County of Fairfax, Virginia

MEMORANDUM

DATE: July 13, 2022

TO: Consumer Protection Commission

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

SUBJECT: Consumer Protection Commission Meeting for July 19, 2022

Please find attached the Consumer Protection Commission meeting packet. The next scheduled meeting is **Tuesday, July 19, 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, July 18, 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

Department of Cable and Consumer Services
12000 Government Center Parkway, Suite 433
Fairfax, Virginia 22035-0045
Phone 703-324-5949 Fax 703-653-1310 TTY 711
www.fairfaxcounty.gov/cableconsumer/

FAIRFAX COUNTY
CONSUMER PROTECTION COMMISSION
July 19, 2022 AGENDA

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

Remote Participation Motions

Minutes

- Approval of the draft May 17, and June 21, 2022, meeting minutes

Report of the Chairperson

Report of the Director

Commissioner Matters

Old Business

New Business

- FY 2022 Annual Report
- Police Civilian Review Panel Presentation

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

June 21, 2022	7:30 PM Government Center 12000 Government Center Parkway Fairfax, VA 22035 Chairperson Fee, presiding
Attendance:	Commissioners: Belkowitz, Fee, Freedenthal, Kirk, Kratovil, Springer, Svab
Absent:	Commissioners: Callender, Gulakowski, Hargraves, Roark, 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 7:30 PM by Chairperson Fee.

Minutes

The minutes for the May 17, 2022, with minor changes, meeting were not approved due to lack of quorum.

Report of the Chairperson

Chairperson Fee had no matters to bring before the Commission.

Report of the Director

Acting Director Rebecca Makely stated staff has been asked by the Department of Clerk Services to check-in with our Commissioners to confirm who are actively engaged in business in Fairfax County pursuant to Fairfax County Code Section 10-3-1. An email will be sent to the Commission.

Acting Director Makely introduced Commissioner Chester Freedenthal as the newest member of the Commission.

Commissioner Matters

Commissioner Svab had no matter to bring before the Commission.

Chairperson Fee mentioned ongoing issues with the trash companies. Staff verified receipt of complaints from several trash companies.

Commissioner Kirk had no matters to bring before the Commission.

Commissioner Belkowitz had no matters to bring before the Commission.

Commissioner Kratovil mentioned the Federal Trade Commission article in the June CPC packet on credit repair. He inquired about the postponement of Chapter 28.1. Acting Director Makely stated Deputy County Executive Arnold stated the Illicit Massage Business taskforce has no recommended changes to Chapter 28.1 at this time.

Commissioner Springer had no matters to bring before the Commission.

Commissioner Freedenthal had no matters to bring before the Commission.

Old Business

There was no old business before the Commission.

New Business

1. Emergency Taxicab Fuel Surcharge Public Hearing. Chairperson Fee read the following statement of Commission Responsibility.

> *All hearings or other public proceedings conducted by the Commission in accordance with this Chapter shall be conducted in an informal manner. The Commission shall have the discretion to admit all evidence which may be of probative value even if that evidence is not in accord with formal rules of legal practice and procedure. Applicants and appellants may appear, either by personal appearance, legal counsel, or other representation, to present argument and evidence on their behalf. In addition, the Commission my establish rules of procedure for the conduct of hearings which are consistent with law. Any interested party may record all public proceedings of any hearing in any manner which will not impede the orderly conduct of the hearing.*

Rebecca Makely, Acting Director, Cable and Consumer Services presented the staff analysis and recommendation which included the review of Fairfax County Code, taxi certificates in Fairfax County, taxicab company data, local gasoline price trends, surcharge amount, comparison of taxicab rate in local jurisdictions, sample billing analysis, timeline, and recommendation
.
A discussion ensued on the fluctuation of gas prices, per trip demand, surcharges from other privately owned businesses, comparison of private/commercial companies, demographics on ridership, GPS mapping, established relationships of driver/customers, school/TOPS rides, disproportionate effect on vulnerable populations, and the Board of Supervisors ability to rescind the surcharge.

Chairperson Fee made the motion to recommend approval of a temporary uncodified ordinance that will provide for a taxicab fuel surcharge of up to $2.00 per-trip from June 29, 2022, through

December 29, 2022. Commissioner Kirk seconded the motion. The motion passed 6-1 with Commissioner Kratovil voting nay.

Chairperson Fee introduced Commissioner Freedenthal. Each Commissioner introduced themselves and spoke briefly of their backgrounds.

The meeting adjourned at 8:47 PM.

Minutes of the Fairfax County Consumer Protection Commission

May 17, 2022	7:30 PM Government Center 12000 Government Center Parkway Fairfax, VA 22035 Chairperson Fee, presiding
Attendance:	Commissioners: Belkowitz, Callender, Fee, Gulakowski, Hargraves, Kirk, Kratovil, Rosier, Springer, Svab
Absent:	Commissioners: Roark
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 Lauren Yeung, Consumer Specialist II 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.

Minutes

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

Report of the Chairperson

Chairperson Fee had no matters to bring before the Commission.

Report of the Director

Acting Director Makely introduced Lauren Yeung, Consumer Specialist II.

Acting Director Makely stated the FY 2023 budget was adopted by the Board of Supervisors (BOS) on May 10, 2022, with a vote of 9-1. The real estate tax was reduced by two cents. Fairfax County Public Schools received 10 million dollars from the state and that money will transfer back to the County and be used towards affordable housing. Fairfax County fully funded the Fairfax County Public Schools budget request.

Acting Director Makely reminded the Commission that the Emergency Taxicab Fuel Surcharge was approved on April 12, 2022, by the BOS to adopt an emergency uncodified ordinance for a

$1.00 per-trip taxicab fuel surcharge to be enforced for no more than 60 days in accordance with Virginia Code § 15.2-1427, effective from April 13, 2022, through June 11, 2022.

Acting Director Makely requests the CPC consider granting approval to advertise for a public hearing at the June 21, 2022, meeting. Acting Director Makely will ask the BOS on June 7, 2022, to grant approval to advertise for a public hearing on June 28, 2022. On June 28, 2022, Acting Director Makely will read into the record the recommendation by the CPC from the public hearing held on June 21, 2022. The outcome of the BOS public hearing would go into effect on June 29, 2022, or the matter can be deferred.

Chairperson Fee made the motion that the Consumer Protection Commission authorize advertisement of a public hearing to be held on Tuesday, June 21, 2022, at 7:30 p.m., to consider a temporary uncodified ordinance that will provide for up to two dollars per-trip emergency taxicab fuel surcharge from June 29, 2022, through December 29, 2022. Commissioners Callender and Kirk seconded the motion.

A discussion ensued on fuel increase, the ability of the CPC to increase the trip amount, BOS ability to defer the matter, metric used, and notification to the public.

The motion passed unanimously.

Commissioner Matters

Commissioner Kirk spoke about on-going crime in his neighborhood with car break-ins and home burglaries.

Commissioner Rosier inquired whether Consumer Affairs had received any complaints on the baby formula shortage. Staff stated no complaints have been reported.

Commissioner Callender had an article from *FFXNOW* about Shared Mobility Devices in Fairfax County.

Commissioner Gulakowski received notice that he owed $5,000 on his federal taxes. Verified with IRS online and the matter was resolved.

Commissioner Svab had no matters to bring before the Commission.

Commissioner Hargraves stated at the BOS Public Safety meeting it was highlighted that Fairfax County as a whole has seen an increase in automobile thefts.

Commissioner Kratovil had no matters to bring before the Commission.

Commissioner Belkowitz had no matters to bring before the Commission.

Commissioner Springer had no matters to bring before the Commission.

Chairperson Fee had no matters to bring before the Commission.

Old Business

There was no old business before the Commission.

New Business

1. Regulation and Licensing 101. Consumer Specialist III Carl Newcomb presented an overview of the services provided by the Regulation and Licensing Branch (RALB.)

A discussion ensued on the authority to report individuals by RALB, County's awareness of public requirements and continued educational efforts and changes to Chapter 28.1.

Due to time constraints, Chapter 28.1 review will be deferred to the July meeting. The Emergency Taxicab Fuel Surcharge Public Hearing will be held on June 21, 2022. The Police Civilian Review Panel presentation will be held on July 19, 2022.

The meeting adjourned at 9:15 PM.

CPC Calendar

Consumer Protection Commission
2022 Planning Calendar
July 19, 2022

January 18	• Nomination of Officers • 2022 Meeting Calendar • 2022 Items of Interest
February 15	• Consumer Affairs 101
March 15	• 2022 Elections
April 19	• 2022 Legislative Review
May 17	• Emergency Taxicab Fuel Surcharge • Regulation and Licensing 101 • Chapter 28.1 (Deferred)
June 21	• Emergency Taxicab Fuel Surcharge Public Hearing
July 19	• FY 2022 Annual Report • Police Civilian Review Panel Presentation
August 16	• Community-wide Energy and Climate Action Plan (CECAP) Presentation
September 20	• Chapter 28.1
October 18	• Bitcoin/Cryptocurrency
November 15	• Nomination of Officers
December 20	•

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

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 7/31/2022

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

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

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

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

Paul Svab
Appt. Expires 7/31/2024

Staff

Rebecca L. Makely, Acting Director
Department of Cable and Consumer Services
703-324-5947
rebecca.makely@fairfaxcounty.gov

Susan Jones, Consumer Specialist III
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

June 2022

	Current Month		Fiscal Year-to-Date		Prior Fiscal YTD	
Cases Received	88		1060		816	
Cases Closed	89		763		695	
Favorable	47	53%	429	56%	384	55%
Unfavorable	2	2%	64	8%	52	8%
Invalid	6	7%	27	4%	24	3%
Other	34	38%	243	32%	235	34%
Total (Checks column totals)	89	100%	763	100%	695	100%
Advice Inquires (closed)	432		4103		4368	
Case Inquires over 90+days (open)	20		210		212	
Amount Received	$63,727.00		$548,661.00		$340,428.00	

CLOSED COMPLAINT CATEGORIES

FISCAL YEAR-TO-DATE	% FYTD	PRIOR FISCAL YTD	% PRIOR FYTD
Housing - Services	28%	Tenant Landlord	32%
Automotive - Towing	11%	Housing - Services	11%
Tenant Landlord	11%	Automotive - Towing	11%
Cable Television (Regulated)	10%	Cable Television (Regulated)	8%
Automotive - Services	8%	Communications Media	5%
Other	32%	Other	33%

Community Outreach

Outreach Event Calendar
July 2022

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
7/9/2022	**Gunston Community Day** Cancelled due to weather	9602 Hagel Circle Lorton, VA		12:00 p.m. - 3:00 p.m.	SCJ PNB
7/25/2022	**Consumer Connection** Moving Companies	Fairfax County Government 12000 Government Center Pkwy Fairfax, VA		11:00 a.m. - 11:20 a.m.	SCJ
7/28/2022	**Resource Fair**	Goodwin House Bailey's Crossroad 3440 S. Jefferson Street Falls Church, VA		9:00 a.m. - 12:00 p.m.	SCJ/LY

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/

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*: Communication Association**
https://www.fairfaxcounty.gov/cableconsumer/channel-16/your-community-youre-connected

***Consumer Connection:* Emergency Preparedness (June 26, 2022)**
https://bit.ly/3P0B34m

Information Items

'Why haven't we done anything?' Fairfax Co. looks for fair ways to confront panhandling
Drivers are no strangers to panhandlers, but in Fairfax County a question of how to provide safe and humanitarian solutions for those asking for money and those giving it lingers. [More]

Fairfax Co. supervisors to collaborate with local agencies to evaluate panhandling
Three years ago, Virginia's Fairfax County considered posting signs at busy intersections to discourage drivers from giving money to panhandlers. But efforts to rein in panhandling have stalled. [More]

FTC Charges HomeAdvisor, Inc. with Cheating Businesses, Including Small Businesses, Seeking Leads for Home Improvement Projects
Since 2014, Angi affiliate has misrepresented the quality, source of leads, and likelihood they would result in actual jobs, agency alleges [More]

FTC Shuts Down Credit Repair Pyramid Scheme Financial Education Services, Which Bilked More Than $213 Million from Consumers
Wide-ranging Operation Promises Easy Credit Fixes, But Provides Worthless Services and Pitches Pyramid Scheme Where Few, If Any, Make Money [More]

Where have all the lifeguards gone? Lifeguard shortage could close pools across U.S.
Memorial Day marks the unofficial start of summer for many but beating the heat at your local pool may be harder than ever this year. That's because communities across the country are struggling to find lifeguards. [More]

Amid high gas prices, Fairfax supervisors vote to increase taxicab-fuel surcharge
As fuel prices remain high, the Fairfax Board of Supervisors in late June approved a temporary uncodified ordinance that provides an emergency $2-per-trip taxicab fuel surcharge through Dec. 29. [More]

Fairfax County highlights value of yield farming's 'short-term nature'
Fairfax County in Virginia continues to be a leading public institutional investor in cryptocurrency and is poised to diversify its portfolio into yield farming. [More]

'Why haven't we done anything?': Fairfax Co. looks for fair ways to confront panhandling

by Justin Hinton
Tuesday, May 10th 2022

FAIRFAX COUNTY, Va. (7News) — Drivers are no strangers to panhandlers, but in Fairfax County a question of how to provide safe and humanitarian solutions for those asking for money and those giving it lingers.

It's something Supervisor Pat Herrity has been trying to tackle for the last few years.

"I put on the table today to go ahead and do the pilot sign the board agreed to in 2019, to move forward with another PR campaign like we did in 2019 and to draft for board discussion a curb to curb content neutral ordinance that would ban panhandling in between the curbs," said Herrity.

Those efforts failed as the board of supervisors instead opted for Chairman Jeff McKay's motion that would start the process from scratch.

"A lot's changed in a couple years as a starting point. The other thing is, there's some major challenges both with federal and state law implementing any type of ordinance. People have a right to be in public spaces and panhandling has been repeatedly seen at the federal level as a constitutional free speech right," said McKay.

"Things change all the time, but to go back to square 0 on an issue that we dealt with? The real question is why haven't we done anything since 2019?" said Herrity.

His office shared a list from late 2019/early 2020 that highlights more than 50 locations across the county where Fairfax County DOT noted signage could go in an effort to decrease panhandling.

"We've seen data across the country where jurisdictions that have done that have seen no measurable change at all," said McKay.

While the two disagree on what needs to be done, they do agree that something should be done, preventing repeat problems, like the recent death of a panhandler.

“Very recently, there was a Fairfax County gentleman who was panhandling who got entangled unfortunately in the middle of a car accident and had nowhere to go,” said McKay.

Fairfax Co. supervisors to collaborate with local agencies to evaluate panhandling

Dick Uliano | duliano@wtop.com
May 11, 2022, 4:14 PM

(Editor's Note — This story's headline has been updated to reflect that the county's supervisors voted to collaborate with other agencies to evaluate panhandling.)

Three years ago, Virginia's Fairfax County considered posting signs at busy intersections to discourage drivers from giving money to panhandlers. But efforts to rein in panhandling have stalled.

At its Tuesday meeting, the Fairfax County Board of Supervisors rejected a motion by Springfield District Supervisor Pat Herrity to move ahead with his plan that would include an ordinance prohibiting panhandling.

It involved putting up signs at busy intersections that would discourage drivers from giving money to panhandlers, and a public awareness campaign aimed at residents.

"Most of the panhandlers that are out there have other options, and many of them are professional panhandlers. There are actually rings that come in from out of town, and they've got assigned corners, but there are also those that are truly in need, and we have programs to help those," said Herrity,

"Our citizens expect that we're compassionate, that we give people a hand up and get them on their feet, but they also expect us to take care of public safety issues like panhandling in public medians."

Herrity said public safety officials have identified more than 40 busy intersections in the county where panhandling poses a risk to public safety.

The board approved a motion by Chairman Jeff McKay to review potential public safety implications of panhandling.

“I do see this as a public safety issue, as we recently had a pedestrian fatality due to panhandling,” McKay said. “This is a complicated issue involving free speech, constitutional rights and the fact that most of the dangerous activity is in roadways that are owned by the state.”

Herrity said that panhandling risks not only the safety of panhandlers, but drivers as well.

“It’s dangerous to be in the medians and it’s dangerous not just to the panhandlers … if a motorist stops suddenly to give a panhandler money, you’ve got the other motorists coming up behind him, not expecting him to stop because the light is green,” said Herrity.

Herrity charged that the board is needlessly delaying action to curb panhandling.

“We looked at this in 2019, right before the pandemic,” Herrity said. “We had a plan, and we should be moving forward with that plan.”

FTC Charges HomeAdvisor, Inc. with Cheating Businesses, Including Small Businesses, Seeking Leads for Home Improvement Projects

Since 2014, Angi affiliate has misrepresented the quality, source of leads, and likelihood they would result in actual jobs, agency alleges

By FTC, Media Contact: Mitchell J. Katz Office of Public Affairs

The Federal Trade Commission today issued an administrative complaint against Denver-based HomeAdvisor, Inc. – a company affiliated with Angi – alleging it used a wide range of deceptive and misleading tactics in selling home improvement project leads to service providers, including small businesspeople operating in the "gig" economy.

The FTC's complaint against HomeAdvisor alleges that since at least the middle of 2014 it has made false, misleading, or unsubstantiated claims about the quality and source of the leads the company sells to service providers, such as general contractors and small lawn care businesses, who are in search of potential customers.

"Gig economy platforms should not use false claims and phony opportunities to prey on workers and small businesses," said Samuel Levine, Director of the FTC's Bureau of Consumer Protection. "Today's administrative complaint against HomeAdvisor shows that the FTC will use every tool in its toolbox to combat dishonest commercial practices."

For example, HomeAdvisor told service providers that its leads resulted in actual home improvement jobs at rates higher than HomeAdvisor's own data supported. HomeAdvisor also misled service providers about the cost of an optional one-month subscription to a software platform that HomeAdvisor sold along with its leads, according to the FTC's complaint.

As a result of these misrepresentations, the complaint alleges, service providers often spend time following up on leads that are below the quality HomeAdvisor promises, and even more time seeking refunds from the company for those leads.

HomeAdvisor, which also does business as Angi Leads and HomeAdvisor Powered by Angi, recruits service providers using marketing materials and agents who call the service providers and try to persuade them to join the company's network. Once service providers join HomeAdvisor's network, HomeAdvisor then sells them leads, which service providers use to contact potential customers for home services like kitchen remodeling or lawn care.

Many of the leads HomeAdvisor sells consist of information submitted by consumers on the company's website. It also resells leads it buys from third parties, known as affiliates, who generate the leads, in part, from web-based forms that ask consumers about potential home projects they are considering.

Service providers who join HomeAdvisor's network pay an annual membership fee of $287.99, in addition to a separate fee for each lead they receive. As part of their HomeAdvisor membership package, many service providers have also paid an additional $59.99 for an optional one-month subscription to a service called mHelpDesk, which includes software that helps with scheduling appointments and processing payments.

This brings the total subscription fee to $347.98, with the mHelpDesk program automatically renewing at $59.99 per month until it is canceled. According to the complaint, HomeAdvisor's sales agents and marketing materials have misrepresented the quality, characteristics, and source of the leads the company provides. First, while HomeAdvisor states that its leads concern consumers who intend to hire a service provider soon, many of them do not, the FTC contends.

In addition, while HomeAdvisor represents that services providers only will receive leads matching the types of services they provide and their preferred geographic area, many of them do not. HomeAdvisor also represents to service providers that its leads are from consumers who knowingly sought HomeAdvisor's assistance in selecting a service provider, while many of the leads it sells are actually purchased from affiliates and did not come from HomeAdvisor's website.

The complaint also alleges HomeAdvisor often tells service providers that its leads result in jobs at rates much higher than it can substantiate.

Finally, the complaint alleges that HomeAdvisor's sales agents misrepresented the cost of the optional one-month mHelpDesk subscription by telling service providers that the first month is free with an annual membership package. In reality, the first month of the subscription is not free, resulting in a package that costs $59.99 more than properly informed service providers might have otherwise paid.

The Commission vote to issue the complaint was 4-0.

NOTE: The Commission issues an administrative complaint when it has "reason to believe" that the law has been or is being violated, and it appears to the Commission that a proceeding is in the public interest. The issuance of the administrative complaint marks the beginning of a proceeding in which the allegations will be tried in a formal hearing before an administrative law judge.

The Federal Trade Commission works to promote competition, and protect and educate consumers. You can learn more about how competition benefits consumers or file an antitrust complaint. For the latest news and resources, follow the FTC on social media, subscribe to press releases and read our blog.

FTC Shuts Down Credit Repair Pyramid Scheme Financial Education Services, Which Bilked More Than $213 Million from Consumers

Wide-ranging Operation Promises Easy Credit Fixes, But Provides Worthless Services and Pitches Pyramid Scheme Where Few, If Any, Make Money

By FTC, Media Contact: Jay Mayfield Office of Public Affairs May 31, 2022

The Federal Trade Commission has taken action against Financial Education Services and its owners, Parimal Naik, Michael Toloff, Christopher Toloff and Gerald Thompson, as well as a number of related companies, for scamming consumers out of more than $213 million.

In response to a complaint filed by the FTC, a federal court has temporarily shut down the sprawling bogus credit repair scheme. The FTC's complaint alleges that the company preys on consumers with low credit scores by luring them in with the false promise of an easy fix and then recruiting them to join a pyramid scheme selling the same worthless credit repair services to others.

"These defendants collected millions in junk fees as part of a pyramid scheme that peddled phony credit repair products," said Samuel Levine, Director of the FTC's Bureau of Consumer Protection. "We are pleased that the court shut down this operation and froze its assets, and we will continue to pursue firms that prey on families' economic pain."

According to the FTC's complaint, Michigan-based Financial Education Services, also doing business as United Wealth Services, has operated its scheme since at least 2015. The company claims to offer consumers the ability to remove negative information from credit reports and increase credit scores by hundreds of points, charging as much as $89 per month for their services. Their techniques, according to the complaint, are rarely effective and in many instances harm consumer's credit scores.

The FTC's investigation found that the company's scheme combines charging consumers for these worthless credit repair services with a hard sell to join a pyramid scheme that consists of selling the worthless services to more consumers. The complaint alleges that the company's practices violate the FTC Act, the Credit Repair Organizations Act, and the Telemarketing Sales Rule. Specifically, the agency alleges that the defendants:

- **Deceived consumers about credit repair**: Financial Education Services uses social media, telemarketing, bogus “testimonials, and a network of sales agents across the country to deceive consumers, falsely promising in English and Spanish that they can remove negative information from credit reports and increase credit scores. The complaint alleges that the company has often merely sent consumers form letters to send to credit bureaus that did not result in the promised changes.

- **Sold ineffective rent payment products:** The company also sells an additional product that supposedly sends rent payment information to credit bureaus, but the complaint notes that this information is not generally part of consumers’ credit scores and many credit bureaus don’t accept this kind of information directly from consumers

- **Charged consumers upfront for credit repair:** The company charges consumers upfront for credit repair services, which is illegal. The complaint alleges that consumers are charged $99 upfront, and then pay a recurring monthly fee as high as $89 for the ineffective services. The company also regularly fails to provide consumers important information required by law, including refund and cancellation policies.

- **Operated a pyramid scheme:** The company also encourages consumers to become Financial Education Services “agents” themselves, selling the company’s services to other consumers. Agents make outlandish income claims that consumers can make more than $1,000 weekly in the scheme and earn bonuses of tens of thousands of dollars. The complaint also alleges that consumers must pay hundreds of dollars to join the scheme and pay for the company’s bogus credit repair services each month, even if they don’t need them. The compensation structure for the scheme has hallmarks of a pyramid scheme, with increasing levels of compensation and titles based on the number of members recruited, and an emphasis on the importance of recruiting new members. Few, if any, consumers make the income promised, and many consumers lose money as agents.

The complaint alleges that the company also illegally used false information in the process of selling their credit repair and investment opportunities to acquire consumers’ banking and other financial information.

The Commission vote authorizing the staff to file the complaint and request for temporary restraining order was 4-0. The complaint was filed in the U.S. District Court for the Eastern District of Michigan.

The FTC appreciates the assistance of the Georgia Office of the Attorney General Consumer Protection Division in bringing this case.
NOTE: The Commission files a complaint when it has “reason to believe” that the named defendants are violating or are about to violate the law and it appears to the

Commission that a proceeding is in the public interest. The case will be decided by the court.

The Federal Trade Commission works to promote competition and protect and educate consumers. Learn more about consumer topics at consumer.ftc.gov, or report fraud, scams, and bad business practices at ReportFraud.ftc.gov. Follow the FTC on social media, read consumer alerts and the business blog, and sign up to get the latest FTC news and alerts.

Where have all the lifeguards gone? Lifeguard shortage could close pools across U.S.

By: Andrew Dorn, Paul Gerke
Posted: May 31, 2022

Memorial Day marks the unofficial start of summer for many but beating the heat at your local pool may be harder than ever this year. That's because communities across the country are struggling to find lifeguards.

The shortage could prevent about a third of the country's 300,000+ public pools from opening, according to the American Lifeguard Association.

"Like everybody else, if we don't have enough lifeguards we have to shut down pools because we aren't going to open up a pool that we know won't be safe," said Bill Plessinger, the aquatics manager with Westerville Parks and Recreation near Columbus, OH.

Last week, the parks department in Austin, Texas said it's more than 500 lifeguards short of the number needed to operate city pools.

In some ways, the lifeguard shortage is a continuation of a problem that's been going on for more than a year.

Last summer, Philadelphia only had enough life guards to open a fraction of its outdoor pools.

In Minneapolis, just three of the 12 public beaches had lifeguards last year.

The staffing challenges have left cities scrambling to fill open positions. Many are now offering incentives to get lifeguards to return to the watchtower.

In Chicago, seasonal lifeguards are eligible to receive a $500 retention bonus.

So what's causing the shortage? Experts say it's a combination of factors brought on by the coronavirus and the tight labor market.

In some cases, small municipal parks departments are struggling to entice workers with competitive wages.

“Other companies are coming in that are paying more money to these 16-17-18 year olds. You’ve got to compete with Amazon and Target and Chik-Fil-A,” said Michael Johnson, the aquatics supervisor in Mecklenburg County.

Others NewsNation spoke to say there simply isn’t as much help as usual — the war in Ukraine has led to fewer young people coming over from Europe to work summer jobs through the J-1 visa program.

Experts point out that the problem has a way of compounding: fewer lifeguards also means less lifeguard training and fewer swim lessons.

For now, parks departments are hopeful that older Americans can fill the gap — retirees looking for a part time job by the pool.

Amid high gas prices, Fairfax supervisors vote to increase taxicab-fuel surcharge

- By Acacia James Jul 7, 2022

As fuel prices remain high, the Fairfax Board of Supervisors in late June approved a temporary uncodified ordinance that provides an emergency $2-per-trip taxicab fuel surcharge through Dec. 29.

In April, supervisors acted on a request from Old Dominion Transportation Group Inc. and approved a $1-per-ride surcharge, which expired June 11. During a public hearing last week, the acting director of Cable and Consumer Services, Rebecca Makely, asked lawmakers to approve a surcharge increase.

"This surcharge of $2 per trip will continue to provide relief to taxi cab drivers who are suffering economic hardships resulting from high gasoline prices and would expire on Dec. 29, 2022, unless rescinded sooner," Makely said.

Supervisor Daniel Stork questioned the need for the increase when surrounding districts were still at $1.

"I think the District of Columbia is at $1. Alexandria is at $1. Arlington's at $1. I think Prince William County is at $1. Just curious as to why we're doubling essentially what others have already agreed to?" Stork asked.

Makely said some of the other jurisdictions had the surcharge in place longer than Fairfax County and could potentially revisit the issue and approve an increase. She added that Prince William County anticipates increasing its surcharge once it expires in mid-July.

"Some of the other jurisdictions you mentioned had those for a longer period of time. The city of Alexandria adopted $1—they have it in place for one year, but they potentially could go back and revisit their surcharge as well," Makely said.

The $2 increase is based on a formula that looks at the delta between the change in the last time taxicab rates were increased and what the fuel price was at that point compared to the current fuel price, Makely noted. She said the calculation would support a $2.14 surcharge.

Supervisors could rescind the surcharge at any point if gas prices decrease. However, Chairman Jeffrey McKay said it was essential to plan accordingly as the Dec. 29 deadline approaches.

"So that we don't have a gap of period of time where we go from a surcharge to no surcharge to a larger surcharge," McKay said.

Fairfax County highlights value of yield farming's 'short-term nature'

By

The Bharat Express News July 8, 2022

Fairfax County in Virginia continues to be a leading public institutional investor in cryptocurrency and is poised to diversify its portfolio into yield farming.

As previously reported, global asset managers VanEck announced that Fairfax Employee and Police Retirement Systems will invest $35 million into the company's crypto loan fund. This is the latest investment move by the two county-managed funds into the cryptocurrency space since they began their initial foray in 2018.

TBEN reached out to Andy Spellar, the chief investment officer of the Fairfax Employee Retirement System, to unpack their investment in VanEck's crypto loan fund and the reasoning behind it.

Spellar confirmed that the Employees Retirement System (ERS) had committed $25 million to the fund while the Police Retirement System (PORS) had pledged $10 million. The investment will take place between July and September of this year, depending on market conditions.

A first installment has already been received by VanEck, with Spellar revealing that ERS and PORS have invested $10 million and $5 million respectively for the month of July.

This move is certainly good news for the cryptocurrency space, which is currently experiencing a severe downturn alongside conventional stock markets around the world. The decentralized finance (DeFi) sector arguably suffered the most, with the collapse of the algorithmic stablecoin Terra causing a cascading effect throughout the space.

As the broader cryptocurrency ecosystem weathers the storm, investment programs and funds like Fairfax County's ERS and PORS continue to see the value offered by the sector, as has Spellar told TBEN:

“WE LOOKED AT SPACE AS A DIVERSIFIER WITH OUR CREDIT/HIGH YIELD PORTFOLIOS AND IN PARTICULAR PERFORMANCE TIMEFRAMES AS THE VERY SHORT TERM (1-3 MONTH) NATURE OF THE POSITIONS.

Spellar gave food for thought on current market conditions, noting that a basic risk-adjusted outlook suggests cryptocurrency markets haven’t outsold high-growth sectors like tech, science, and more. of life or government bonds:

“WE HAVEN’T SEEN ANYTHING TO COUNTER THE LONG-TERM THESIS THAT MORE AND LESS WILL BE DIGITIZED IN THE FUTURE, INCLUDING TRADITIONAL ASSETS THEMSELVES. THESE TYPES OF MARKETS ARE SHAKING UP WEAK PLAYERS AND TECHNOLOGIES AND ARE GENERALLY HEALTHY FOR MARKETS AND INDUSTRIES.

The ERS and PORS funds have managed to fare well amid the market sell-off due to their broadly diversified portfolios. Spellar noted that the two are the best performing public funds in the short and long term time domains and expects the last quarter of the year to be no different in terms of performance.

Although the first six months of 2022 will be one of the worst performance periods on record, Fairfax expects both systems to be the best performers in the decile during the period. Spellar said the digital asset segment of its

portfolio is very small, with the vast majority made up of traditional venture capital investments.