



County of Fairfax, Virginia

MEMORANDUM

DATE: October 11, 2022

TO: Consumer Protection Commission

FROM: Rebecca L. Makely, Acting Director *RLM*
Department of Cable and Consumer Services

SUBJECT: Consumer Protection Commission Meeting for October 18, 2022

Please find attached the Consumer Protection Commission meeting packet. The next scheduled meeting is **Tuesday, October 18, 2022, at 7:30 p.m. in Conference Room 232** of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

Please RSVP with your attendance to Susan Jones by COB on Monday, October 17, 2022, at Susan.Jones@fairfaxcounty.gov or 703-324-5877.

Enclosures

cc: Ellicia Seard-McCormick, Deputy County Executive

Susan C. Jones, Consumer Specialist III
Department of Cable and Consumer Services



**FAIRFAX COUNTY
CONSUMER PROTECTION COMMISSION
October 18, 2022 AGENDA**

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

Remote Participation Motions

Minutes

- Approval of the draft September 20, 2022, meeting minutes

Report of the Chairperson

Report of the Director

Commissioner Matters

Old Business

- Remote Participation Policy
- Chapter 28.1

New Business

- Bitcoin/Cryptocurrency
- Temporary Taxicab Fuel Surcharge

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

September 20, 2022

7:30 PM
Government Center
12000 Government Center Parkway
Fairfax, VA 22035
Chairperson Fee, presiding

Attendance: Commissioners: Belkowitz, Fee, Gulakowski, Kharat, Kirk, Kratovil, O'Savio, Roark, Springer, Svab

Remote Attendance: Commissioners: Freedenthal, Hargraves

Absent: Commissioners: Rosier

Staff: Rebecca L. Makely, Acting Director
Cable and Consumer Services
Susan C. Jones, Consumer Specialist III
Consumer Affairs Branch
Carl Newcomb, Consumer Specialist III
Regulation and Licensing Branch
John W. Burton, Assistant County Attorney
Office of the County Attorney

The meeting was called to order at 7:32 PM by Chairperson Fee.

Chairperson Fee notified the Commission that Commissioners Freedenthal and Hargraves requested to participate in the meeting remotely.

Vice Chairperson Gulakowski made the motion to approve Commissioner Freedenthal's attendance remotely. Commissioner Kirk seconded the motion. The motion was approved unanimously, 10-0-0.

Chairperson Fee made the motion that Commissioner Freedenthal's voice can be heard by all Commissioners. Vice Chairperson Gulakowski seconded the motion. The motion was approved unanimously, 10-0-0.

Vice Chairperson Gulakowski made the motion to approve Commissioner Hargraves' attendance remotely. Commissioner Springer seconded the motion. The motion was approved unanimously, 11-0-0.

Chairperson Fee made the motion that Commissioner Hargraves' voice can be heard by all Commissioners. Vice Chairperson Gulakowski seconded the motion. The motion was approved unanimously, 11-0-0.

Minutes

The minutes for the July 19, 2022, meeting were unanimously approved, without objection.

Report of the Chairperson

Chairperson Fee introduced new Commissioners Kharat and O'Savio.

Report of the Director

Acting Director Rebecca Makely mentioned the Board of Supervisors (BOS) are back from summer recess. First board meeting was last week and today was committee meetings.

Acting Director Makely spoke on the \$2 Emergency Taxicab Fuel Surcharge that went into effect on June 29, 2022, until December 29, 2022. At that time, the average gas price was \$5.05. Current gas price is \$3.75. The BOS can rescind the surcharge. Acting Director Makely inquired about the Commission's position now that the price of gas has decreased.

A discussion ensued and the Commission declined to pursue any changes to the Emergency Taxicab Fuel Surcharge.

Commissioner Matters

Commissioner Gulakowski had no matters to bring before the Commission.

Commissioner Belkowitz had no matters to bring before the Commission.

Commissioner Kirk had no matters to bring before the Commission.

Commissioner Kratovil had no matters to bring before the Commission.

Commissioner Springer had no matters to bring before the Commission.

Commissioner Roark had no matters to bring before the Commission.

Commissioner Svab had no matters to bring before the Commission.

Chairperson Fee had no matters to bring before the Commission.

Commissioner Freedenthal inquired about issues with American Disposal Services (ADS).

Acting Director Makely stated Supervisor Walkinshaw brought the matter before the BOS about American Disposal and Fairfax County code Chapter 109.1. Supervisor Walkinshaw moved that the Board direct the County Executive and County Attorney to:

1. Brief the Board by memo on efforts underway to address the complaints from residents that ADS has consistently failed to meet its commitment to customers and the County Solid Waste Ordinance.
2. Brief the BOS in closed session or by memo the County's existing authorities with respect to applicable consumer protection statutes and any other legal options the County has to aid residents in their efforts to receive services for which they are paying.
3. Prepare a presentation for an upcoming meeting of the legislative committee outlining the Code of Virginia restrictions on local government's ability to move to a different system of solid waste collections.

Commissioner Freedenthal mentioned the article on Fairfax County running out of trash bins.

Acting Director Makely acknowledged the article and stated Fairfax County Solid Waste Management confirmed the bins are on backorder.

Commissioner Hargraves mentioned his issue with damaged luggage while on travel.

Commissioner Kharat introduced himself and spoke about his background.

Commissioner O'Savio introduced himself and provided information on his background.

Each Commissioner introduced themselves and provided brief background information. Acting Director Makely introduced staff.

Old Business

There was no old business before the Commission.

New Business

1. Remote Participation Policy. Acting Director Makely reviewed the highlights of the changes to the Remote Participation Policy. The Commission will vote on the updates at the next meeting.

2. Chapter 28.1. Acting Director Makely reminded the Commission about the discussion from January/February 2022 surrounding Chapter 28.1 Massage Therapy, Establishments and Services that is regulated by the Fairfax County Regulation and Licensing Branch. Commission had discussed proposed amendments as it related to the appeals language. This discussion stemmed from a massage appeal that was heard by the Commission two years in a row. The Commission realized other appeals processes had more thorough appeal language than Chapter 28.1. The Commission was provided a copy of Chapter 28.1 for review in February and April 2022. Commissioner Kratovil made comments on proposed changes to the code. Acting Director Makely did mention that the County's taskforce has no recommendations on changes to Chapter 28.1. Changes to the code is a two-part process where the CPC authorizes a public hearing and then holds the public hearing. The proposed changes would be brought before the BOS for authorization to hold a public hearing and then the BOS would hold the public hearing.

A discussion ensued on identifying and clarifying the various procedures, standardizing the language, finding a logical due process for appeals, and CPC authority.

Commissioner Kratovil spoke briefly on his findings in Chapter 28.1 under the appeals process. He stated Chapter 28.1 was missing procedural clarity that was relevant in other codes. He wants to map out exactly what the CPC can or cannot do as it relates to appeals.

Acting Director Makely suggested Assistant County Attorney Burton make a consolidated chart that shows what areas in the codes cannot be changed, but also show what due process is allowed by the Commission and flag the area for possible discussion and change.

A discussion ensued on the language in the code, may versus shall, discretion by the Commission, timeframe for the document, possible working group, and whether the marked-up code is ready for a motion.

Commissioner Kratovil mentioned whether the code also needs to be codified to include authorization on the education of consumers.

A discussion ensued on the authority provided to Consumer Affairs for outreach, limiting the scope of the topics, and the broader authority under the Virginia Consumer Protection Act versus a change to County code.

Commissioner Kirk made the motion for staff to provide a preliminary draft chart of the appeal language process at the next Commission meeting. Vice Chairperson Gulakowski seconded the motion. The motion passed unanimously, 11-0-0.

Acting Director Makely will provide the chart in the meeting packet email to the Commission.

Commissioner Kirk made the motion to adjourn the meeting. Vice Chairperson Gulakowski seconded the motion. The motion passed unanimously, 11-0-0.

The meeting adjourned at 9:00 PM.

CPC Calendar

Consumer Protection Commission

2022 Planning Calendar

October 18, 2022

- | | |
|--------------|---|
| January 18 | <ul style="list-style-type: none">• Nomination of Officers• 2022 Meeting Calendar• 2022 Items of Interest |
| February 15 | <ul style="list-style-type: none">• Consumer Affairs 101 |
| March 15 | <ul style="list-style-type: none">• 2022 Elections |
| April 19 | <ul style="list-style-type: none">• 2022 Legislative Review |
| May 17 | <ul style="list-style-type: none">• Emergency Taxicab Fuel Surcharge• Regulation and Licensing 101• Chapter 28.1 (Deferred) |
| June 21 | <ul style="list-style-type: none">• Emergency Taxicab Fuel Surcharge Public Hearing |
| July 19 | <ul style="list-style-type: none">• FY 2022 Annual Report• Police Civilian Review Panel Presentation |
| August 16 | <ul style="list-style-type: none">• Meeting Cancelled |
| September 20 | <ul style="list-style-type: none">• Remote Participation Policy• Chapter 28.1 |
| October 18 | <ul style="list-style-type: none">• Remote Participation Policy• Chapter 28.1• Bitcoin/Cryptocurrency Presentation• Temporary Taxicab Fuel Surcharge |
| November 15 | <ul style="list-style-type: none">• Community-wide Energy and Climate Action Plan (CECAP) Presentation• Temporary Taxicab Fuel Surcharge Public Hearing• Chapter 28.1• Nominations of Officers |
| December 20 | <ul style="list-style-type: none">• |

CPC Membership

Name**Staff**

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

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

Chester J. Freedenthal
Appt. Expires 7/31/2024

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

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

Pratik J. Kharat
Appt. Expires 7/31/2024

Dennis D. Kirk
Appt. Expires 7/31/2025

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

Triston "Chase" O'Savio
Appt. Expires 7/31/2024

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

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

Maurice B. Springer
Appt. Expires 07/31/2024

Paul Svab
Appt. Expires 7/31/2024

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

CAB Statistics



Consumer Affairs Branch
Monthly Summary - All Activities
September 2022

	Current Month		Fiscal Year-to-Date		Prior Fiscal YTD	
Cases Received	94		274		266	
Cases Closed	61		226		174	
Favorable	36	59%	121	54%	93	53%
Unfavorable	1	2%	15	7%	25	14%
Invalid	2	3%	6	3%	5	3%
Other	22	36%	84	37%	51	29%
Total (Checks column totals)	61	100%	226	100%	440	100%
Advice Inquires (closed)	391		1108		1164	
Case Inquires over 90+days (open)	42		63		32	
Amount Received	\$11,572.00		\$55,347.00		\$139,471.00	

CLOSED COMPLAINT CATEGORIES

	FISCAL YEAR-TO-DATE	% FYTD	PRIOR FISCAL YTD	% PRIOR FYTD
Tenant-Landlord		38%	Tenant Landlord	32%
Housing - Services		13%	Retail Stores	9%
Automotive-Services		11%	Housing Services	7%
Automotive-Towing		7%	Professional Services	6%
Retail		7%	Cable Television (Regulated)	6%
Other		24%	Other	40%

Community Outreach

Outreach Event Calendar October 2022

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
10/18/2022	Consumer Connection Bitcoin/Cryptocurrency	Fairfax County Government 12000 Government Center Parkway Fairfax, VA		11:00 a.m. -11:20 a.m.	SCJ
10/23/2022	Consumer Booth Beacon 50+ Expo	Springfield Town Center 6500 Springfield Mall Springfield, VA		12:00 p.m. - 4:00 p.m.	SCJ MDP SW AB
10/26/2022	Consumer 101 Zoom	ExxonMobil Retirement Club 9925 South Park Circle Fairfax Station, VA		2:00 p.m.- 2:45 p.m.	PNB SW
10/26/2022	Scams and How to Protect Yourself Zoom	ExxonMobil Retirement Club 9925 South Park Circle Fairfax Station, VA		2:45 p.m.- 4:00 p.m.	PNB SW
10/29/2022	Consumer Booth Providece Community Day	Providence Community Center 3001 Vaden Drive Fairfax, VA		11:00 a.m. - 3:00 p.m.	SCJ SW

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>

Consumer Connection: Emergency Preparedness Month (September 26, 2022)
<https://fb.watch/fRpD5f5PT3/>

Information Items

Fraud, scam cases increasing on Zelle, Senate report finds ([more](#))

Trash troubles persist in Fairfax County, with residents reporting missed pick-ups ([more](#))

Fairfax Co. considering ‘restructuring entirely’ how trash is collected ([more](#))

Fraudsters distort civic duty to confuse citizens ([more](#))

Morning Poll: Have you had trouble getting trash collected lately? ([more](#))

Trash and recycling problems still plague some Fairfax County communities; board to review options ([more](#)).

Trash, recycling pick-up issues frustrate Fairfax County residents ([more](#))

Supervisors to address problems with American Disposal Services ([more](#))

Trash troubles pile up with the county out of trash cans until later in fall ([more](#))

Fairfax Co. says it has run out of trash cans ([more](#))

Residents voice concerns over trash collection issues in Fairfax County ([more](#)).

Fraud, scam cases increasing on Zelle, Senate report finds

By KEN SWEET yesterday (AP Photo/Jacquelyn Martin)

NEW YORK (AP) — Incidents of fraud and scams are occurring more often on the popular peer-to-peer payment service Zelle, according to a report issued Monday by the office of Sen. Elizabeth Warren, giving the public its first glimpse into the growing problems at Zelle.

The report also found that the large banks that partly own Zelle have been reluctant to compensate customers who have been victims of fraud or scams. For instance, less than half of the money customers reported being sent via Zelle without authorization was being reimbursed.

Warren, D-Massachusetts, a long-time critic of the big banks, requested data on fraud and scams on Zelle from seven banks starting in April. The report cites data from four banks that tallied 192,878 cases worth collectively \$213.8 million in 2021 and the first half of 2022 where a customer claimed they had been fraudulently tricked into making a payment. In only roughly 3,500 cases did those banks reimburse the customer, the report found.

Further, in the cases where it's clear funds had been taken out of customers' accounts without authorization, only 47% of those dollars were ever reimbursed.

Since being launched in June 2017, Zelle has become a popular way for bank customers to send money to friends and family. Almost \$500 billion in funds were sent via Zelle in 2021, according to Early Warning Services, the company that operates Zelle.

Zelle is the banking industry's answer to the growing popularity of peer-to-peer payment services like PayPal, Venmo and the Cash App. The service allows a bank customer to instantaneously send money to a person via their email or phone number, and it will go from one bank account to another. More than 1,700 banks and credit unions offer the service. But the service has also grown more popular with scammers and criminals. Once money is sent via Zelle, it requires a bank's intervention to attempt to get that money back.

The cases of growing fraud and scams at Zelle have been highlighted in previous news reports, including two by The New York Times. But those stories cited mostly anecdotal evidence. Early Warning Services has previously

said that 99.9% of all transactions happen without complaints of fraud or scams. A group of Democratic senators asked for usage data on Zelle after the reports in The New York Times.

Banks are required under the Electronic Fund Transfer Act to repay customers when funds are illegally taken out of their account without authorization. Banks have argued that in cases of fraud — meaning a customer’s account becomes compromised somehow and they send an unauthorized payment — they do reimburse customers. Banks are more reluctant to reimburse customers who claim to have been scammed, arguing that customers would make such claims more often and it would be hard to tell whether the customer is telling the truth.

The Consumer Financial Protection Bureau has also been looking into Zelle and other payment platforms, and is expected to issue regulations that could require banks to reimburse customers for a wider array of scams and fraud.

The banking industry, aware of Washington’s increased scrutiny of Zelle, has been on a campaign to show Zelle is a safe way to send money. The industry typically likes to point out that fraud and scam claims occur more often on the non-bank payment platforms like Venmo or the Cash App.

“That doesn’t mean that Zelle, just like every other instant (peer-to-peer) payment service, is entirely free from those who seek to defraud the American consumer,” four banking industry lobby groups said in a joint statement. “Banks know this and take steps to mitigate instances of fraud and criminal activity.”

The data for individual banks shows the increase in fraud and scams. PNC Bank had 8,848 cases on Zelle in 2020, and is on pace to have roughly 12,300 cases this year. US Bank had 14,886 cases in 2020 and had 27,702 cases in 2021. Truist had 9,455 cases of fraud and scams on Zelle in 2020, which ballooned to 22,045 last year.

In response to Warren’s report, Zelle’s owner said the increased cases reflected the fact the service has become more popular.

“Zelle usage has grown significantly since its launch, from 247 million transactions in 2017 to 1.8 billion in 2021, while the proportion of fraud and scams has steadily decreased,” Early Warning Services said in a statement.

Warren made fireworks at [a congressional hearing last month](#) involving most of the CEOs of the big Wall Street banks that use and partly own Zelle, where she pushed each of the CEOs to release fraud and scam incident data at their banks. The seven are: JPMorgan Chase, Wells Fargo, PNC Financial, Truist, Bank of America, Capital One and U.S. Bank.

The hearing featured an exchange where Jamie Dimon, the CEO of JPMorgan Chase, apologized to Warren for not getting her the data she requested and promised she would have it at the end of that day.

Warren's office says ultimately JPMorgan's data on Zelle did not provide the information they were looking for, so data from JPMorgan is not included in the report. JPMorgan did not return a request for comment.

Wells Fargo and Capital One were also not included in the report. Wells said it sent its data to Warren's office on Sept. 28, a week after the congressional hearing.

Trash troubles persist in Fairfax County, with residents reporting missed pickups

Matt Blitz August 30, 2022 at 3:45pm

Fairfax County is still having trash troubles.

Earlier this month in his weekly newsletter, Board of Supervisors Chairman Jeff McKay wrote that he was “aware of multiple complaints” about the performance of some contracted trash collectors in the county.

While neighboring localities faced **similar challenges** earlier this summer, McKay said that was little excuse for haulers not providing customers proper service.

“While these companies face the same staffing and supply chain issues that have impacted everyone, they still owe it to their customers to be fully transparent about this process,” McKay wrote.

About **90%** of all county residents and businesses have their trash, recycling, and yard waste picked up by private haulers paid for by individual residents, homeowners’ associations, or similar organizations. That’s about 381,000 residential units.

The remaining 10%, mainly concentrated **in the east**, have their trash picked up by Fairfax County.

McKay wrote in the newsletter that the process to **petition** for a neighborhood to have its waste picked up by the county is currently “suspended.”

McKay told FFXnow that residents have reported contracted waste haulers missing pickups and failing to communicate about what’s going on.

It’s unclear exactly how many of the nearly 400,000 residences serviced by private haulers are having trash troubles, but McKay’s office believes it’s a “significant” number “based on the feedback to our offices and what we see on social media.”

The issue also has been going on for months. In February, the Board of Supervisors Environmental Committee got a **memo** outlining some of the issues, resident complaints, and potential solutions.

According to the memo, starting in November of last year, residents have complained significantly more about private contractor **American Disposal** than any other. The company faced similar problems and resident complaints **in 2019** as well.

In April, American Disposal **reduced pickups** from twice a week to once due to ongoing labor shortages. Additionally, there are reports on **NextDoor** and **Reddit** that the company is raising its rates by 10%, angering customers even further.

FFXnow reached out to American Disposal for comment but has yet to hear back as of publication.

The board chair's office said it has heard about rate increases anecdotally but hasn't gotten any official notice from American Disposal.

"We can certainly understand and relate to the frustration and continue to actively look into the operations of our private haulers," McKay's office said.

McKay says that, in discussions with county officials, private waster haulers have blamed a "shortage of drivers with commercial driver's licenses" as the main reason for missed pick-ups. He's skeptical.

"This alone should not result in some of the significant problems our residents face as our haulers do not lack for resources to remedy staffing and related issues," McKay said.

The February memo raised potential solutions, including making more residents eligible to get their trash picked up by the county, putting private haulers under local jurisdiction, and "franchising" — a competitive process where a single private collector gets the right to service a particular area under regulatory constraints.

However, due to state law, certain conditions need to be met for the county to franchise trash service.

McKay said the county is exploring all those options, including working with the state, and "should have a report on these findings shortly." Meanwhile, he told FFXnow they are trying to do something now — including potentially administering fines.

“State law greatly limits the ability of the County to displace private haulers as some have asked for, so we are instead working to firmly negotiate with these companies to ensure timely pick-ups, regulate where our local ordinance permits, and if necessary levy fines and other administrative punishments,” he said by email.

While he knows residents are upset, McKay said revoking trash collectors’ licenses “would make a bad situation untenable, with service abruptly ending for tens of thousands of residences and businesses with no ready alternative.”

He also wants residents to know that he’s not immune to the trash troubles either.

“I personally understand residents’ frustration,” he said. “My position as Chairman does not prevent me from having weeks of missed collections as well.”

Fairfax Co. considering 'restructuring entirely' how trash is collected

Nick Iannelli wtopnews September 1, 2022,

Fairfax County, Virginia, is considering ways to potentially change the way trash is collected across the county following numerous complaints from residents about private companies being unresponsive and not picking up garbage.

"It's truly aggravating," said Jeff McKay, chairman of the Fairfax County Board of Supervisors. "I've gone through it myself as a customer."

McKay said the board would review options during a meeting later this month, including the possibility of "restructuring entirely the way solid waste is collected in the county."

One idea would be for the county to enter into franchise agreements directly with private haulers, giving the county more oversight and control over the process, according to McKay.

Another idea would be to make it easier for residents to petition to have the county collect their garbage.

"We're looking at all options that we have to improve this situation," McKay said.

Currently, the county only removes trash for about 10% of residents.

For the other 90%, private collection companies pick up trash. Residents are billed by the companies or pay via "homeowner association" fees.

The system was set up that way "decades ago," McKay said.

"We frankly do a lot of other things in the county, and we didn't really want to become a trash collection service for the entire county," said McKay. "That structure has been in place for a very long time."

McKay said one reason for the recent delays in private companies removing trash was labor shortages, including a shortage of truck drivers.

"I'm hearing from people all over the county so I think everyone's being affected," McKay said.

One of those people, Joe Rachinsky, lives in Fairfax, and said he went two weeks without trash being picked up in his neighborhood.

"It was piles of garbage at the curb," Rachinsky said. "Especially with the weather we've had recently it was hot. It smelled. Flies and birds got into some of the garbage overnight in some cases. It was a real mess."

Morning Poll: Have you had trouble getting trash collected lately?

Angela Woolsey September 2, 2022

Trash collection has become a **hot mess** in Fairfax County of late.

After FFXnow reported earlier this week on local officials' efforts to address an avalanche of complaints, many community members added their tales of woe to the ongoing saga of late or entirely neglected pickups, ineffectual communication, and **reductions in service** without accompanying decreases in fees.

One commenter hasn't gotten pickups in four weeks, while another said that American Disposal Services — the private hauler that has emerged as the **primary troublemaker** — misses over half their scheduled collection days. Accumulating garbage and recycling has spawned a rat infestation at the Hollybrooke Condominiums in Seven Corners, according to a tipster.

In addition, multiple community members confirmed that they'd been notified of an impending 10% rate increase by American Disposal, which reduced pickups from twice to once a week this spring, citing staffing challenges.

While it's difficult to gauge just how widespread the issue is, local government officials told FFXnow that comments they've gotten or seen on social media — and their own experiences — suggest residents across the county have been affected.

Have you seen a noticeable deterioration in your trash service lately? Feel free to vent or perhaps brag (within the bounds of our **comments policy**) about your waste collection experiences below.

Trash and recycling problems still plague some Fairfax County communities; board to review options

By Maureen Umeh Fox5 **Published** September 13, 2022

FALLS CHURCH, Va. - The [Montgomery County](#) Council is expected to provide an update Tuesday on the Purple Line light-rail project. The east-west line was meant to connect with Metro and MARC in Montgomery and [Prince George's counties](#) and was originally expected to be open to passengers in March 2022.

The project stalled in 2020 after the construction firm in charge quit following lengthy contract disputes with the state. A new contractor was approved earlier this year.

The 16-mile line is now expected to begin carrying passengers in fall 2026 -- more than four years behind schedule.

The project is expected to cost \$9.3 billion compared to its initially estimated \$5.6 billion.

FOX 5's Bob Barnard spoke with some business owners in Silver Spring who say the never-ending construction is hurting their chances to pull through.

"If we can survive this the next four years, then, okay," said Lene Tsegaye who owns the Kefa Café on Bonifant Street as she watched the construction continue. "But I don't know if we're going to be able to survive."

Trash, recycling pick-up issues frustrate Fairfax County residents

Author: **Matthew Torres** WUSA9 Published **September 13, 2022**

FAIRFAX, Va. — Getting trash picked up in Fairfax County continues to be a growing concern for residents and leaders. On Tuesday, the Fairfax County Board of Supervisors addressed ongoing late or missed pick-up times that persist since the pandemic started.

Surrounding jurisdictions including Arlington County have faced similar problems due to labor and staffing shortages, but Supervisor James Walkinshaw of Braddock District said other solid waste haulers have recovered or improved service.

Roughly 90% of residents and businesses in the county pay to have their trash and recycling picked up by private haulers. Fairfax County picks up trash for the remaining residents.

While there is a list of private collectors, Walkinshaw and other supervisors including Chairman Jeff McKay say most of the problems seem to come from American Disposal Services.

Failed pick-ups have been described as “significant health, safety and community enjoyment problems” in the past.

In the meeting, McKay said there is also a problem with transparency and communication trying to get ADS issues resolved.

“The complaints against American Disposal Services have risen dramatically,” Walkinshaw said. “All of us have heard from constituents who have experienced late pick-ups, missed pick-ups, and poor customer services. County staff from the Department of Public Works and Environmental Services have done amazing work with thousands of residents, helping them address individual issues with American Disposal Services. But a better

solution would be for American Disposal Services to meet the requirements of the County ordinance, keep its commitment to its customers, and address the myriad complaints that are only increasing in number.”

WUSA9 has reached out to Waste Connections, the company that owns ADS, for comment but had not heard back at the time of publication.

In his newsletter earlier this month, Supervisor Pat Herrity of the Springfield District said officials are taking steps to address the service issues by currently negotiating a consent agreement with ADS to address the breakdown in operations, similar to a previous action in 2018.

Supervisors are moving forward to review recommendations by Walkinshaw to take even more steps to relieve the problem.

On top of providing a briefing to include an analysis of potential enforcement actions for violations of its ordinance, Walkinshaw also wants a briefing on existing authorities that can help aid residents in their efforts to receive services they have paid.

Supervisors to address problems with American Disposal Services

Publisher: Ellie Ashford Annandaletoday September 15, 2022

American Disposal customers are fed up with missed pickups and poor customer service. [American Disposal Services]

Faced with numerous complaints about bad service, the Fairfax County Board of Supervisors agreed Sept. 13 to explore legal action against American Disposal Services.

Since January, “the complaints against American Disposal Services have risen dramatically,” said Supervisor James Walkinshaw (Braddock). The problems include late pickups, missed pickups, and poor customer service.

The board passed a motion to direct the county executive and county attorney to address the complaints from residents, consider potential enforcement actions for violating the county’s solid waste ordinance, and brief the board on legal options to ensure residents receive the services they’re paying for.

The motion also calls for the county executive to brief the board’s legislative committee on restrictions on the county’s ability to move to a different system of solid waste collection, such as a countywide franchising model.

Several members of the General Assembly are working on legislation that would allow localities to move to a different trash pickup system.

Only about 10 percent of county residents receive trash services from the county. Everyone else has to contract with a private trash hauler.

The problems with American Disposal have been going on for a long time. A previous settlement between Fairfax County and American Disposal calling for the company to regularly verify that it was working to improve service quality has not been effective.

“Picking up the trash and picking it up on time is critical to public health, environmental protection, and the quality of life in our community,” Walkinshaw said.

During the height of the pandemic, trash haulers across the nation struggled to handle increased volumes of waste while hit with worker shortages. Since then, other solid waste haulers in Fairfax County have recovered and trash service is mostly back to normal.

American Disposal Services has not only gotten worse, the company recently informed customers it's raising rates while cutting back on services.

Board chair Jeffrey McKay, an American Disposal customer, said he received a notice from the company saying they don't know when they will pick up his trash. When he called the company to cancel, he learned customers won't get a refund for services they already paid for.

Meanwhile, its Canadian-based parent company, Waste Connections, told investors it expects rising profits due to price increases.

American Disposal's lack of transparency and customer service is "a huge disappointment," McKay said.

Trash troubles pile up with the county out of trash cans until later in fall

Matt Blitz September 16, 2022

ffxnow.com

Trash troubles keep piling up with the county out of trash cans for at least another two months.

Fairfax County has “exhausted” its inventory of trash cans and won’t be able to provide new ones to residents until later this fall, Dept. of Public Works and Environmental Services (DPWES) spokesperson Sharon North told FFXnow.

“A new order already has been placed and should be in-house by early November,” she said via email.

In the meantime, North suggested that residents who are waiting on a new trash can to put their trash in a box or another container and leave it curbside on their pick-up day.

“It will be picked up, even if it’s in a box,” she said.

The missing trash can issue was brought to FFXnow’s attention by a Dranesville District resident.

About 90% of county residents and businesses have their trash picked up by private haulers, but about 10% have theirs picked up by the county. That’s about **43,000 residential units**.

It’s those 43,000 that are potentially impacted by the shortage, though it only applies to those who are requesting a new trash can due to theirs being broken, moving into a new house, or are otherwise in need.

The problem started earlier this summer, North shared, when the county gained about 1,100 new customers. This created a bit of a “domino effect.” While the county’s Solid Waste Management Program put in order for more trash cans in May, those were all gone by July.

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Rising costs and shortages of the **worldwide supply of resin** also have contributed to the lack of trash cans available to county residents, North said. The hope remains that a fresh stock of gleaming new trash cans will be available come November for new residents and those with broken ones alike.

This isn't the county's only recent trash trouble.

Last month, county officials addressed the “**multiple complaints**” they've been getting from residents about the performance of some contracted trash collectors in the county. Reports were coming from across the county about haulers missing pick-ups and not communicating delays all the while potentially increasing rates.

Complaints were coming in most often about **American Disposal**, a pattern that dated back to **2019**. The company blamed a driver shortage, but Board Chair Jeff McKay told FFXnow in August that alone shouldn't result in missed pick-ups and increasing rates.

“[A driver shortage] should not result in some of the significant problems our residents face as our haulers do not lack for resources to remedy staffing and related issues,” he said.

A number of solutions were proposed including “franchising” the county's trash collecting and issuing fines to haulers not fulfilling their trash pick-up duties.

At a Tuesday meeting, the board approved a board matter by Braddock District Supervisor James Walkinshaw to further examine problems with American Disposal Services and possible solutions.

The matter was jointly pushed forward by McKay and supervisors Kathy Smith and Dan Storck. It directs county staff to update the board on efforts to address complaints about missed and late pick-ups. The matter also includes language that could allow the county to move to a different system of solid waste collection, if changes are approved by the General Assembly.

“County staff from the Department of Public Works and Environmental Services have done amazing work to resolve residents' individual issues with ADS — but a better solution would be for ADS to meet the requirements of the County ordinance and keep its commitment to its customers,” Walkinshaw wrote in a statement.

Residents voice concerns over trash collection issues in Fairfax County

By [Tisha Lewis](#) Published September 20, 2022 [Fairfax County FOX 5 DC](#)

FAIRFAX COUNTY, Va. - Some residents in a northern Virginia neighborhood are accusing a private hauler of tossing recycling in with the trash, and they say it's on tape.

They are now turning to social media, hoping someone will address what they describe as a trash pick-up problem.

The post that our FOX 5 crew saw says trash, recycling, and yard waste will now all be picked up at the same time on Tuesdays.

Residents are concerned that will mix everything together.

hey're addressing the concerns about American Disposal, the company which services this neighborhood.

FOX 5 is still awaiting a response from American Disposal.

Even so, Fairfax County says they use a similar model.

A spokesperson emailed FOX 5 saying only 10% of county residents have collection.

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The remaining 90% utilize the services of private haulers including American Disposal.

Fairfax County says its practice has been and continues to be that trash, recycling and yard waste are collected on the same day.

However, in the county each entity is collected by separate trucks, so there is no commingling.

Residents want trash, recycling and yard waste collected on different days and separated.