700 Stonecroft Blvd. Chantilly, VA		7:00 a.m. - 3:30 p.m.	MDP
12/14/2021	Consumer Knowledge	Herndon High School 700 Bennett Street Herndon, VA		7:00 a.m. - 3:30 p.m.	MDP
12/15/2021	Consumer Knowledge	Herndon High School 700 Bennett Street Herndon, VA		7:00 a.m. - 3:30 p.m.	MDP
12/20/2021	Consumer Connection	Fairfax County Government Center 12000 Government Center Pkwy Fairfax, VA		11:00 a.m. - 11:20 a.m.	SCJ

Consumer Resources

Resource Items

Fairfax County Department of Cable and Consumer Services

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

Fairfax County Consumer Affairs

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

Fairfax County Consumer Affairs Facebook

<https://www.facebook.com/fairfaxcountyconsumer/>

Fairfax County Coronavirus (COVID-19) Updates

[Fairfaxcounty.gov/covid19/](https://www.fairfaxcounty.gov/covid19/)

Ways to Stay Informed About Coronavirus (COVID-19)

<https://fairfaxcountyemergency.wpcomstaging.com/>

Ways to Donate and Help During COVID-19

<https://fairfaxcountyemergency.wpcomstaging.com/2020/03/25/ways-to-donate-and-help-during-covid-19/>

What to Know About Tenant-Landlord Rights During COVID-19

<https://fairfaxcountyemergency.wpcomstaging.com/2020/11/17/what-to-know-about-tenant-landlord-rights-during-covid-19/>

DCCS Operating Status

<https://www.fairfaxcounty.gov/cableconsumer/status>

Your Community, You're Connected: Ombudsman Association Complaint Procedure (November 4, 2021)

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/your-community-youre-connected>

Consumer Connection: Personal Cyber Security (November 4, 2021)

<https://fb.watch/93HS8xkKiH/>

Information Items

AARP Report: Stress Plays Key Role in Fraud Susceptibility

Stressed out? Nowadays, who isn't? Turns out when life is a struggle — because of a job loss, an avalanche of bills or an ailing loved one, for example – we are more susceptible to frauds and scams. [\[More\]](#)

AARP Report: Stress Plays Key Role in Fraud Susceptibility

Victims of scams more likely to be going through stressful life events

by Katherine Skiba, [AARP](#), October 27, 2021

Stressed out? Nowadays, who isn't? Turns out when life is a struggle — because of a job loss, an avalanche of bills or an ailing loved one, for example — we are more susceptible to frauds and scams.

The finding emerges in an AARP-sponsored survey of more than 9,000 American adults. The research explored whether certain risk factors increase a person's vulnerability to the crooks hard at work in what is a global, multibillion-dollar industry that has been booming amid the pandemic.

The research, one of AARP's largest studies on consumer fraud, uncovered specific environmental and emotional factors common to fraud victims.

The findings are showcased in an AARP National Fraud Frontiers report called "A Moment's Notice: Recognizing the Stressful Life Events, Emotions and Actions That Make Us Susceptible to Scams." The report estimates that 229 million adults in the U.S., or 9 in 10 adults, experienced an attempted fraud in the prior year. Within that group, 33 million adults, or nearly 1 in 7, lost money.

The survey asked respondents if during the past 12 months they had been exposed to any of 26 scams including the most common (and annoying) ones. Seventy percent of respondents had been exposed to a scam purporting their car warranty was about to expire; 47 percent had been exposed to a tech-support scam about a fake glitch; and almost 43 percent had been warned or threatened about a phony problem with their Social Security number or account. Despite an unrelenting barrage of fraud attempts, less than 3 percent of adults in those three instances took the bait and lost money.

Victims and resisters

Respondents who had a brush with those and 23 other scams were put into separate groups: 1,085 victims who reported losing money to scammers and 2,195 non-victims who didn't lose a dime.

While anyone can be victimized, the report says, four factors were common among the fraud victims. Compared to non-victims, victims had experienced more than twice as many stressful events, such as a death in the family, a job loss or loneliness, when the fraudster invaded their lives.

"The theory underlying this correlation is that coping with a stressful life event consumes valuable cognitive capacity that otherwise might be employed to spot and resist fraud,"

the report states. (Scientists define cognitive capacity as the amount of information the brain can retain at any one time.)

Crooks zero in on your Achilles' heel

Scammers intentionally probe victims about stressful life events and if a target reveals, say, a recent divorce or illness, the bad actors focus the victim's attention on that disruption to "keep them off balance and drain even more of their cognitive power," the report says.

Here's how a man convicted of investment fraud, who is quoted in the report, put it: "I would ask the fraud target to tell me their life story so I could find their emotional Achilles' heel. Once I found it, I would throttle up on that event by saying, 'Tell me more about your husband's illness.'"

A romance fraudster also is quoted in the report saying the dating sites he frequented were "filled with lonely people who had recently lost a spouse or a loved one." Talking about their susceptibility to fraud, he added: "A lonely heart is a vulnerable heart."

Three other factors common to fraud victims also were cited in the report:

- Victims had less social and family support. They were less likely to agree their family pulls together "when things are stressful" or that if they have a crisis, they have others with whom they can talk.
- Victims had stronger emotions. Fewer called themselves a "calm person" and more said they "can be emotionally moved by what other people consider to be simple things."
- Victims had more exposure to scammers. On average, they said they were exposed to 11 scams in the prior year; non-victims reported exposure to about seven. Moreover, victims were more likely than non-victims to buy something they saw in a TV ad, for example, or to send a peer-to-peer digital payment to an individual (not retail) seller with whom they had not previously done business. Those two activities were among several the report said "may have caused some of that additional exposure."

Knocked off our feet

The scammer's goal is to "knock us off that solid cognitive foundation and into the murky and unpredictable world of passion and emotional reactivity," the report says.

The report also addressed ways to deter fraud, such as installing protective software on computers and devices and signing up for the National Do Not Call Registry — both among the safeguards utilized more often by non-victims. However, fraud victims were more apt to use three prevention tools: identity-theft monitoring, a credit freeze on credit accounts at one or more of the three major credit bureaus and the use of a different password for each online account. But it was unclear from the research whether victims had hardened their targets, so to speak, before or after losing money.

During 2020, as the pandemic unfolded, fraud reports to the Federal Trade Commission rose by 45 percent compared to 2019, the report notes. In light of what's in a fraudster's tool box — inexpensive robocalls, mass emails and call "spoofing," in which caller ID is manipulated to display an originating number different than the fraudster's — it's critical that none of us let our guards down, since, as the report states: "If consumers think that older people, uneducated people or some select 'others' are the only ones susceptible to fraud, that may give them a false sense of security, which paradoxically can lead to greater susceptibility."