



County of Fairfax, Virginia

MEMORANDUM

DATE: February 9, 2021

TO: Consumer Protection Commission

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

SUBJECT: Consumer Protection Commission Meeting for February 16, 2021

Please find attached the Consumer Protection Commission meeting package. The next scheduled meeting is **Tuesday, February 16, 2021, 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/86065170910?pwd=cDNsMHBiOG9VZz09>

Enter Password: 174697

Audio-only participation:

Dial: 888-270-9936

Enter Code: 584548

Please RSVP with your attendance to Susan Jones by COB on Monday, February 15, 2021, 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
February 16, 2021 AGENDA**

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

Minutes

- Draft of the January 19, 2021, meeting minutes attached.

Report of the Chairman

Report of the Director

Commission Matters

Old Business

- Bylaws

New Business

- COVID-19 Scams

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

January 19, 2021

7:30 PM
Zoom Video Meeting
Chairman Fee presiding

Attendance:

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

Absent:

Commissioners: Javed, Kirk, Lynch

Staff:

Michael S. Liberman, Director
Cable and Consumer Services
(Fairfax)
Rebecca L. Makely, Director
Consumer Services Division
(Aldie)
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, Braddock
Commissioner Belkowitz, City of Fairfax
Commissioner Callender, Great Falls
Commissioner Gulakowski, Burke
Commissioner Hine, Fairfax
Commissioner Kratovil, Mount Vernon
Commissioner Rosier, Great Falls

Chairman Fee passed the virtual gavel to Vice Chair 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 7-0 with Commissioners Hargraves and Roark not present for the vote.

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 6-0-1 with Commissioner Belkowitz in abstention. Commissioners Hargraves and Roark were not present for the vote.

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 Belkowitz. The motion was passed 8-0 with Commissioner Hargraves not present for the vote.

Minutes

A motion was made by Chairman Fee and the minutes from the December 15, 2020, were approved without objection.

Report of the Chairman

The Chairman had no matters to bring before the Commission.

Report of the Director

Director Liberman spoke about the Health Department vaccination clinics which began on January 2, 2021. There are several locations administering the vaccine to include the Fairfax County Government Center.

A discussion ensued about the 65 and older online vaccine registration. Commissioner Rosier received a text message for verification and her husband received a call at 4:30 a.m. to verify registration. She stated the call did not show it was from Fairfax County or the Health Department. She is concerned residents who registered will not respond for verification. Staff will let the Department of Information Technology know of this concern.

Commissioner Belkowitz mentioned the Governor identified a list of categories in 1B and the Fairfax County Web site only identified one category in 1B. Commissioner Belkowitz asked if Fairfax County was required to follow the Governor's plan or is Fairfax County slowly introducing categories under 1B. Director Liberman responded that the 65+ category was 1C and it was placed in 1B recently. Rebecca Makely, Director, Consumer Services Division stated if you go to fairfaxcounty.gov and click on COVID-19 you can go to the vaccine flow chart that outlines each phase and a legend which identifies who is eligible to register.

Commission Matters

Commissioner Rosier had no matters to bring before the Commission.

Commissioner Gulakowski had no matters to bring before the Commission.

Commissioner Callender thanked Commissioner Rosier for bringing up the lack of phone or text identification when registering for the vaccine. Commissioner Callender tried to register at 12:30 a.m. and the site was down. The site opened at noon the next day due to an issue with the outside contractor. Commissioner Callender received a text eight hours later to verify registration.

Commissioner Hine had no matters to bring before the Commission.

Commissioner Kratovil mentioned the article in the CPC packet titled, “Customers fight surprise charges as online subscriptions surge.” Commissioner Kratovil stated it is an interesting article as the subject matter relates to a type of online site design called dark pattern which is designing a site or user interface with the intent to steer or manipulate how we behave or react to the site. Dark patterns have the concept of a “roach motel” that it is easy to get in, but it is next to impossible to get out. The Federal Trade Commission cracked down on several companies for using this tactic on their Web site.

Commissioner Roark had no matters to bring before the Commission.

Commissioner Hargraves echoed the sentiment of online renewals. He had similar experience of using airline mileage points for magazines for \$2 and end up being charged \$100. He contacted the company and was able to fix the issue. Commissioner Hargraves stated he made an online purchase for \$40. He asked for a refund and found out the printing label was for China and it would cost \$180. Amazon is working with him to resolve the issue.

Chairman Fee had no matters to bring before the Commission.

Commissioner Rosier had no matters to bring before the Commission.

Old Business

Rebecca Makely, Director, Consumer Services Division stated that the draft of the new County Bylaws template brought before the Commission had concerns over the election and nomination process. The Chair is elected, and the Chair would select the Vice Chair and Secretary. John Burton, Assistant County Attorney was consulted and verified the language was deliberately vague, but the Commission could insert their nomination and election process into the document. Commissioner Gulakowski made the motion to maintain the process that has been executed over the last three years. Commissioner Hines seconded to motion. The motion passed unanimously. Director Makely will update the draft document and bring it before the Commission at the next CPC meeting.

New Business

Election of Officers. Chairman Fee requested that Vice Chairman Gulakowski conduct the nomination for Chair. Commissioner Belkowitz nominated Commissioner Rosier. Chairman Fee nominated himself. Commissioner Rosier declined the nomination.

Vice Chairman Gulakowski asked for a motion for Chair. Commissioner Hargraves made the motion to appoint John Fee as Chairman. Commissioner Callender seconded the motion. The motion passed with 8-0-1 with Commissioner Belkowitz in abstention.

Chairman Fee asked if there were any nominations from the floor for Vice Chairman and Secretary. Chairman Fee made the motion to accept the slate of candidates: Commissioner Gulakowski for Vice Chairman and Commissioner Rosier for Secretary. The motion passed unanimously.

Consumer Protection Commission Calendar. Chairman Fee asked about possible topics for the upcoming meetings. A discussion ensued about topics such as COVID-19 Scams, contractors/zoning, legislative updates, and Area Agency on Aging. Director Makely mention the latest *Consumer Connection* Facebook Live program on January 14, 2021 was on COVID-19 Scams and will provide the link to the Commission.

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

The meeting adjourned at 8:26 PM.

CPC Calendar

Fairfax County
Consumer Protection Commission
2021 Yearly Planning Calendar
February 16, 2021

- | | |
|--------------|-----------------------------------|
| January 19 | ● Election of Officers |
| February 16 | ● Bylaws
● COVID-19 Scams |
| March 16 | ● Legislative Update |
| April 20 | ● Contractors/Zoning Requirements |
| May 18 | ● Area on Aging |
| June 15 | |
| July 20 | |
| August 17 | |
| September 21 | |
| October 19 | |
| November 16 | |
| December 21 | |

CPC Membership

NAME & ADDRESS	CONTACT INFORMATION	STAFF
Harold G. Belkowitz <i>Appt. Expires 7/31/2021</i>	703-690-9640 (home) 703-989-7986 (cell) 703-246-9273 (office) hbelkowitz@belkowitzlaw.com	Michael S. Liberman, Director Department of Cable and Consumer Services michael.liberman@fairfaxcounty.gov
Wes Callender <i>Appt. Expires 7/31/2021</i>	703-759-2382 (home) 202-285-3946 (cell) wesitoc@gmail.com	Rebecca L. Makely, Director Consumer Services Division 703-324-5947 rebecca.makely@fairfaxcounty.gov
John Fee (Chairman) <i>Appt. Expires 7/31/2021</i>	703-278-8200 (home) 703-408-8266 (cell) JTFee@aol.com	Susan Jones, Chief Consumer Affairs Branch 703-324-5877 susan.jones@fairfaxcounty.gov
Denis Gulakowski (Vice-Chair) <i>Appt. Expires 7/31/2021</i>	703-503-3225 hawkeye15@Earthlink.net	Main number: 703-222-8435 Fax number: 703-653-1310 consumer@fairfaxcounty.gov
Dirck A. Hargraves <i>Appt. Expires 7/31/2020</i>	703-924-0625 (home) 202-374-3355 (cell) mrhargraves@yahoo.com	
Scott Hine <i>Appt. Expires 7/31/2021</i>	202-586-9744 (office) 703-278-1793 (home) hskat@cox.net	
Umair Javed <i>Appt. Expires 7/31/2021</i>	202-418-2409 (office) 703-801-0419 (cell) uj8m17@gmail.com	
Dennis D. Kirk <i>Appt. Expires 7/31/2022</i>	703-609-3006 (cell) 703-536-2286 (home) 703-536-2286(fax) KIRKLAWFAC@gmail.com	

Name & Address**Contact
Information**

Jason J. Kratovil
Appt. Expires: 7/31/2021

703-919-5324
jjkdc1@YAhoo.com

Daton Lynch 301-247-4182 (cell)
Appt. Expires 7/31/2021

datonlynch@gmail.com

Michael J. Roark
Appt. Expires 7/31/2020

703-604-9187 (office)
703-981-0084 (cell)
Mjr_06@yahoo.com

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

703-407-5311(cell)
akarosier@gmail.com



Consumer Affairs Branch

Monthly Summary - All Activities

January 2021

	Current Month		Fiscal Year-to-Date		Prior Fiscal YTD	
Cases Received	69		552		569	
Cases Closed	66		472		507	
Favorable	39	59%	262	56%	309	61%
Unfavorable	4	6%	38	8%	39	8%
Invalid	0	0%	19	4%	26	5%
Other	23	35%	153	32%	133	26%
Advice Inquires (closed)	372		2852		5199	
Case Inquires over 90+days (open)	24		125		222	
Amount Received	\$67,238.00		\$295,075.00		\$454,734.00	

CLOSED COMPLAINT CATEGORIES

	FISCAL YEAR-TO-DATE	% FYTD	PRIOR FISCAL YTD	% PRIOR FYTD
Tenant Landlord		30%	Cable Television (Regulated)	30%
Housing - Service		17%	Tenant Landlord	21%
Medical		11%	Automotive - Towing	10%
Retail		8%	Housing - Service	8%
Automotive - Service		8%	Retail Stores	5%
Other		26%	Other	26%

Com Outreach



OUTREACH EVENT CALENDAR

January 2021

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
1/12/2021	Online Shopping 2021	Lifetime Learning (Virtual) 8332 Little River Turnpike Annandale, VA	40	1:30 p.m. - 3:00 p.m.	MP
1/12/2021	YCYC: Board Leadership in 2021	Fairfax County Government Center 12000 Fairfax County Parkway Fairfax, VA	0	7:00 p.m. - 8:00 p.m.	MLT/ MM
1/14/2021	Consumer Connection: COVID-19 Scams	Fairfax County Government 12000 Government Center Parkway Fairfax, VA	0	9:00 a.m. - 9:30 a.m.	SCJ/ MM
1/14/2021	Department of Treasury Unclaimed Property	Virtual 101 N. 14th Street Richmond, VA	42	9:00 a.m. - 5:00 p.m.	SCJ
1/14/2021	Setting Financial Goals	Financial Empowerment Center (Zoom) 8350 Richmond Highway Alexandria, VA	8	1:00 p.m. - 2:00 p.m.	VFJ
1/26/2021	Employee Fitness: Taxes, Credits and Deductions	Fairfax County Government (Virtual) 12000 Government Center Parkway Fairfax, VA	77	10:00 a.m. - 12:00 p.m.	VFJ
1/28/2021	Building a Better Credit Report	Financial Empowerment Center (Zoom) 8350 Richmond Highway Alexandria, VA	11	1:00 p.m. - 2:00 p.m.	VFJ

OUTREACH EVENT CALENDAR
February 2021

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
2/4/2021	Financial Fitness Managing Finances During Covid-19	Financial Empowerment Center (Virtual) 8501 Richmond Highway Alexandria, VA		10:00 a.m. - 12:00 p.m.	VFJ
2/10/2021	Setting Financial Goals	Financial Empowerment Center (Virtual) 8501 Richmond Highway Alexandria, VA		1:30 p.m. - 2:30 p.m.	VFJ
2/24/2021	Building a Better Credit Report	Financial Empowerment Center (Virtual) 8501 Richmond Highway Alexandria, VA		1:30 p.m. - 2:30 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.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: COVID-19 (January 14, 2021)

<https://fb.watch/39k5SxQ8Fy/>

Your Community, You're Connected: Board Leadership in 2021 (January 12, 2021)

<https://fb.watch/3qKzKWgtV2/>

Information Items

Is Your Robotic Vacuum Sharing Data About You?

CR tests models from iRobot, LG, Samsung, Shark, and others to see whether these robovacuums keep your data secure and private [[More](#)]

COVID-19 ‘Stay-at-Home,’ Coupled with Super Bowl LV Viewing, Can Mean Danger for Kids from Falling Furniture and TVs; CPSC Releases New Report Data

With families spending more time indoors due to COVID-19 restrictions, children are at an increased risk of injury or death from furniture and TV tip-overs. The U.S. Consumer Product Safety Commission’s (CPSC) latest report on tip-overs illustrates the ongoing need for parents and caregivers to address this risk, including the use of easy-to-install, affordable anti-tip kits to protect their children and give themselves peace of mind. Millions will watch Super Bowl LV on February 7, and the time is now to anchor all TVs in the home, including new ones bought during holiday sales, or purchased in anticipation of the “Big Game.” [[More](#)]

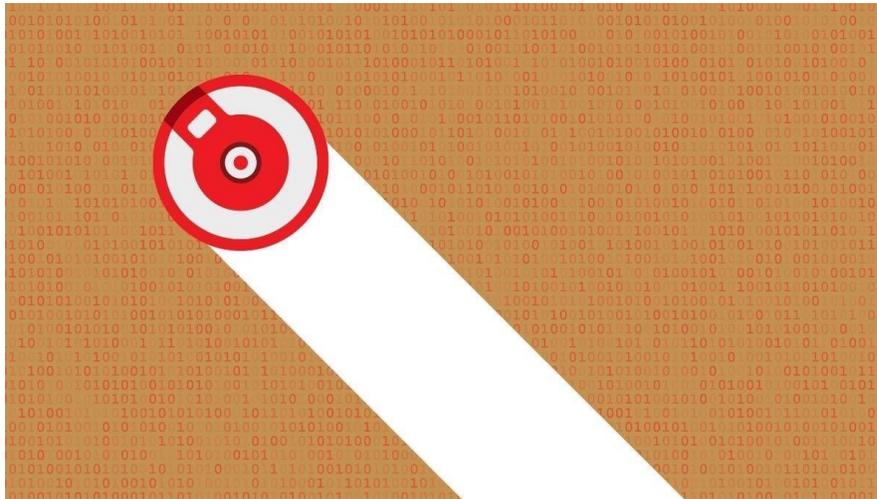
Virginia Youth Club: Scam or legitimate charity?

Mom, you just got scammed. That was the reaction of one Fairfax County high schooler after hearing her mom's interaction with the solicitor who'd knocked on the front door. [\[More\]](#)

Is Your Robotic Vacuum Sharing Data About You?

CR tests models from iRobot, LG, Samsung, Shark, and others to see whether these robovacs keep your data secure and private

By Haniya Rae
January 29, 2021



Robotic vacuums are smart little suckers. Most use mechanical sensors, optical sensors, and advanced software to get the job done. And most connect to the internet, which puts them in the same category as video doorbells and webcams, which collect personal and environmental data to serve the user better.

As part of Consumer Reports' Digital Lab initiative, we evaluate devices that collect data about consumers, and we recently tested robotic vacuums. We found that on the whole, their potential vulnerabilities aren't as worrisome as those for [video doorbells](#), but that manufacturers could still adopt more robust security measures. After all, in some cases we're talking about a bot with a camera connected to the internet scooting around your house.

“These companies need to make sure the cameras in robotic vacs have reasonable security protections to ensure that attackers can't access them,” says Justin Brookman, CR's director of consumer privacy and technology policy.

A few robotics don't have WiFi connectivity, so there are no privacy or security concerns there. (But you also won't get fancy mapping tech or cleaning reports.) Of the robotics with WiFi connectivity that we tested, none were downright terrible at ensuring your privacy and security. But none were great, either.

How We Test for Data Security and Privacy

For data security, we assess whether a robotic vacuum incorporates security measures such as encryption. We also look for, among other features, two-factor authentication, automatic software updates, and email notifications when a user logs in from a new device or IP address.

For data privacy, we examine privacy setting options and publicly available documents, such as privacy policies and terms of service, to see how manufacturers collect and use your data, including whether they disclose how they collect it and whom they share it with. Our experts use [The Digital Standard](#), an open-source set of criteria that CR created with other organizations, for evaluating digital products and services. We score robotic vacuums on more than 70 indicators.

Below is a closer look at our findings, as well as the details on robotic vacuums from our tests that score well for keeping your data secure and private, and how they vacuum. CR members can see the results of all the robotic vacuums we test in our [robotic vacuum ratings](#).

Robotic Vacs' Data Security Results

The good news is that all of the manufacturers encrypt users' sensitive information, such as usage data and user credentials. Our labs didn't see any sensitive information being sent unencrypted during testing, and no serious security flaws or vulnerabilities were found. Other key findings:

- Of the companies we test, only iRobot earns an Excellent rating in data security. In addition to using encryption, the company issues regular updates to patch security vulnerabilities. Its internal policies limit and monitor employee access to user information, and invite outside security researchers to monitor its products for vulnerabilities. "We supplement internal expertise with extensive engagement with the security research community to provide the broadest view possible to identify, react to, isolate and resolve potential security issues," says Mike Gillen, director of product and data security at iRobot.

- Samsung, Ecovacs, and Shark earn a Very Good rating for data security. However, these companies don't disclose enough information about how they limit and monitor employee access to user information. Ecovacs and Shark don't have a program for security researchers to report bugs or vulnerabilities.
- In terms of password security, iRobot, Ecovacs, Samsung, and Shark all meet at least two of the following criteria from The Digital Standard: passwords must be at least 8 characters (up to 20), reasonably complex, and may contain special characters.

Robotic Vacs' Data Privacy Results

The bad news is that none of the robotic vacuum companies in our tests earns high marks for data privacy. The information they provide is vague at best when it comes to explaining what data is collected and how it's collected.

- Eufy earns a Fair rating in this department and is the worst of the companies we test. In our data privacy review process, where we assess how much publicly available information a company offers on its privacy protection measures, Eufy had the least amount of information available. Here's what they had to say about the issues we raised: "Right now, the data the robot collects enables it to effectively clean the home and provides customers with information about cleaning performance. Eufy will endeavor to take our privacy and security measures to the next level," said Vicky Guo, a spokesperson for Eufy. "We will never violate our customers' trust by selling or misusing customer-related data, including data collected by our connected products."
- Ecovacs, iRobot, LG, Neato, Samsung, and Shark provide more details about their privacy policies than Eufy, and also allow consumers to request the information that's collected about them. However, none of these better-ranked companies allow consumers to obtain all of their private and public data, and few do a good job of updating consumers about changes to their privacy policies. Each earns a Good rating for data privacy.

COVID-19 ‘Stay-at-Home,’ Coupled with Super Bowl LV Viewing, Can Mean Danger for Kids from Falling Furniture and TVs; CPSC Releases New Report Data

Release Date: January 28, 2021

Release Details

WASHINGTON, D.C. -- With families spending more time indoors due to COVID-19 restrictions, children are at an increased risk of injury or death from furniture and TV tip-overs. The U.S. Consumer Product Safety Commission's (CPSC) latest report on tip-overs illustrates the ongoing need for parents and caregivers to address this risk, including the use of easy-to-install, affordable anti-tip kits to protect their children and give themselves peace of mind. Millions will watch Super Bowl LV on February 7, and the time is now to anchor all TVs in the home, including new ones bought during holiday sales, or purchased in anticipation of the “Big Game.”

CPSC's report shows alarming statistics. Between 2000 and 2019, 451 children age 17 and under were killed by furniture and TV tip-over incidents. During the period from 2017 through 2019, an annual average of 11,100 children were treated in hospital emergency rooms for tip-over-related injuries. Seventy-nine (79) percent of all furniture and TV tip-over fatalities involved children younger than six. Seventy-five (75) percent of fatal incidents for children involved a TV.

“Tip-over injuries and deaths are among the most tragic we see,” said Acting Chairman Robert Adler. “Parents and caregivers don't suspect that the bookcase or dresser in their child's room can be hazardous—it's a truly hidden hazard. And these tip-overs happen so fast; it's literally in the blink of an eye, often with a parent close by.”

According to a 2020 CPSC survey, many parents and caregivers who did not anchor furniture and TVs believed it was not necessary, as long as they were watching the kids. This approach too often proves false, as shown in CPSC's latest safety video, where real-life footage of falling furniture could have resulted in child deaths. Media can download the video, “Even When You're Watching.”

To protect children from a tip-over incident, CPSC urges parents and caregivers to follow simple safety steps:

- Anchor TVs and furniture, such as bookcases and dressers, securely to the wall.
- Always place TVs on a sturdy, low base, and push the TV back as far as possible, particularly if anchoring is not possible.

- Avoid displaying or storing items, such as toys and remotes, in places where kids might be tempted to climb up to reach for them.
- Store heavier items on lower shelves, or in lower drawers.
- If purchasing a new TV for the “Big Game,” consider recycling older ones not currently in use. If moving the older TV to another room, be sure it is anchored to the wall properly.
- Keep TV and cable cords out of reach of children.
- Even in rooms with TVs and furniture anchored, adult supervision is still recommended.

About Anchor It!

- CPSC launched its Anchor It! campaign in 2015, in collaboration with families who have experienced tip-over incidents, to help other families avoid the dangers of falling furniture and TVs.
- Rates of injury and fatalities from tip-overs are higher than most people could imagine.
- Anchor It! promotes how-to guides for life-saving preventative actions for consumers.
- Anchor It! works with many manufacturers to encourage them to provide anchors with their products, and with home improvement stores and websites to carry affordable anchoring kit.

Virginia Youth Club: Scam or legitimate charity?

A Braddock Buzz investigation into the door-to-door solicitation group

Mom, you just got scammed.

That was the reaction of one Fairfax County high schooler after hearing her mom's interaction with the solicitor who'd knocked on the front door.

The solicitor was from the Virginia Youth Club, which recruits teenagers from low-income areas, often in Maryland, to go door-to-door in affluent neighborhoods selling candy or branded merchandise, though sometimes the teens just ask for donations or scholarship money.

"I actually gave because I felt bad that I was questioning her so much about the club, and I thought of how hard it would be to knock on people's doors asking for donations," said the mom, who asked to be identified only as a resident of the Long Branch area of Fairfax County.

She added, "In the future I will not be donating."

In emails to Braddock Buzz, posts on neighborhood Listservs, and complaints filed with the police, Fairfax County residents described similar encounters that left them feeling concerned and perplexed—wondering if they were scammed, wondering if young teens should be going around unsupervised in unfamiliar neighborhoods.

Most of all, they've wondered who's actually benefiting—the kids themselves, or adults?

A Braddock Buzz investigation has uncovered previously unreported information about the Virginia Youth Club that could shed light on these questions—and help Fairfax residents make more informed decisions the next time the group is out soliciting in their neighborhoods.

A forged letter

When going door-to-door, the teenage recruits often carry letters, printed on Fairfax County letterhead, saying the group is registered with the state and authorized to solicit donations.

County officials believe this letter has been “altered” to look like it was issued in 2019, when in fact it expired in 2018, according to records obtained through a Freedom of Information Act (FOIA) request.

“We have exempted this organization in the past, but they are currently not registered with this office,” Carl Newcomb, a regulation and licensing official with the county, stated in an October email to police. “The letter they are showing has been altered. A real exemption letter would have a 2020 date and the expiration date of the letter in bold face in the body of the letter.”

The county official whose signature is on the letter, Henri Stein McCartney, changed jobs in February 2018 and thus couldn’t have signed a letter dated May 2019, as McCartney stated in a July email to colleagues. “They are now making their own county letters,” McCartney wrote.

Braddock Buzz spoke briefly by phone with the Virginia Youth Club’s top executive, Jule Huston, who referred questions to Public Affairs Director Nathan Jackson. Huston and Jackson are both based in New York but travel frequently to Maryland and Northern Virginia to manage their charities.

“That’s an old letter,” Jackson said in an interview, explaining that he didn’t know who altered it or how it ended up in the hands of Virginia Youth Club recruits. “That letter should not be used.”

He followed up in an email: “I cannot address whoever was using a doctored document in Fairfax. I am praying that it is not anyone currently involved with our charity.”



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

May 3, 2019

Mr. Jules Huston
Virginia Youth Club of America
11350 Random Hills Road
Fairfax VA 22030

To Whom It May Concern:

This letter confirms that certain organizations are exempt from the registration and licensure requirements of Chapter 34 of the Code of Fairfax County, pertaining to charitable solicitations. Section 34-1-2(c)(4) exempts "Organizations which have registered with the Commissioner of Agriculture and Consumer Services of the Commonwealth of Virginia or organizations which are a chapter, branch, or affiliate in the consolidated report of an organization or federated organization which is so registered with said Administrator."

Our office has received confirmation of your organization's registration with the Commonwealth of Virginia. Your organization has satisfied Fairfax County's requirement by registering with the Commissioner of Agriculture and Consumer Services of the Commonwealth of Virginia.

Please note each individual authorized to solicit by your organization must carry a copy of this exemption letter while they are working within the County. Also keep in mind that solicitors may not collect donations from the roadway or road right-of-way. Doing so is a violation of both Virginia and Fairfax County ordinances. Solicitors may only collect donations door-to-door or from private property (shopping centers, other commercial developments) with written permission from the owner of the private property.

If we can be of further assistance, please contact me at 703-324-5966.

Sincerely,

Henri Stein McCartney, Chief
Regulation and Licensing Branch

The letter county officials believe has been altered. Click to enlarge.

Under state investigation

As their legal justification for denying a separate FOIA request from Braddock Buzz, state officials disclosed for the first time that the Virginia Youth Club is under active investigation by the Office of Charitable and Regulatory Programs, which is part of the Virginia Department of Agriculture and Consumer Services (VDACS).

Furthermore, the group is no longer registered to solicit donations in the state.

“As of this moment, it is an accurate statement that the Virginia Youth Club is not currently registered with the Virginia Department of Agriculture and Consumer Services (VDACS) pursuant to the requirements under the Virginia Solicitation of Contributions law,” said Michael Menefee, a program manager with the Charitable and Regulatory Programs office. “Based on the VDACS' response to your earlier FOIA request, there is an active investigation.”

State officials declined to provide additional details about the investigation.

Jackson said he was unaware of the probe and blamed his organization's lapsed registration on the Covid-19 pandemic—a charge state officials reject.

“Our state registration is a little tardy because of the pandemic,” Jackson said. “There's nobody working in government right now. But everything is legit, completely.”

Informed of Jackson's comments, VDACS spokesperson Michael Wallace said the current average time to process a charitable solicitation registration is eight to 12 business days, adding: “The Office of Charitable and Regulatory Programs continues its responsiveness to the public and to charities.”

For his part, Jackson noted this isn't the first time his group has been investigated—and expressed confidence the state would find no wrongdoing.

“We were investigated by the FBI four years ago,” he said. “We were investigated by the state of Virginia the year after that. Every time it goes through, there's nothing. We've got books. You can look at our records.”

He strongly objected to characterizations of his organization as a “scam.”

“Some unfiled paperwork does not put us in the realm of a scam,” he said. “That is a most detestable charge and it endangers the hope for our teens. ... We've made mistakes but we are not a fraud or a scam. Nobody is getting rich here and the majority of the teens love the program. We're catching up with our paperwork and will [be] corporately sound within weeks.”

Going door-to-door during a pandemic

The Virginia Youth Club’s approach has caused concern among Fairfax County residents, according to internal police emails obtained through FOIA.

Some have taken issue with solicitors continuing to knock on doors during a pandemic, when public health officials are urging people to practice social distancing.

“We’ve had teens knocking on our doors for the last four or so hours tonight,” one resident wrote in a November email to the Fairfax County Police Department. The resident said the teen who came to his door was wearing a mask improperly so that it didn’t cover his nose. “He was within three feet of me at my door, and it was plain he didn’t want to be doing this.”

The resident added: “I think them going door-to-door is a health risk during a pandemic. They’re risking their lives and ours by doing this. We have multiple people in our house that are high risk.”

A Herndon resident filed a complaint with the county in October saying she donated \$5 to the group but had quickly come to regret it.

“I asked some questions as to why they were knocking on doors during a pandemic, and they said they were masked,” the Herndon resident wrote. “I asked his age and what school he went to. I was mad to hear that he was from Maryland.”

“Anyway,” the resident continued, “I let him keep the \$5. I am more mad at myself for exposing myself to someone who I do not know and do not know where they come from during Covid.”

A statement on Virginia Youth Club website says the group requires its teen solicitors to wear face shields and rubber gloves and carry alcohol-based hand sanitizers. In addition, the statement says, “The vehicle that they will travel in will be thoroughly disinfected twice per day and the teens will have their temperatures taken before they are allowed into the vehicle.”

Jackson elaborated in his interview with Braddock Buzz.

“We make sure that the kids have full safety,” he said. “We go to great lengths to make sure they're covered at all times, that there is adequate supervision, they have cell phones, GPS trackers, we have people that kind of patrol in the area so that we always know where they are at all times. We've been doing this a lot of years.”

The group recruits teens ages 14 through 17 by posting fliers in low-income neighborhoods.

“The kids call and we interview them and if they're up to standards and their parents sign the parent consent form, then we train them,” Jackson said.

He added that he believes some of the scrutiny his group receives for soliciting in affluent, and mostly white, neighborhoods is due to sincere concern for the wellbeing of the teenagers—but that some was also due to racism.

“A lot of times, it's really good people who have concerns,” he said. “And sometimes it's just racist.”

On its website, the group says it “provides inner-city teenagers with part-time jobs and fund-raising opportunities in local, residential neighborhoods.”

“We are a club for boys and girls who never joined a scouting troop,” the site continues. “Our members are good kids who, because of their cultural influences, require a different ‘flavor’ that is appealing to their ethnic palates.”

Examining the group's finances

Revenues

The Virginia Youth Club's 2019 federal tax filing lists its primary purpose as, "To rescue teens."

The document says the group brought in \$67,133 that year, all of which came from "sales of inventory." No revenue was attributed to contributions or gifts even though the solicitors sometimes have nothing to sell and are simply asking for donations or scholarship money, according to the emails and police complaints reviewed by Braddock Buzz.

Asked about the inconsistency, Jackson said Virginia Youth Club recruits should never just ask for donations—they should always be selling a product. Teens who just ask for money, he said, might be impersonating his group and pocketing the cash.

"We try our best to give people a product for whatever they donate to us," he said. "Here's the deal: There are a lot of people out there who want to do what we do, who are not us but think they are. And they have no paperwork, or bogus paperwork."

"Some of these kids just go out on their own afterwards and say they're with a charity and they're not," he continued. "If you can avoid overhead and all the documents that we have to file and the accountants and attorneys that we use—it's a good hustle. You're pulling on people's heartstrings to make a few bucks, and it works."

Expenditures

On the other side of the ledger, the tax filing shows the group had \$63,732 in expenses in 2019, broken down into these categories:

Virginia Youth Club Expenses, 2019	
Item	Amount
Salaries, other compensation, & employee benefits	\$16,000
Professional fees & other payments to independent contractors	\$13,850
Occupancy, rent, utilities, & maintenance	\$5,580
Printing, publications, postage, & shipping	\$4,413
Activities & trips	\$6,991
Auto & gas	\$3,952
Insurance	\$3,724
Web	\$2,991
Telephone	\$3,870
Office	\$2,361
Total	\$63,732

The “occupancy, rent, utilities, & maintenance” line item may refer to the office suite that the group lists as its physical address—11350 Random Hills Road, Suite 800, near the Fair Oaks Mall.

The group compensates its teenage solicitors and their adult supervisors, and these funds may come from the \$13,850 line item titled, “professional fees & other payments to independent contractors.”

Jackson said the teens are paid for going door-to-door at a rate of \$2 per item sold, plus bonuses, with their supervisors getting \$2.50. All items are priced at \$10. “They always make at least minimum wage,” Jackson explained.

He also said the 11% of the group’s budget attributed to “activities & trips” goes toward enriching experiences such as trips to the movies, amusement parks, baseball games, and other activities. “We take them on lots of outings,” Jackson said. “We try to get the kids who fell through the cracks, you know? Sometimes the schools can’t do it, their parents can’t do it, and they’re not going to church. We take them to places they wouldn’t normally go.”

A section of the Virginia Youth Club website titled “Giving Back” says the group gave a \$1,000 grant to a student at Virginia Commonwealth University,

though it doesn't specify when. The website also features a photo of packs of school supplies that were donated to children in need, among other photos of service activities.

The group's tax filing shows that a quarter of its annual budget—the largest line item at \$16,000—goes toward the salary of its top executive, Huston.

Huston and Jackson either lead or have ties to similar groups in a number of states, including the Maryland Youth Club, the New York Youth Club, the Long Island Youth Club, the Carolina Youth Club, and the Georgia Peach Youth Club.

Some of these groups have a history of run-ins with the law and state regulators, dating at least as far back as 2010, when Huston himself, then 26 years old, was charged with 11 counts of child endangerment. Police said they found members of the New York Youth Club as young as 12 outside in sub-freezing temperatures, unsupervised, as the Long Island Press reported at the time.

Jackson said the charges against Huston were later dropped—and attributed them to racism.

“Nassau County, frankly, is a bit racist, especially the police,” he said. “They hit him with every charge in the world, put him on TV and everything else. This guy comes from a family of cops. He got real disturbed, as we all did, because they really made it ugly—they put his booking photo on TV. When he got to court, they just dropped it. They dropped every single charge and begged him not to sue.”

More recently, in October 2020, the Long Island Youth Club came under scrutiny for allegedly allowing a 13-year-old to go door-to-door selling candy unsupervised, The East Hampton Star reported. In 2018, two men were charged with endangering the welfare of children for sending 10 kids—members of the New York Youth Club ages 11 to 16—to sell candy unsupervised in unfamiliar neighborhoods, CBS New York reported. Also in 2018, South Carolina Secretary of State Mark Hammond filed an enforcement action against the Carolina Youth Club to prevent it from soliciting donations in the state, Count

on News 2 reported, because the group had failed to file its 2016 annual financial report and had been cited and fined for violating the state's child labor laws.

“The Carolina Youth Club has demonstrated blatant disregard for the law,” Hammond said at the time. “Without the filings required under the Solicitation of Charitable Funds Act, we have no way of knowing whether the children who are ‘club members’ are benefiting from this organization’s charitable purpose, and neither does the donor.”

The Fairfax County Police Department declined to comment for this story but encouraged community members to call the department’s non-emergency number, 703-691-2131, to report any suspicious activity.