



County of Fairfax, Virginia

MEMORANDUM

DATE: December 8, 2020

TO: Consumer Protection Commission

FROM: Michael S. Liberman, Director *MSL*
Department of Cable and Consumer Services

SUBJECT: Consumer Protection Commission Meeting for December 15, 2020

Please find attached the Consumer Protection Commission meeting package. The next scheduled meeting is **Tuesday, December 15, 2020, 7:30 p.m.** This meeting will be held via a video connection due to the COVID-19 pandemic.

To join the meeting:

Click: <https://us02web.zoom.us/j/87390013182?pwd=VERZUzJnbFV1cHJjYmI4b3p5VXFuQT09>

Enter Password: 517772

Audio-only participation:

Dial: 888-270-9936

Enter Code: 584548

Please RSVP with your attendance to Susan Jones by COB on Monday, December 14, 2020, at susan.jones@fairfaxcounty.gov or 703-324-5877.

Enclosures

cc: Joseph M. Mondoro, Chief Financial Officer
Office of the County Executive

Rebecca L. Makely, Director
Consumer Services Division, DCCS



**FAIRFAX COUNTY
CONSUMER PROTECTION COMMISSION
December 15, 2020 AGENDA**

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

Minutes

- Draft of the November 17, 2020, meeting minutes attached.

Report of the Chairman

Report of the Director

Commission Matters

Old Business

New Business

- Officer Nominations

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

November 17, 2020

7:30 PM
Zoom Video Meeting
Chairman Fee presiding

Attendance:

Commissioners: Belkowitz, Callender, Fee,
Gulakowski, Hargraves, Kratovil, Lynch,
Roark, Rosier

Absent:

Commissioners: Hine, Javed, Kirk

Staff:

Michael S. Liberman, Director
Cable and Consumer Services
(Office Suite 433)
Rebecca L. Makely, Director
Consumer Services Division
(Conference Room 11)
Susan C. Jones, Branch Chief
Consumer Affairs Branch
(Springfield)

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

Quorum, Location, and Audibility of Members' Voices

Chairman Fee conducted a Roll Call to verify that a quorum of members were participating; and that each member's voice was clear, audible, and at appropriate volume for all of the other members; and the location from which member was participating. The roll call was as follows:

Chairman Fee, Fairfax Station
Commissioner Belkowitz, City of Fairfax
Commissioner Callender, Great Falls
Commissioner Gulakowski, Burke
Commissioner Hargraves, Lee District
Commissioner Kratovil, Mount Vernon
Commissioner Lynch, Oak Hill
Commissioner Roark, Lorton
Commissioner Rosier, Great Falls

Chairman Fee passed the virtual gavel to Vice Chairman Gulakowski. A motion was made by Chairman Fee that each member's voice was adequately heard by each member of the Consumer Protection Commission (Commission.) This motion was seconded by Commissioner Callender. This motion passed unanimously.

Need for an Electronic Meeting

A motion was made by Chairman Fee that the State of Emergency caused by the COVID-19 pandemic made it unsafe for the Commission to physically assemble and unsafe for the public to physically attend any such meeting, and that as such, FOIA's usual procedures, which require the physical assembly of the Commission and the physical presence of the public, could not be implemented safely or practically. Chairman Fee further moved that the Commission conduct the meeting electronically through a dedicated audio-conferencing line, and that the public access the meeting by calling 1-888-270-9936 and entering access code 584548. The motion was seconded by Commissioner Kratovil. The motion passed unanimously.

Need to Dispense with FOIA's Usual Procedures to Assure Continuity in Government/Continue Operations

A motion was made by Chairman Fee that all of the matters addressed on the agenda addressed the Emergency itself, were necessary for continuity in Fairfax County government, and/or were statutorily required or necessary to continue operations and the discharge of the Commission's lawful purposes, duties, and responsibilities. This motion was seconded by Commissioner Hargraves. The motion was passed unanimously.

Minutes

A motion was made by Chairman Fee and seconded by Commissioner Gulakowski to approve the minutes from the October 20, 2020. The motion passed unanimously.

Report of the Chairman

The Chairman had no matters to bring before the Commission.

Report of the Director

Director Liberman stated based on the Governor's orders, in-person gatherings are limited to 25 individuals, and that the Board of Supervisors (BOS) meeting tonight was being held electronically.

Commission Matters

Commissioner Belkowitz had no matters to bring before the Commission.

Commissioner Callender had no matters to bring before the Commission.

Commissioner Gulakowski thanked staff for the picture in the Annual Report.

Commissioner Hargraves stated he was spoofed on his PayPal account in attempt to get his personal information.

Commissioner Kratovil had no matters to bring before the Commission.

Commissioner Lynch 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.

Chairman Fee mentioned the \$1.00 fee charged by the trash company and will consider reporting it to the Federal Trade Commission.

Old Business

There was no old business before the Commission.

New Business

1. Consumer Protection Commission FY 2020 Annual Report. Michael S. Liberman, Director, Department of Cable and Consumer Services, presented the FY 2020 Annual Report to be distributed to the BOS.

A discussion ensued on some changes to the verbiage in the report.

Commissioner Gulakowski made the motion to adopt the proposed FY 2020 Annual Report to be distributed to the BOS. Commissioner Callender seconded the motion. The motion passed unanimously.

2. Consumer Protection Commission Bylaws Draft Update. Rebecca L. Makely, Director, Consumer Services Division provided an overview of the draft template CPC Bylaws.

A discussion ensued on the election of officer's provision. Staff will review concerns by the CPC with John W. Burton, Assistant County Attorney.

Commissioner Gulakowski made a motion to adjourn. Commissioner Hargraves seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:35 PM.

CPC Calendar

Fairfax County
Consumer Protection Commission
2020 Yearly Planning Calendar
December 15, 2020

- January 21 • Election of Officers
- February 18 • Commission Planning
- March 17 • Cable Franchise Presentation
- April 21 • Meeting canceled
- May 19 • Meeting canceled
- June 16 • Meeting canceled
- July 21 • COVID-19 Pandemic Response
- August 18 • COVID-19 Pandemic Overview
- September 15 • Meeting canceled
- October 20 • Commission Business
- November 17 • Consumer Protection Commission FY 2020 Annual Report
 - Consumer Protection Commission Bylaws Draft Update
- December 15 • Officer Nominations

CPC Membership

Name	Staff
<p>Harold G. Belkowitz <i>Appt. Expires 7/31/2021</i></p> <p>Wes Callender <i>Appt. Expires 7/31/2021</i></p> <p>John Fee (Chairperson) <i>Appt. Expires 7/31/2021</i></p> <p>Denis Gulakowski (Vice-Chairperson) <i>Appt. Expires 7/31/2021</i></p> <p>Dirck A. Hargraves <i>Appt. Expires 7/31/2023</i></p> <p>Scott Hine <i>Appt. Expires 7/31/2021</i></p> <p>Umair Javed <i>Appt. Expires 7/31/2021</i></p> <p>Dennis D. Kirk <i>Appt. Expires 7/31/2022</i></p> <p>Jason J. Kratovil <i>Appt. Expires: 7/31/2021</i></p> <p>Daton Lynch <i>Appt. Expires 7/31/2021</i></p> <p>Michael J. Roark <i>Appt. Expires 7/31/2023</i></p> <p>Jacqueline Rosier (Secretary) <i>Appt. Expires 7/31/2022</i></p>	<p>Michael S. Liberman, Director Department of Cable and Consumer Services michael.liberman@fairfaxcounty.gov</p> <p>Rebecca L. Makely, Director Consumer Services Division 703-324-5947 rebecca.makely@fairfaxcounty.gov</p> <p>Susan Jones, Chief Consumer Affairs Branch 703-324-5877 susan.jones@fairfaxcounty.gov</p> <p>Main number: 703-222-8435 Fax number: 703-653-1310 consumer@fairfaxcounty.gov</p>

CAB Statistics



Consumer Affairs Branch
Monthly Summary - All Activities
November 2020

	Current Month		Fiscal Year-to-Date		Prior Fiscal YTD	
Cases Received	68		421		430	
Cases Closed	54		342		371	
Favorable	34	62.96%	196	57%	241	65%
Unfavorable	5	9.26%	28	8%	29	8%
Invalid	1	1.85%	13	4%	18	5%
Other	14	25.93%	105	31%	83	22%
Total	54	100%	342	100%	371	100%
Advice Inquires (closed)	392		2105		3741	
Case Inquires over 90+ days (open)	21		71		172	
Amount Received	\$21,189.00		\$211,308.00		\$221,808.00	

CLOSED COMPLAINT CATEGORIES

	FISCAL YEAR-TO-DATE	% FYTD	PRIOR FISCAL YTD	% PRIOR FYTD
Tenant Landlord		24%	Cable Television (Regulated)	30%
Housing - Service		11%	Tenant Landlord	17%
Professional Services		11%	Housing - Service	7%
Medical		3%	Automotive Towing	7%
Retail		2%	Communications Media	6%
Other		49%	Other	33%

Community Outreach

OUTREACH EVENT CALENDAR
December 2020

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
12/9/2020	Consumer Knowledge	Woodson High School (virtual) 9525 Main Street Fairfax, VA		8:00 a.m. - 2:30 p.m.	MM
12/15/2020	Consumer Connection Facebook Live Holiday Scams	Fairfax County Government 12000 Government Center Parkway Fairfax, VA		9:00 a.m. - 9:30 a.m.	SCJ/ PNB

OUTREACH EVENT CALENDAR
January 2021

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
1/12/2021	Online Shopping	Lifetime Learning (Virtual)		1:30 p.m. - 3:00 p.m.	MP
1/14/2021	Department of Treasury Unclaimed Property	Virtual Richmond, VA		9:00 a.m. - 5:00 p.m.	SCJ
1/26/2021	Employee Fitness: Taxes, Credits and Deductions	Fairfax County Government (Virtual) 12000 Government Center Parkway Fairfax, VA		10:00 a.m. - 12:00 p.m.	VFJ

Consumer Resources

Resource Items

Fairfax County Department of Cable and Consumer Services

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

Fairfax County Consumer Affairs Branch

<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.wpcostaging.com/>

Ways to Donate and Help During COVID-19

<https://fairfaxcountyemergency.wpcostaging.com/2020/03/25/ways-to-donate-and-help-during-covid-19/>

4 Things to Know About Tenant-Landlord Rights During COVID-19

<https://fairfaxcountyemergency.wpcostaging.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: Holiday Shopping Scams (November 23, 2020)

<https://fb.watch/27oNHg9FV7/>

Your Community, You're Connected: Maintaining a Sense of Community (September 8, 2020)

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/your-community-youre-connected>

Information Items

FTC Stops Debt Collector's Alleged "Debt Parking" Scheme, Requires it to Delete Debts it Placed on Consumers' Credit Reports

The Federal Trade Commission has taken action against a debt collection company that allegedly placed bogus or highly questionable debts onto consumers' credit reports to coerce them to pay the debts. Under a settlement with the FTC, the company, Midwest Recovery Systems (Midwest Recovery), is prohibited from the practice, known as "debt parking," and required to delete the debts it previously reported to credit reporting agencies. [[More](#)]

Why You Should Delete Online Accounts You No Longer Use

Chances are you have online accounts that you haven't used for a long time, maybe years.

[[More](#)]

FTC Stops Debt Collector's Alleged "Debt Parking" Scheme, Requires it to Delete Debts it Placed on Consumers' Credit Reports

November 30, 2020

Agency complaint alleges company collected millions in fake debts by placing bogus information on consumer credit reports

The Federal Trade Commission has taken action against a debt collection company that allegedly placed bogus or highly questionable debts onto consumers' credit reports to coerce them to pay the debts. Under a settlement with the FTC, the company, Midwest Recovery Systems (Midwest Recovery), is prohibited from the practice, known as "debt parking," and required to delete the debts it previously reported to credit reporting agencies.

The FTC alleged that Midwest Recovery collected more than \$24 million from consumers on such debts, largely by debt parking.

Also known as "passive debt collection," debt parking can result in a consumer only finding out that a purported debt exists when his or her credit report is accessed in connection with buying a car or home, opening a credit card, or seeking employment. While the debts may not be valid, consumers can feel pressured to pay them off.

"The defendants parked fake or questionable debts on people's credit reports and then waited for them to notice the damage when they were trying to get a loan or a job," said Andrew Smith, Director of the FTC's Bureau of Consumer Protection. "The defendants used this illegal 'debt parking' to coerce people to pay debts they didn't owe or didn't recognize."

The FTC's complaint alleges that Midwest Recovery received thousands of complaints each month about the purported debts from consumers, with the company itself finding that between 80 and 97 percent of the debts it investigated were inaccurate or not valid. In addition to payday lending debts, the complaint notes that the company parked significant quantities of medical debt, which is often a source of confusion and uncertainty for consumers because of the complex, opaque system of insurance coverage and cost sharing.

In one example from the complaint, a consumer was told when applying for a mortgage that an outstanding \$1,500 medical debt placed on his credit report by Midwest Recovery had lowered his credit score and jeopardized his purchase. The consumer contacted the hospital to whom the debt was owed, who told him that he only owed an \$80 co-pay. In spite of that, Midwest refused to remove the \$1,500 debt and threatened the consumer with a lawsuit if he didn't pay.

The FTC's complaint alleges that the company and its owners, Brandon M. Tumber, Kenny W. Conway, and Joseph H. Smith, violated the FTC Act, the Fair Debt Collection Practices Act (FDCPA), the Fair Credit Reporting Act (FCRA), and the FCRA's Furnisher Rule.

Under the terms of the settlement, Midwest Recovery and its owners will be prohibited from debt parking and pursuing consumers for alleged debts without a reasonable basis. The settlement

also requires Midwest Recovery and Tumber to contact credit reporting agencies and request all debts reported by the company be deleted from consumers' credit reports.

The settlement includes a monetary judgment of \$24.3 million, which is partially suspended based on an inability to pay. Tumber and the company will be required to pay \$56,748, and Tumber will also be required to sell his stake in another debt collection company and provide the proceeds from that sale to the FTC. In addition, Midwest Recovery will be required to surrender all of its remaining assets. If the defendants are found to have misrepresented their ability to pay, the full amount of the judgment would become immediately payable.

The Commission vote authorizing the staff to file the complaint and stipulated final order/injunction was 4-1, with Commissioner Rohit Chopra voting no and issuing a statement. Commissioner Rebecca Kelly Slaughter issued a concurring statement. The FTC filed the complaint and stipulated final order in the U.S. District Court for the Eastern District of Missouri.

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. Stipulated final injunctions/orders have the force of law when approved and signed by the District Court judge.

Why You Should Delete Online Accounts You No Longer Use

by Herb Weisbaum, The ConsumerMan

Last updated November 16, 2020

Chances are you have online accounts that you haven't used for a long time, maybe years.

The average American has between 70 and 100 online accounts requiring passwords, and many of them are likely dormant and probably forgotten.

When I began writing this story, I checked my bookmarks and found dozens of inactive accounts. I was amazed!

“Old and abandoned—but not deleted—accounts create a major security risk,” said digital security expert Adam Levin, author of *Swiped: How to Protect Yourself in a World Full of Scammers, Phishers, and Identity Thieves*.

Even though you're not using those dormant accounts, they may contain a lot of personal information, such as birthdate and mother's maiden name (used for authentication), cell phone number, email address, credit card and bank account numbers, and possibly Social Security number.

“If those old accounts have weak passwords, and they are still being used on other accounts, this could come back to haunt you, as it puts all of those accounts at risk of being hacked,” Levin told Checkbook.

A new survey by CreditCards.com finds that 80 percent of U.S. adults have re-used online passwords.

Criminals have automated software that tries to use stolen user names and passwords to break into other online accounts. It's a successful hacking technique called “credential stuffing.”

“Those old accounts may not seem like they have much value to you, but criminals have been passing around those old passwords and keeping track of a

lot of those accounts,” said Chester Wisniewski, a principal research scientist at the digital security firm Sophos. “They can mine your old messages and profile information to commit identity theft. These cyberthieves can also pretend to be you to convince friends or family to click a malicious link or surrender their personal information to them.”

Canceling Old Accounts Can Be Challenging

Signing up for an account is easy; canceling can be difficult. Some sites hide this information to discourage you from leaving. Others don’t allow you delete your account. According to a blog post from Comparitech, a site that tests and compares tech services:

“Many websites now sell user information or incorporate user information into their business practices. What you may find is that instead of allowing you to delete an account, some services instead only let you delete your personal information on the site, while the account itself (including the username and password) are maintained in the system.

To note, this is legally allowed in the U.S. While all U.S. businesses must offer at least two avenues to identify and delete account information—one of which must be a toll-free number—U.S. businesses do not have to delete the account itself. Instead, businesses are allowed to de-identify and aggregate your personal information.”

Some of the major sites that don’t permit account deletion include Barnes & Noble, Netflix, Starbucks, and YouTube, according to Comparitech.

If you run into a roadblock, don’t give up. Call customer service or send an email, or do an internet search for “how to cancel my account.”

Protect Yourself

After you delete those dormant accounts, figure out what other accounts have that same password and change them.

You should create a unique password for each account. This is critical because it prevents credential stuffing. If one account is breached, other accounts will not be jeopardized.

“These new passwords should be long and complicated, so they’ll be difficult to remember,” Wisniewski said. But you don’t have to remember them. Just store them in your web browser or use a password manager to keep track of them.

Password management software lets you create strong, unique, and encrypted passwords for each of your online accounts. They’re stored in a digital vault accessible from all your devices. You just need to create (and remember) one master password.

Apple’s embedded password manager is called “FileVault.” Most internet browsers also have them, with options to sync those passwords across multiple devices. While browsers’ “save passwords” features are convenient, they’re not as robust as what you’d get from a dedicated password management program.

More Info: How to Create and Easily Store Secure Passwords

Where available, also take advantage of two-factor authentication (2FA). Even the best passwords can be compromised through phishing attacks or data breaches. Two-factor authentication requires a password and a second identifying factor—such as a fingerprint scan or a code sent to your phone, email address or app—to log into that account.

It’s not foolproof, but 2FA can stop most hackers from using a stolen password to access important accounts.

Bottom Line: A weak password with 2FA is better than a strong password without it.