




County of Fairfax, Virginia

MEMORANDUM

DATE: July 11, 2023

TO: Consumer Protection Commission

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

SUBJECT: Consumer Protection Commission Meeting for July 18, 2023

Please find attached the Consumer Protection Commission meeting packet. The next scheduled meeting is **Tuesday, July 18, 2023, 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 17, 2023, 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
July 18, 2023 AGENDA**

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

Remote Participation Motions

Minutes

- Approval of the draft June 20, 2023, meeting minutes

Report of the Director

Old Business

- CPC Collaboration
- Review and consideration of CPC Subcommittee proposal

New Business

- FY 2023 Annual Report
- Panhandling Presentation
- Identity Theft Resource Center Presentation

Commissioner Matters

Report of the Chairperson

-

General Interest

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

Minutes of the Fairfax County Consumer Protection Commission

June 20, 2023

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

Attendance: Commissioners: Belkowitz, Freedenthal, Kirk,
Kharat, Kratovil, Roark, Rosier, Springer

Absent: Commissioner: Gulakowski, Hargraves, O'Savio,
Svab

Staff: Rebecca L. Makely, Director
Cable and Consumer Services
Susan C. Jones, Consumer Specialist III
Consumer Affairs Branch
Candice Hicks, Consumer Specialist I
Consumer Affairs Branch

Guests: Cheri Belkowitz

The meeting was called to order at 7:30 PM by Chairperson Kratovil.

Minutes

Chairperson Kratovil made the motion to accept the minutes. Commissioner Freedenthal seconded the motion. The minutes for the May 16, 2023, meeting were approved unanimously, 8-0-0.

Report of the Director

Director Makely informed the Commission that she is working on final year-end activities.

Old Business

Chairperson Kratovil inquired on the status of Commissioner O'Savio removal. Director Makely stated she notified the Clerk to the Board of the CPC's request to remove or replace Commissioner O'Savio. The Office of the County Attorney is currently reviewing the recommendation and will let Director Makely know what action to take.

Director Makely informed the Commission the taskforce led by Deputy County Executive Tom Arnold is working police statistics on Illicit Permitted and Unpermitted Establishments and will have their recommendations soon. Director Makely does not believe the recommendations by the CPC conflict with the Illicit Massage Business Taskforce.

Director Makely stated staff for Chairman McKay was receptive to a proclamation to recognize former Chairperson John Fee. Commissioner Rosier offered to draft a recommendation.

Commissioner Matters

Commissioner Springer had no matters to bring before the Commission.

Commissioner Freedenthal had no matters to bring before the Commission.

Commissioner Kirk had no matters to bring before the Commission.

Commissioner Kharat had no matters to bring before the Commission.

Commissioner Roark had no matters to bring before the Commission.

Commissioner Rosier had no matters to bring before the Commission.

Commissioner Belkowitz spoke of his difficulty in getting pricing information for Verizon services. Commissioner Belkowitz asked when the franchise agreement ends. Director Makely stated it is 2026, but negotiations can begin within a three-year window. Director Makely stated that today the Federal Communications Commission (FCC) released a notice of proposed rulemaking (NPRM) on enhanced pricing transparency requiring cable and satellite TV providers to provide to consumers the "all-in" price for video programming services in promotional materials and on subscribers' bills. The notice was sent to the Office of the County Attorney for review. Director Makely will provide a link to the Commission.

New Business

1. Virginia Senior Medicare Patrol Presentation. Commissioner Freedenthal, Community Educator, provided an overview of the Medicare and Medicaid Fraud, Waste, and Abuse Prevention; levels of intent; examples of possible fraud; efforts to stop fraud, waste, and abuse; administrative actions; Health Care Prevention and Enforcement Action Team (HEAT); fraud and abuse laws; and law enforcement and judicial system actions.

A discussion ensued on Medicare and improper insurance payments, statistics on medical identity theft, and sharing of insurance card out of desperation.

Report of the Chairperson

1. Board of Supervisor Engagement

Chairperson Kratovil spoke about having a relationship with your Board of Supervisor (BOS) and developing your relationship with the context of your role as a Commissioner. He encouraged each Commissioner by the next CPC meeting to schedule time with their BOS to discuss what the CPC is doing and plans on doing in the future.

Commissioner Freedenthal suggested finding the staff member to your BOS that deals with consumer issues and keep them informed.

2. Review draft subcommittees outline

Goal: With one monthly meeting, it is difficult for the CPC to 1) juggle multiple initiatives, 2) focus necessary time and expertise, and 3) get things done in a timely fashion. By establishing Subcommittees as provided for in CPC Bylaws, smaller groups of Commissioners will be able to address these limitations, explore improvements and new initiatives, and overall better support the mission of the CPC to advance consumer protections in Fairfax County.

Community Engagement Subcommittee

This subcommittee meets monthly to coordinate and support community outreach and marketing activities related to Department initiatives and provide content for Commissioner engagement.

- Development of white-label content for Commissioners, including but not limited to: short articles, quick-hit consumer-focused newsletter pieces, and draft social media posts.
- Engages with Staff to review Department outreach initiatives, including promotion and awareness efforts, suggests best practices, and explores additional opportunities.

Data/Consumer Complaints Subcommittee

Meets [quarterly] to review complaint data, trends, and outcomes. Identifies and prioritizes issues to surface with full CPC. Advises on plans (outreach campaigns, Department initiatives, content, and policies).

Budget Subcommittee

Meets [as needed] to support and advise on Department/Consumer Affairs Branch budget needs and initiatives, with particular emphasis on needs forecasting and planning for future fiscal years. Coordinates and aligns budget recommendations with current priorities, in consultation with other newly proposed Subcommittee initiatives. Provides periodic updates and recommendations to CPC.

Policy Review Subcommittee

Meets [bi-monthly or as needed] to review County code and relevant policy material within the jurisdiction of the CPC. Proposes redlined updates/modifications/modernizations to CPC for consideration and recommendation to the BOS.

Financial Scams and Fraud Working Group

Meets monthly or as needed to support Department education and outreach initiatives specific to financial scams and fraud, such as identity fraud. Recommends best practices, improvements, coordinates with Fairfax County Police Department and contributes content to Community Engagement Subcommittee as appropriate.

A discussion ensued on procedural changes to the CPC Bylaws, what type of motions are needed, special or ad hoc committees, number of committees each commissioner would serve, and whether a motion is needed. Director Makely indicated the CPC Bylaws stated the Chairperson may appoint standing committees and a Chairperson for each with the consent of the majority of the Commission members present and voting.

Chairperson Kratovil stated that each Commissioner at a minimum choose one to two subcommittees with rest as possible ad hoc committees.

Director Makely shared the full County Attorney's finding and legal opinion on the question as to subcommittees meeting in an all-virtual capacity.

A discussion ensued on remote participation vs. virtual participation, possible policy changes, clarifying committees, advisory capacity, and information provided from staff to the commission.

Commissioners will send suggestions to the Chairperson to provide clarity on the role of the committees. The Commission will rank their top three choices of committees. Director Makely will email the Commission the content from the County Attorney's office.

3. Motion Regarding Collaboration with Howard County Office of Consumer Protection and Montgomery County Advisory Committee on Consumer Protection Regarding Scams, Consumer Education, and Other Issues.

Chairperson Kratovil stated that Howard County, Maryland and Montgomery County, Maryland are very interested in working with the Commission on consumer protection issues. Former Chairperson Fee and Vice Chairperson Gulakowski had virtually attended meetings with Howard County in the past. Chairperson Kratovil stated that both counties are wanting to leverage everyone's expertise and resources to do some consumer education like scams, identity theft, credit reports and repairs. Chairperson Kratovil feels it would be beneficial to join forces to provide more resources to the residents.

Chairperson Kratovil provided the motion for the Commission to review, keeping in mind of any issues with VFOIA rules and regulations.

A discussion ensued on the selection of the two counties in Maryland and not the surrounding Northern Virginia counties, who gives the authority to participate in the meetings, interstate compact or agreement, not in CPC Bylaws, permission from the Board of Supervisors, only certain BAC's that have agreements to work with other jurisdictions, implication of providing more than just information, and other location for CPC meetings.

Chairperson Kratovil highlighted the points made by the Commissioners. Chairperson Kratovil asked about the CPC's individual authority to attend functions as a representative of the Commission. Director Makely stated if a Commissioner is acting on behalf of the Commission, the Commission should have the discretion to vote on it. Chairperson Kratovil will provide the question to staff on this issue to run by the Office of the County Attorney.

Chairperson Kratovil announced that at the July meeting, the CEO of the Identity Theft Resource Center will be providing a presentation on, "An Introduction to the ITRC: Overview of consumer and victim services, research, partnerships, and victim recovery tools and resources".

Director Makely mentioned that staff will bring the FY 2023 Annual Report to the July meeting. Director Makely reminded the CPC that their previously requested presentation on panhandling was also scheduled for the July meeting as noted on the meeting calendar. Chairperson Kratovil stated that both presentations will be presented at the July meeting.

Chairperson Kratovil made a motion to adjourn. Commissioner Freedenthal seconded the motion. The meeting adjourned at 9:24 PM.

CPC Calendar

Consumer Protection Commission
2023 Planning Calendar
July 18, 2023

- | | |
|--------------|--|
| January 17 | <ul style="list-style-type: none">• Chapter 28.1• 2023 Meeting Calendar |
| February 21 | <ul style="list-style-type: none">• Resilient Fairfax and CECAP Presentation• Election of Officers• 2023 Items of Interest |
| March 21 | <ul style="list-style-type: none">• Authorization to Advertise Public Hearing |
| April 18 | <ul style="list-style-type: none">• Meeting Cancelled |
| May 16 | <ul style="list-style-type: none">• |
| June 20 | <ul style="list-style-type: none">• Virginia Senior Medicare Patrol Presentation by Commissioner Freedenthal• BOS Engagement• Review draft subcommittee outline• Future briefings and activity• Open discussion and ideation |
| July 18 | <ul style="list-style-type: none">• FY 2023 Annual Report• Panhandling Presentation• Identity Theft Resource Center Presentation |
| August 15 | <ul style="list-style-type: none">• |
| September 19 | <ul style="list-style-type: none">• 2023 Taxicab Biennial Determination Report |
| October 17 | <ul style="list-style-type: none">• Electrification/EV Charging Presentation |
| November 21 | <ul style="list-style-type: none">• Nomination of Officers |
| December 19 | <ul style="list-style-type: none">• |

CPC Membership

Commissioners

Fairfax County Resident #1
Jacqueline Rosier (Secretary)
Appt. Expires 7/31/2025

Fairfax County Resident #2
Michael J. Roark
Appt. Expires 7/31/2023

Fairfax County Resident #3
Jason J. Kratovil (Chairperson)
Appt. Expires 7/31/2024

Fairfax County Resident #4
Dennis D. Kirk
Appt. Expires 7/31/2025

Fairfax County Resident #5
Dirck A. Hargraves
Appt. Expires 7/31/2023

Fairfax County Resident #6
Triston “Chase” O’Savio
Appt. Expires 7/31/2024

Fairfax County Resident #7
Pratik J. Kharat
Appt. Expires 7/31/2024

Fairfax County Resident #8
Harold G. Belkowitz
Appt. Expires 7/31/2024

Fairfax County Resident #9
Chester J. Freedenthal
Appt. Expires 7/31/2024

Fairfax County Resident #10
Vacant

Fairfax County Resident #11
Paul Svab
Appt. Expires 7/31/2024

Fairfax County Resident #12
**Denis Gulakowski
(Vice-Chairperson)**
Appt. Expires 7/31/ 2024

Fairfax County Resident #13
Maurice B. Springer
Appt. Expires 7/31/2024

Staff

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Fax Number 703-653-1310
consumer@fairfaxcounty.gov

Community Outreach

Outreach Event Calendar July 2023

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
7/18/2023	Informed Consumer	Sacramento Community Center 8792 Sacramento Drive Alexandria, VA		1:00 p.m. - 2:00 p.m.	AB
7/19/2023	Informed Consumer	Creekside Community Center 7979 Janna Lee Apartments Alexandria, VA		1:00 p.m. - 2:00 p.m.	SW
7/20/2023	Consumer Connection Fairfax County Park Authority PROSA	Fairfax County Consumer Affairs Facebook		11:00 a.m. - 11:20 a.m.	SCJ
7/21/2023	Informed Consumer	Sacramento Community Center 8792 Sacramento Drive Alexandria, VA		1:00 p.m. - 2:00 p.m.	AB

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/>

Consumer Connection: Disease Carrying Insects Program (June 22, 2023)

<https://fb.watch/ItoJvTvw4M/>

Consumer Affairs Day: National Consumer Protection Week (March 9, 2023)

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/consumer-affairs-day-2023>

Information Items

How to Recognize a Spear-Phishing Email Attack ([more](#))

MOVEIT breach impacts Genworth, CalPERS as data for 3.2 million exposed ([more](#))

Fairfax County bolsters extreme heat resources for unsheltered residents ([more](#))

How to Recognize a Spear-Phishing Email Attack

By AARP

Spear-phishing is a highly targeted, particularly destructive form of [phishing](#). Most phishing scammers cast a wide net, sending out generic mass emails in hopes of snaring a few victims. Spear-phishers research individual marks and craft personalized messages that appear to come from trusted sources, which helps them bypass traditional email security features like spam filters, according to a study by security company Barracuda.

You might get what looks like an email, text or [social media message](#) from a friend, a relative, a coworker or a company you do business with. It includes a request for personal information, a link to a company site or an attached document that requires immediate attention. Clicking the link or downloading the file infects your device with malware or spyware that [steals your passwords](#), peruses your files or tracks your every keystroke.

Spear-phishers have numerous tricks to make the ruse plausible. For example, they might:

- dig up personal and professional information from a variety of sources, including public records, your employer's business website and your social media profiles.
- hack email and social media accounts and send messages to people on the victim's contact list.
- utilize information obtained through [data breaches of major companies](#).
- set up fake customer-service accounts for big brands to glean info from unsuspecting consumers (a practice called "angler phishing").

Spear-phishing has become a key weapon in [cyber scams against businesses](#). More than 80 percent of US companies and organizations surveyed by cybersecurity firm Proofpoint reported experiencing a

spear-phishing attack in 2020, and 38 percent said they were targeted more than 25 times.

Another variation targets homeowners: An email supposedly from your mortgage company says your loan has been sold and provides a link to the new lender's website. Any payments you make there go into the crooks' pockets.

Warning signs

- An email that appears to be from a supervisor or colleague at work makes an unusual, urgent request for money or financial information.
- An email or social media message from a familiar or trusted source asks for personal information, such as account passwords.
- The message contains odd grammar, poor word choices or misspellings.

How to protect yourself from this scam

- Do be as cautious with emails that address you directly as you would be with a generic message, especially if they contain links or attachments.
- Do eyeball email addresses, even when attached to a familiar name. If the message comes from an address the person doesn't normally use, or one that contains a slight misspelling of a familiar domain, that's a red flag.
- Do check links before you click them, by hovering your cursor over them to see the actual URL.
- Do be mindful that what you post on social networks might be exploited by spear-phishers. For example, if you posted about a recent business conference, a crook might pose as a fellow attendee and send you a related document that contains malware.

- Do scrutinize a corporate social media account before you engage with it. Look for signs that it is legitimate (such as the blue checkmark Twitter gives to verified accounts) and tipoffs of fakes (like misspelled words or variations on the company's name in a URL). When in doubt, go to the company's official website and look for its genuine social media connections.
- Don't click on links or open attachments in an email, text or social media message unless you are certain it comes from a trusted sender.
- Don't accept friend requests on social networks from people you don't know. They may be scammers trying to get access to personal information from your posts.
- Don't send sensitive personal information in response to an email request, even if it appears to be from a trusted source.
- Don't trust a link just because it connects to a familiar file-sharing service like Google Drive, Microsoft OneDrive or Dropbox. More scammers are storing their spyware-laden files in the cloud, rather than sending documents with attachments that security software might block.
- Don't trust a website just because it has "https://" and a lock icon in the browser window. Scammers increasingly are incorporating security certificates into their phony websites to make them look authentic.

MOVEit breach impacts Genworth, CalPERS as data for 3.2 million exposed

By [Bill Toulas](#) , June 23, 2023, 11:06 AM



PBI Research Services (PBI) has suffered a data breach with three clients disclosing that the data for 4.75 million people was stolen in the recent MOVEit Transfer data-theft attacks.

These attacks started on May 27th , 2023, when the Clop ransomware gang began [exploiting a MOVEit Transfer zero-day vulnerability](#) to allegedly steal data from hundreds of companies.

Over the past week, the [Clop gang began extorting companies](#) by slowly listing impacted organizations on its data leak site as they attempt to pressure victims to pay a ransom demand.

According to three different disclosures from PBI clients, millions of customers have had their sensitive data exposed in these attacks. However, this number may increase as other companies make further disclosures.

The first impacted entity is Genworth Financial, a Virginia-based life insurance services provider.

In a [MOVEit Security Event notice](#) published on their website, Genworth says PBI informed them of the security breach on June 16, 2023, and subsequently verified that customers' personal data was stolen.

The firm estimates that the data breach impacted between 2.5 and 2.7 million individuals who are either its customers (insurance, annuity, long-term care) or working for them as insurance agents.

The exposed data includes the following:

- Full name
- Date of birth
- Social security number
- Zip code
- State of residence
- Policy number
- Agent ID (for agents)

Genworth says this attack did not impact its own systems and network or affected its business operations, as it does not use the MOVEit or GoAnywhere products.

Affected individuals will receive notices of a data breach in the coming weeks, which will contain instructions on enrolling for free-of-charge credit monitoring and identity theft protection services.

The second firm impacted by the PBI breach is Wilton Reassurance, a New York-based insurance provider, which [reports](#) that 1,482,490 of its customers had data stolen.

As reported to the Office of the Maine Attorney General, the exposed information includes customers' names and social security numbers.

Although a sample of a data breach notification letter has not been uploaded to Maine's portal yet, Wilton Reassurance has informed that they will provide 12 months of free identity theft protection and credit monitoring services through Kroll to impacted individuals.

The third company impacted by PBI's data breach is CalPERS (California Public Employees' Retirement System), the largest public pension fund in the US, which is now informing retirees and beneficiaries about the event.

In a notice to its website, [CalPERS says](#) it responded to the situation immediately after learning about the breach and took actions to secure its members' benefits and data by strengthening its data management protocols that pertain to working with contractors.

The agency says approximately 769,000 of its members were impacted by the security incident, who will all receive notification letters with detailed information on how to access two years of free credit monitoring service through Experian.

At the time of writing this, PBI Research Services has not been listed on Clop's data leak site. While this could mean that the company is negotiating with the threat actors not to release data, it could also mean that Clop has not begun extorting the organization yet.

BleepingComputer has contacted PBI to comment on the situation, but we have not heard back by publication.

Update 6/24 - A PBI spokesperson has sent BleepingComputer the following comment:

PBI Research Services uses Progress Software's MOVEit file transfer application with a number of clients. At the end of May, Progress Software identified a zero-day vulnerability in the MOVEit software that was actively being exploited by cyber criminals.

PBI promptly patched its instance of MOVEit, assembled a team of cybersecurity and privacy specialists, notified federal law enforcement and contacted potentially impacted clients.

The cyber criminals did not gain access to PBI's other systems – access was only gained to the MOVEit administrative portal subject to the vulnerability.

PBI is working directly with impacted clients to identify impacted consumers and develop notice plans.

COUNTYWIDE, NEWS

Fairfax County bolsters extreme heat resources for unsheltered residents

Melanie Pincus June 20, 2023 at 11:45am



All

of Fairfax County's public libraries have been designated as cooling centers during extreme heat events (staff photo by Angela Woolsey)

As homelessness [increases](#) in Fairfax County, affected residents can use revamped county resources to cope with extreme summer heat.

The county will activate its [extreme heat response](#) when the National Weather Service issues a heat advisory, excessive heat watch or excessive heat warning.

As part of the response, 47 county facilities are now designated as cooling centers and will provide supplies, such as water, sunscreen, insect repellent, body wipes, and bus passes,

according to a [presentation](#) to the Board of Supervisors' health and human services committee last week.

“Like in previous years, all county facilities that are open to the public can be used by residents to come in for cooling,” Jill Clark, health and human services policy and planning manager with Fairfax County Neighborhood and Community Services, said in the presentation.

The cooling center facilities include all libraries and community centers. In those locations, staff will be prepared to welcome residents in need, and there will be supplies and seating in designated spaces.

Supplies will also be available at shelters and drop-in centers and from outreach workers. Most of the supplies are single-use and/or lightweight and portable. The decision to supply single-use items, among other parts of the plan, came from feedback from a September 2022 survey of 81 unsheltered residents.

“In the responses, you could hear the challenges they experienced both in terms of discomfort and real negative health effects from the extreme heat, including nausea, shortness of breath, exhaustion, asthma attacks, inability to eat as well as sunburns and rashes,” said Tom Barnett, deputy director of housing and community development in the Office to Prevent and End Homelessness.

The county will also aim to better notify unsheltered residents about heat advisories by using a new dedicated channel of [Fairfax Alerts](#).

“We learned through the unsheltered residents survey that most respondents actually have a phone with internet access, and actually prefer getting information about resources and heat alerts via text messages and emails,” Barnett said.

To help residents get to cooling centers, drop-in centers or weather-related overflow sites, the county will offer free Fairfax Connector bus passes in the form of 3,000 postcards that cover two rides each. In addition, the county will provide pre-loaded [Transportation Options, Programs & Services](#) (TOPS) cards to assist unsheltered residents who cannot access Fairfax Connector buses.

These changes came out of recommendations from a workgroup that formed in August 2022 in response to [concerns raised](#) by the Fairfax County NAACP. The board received the workgroup's recommendations in a March memorandum.

“The work group and its four committees included a robust membership across many different county departments as well as key partners and representatives from the homeless service providers, the faith community and advocates,” Barnett said.