

Consumer Protection Commission FY 2020 Annual Report



Fairfax County Consumer Protection Commission
December 1, 2020

Fairfax County Board of Supervisors



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Chairman

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Vice Chairman
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Chairman'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

Chairman

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, and tow operators. 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 8,507 case inquiries in FY 2020, 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.

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 255 presentations throughout the community during FY 2020, with some outreach events being cancelled during April-June due to the COVID-19 pandemic.

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.

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 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, Chairman

Denis Gulakowski, Vice-Chairman

Jacqueline G. Rosier, Secretary

Harold G. Belkowitz, Esq.

Dennis Dean Kirk, Esq.

Wesley P. Callender

Jason J. Kratovil

Dirck A. Hargraves

Daton Lynch

Scott Hine

Michael J. Roark

Umair Javed

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 2020, the Commission meetings included the following items:

PUBLIC HEARING ON REVISIONS TO FAIRFAX COUNTY CODE CHAPTER 33, PRECIOUS METAL AND GEM DEALERS AND PAWBROKERS – JULY 2019

Rebecca Makely, Director, Consumer Services Division briefed the Commission on the proposed changes to Chapter 33, to include the use of military identification and other “house-keeping” changes recommended by the County Attorney. The Commission unanimously voted to recommend the Board of Supervisors amend Chapter 33 of the Fairfax County Code, relating to Precious Metal and Gem Dealers and Pawnbrokers.

CPC MOTION TO RECOMMEND TO ADVERTISE TO HOLD A PUBLIC HEARING ON TUESDAY, SEPTEMBER 17, 2019, TO AMEND FAIRFAX COUNTY CODE TO ADOPT A NEW CHAPTER, RELATED TO SHARED MOBILITY DEVICES – AUGUST 2019

The Commission unanimously voted to advertise to hold a public hearing on Tuesday, September 17, 2019, to amend the Fairfax County Code to adopt a new Chapter, related to Shared Mobility Devices.

PUBLIC HEARING ON ADOPTION OF A NEW CHAPTER OF THE COUNTY CODE, SHARED MOBILITY DEVICES – SEPTEMBER 2019

Rebecca Makely, Director, Consumer Services Division, presented the staff report on Shared Mobility Devices (SMD). Director Makely introduced the SMD Work Group and discussed House Bill 2752 and the current SMD status in Fairfax County. She reviewed the proposed Fairfax County Code new Chapter 86, Shared Mobility Devices. The Commission unanimously voted to recommend the Board of Supervisors amend the Fairfax County Code by adding a new Chapter 86, related to Shared Mobility Devices. Chapter 86 was adopted by the Board of Supervisors following a public hearing on November 19, 2019.

MASSAGE THERAPIST APPEAL HEARING – DECEMBER 2019

The Commission heard a massage therapist denial appeal and voted to uphold the staff decision to deny the massage therapist permit for one year.

CONSUMER PROTECTION COMMISSION OFFICER ELECTIONS – JANUARY 2020

The Commission held officer elections for the positions of Chairman, Vice Chairman, and Secretary. Commissioners were voted into these positions for a term of one year.

COMMISSION PLANNING – FEBRUARY 2020

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

COVID-19 MEETING CANCELLATION – MARCH, APRIL, MAY, and JUNE 2020

Following Governor Ralph Northam's announcement that the Commonwealth would restrict gatherings of 10 or more people, all Fairfax County Boards, Authorities, and Commissions postponed indefinitely any planned meetings that did not involve time-sensitive activities. Each month the Commission was provided with a written update of the agency's pandemic response and COVID-19 resources. The Commission resumed its regular monthly meeting schedule in July 2020.

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 publically 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

For much of the second half of the fiscal year, 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 safely conduct work in a socially distanced manner. In early March 2020, 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 over 100 consumer advice posts in reference to COVID-19, scams, price gouging, evictions, utility providers, and more.

Consumer Affairs wrote several

articles for the Fairfax County Emergency Information Blog on these same topics and provided Assistance from a Distance with online complaint filing. 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 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 for electronic meetings and necessary staff and resource support required to televise and stream such meetings. 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.

[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](#).

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 2020, Consumer Affairs responded to 8,507 inquiries relating to tenant-landlord, home improvement, cable television, towing, and retail issues. Case inquiries tend to be higher during the annual National Consumer Protection Week in March. Compared to FY 2019 there were 140 less case inquiries in FY 2020 with a 49 percent decrease during the months of April, May, and June likely related to the impact of the COVID-19 pandemic on consumer activity.

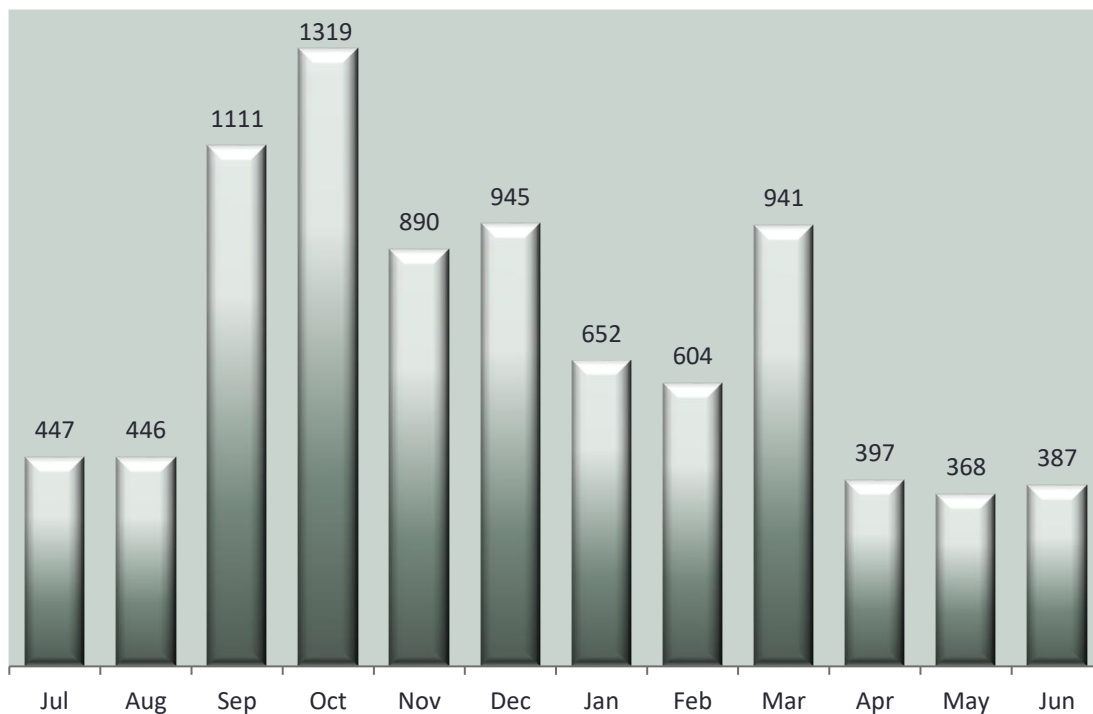


Figure 1 Consumer Inquiries for Fiscal Year 2020

Consumer Complaints

Consumers have the ability to 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 2020, Consumer Affairs mediated and investigated consumer complaints on a variety of topics, such as tenant-landlord, home improvement, cable television, towing, and retail.

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. Retail complaints include disputed charges, warranty issues, and refund policies. The “Other” category includes complaints related to internet and wireless service billing, medical billing, new and used vehicle purchases, vehicle repairs, and home warranty issues.

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

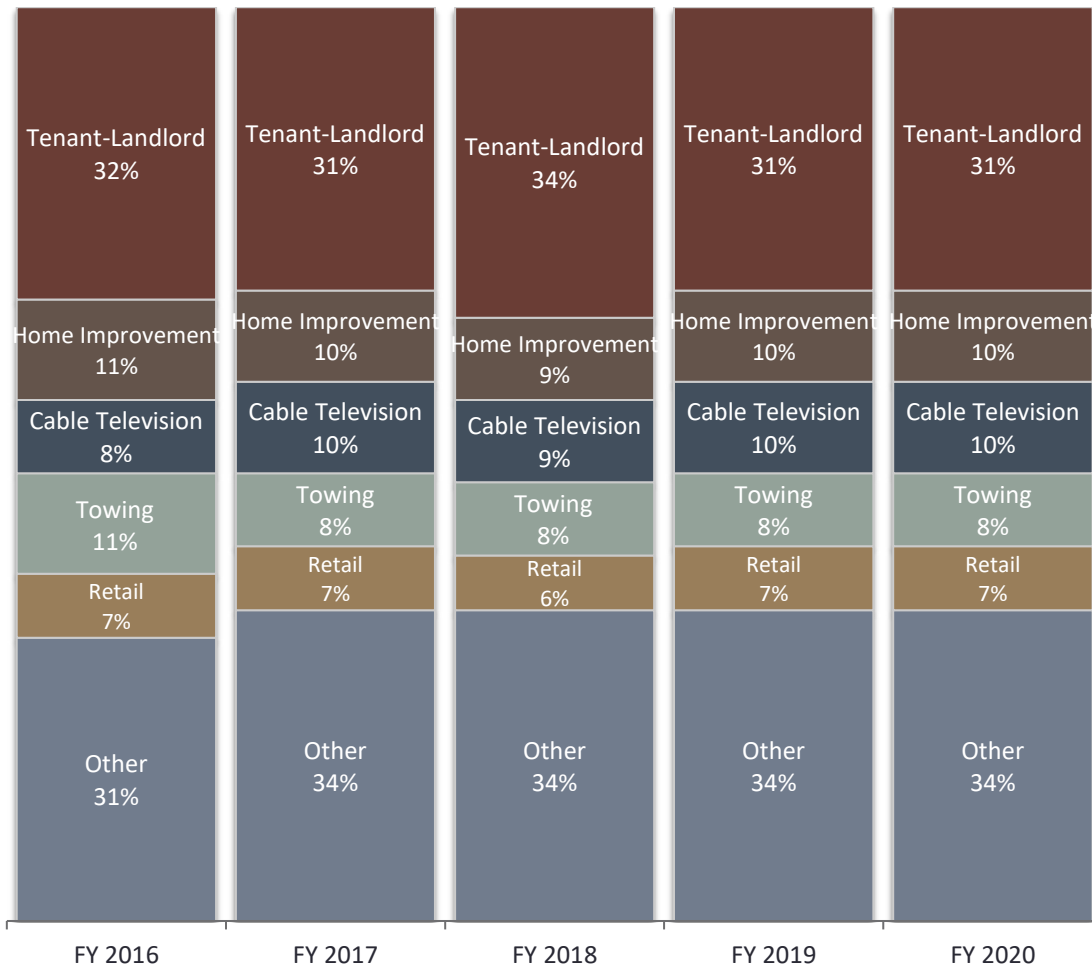


Figure 2 Consumer Complaint Categories from Fiscal Year 2016 to 2020

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, \$541,986 was recovered for consumers in FY 2020, an increase of \$83,640 compared to FY 2019.

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 2020, 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:

FURNITURE DELIVERY

Heidi, the consumer, contracted with the business for the purchase and delivery of furniture. The consumer attempted to contact the business to determine the delivery date. The consumer alleged the business failed to respond in a timely manner. The consumer requested the business provide a full refund since the business failed to deliver the furniture, as agreed. After Consumer Affairs intervention and mediation, the business stated the consumer disputed the charge with the consumer's credit card company, but was denied. The business offered to refund the consumer the taxes and delivery charges, and provide a store credit to the consumer. The consumer accepted the businesses' offer of a refund of \$289.79 for the taxes and delivery fee, leaving a store credit in the amount of \$2,179.97 towards a future purchase.

"...I APPRECIATE THE THOROUGHNESS, CONSCIENTIOUSNESS, AND METICULOUS ATTENTION TO DETAIL BY STAFF. YOUR TEAM PROVIDES AN INVALUABLE SERVICE THOSE WHO DO BUSINESS IN FAIRFAX COUNTY..."
HEIDI, CONSUMER

TRASH BLUES

Letha, the consumer, contracted with a business for trash, recycling, and debris removal services. The consumer was quoted a quarterly rate of \$120. The consumer received a bill for \$242.08, which included container drop and removal fees in the amount of \$90. The

"...I APPRECIATE YOUR INTERVENTION. WITHOUT YOUR HELP, THE TRASH COMPANY WOULD HAVE CONTINUED TO BILL ME. THANKFULLY YOU WERE THERE WHEN I NEEDED YOU..."

LETHA F.

consumer claimed the business failed to disclose the fees when she signed up for service. The consumer requested the business remove the fee. After Consumer Affairs intervention and mediation, the business stated the consumer terminated trash service with them, had agreed to pay the \$22.68 for

three weeks of service, and was responsible for returning the trash containers to the business. The consumer disagreed with the business' response since the consumer had already paid the balance and returned the trash containers. After further Consumer Affairs mediation, the business reviewed the consumer's account and agreed no balance was due and the business removed all fees from the consumer's account.

DAMAGED SOFA

Grace, the consumer, contracted with the business to clean a rug and sofa upholstery. The consumer alleged the business ruined the fabric on the sofa. The consumer requested the business pay for the damaged sofa. After Consumer Affairs intervention and mediation, the business claimed the sofa was re-treated after the consumer contacted the business. The business requested the consumer provide a sample cushion to obtain an independent opinion from the manufacturer. The manufacturer stated there was no damage to the upholstery, but rather the velvet exterior needed proper grooming.

Even though the business did not damage the sofa, the business offered to give the consumer a \$655.40 in store credit and the return of the consumer's cushion. The consumer accepted the business' offer.

"...THANK SO MUCH FOR DOING THIS FOR ME. MUCH APPRECIATED. WHAT WOULD WE DO WITHOUT YOUR CONSTANT HELP IN RESOLVING THIS MATTER..."

GRACE K.

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 255 outreach events in FY 2020, with higher volume of events occurring during the school year and National Consumer Protection Week in early March. The chart reflects the impact of cancelled outreach events in April-June due to the COVID-19 pandemic, with some outreach transitioned to virtual events.

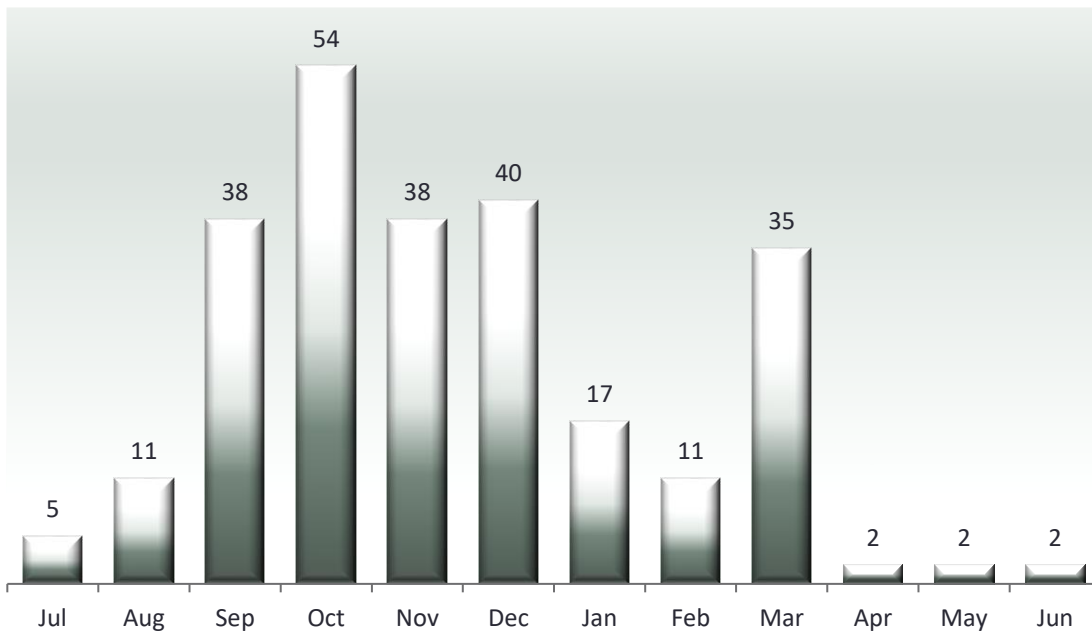


Figure 3 Community Outreach Events for Fiscal Year 2020

Consumer Affairs offers presentations on the following topics:

- Consumer Affairs 101
- Automobile Sales and Repairs
- Data Breaches
- Door to Door Scams
- Financial Education
- Funeral Planning
- High School 101
- Home Improvement
- Identity Theft
- Medical Identity Theft
- Online Holiday Shopping
- Scams Against Seniors
- What Landlords Need to Know
- What Tenants Need to Know
- What's in Your Credit Report
- When Debt Collectors Call

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 Commissions supported by DCCS, Consumer Affairs Branch services and resources, National Preparedness Month, Energy Action Month, Shared Mobility, Holiday Safety, Regulation and Licensing 101, National Consumer Protection Week, and Consumer Affairs 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 2019 Legislative Review, Association Insurance, Managing Association Professional Contracts, Reasonable Rules and Compliance, Association Board Meetings during a State of Emergency. 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.

Consumer Affairs regularly posts on 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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<https://www.fairfaxcounty.gov/cableconsumer/csd/consumer-protection-commission>

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

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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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