

Consumer Protection Commission FY 2015 Annual Report



Fairfax County Consumer Protection Commission
June 30, 2015

Fairfax County Board of Supervisors



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Chairman's Message

On behalf of the Consumer Protection Commission, I would like to present the Fiscal Year 2015 Consumer Protection Commission Annual Report. The Commission members and the staff of the Consumer Affairs Branch of the Department of Cable and Consumer Services worked to compile important information and performance measures from throughout the year.

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



John T. Fee
Chairman
Consumer Protection Commission

Executive Summary

Established by the Board of Supervisors in 1964, the Consumer Protection Commission (Commission) serves to help protect consumers from illegal, fraudulent, or 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 appeals on the denial, suspension, or revocation of hackers, peddlers and solicitors, massage therapists, massage establishment, and towing permits. In addition, the Commission analyzes consumer issues in Fairfax County and makes recommendations to the Board of Supervisors as needed. The Commission meets monthly to hear hacker and solicitor appeals, to review information updates from the cable franchise operators (Comcast, Cox, and Verizon), and to hold public hearings on taxi rates and taxicab certificates.



Staff support for the Commission is provided by the Consumer Affairs Branch (CAB) of the Department of Cable and Consumer Services. CAB responded to 8,542 case inquiries in fiscal year 2015. CAB mediates and investigates consumer complaints, tenant-landlord disputes, and cable issues. In addition, CAB offers voluntary, but legal and binding arbitration when mediation efforts do not achieve satisfactory results.

The top categories for consumer complaints received by CAB include: tenant-landlord complaints involving security deposit issues and lack of maintenance; home improvement complaints with contractors for failing to complete work or providing faulty service or repairs; cable complaints against cable operators on billing issues and quality of reception or repairs; utility complaints (electricity, gas, telephone, water, and sewer) involving billing issues or unauthorized service; and retail complaints on purchases made by consumers who dispute the charges, or have warranty issues.

CAB provides presentations throughout the year when requested by schools, homeowner associations, community groups, and senior centers. CAB provided 227 presentations during fiscal year 2015. In addition, CAB promotes our services through informative tip sheets, an electronic newsletter, posting current consumer issues on social media sites such as Facebook, and the comprehensive Consumer Central Web site at www.fairfaxcounty.gov/consumer.

After CAB closes a complaint, a case summary outlining the details of a complaint are provided to consumers for their review on the Department of Cable and Consumer Services Consumer Central Web page. This allows consumers to make informed decisions on retail purchases or renting an apartment or home.

Consumer Protection Commission



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The Board of Supervisors established the Public Utilities Commission in 1964. It was not until June of 1972 that the Board designated the Commission to address consumer protection issues and complaints and changed the name to the Consumer Protection and Public Utilities Commission.

The present day Department of Cable and Consumer Services was established as the Department of Consumer Affairs by the Board of Supervisors on March 11, 1974, by combining the staff of the Consumer Protection and Public Utilities Commission and the staff of the Fair Housing Board/Tenant Landlord Commission. This consolidation allowed for the coordination of consumer-oriented projects, a more efficient use of resources, and eliminated duplication of effort. The Commissions continue to exist today, although now called the Consumer Protection Commission and the Tenant Landlord Commission, and are comprised of Board appointed volunteers.

The Commission's thirteen members are appointed by the Board of Supervisors to three-year terms. At least seven are consumers not actively engaged in business in Fairfax County.

The Commission's mission is to help protect Fairfax County consumers from illegal, fraudulent, or deceptive consumer practices in the marketplace. The goals of the Commission are:

- To advise the Board of Supervisors on issues regarding consumer affairs and cable communications.
- To work with the Department of Cable and Consumer Services on consumer issues.
- To hold hearings to approve applications for taxicab certificates.

Each day CAB staff responds to inquiries for information, provides referrals, offers advice, and assists residents with mediation regarding consumer issues. CAB is available to assist the public Monday - Friday from 8 a.m. to 4:30 p.m.

CAB mediates and investigates consumer complaints, tenant-landlord disputes, and cable issues if the transaction occurred in Fairfax County. During Fiscal Year 2015, CAB responded to over 8,542 inquiries relating to issues such as home improvement, tenant-landlord, cable, auto repair, retail purchases, and towing. Consumer Specialists are available to answer advice inquiries on topics such as foreclosure scams, homeowner and condo association questions, contractor issues, and retail purchasing.

When mediation efforts are exhausted, a voluntary, but legally-binding arbitration process is available. Arbitration provides an efficient and inexpensive alternative to court for resolving consumer related disputes. A recent arbitration resolved a dispute between a contractor and a consumer who alleged the contractor performed unauthorized work. After weighing the documentation presented by both parties, the arbitration panel found in favor of the consumer. The consumer was awarded \$23,454 to be paid by the business within 30 days.

Consumer Case Inquiries

Case inquiries include consumer complaints, advice inquiries, and consumer walk-ins. Case inquiries vary from month to month for a variety of reasons such as holiday shopping, tax season, weather related issues, and travel. Case inquiries tend to be higher during the spring months following National Consumer Protection Week, when consumers start thinking about home improvement projects, or when tenants decide to move to new rental locations.

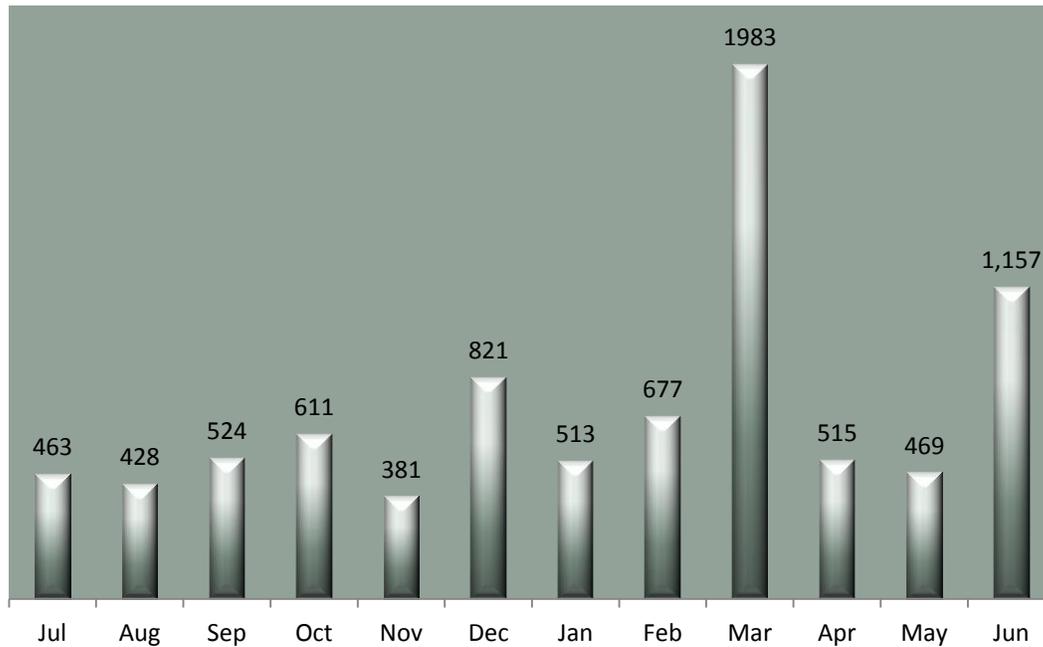


Figure 1 Monthly Consumer Case Inquiries for Fiscal Year 2015

Consumer Complaint Trends

Over the last five years tenant-landlord issues were the most received complaint. The chart below illustrates consumer issues received by CAB and the increase in the tenant-landlord complaint category compared to other categories during the period from fiscal year 2011 to 2015.

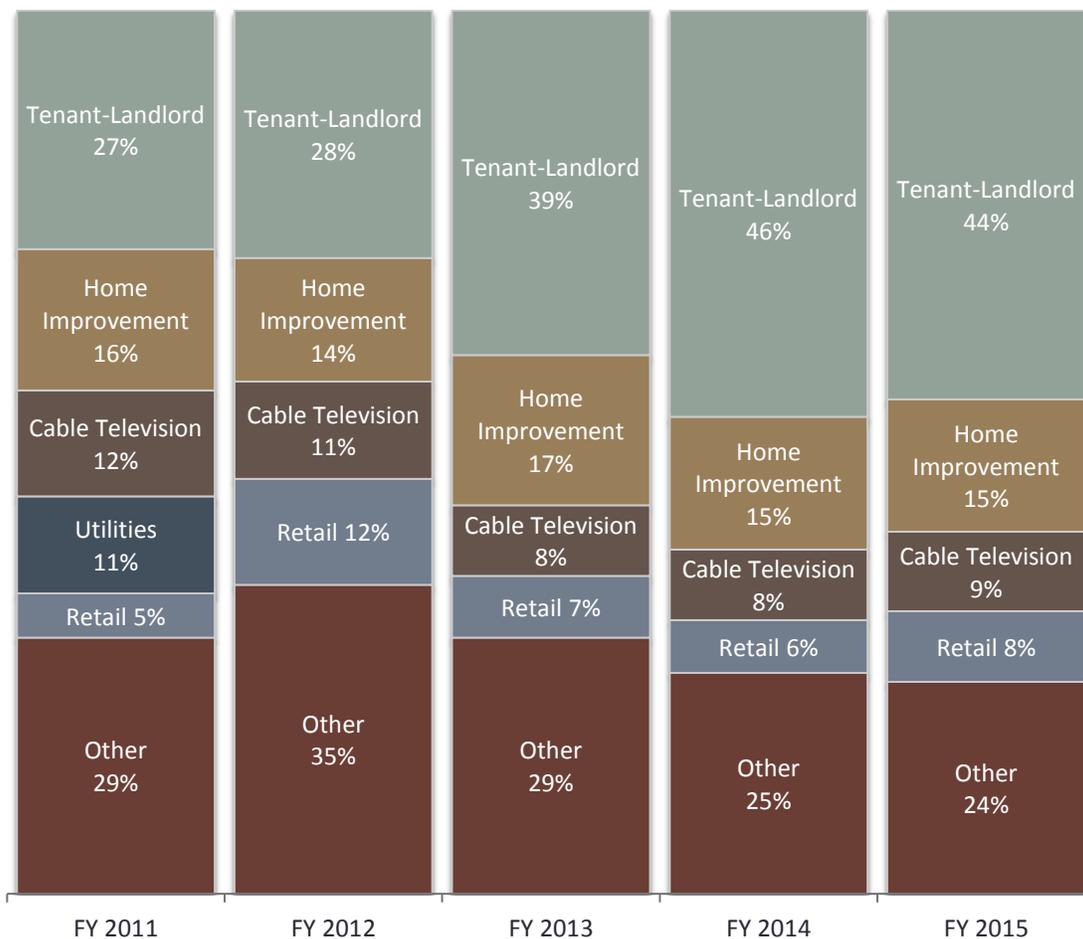


Figure 2 Annual Consumer Top Complaint Categories from Fiscal Year 2011 to 2015

Tenant-landlord complaints include security deposit issues, lack of maintenance, and the desire to terminate or break the lease. Home improvement complaints include contractors failing to complete work, faulty service or repairs, or unauthorized billing. Cable television complaints concerning billing issues, quality of reception, and private property restoration are filed against cable franchise operators. Utilities (electricity, gas, telephone, water, and sewer) complaints usually involve a billing issue or unauthorized service. Retail complaints encompass purchases made by consumers who dispute charges, have warranty issues, or businesses that fail to display a refund policy.

Consumer Outreach Events

CAB develops educational programs for audiences of all ages on current consumer topics and trends. CAB provides outreach presentations throughout the year when requested by schools, homeowner associations, community groups, and senior centers. The majority of the requests occur during the school calendar year.

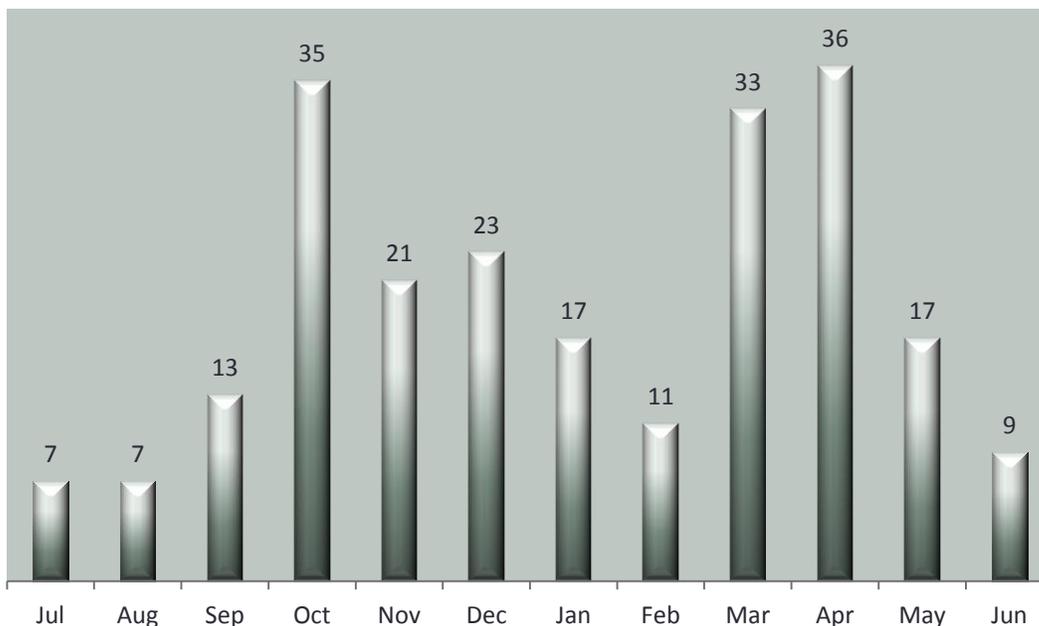


Figure 3 Monthly Consumer Outreach Events for Fiscal Year 2015

CAB offers presentations on the following topics:

- Home Improvement
- Practical Advice about Warranties
- Online Holiday Shopping
- All About Consumer Affairs
- Homeowners Associations 101
- When Debt Collectors Call
- Identity Theft
- How to Recognize a Scam
- What's in Your Credit Report
- High School 101
- Foreclosure Rescue Scams
- Door to Door Scams
- Credit Card Rules
- Medical Identity Theft

In addition, CAB promotes services through informative tip sheets, the *Informed Consumer* electronic newsletter, a comprehensive website, and posting of current consumer issues on social media sites such as Facebook. Following are several examples of social media posts to advise the public of relevant consumer issues and information:

 **Fairfax County Consumer Affairs** May 25 at 8:00am · 🌐

Shopping online can be easy and convenient. Follow these tips to protect personal and financial information.



Shopping Online - Fairfax County, Virginia

Shopping Online

FAIRFAXCOUNTY.GOV

Like · Comment · Share

 **Fairfax County Consumer Affairs** May 5 · 🌐

Your Community, You're Connected – The Anatomy of a Successful Community Association airs live tonight, Tuesday, May 5, 2015 from 7:00 p.m. to 8:00 p.m. Michelle L. Thompson of the Fairfax County Consumer Affairs Branch; Marla Diaz, attorney with the law firm of Whiteford, Taylor & Preston, LLP; and Betsy Johns, CFO/Partner National Realty Partners, LLC. will respond to your live calls and emails during the hour. Join the conversation by sharing your comments or posting your questions below or on Twitter using #FFXYCYC. Our guests will respond to questions on any topic related to homeowners' association or condominium living during the COMMUNITY FORUM in the second half of our program.

 **Fairfax County Consumer Affairs** April 21 · 🌐

Thinking about adopting a pet? Beware of online pet adoption scams from the National Consumer's League.

Fraud.org - Fraud.org

Fraud.org is a project of the National Consumers League

FRAUD.ORG

Like · Comment · Share

Complaint Summaries

Below are several consumer complaint summaries from FY 2015 with feedback from consumers that received assistance from CAB.

AIR BAG ELECTRICAL REPAIR

While under warranty, the air bag light on the dash board illuminated indicating a problem with the air bags in Valeri's 2008 Chevrolet Aveo and the dealer replaced the air bag harness under

VALERI First I want to THANK you and the whole team for helping out, so our voice can be heard and wrong will be corrected!!!

the seats to correct the problem. Two months later the air bag light on the dash board of the consumer's car illuminated again. The consumer's mechanic advised the consumer that the problem was with the electrical connectors for the air bags located under the driver and passenger seats. In addition, the consumer's mechanic further advised the consumer that there were manufacturer recalls for this problem on several Chevrolet models. The consumer requested that the business reimburse the consumer for her expenses due to defective materials used by the manufacturer. After CAB mediation, the business sent the consumer a reimbursement

check totaling \$304.08, to consumer's satisfaction.

FURNITURE REFUND

Walter alleged that the business failed to provide a refund for furniture that was unsatisfactory.

According to the consumer, the sofa and chair was not what the consumer ordered, or the quality the consumer expected. The consumer further alleged that when the furniture was exchanged, the items delivered to the consumer were damaged and soiled. The consumer requested that the business refund \$2,960.58. After CAB mediation, the business explained that the consumer purchased a special order sofa and chair, but because of the consumer's dissatisfaction, allowed the consumer to exchange the items for two sofas. According to the business, the items were in good condition. The consumer and business did not agree on the condition of one of the sofas. However, by mutual agreement, the business picked up one sofa and refunded \$955.02 to the consumer.

WALTER Please Thank Ms. Johnson for mediating and Ms. Kay for seeing the issues from the consumer view as well as the merchant view.

THREATENING CALLS FROM TRASH SERVICE

STAN I am grateful to you and the County for offering such good service.

Stan received threatening phone calls from the business concerning a bill for trash service that he did not owe. The consumer stated that he has not lived at that address since 2002. The consumer requested that the business recognize the bill was paid in full back in 2002. After CAB mediation, the business issued a credit to the consumer's account to bring the amount to a zero balance and sent a cease and desist order to the collection agency to the consumer's satisfaction.

Consumer Protection Commission Meetings

The Commission meets the third Tuesday of each month at 7:30 p.m. at the Fairfax County Government Center. Meetings are open to the public and time is available for public comment. The Commission manages an annual planning calendar listing topics for upcoming meetings. The Commission calendar for FY2015 included the following agenda items:

TAXI RATE PUBLIC HEARING

The Commission approved a 3.5 percent rate increase by increasing the initial (drop) charge \$0.25 to \$3.50, and increasing the per-mile charge by \$0.06 to \$2.16.

CABLE COMPANY PRESENTATIONS

The Commission received updates from Comcast, Cox Communications, and Verizon on the status of their operations within Fairfax County.

LEGISLATIVE UPDATES

The Commission received legislative updates concerning the Property Owners' Association Act, Common Interest Community, and the Virginia Condominium Act.

LICENSE APPEAL HEARINGS

The Commission heard a taxicab driver license appeal and two solicitors license appeals.

TAXICAB CERTIFICATES REVIEW

The commission recommended no additional taxicab certificates be awarded.

In Review

The Commission and CAB will continue to 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 will continue to make recommendations on taxicab certificates and rates to the Board of Supervisors, adhere to the appeal process for hackers and solicitors, and to stay abreast of any changes to legislation that affect consumers as a whole.

Fairfax County Consumer Protection Commission

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www.fairfaxcounty.gov/consumer



Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities. Reasonable accommodations will be provided upon request. To request this information in an alternate format, call 703-222-8435 TTY 711.



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