

# Consumer Protection Commission FY 2019 Annual Report



Fairfax County Consumer Protection Commission  
June 30, 2019

## Fairfax County Board of Supervisors



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County Executive

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## Chairman's Message

The Consumer Protection Commission continues to protect Fairfax County consumers from illegal, fraudulent, or deceptive consumer practices in the marketplace. Commission members work with Department of Cable and Consumer Services staff to fulfill Commission goals. I thank the Board of Supervisors for the opportunity to serve residents and businesses of Fairfax County.

### **John T. Fee**

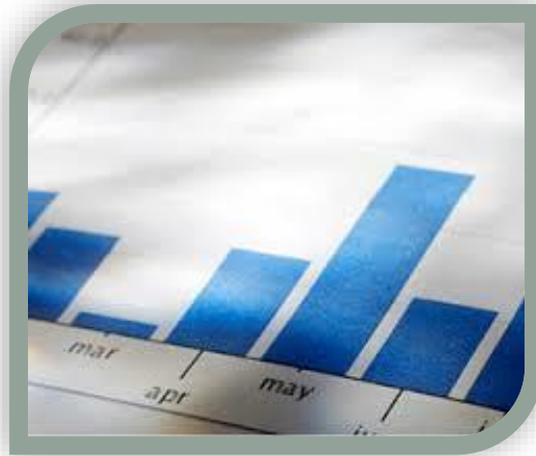
Chairman

Consumer Protection Commission



## Executive Summary

The Consumer Protection Commission was established in 1964 by the Board of Supervisors. The Commission serves to help protect consumers from illegal, fraudulent, and deceptive consumer practices in the marketplace. The Commission is responsible for the recommendation of the allocation of taxicab certificates and taxicab rates, and the consideration of license and permit appeals on the denial, suspension, or revocation of hackers, peddlers and solicitors, pawnbrokers, massage therapists and massage establishments, and tow operators. In addition, the Commission analyzes consumer issues in Fairfax County and makes recommendations to the Board of Supervisors as needed. The Commission meets to hear license and permit appeals, to review information updates from the cable franchise operators (Comcast, Cox, and Verizon), to hold public hearings on taxi rates and taxicab certificates, and to review and approve staff recommendations to proposed County Code revisions.



Staff support for the Commission is provided by the Consumer Services Division of the Department of Cable and Consumer Services.

Consumer Affairs responded to 8,647 case inquiries in FY 2019, which included consumer complaints, advice calls, and walk-ins. Inquiries processed were on a variety of consumer issues such as tenant-landlord, home improvement, cable television, towing, and retail.

Consumer Affairs also mediates and investigates consumer complaints and offers voluntary and legally binding arbitration when mediation efforts have been exhausted.

The Commission participates with Consumer Affairs in providing community outreach to educate the public on information and resources available through Consumer Affairs. Presentations are made throughout the year to community groups, homeowner associations, condominium associations, civic associations, senior centers, schools, and faith-based and non-profit organizations. Consumer Affairs conducted 265 presentations throughout the community during FY 2019.

The Commission assists with the development of educational material in partnership with Consumer Affairs, Fairfax County Government Channel 16, other County agencies, and community stakeholders. Consumer Affairs publishes information on social media, the County Web site, and Fairfax County Government Channel 16.

After voluntary mediation or arbitration is completed, the case is closed and a summary outlining the details of the complaint is made available to the public on the County Web site. Reviewing complaint summaries offers consumers an overview of Consumer Affairs mediation efforts and can also provide helpful information on businesses operating in Fairfax County.

The Commission is committed to creating awareness and knowledge of the services available to the community. The Commission ensures both consumers and businesses are aware of their rights and responsibilities through information, education, mediation, and arbitration.



## Consumer Protection Commission



**John T. Fee**  
Chairman

**Denis Gulakowski**  
Vice-Chairman

**Jacqueline G. Rosier**  
Secretary

**Harold G. Belkowitz, Esq.**

**Wesley P. Callender**

**Dirck A. Hargraves**

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**Umair Javed**

**Jason J. Kratovil**

**Dennis Dean Kirk, Esq.**

**Daton Lynch**

**Abrar Omeish**

**Michael J. Roark**



The Board of Supervisors established the Public Utilities Commission in 1964 and in June of 1972 the Board designated the Commission to address consumer protection issues and changed the name to the Consumer Protection and Public Utilities Commission. The name was changed to the Consumer Protection Commission on March 2, 1981.

The Commission is composed of Fairfax County residents appointed by the Board of Supervisors to three-year terms. The Commission has 13 members, of which at least seven are consumers not actively engaged in business in Fairfax County.

The business of the Commission is guided by the Bylaws adopted by a majority vote of the Commission members and approved by the Board of Supervisors.

The mission of the Commission is to help protect Fairfax County consumers from illegal, fraudulent, and deceptive consumer practices in the marketplace.

The duties of the Commission are to:

- Advise the Board of Supervisors on issues regarding consumer affairs, cable communications, and taxicabs;
- Work with the Department of Cable and Consumer Services on consumer issues;
- Hear license and permit appeals; and,
- Hold public hearings to approve applications for taxicab certificates.

During FY 2019, the Commission meetings included the following items:

#### **HOA LEGISLATION – JULY 2018**

Michelle Margeotes, Consumer Specialist, Consumer Affairs Branch, spoke about the 2018 Virginia Common Interest Community Legislation Review. Ms. Margeotes' presentation consisted of a session overview, session highlights, Common Interest Community Board (CIC) disclosure cover sheets, association disclosure packets, associations under developer control, access to books and records, allowable fees, history of CIC and purpose, CIC Ombudsman, complaint statistics, notice of final adverse decisions, and contact information for these various agencies. Handouts were provided on disclosure packet notice, allowable fees, and guidelines for complaint submission.

#### **CABLE OPERATORS – OCTOBER 2018**

Louise Anderson of Verizon spoke of their commitment, values, ethics and compliance, and diversity. She explained Verizon's response to Hurricanes Florence and Michael and their efforts to restore service. Ms. Anderson spoke about the culture of Verizon and their ability to apply innovative technology to social issues. Angelique LeBlanc of Cox Communications spoke about their partnerships, upgrading video, talking remote, PEG channels, and high definition services. Marie Schuler of Comcast highlighted the wide array of products and services offered to the residents of Reston. Ms. Schuler spoke on the following topics:

Xfinity TV, Xfinity Internet, Xfinity Mobile, Xfinity Home, customer service, community investment, expanding digital literacy, promoting service, and building tomorrow's leaders.

#### **PUBLIC ACCESS CHANNELS – NOVEMBER 2018**

Chuck Peña, Executive Director, Fairfax Public Access provided an overview of public access including the four channels available on cable, the type of programming, training events, collaboration with George Mason University, production hours, board membership, annual meeting, monthly meet and greet meeting, budget efforts, and technology changes in the future. In addition, Mr. Peña thanked county staff for their support and for Public Access' participation in the cable franchise renewal process.

#### **CONSUMER PROTECTION COMMISSION OFFICER NOMINATIONS – DECEMBER 2018**

The Commission called for and received nominations for officer positions to be voted on during the annual officer elections.

#### **CONSUMER PROTECTION COMMISSION OFFICER ELECTIONS – JANUARY 2019**

The Commission held officer elections for the positions of Chairman, Vice Chairman, and Secretary. Commissioners were voted into these positions for a term of one year.

#### **CONSUMER AFFAIRS 101 – FEBRUARY 2019**

Rebecca Makely, Director, Consumer Services Division, presented the *Consumer Focus* program produced by Fairfax County Government Channel 16 on the services provided by the Consumer Affairs Branch (CAB). Director Makely spoke about Consumer Affairs' mission, filing a complaint, the complaint process, complaint history search, consumer outreach, and FY 2019 metrics.

#### **HOME REPAIRS – MARCH 2019**

Land Development Services staff spoke about the 2019 Scam Jam event, Silver Shield Taskforce, permit requirements and applications, homeowner responsibilities, building codes, and the Virginia Department of Professional and Occupational Regulation.

#### **REGULATION AND LICENSING 101 – APRIL 2019**

Carl Newcomb, Manager, Regulation and Licensing Branch, presented an overview of the office, types of complaints, permits, investigations, and findings.

#### **PUBLIC HEARING ON THE APPLICATION FROM KING CAB COMPANY, INC./TAXICAB BIENNIAL DETERMINATION – MAY 2019**

The Consumer Protection Commission held a public hearing on the application from King Cab, including a presentation by the Applicant. During the public hearing staff reviewed the application and presented its findings. Following questions and deliberation, the Commission voted unanimously to recommend that the Board approve the requested transfer of control. Staff also presented its 2019 biennial determination analysis to the Consumer Protection Commission. Following the staff presentation and questions, the Commission voted

unanimously to recommend to the Board that no additional taxicab certificates be made available to be issued in 2019.

#### **CONSUMER PROTECTION COMMISSION ANNUAL REPORT – JUNE 2019**

The Commission reviewed a draft copy of this annual report, including Consumer Affairs data for FY 2019. The Commission approved the report, which will be distributed to the Board of Supervisors in July 2019.

The Commission meets the third Tuesday of each month at 7:30 p.m. at the Fairfax County Government Center. Meetings are open to the public with time available for public comment.

Additional information on the Commission, including a copy of this annual report, is available on the Commission Web site at <https://www.fairfaxcounty.gov/cableconsumer/csd/consumer-protection-commission>.

## Consumer Inquiries

Consumer Affairs responds to inquiries for information, offers advice, provides referrals, and assists consumers with mediation regarding consumer issues.

Inquiries include complaints, advice, and customer walk-ins. Inquiries vary from month to month for a variety of reasons such as holidays, tax season, weather, school, and travel.

During FY 2019, Consumer Affairs responded to 8,647 inquiries relating to tenant-landlord, home improvement, cable television, towing, and retail issues. Case inquiries tend to be higher during the annual National Consumer Protection Week in March.

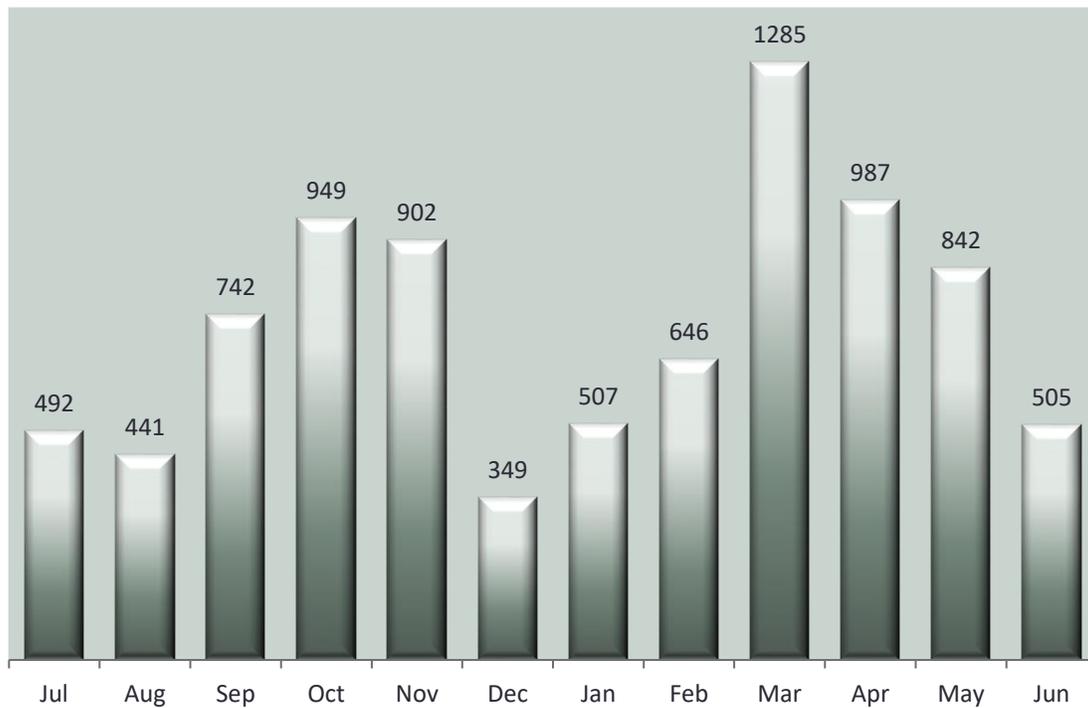


Figure 1 Consumer Inquiries for Fiscal Year 2019

## Consumer Complaints

Consumers may file a complaint with Consumer Affairs. Through mediation, a Consumer Specialist works with the consumer and business to assist both parties in reaching a favorable resolution.

In FY 2019, Consumer Affairs mediated and investigated consumer complaints on a variety of topics, such as tenant-landlord, home improvement, cable television, towing, and retail.

Tenant-landlord complaints include security deposit issues, maintenance issues, and lease terminations. Home improvement complaints include contractors failing to complete work, faulty service or repairs, and warranty issues. Cable television complaints include billing issues, reception quality, and private property restoration. Towing complaints include unauthorized tows, towing fees, and failure by towing companies to properly display signs. Retail complaints include disputed charges, warranty issues, and refund policies. The “Other” category includes complaints related to internet and wireless service billing, medical billing, new and used vehicle purchases, vehicle repairs, and home warranty issues.



The chart below shows complaint trends over the last five years with tenant-landlord issues being the most received complaint over that time.

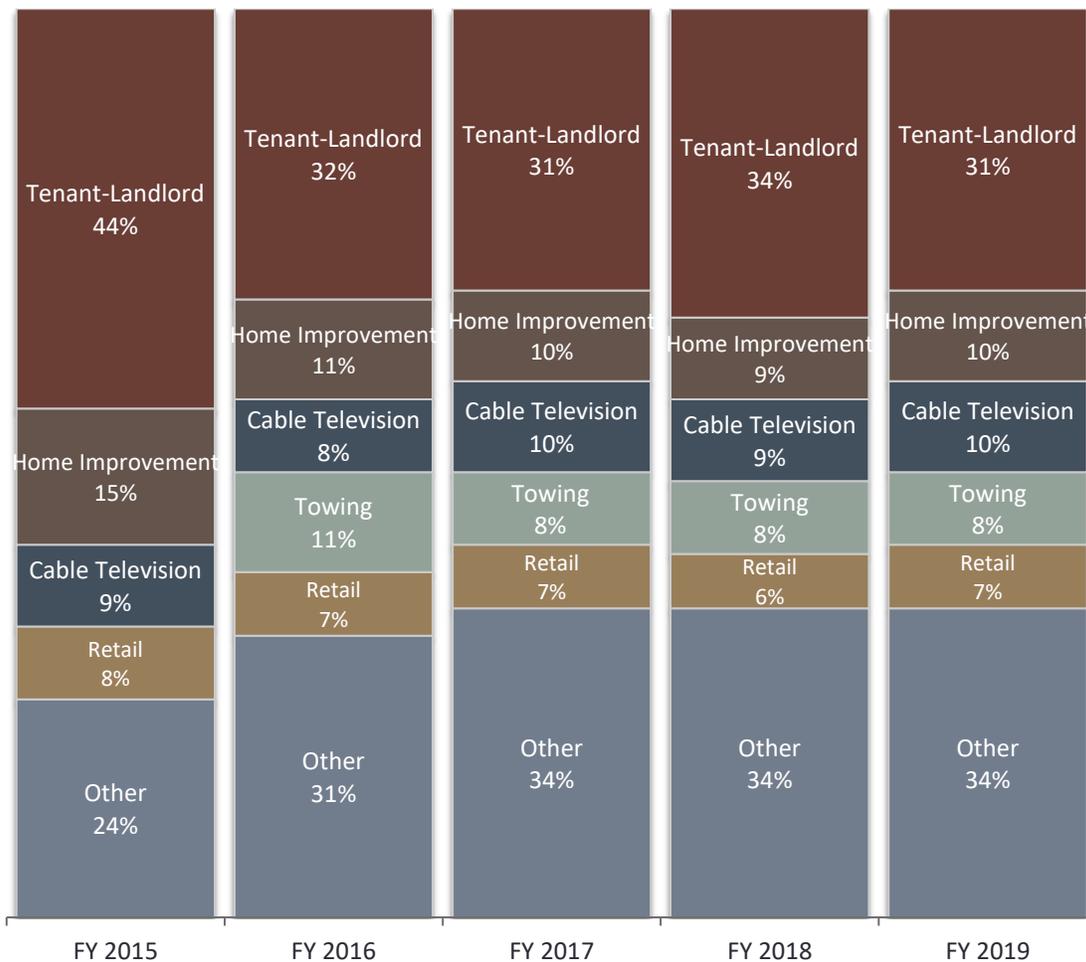


Figure 2 Consumer Complaint Categories from Fiscal Year 2015 to 2019

While there has not been a significant change in the total number of consumer complaints, a variety of factors can lead to slight variations in the type of complaints received from year to year.

Consumers have the ability to file a complaint on the County Web site, in-person, or through the U.S. Mail. Once a complaint is filed, a Consumer Specialist works with the consumer and business to assist both parties in reaching a favorable resolution. Through the mediation efforts provided by Consumer Affairs, \$458,346 was recovered for consumers in FY 2019.

## Complaint Arbitration

When mediation efforts are exhausted, a voluntary and legally-binding [arbitration process](#) is available. Arbitration provides an efficient and free alternative to court for resolving consumer complaints.

In FY 2019, one consumer arbitration hearing was held after Consumer Affairs mediation efforts were exhausted. Following is a summary of the arbitration case:

### DAMAGED CAR

A consumer brought a 2000 Toyota Camry with 8,500 miles to a local gas station to fix the starter. The gas station provided an estimate in the amount of \$430. The consumer took the vehicle to a dealership for a second opinion and was given an estimate of \$600. When the consumer insisted the car be returned, the consumer alleged the business set the car on fire leaving the consumer no choice but to work with the business. The consumer requested the business pay for the damage. After a resolution could not be reached through mediation, the consumer and business submitted an agreement to Consumer Affairs for binding arbitration. The hearing was conducted by a three-member panel selected by the consumer and business. Testimony and evidence was presented by both parties. After deliberation, the arbitration panel found the consumer failed to demonstrate the business caused the alleged fire of the 2000 Toyota Camry. In addition, the arbitration panel stated that though it appears the appropriate steps were followed by the business, the business could have been clearer in its verbal communications and written documentation to the consumer.

## Complaint Summaries

Consumer Affairs publishes [case summaries](#) of all closed complaints within the last three years on the County Web site. Reviewing complaint summaries offers consumers an overview of Consumer Affairs mediation efforts and can also provide helpful information about businesses operating in Fairfax County.

Complaint summaries featuring comments from consumers satisfied with the mediation provided by Consumer Affairs are highlighted below:

### WOOD CEILING BEAM

Ibrahim K.  
Consumer

"I really commend the prompt service provided by Consumer Affairs. The ability to provide the resolution quickly exceeded my expectations. I am really impressed with the knowledge and very caring attitude your office has toward people who need help. It just made me proud to be a resident of Fairfax County..."

Ibrahim, the consumer, purchased a faux wood ceiling beam from a business and the beam was delivered damaged. The consumer contacted the business and was told to pay an additional \$246 in shipping fees to return the beam. Ibrahim requested a refund of \$874 for the cost of the beam and shipping. After Consumer Affairs intervention and mediation, the

business agreed to refund \$628 for the cost of the beam and did not require Ibrahim to return the damaged beam which saved Ibrahim \$246 in shipping charges.

### TRASH BLUES

Linda, the consumer, contracted with a business for trash, recycling, and debris removal service. The consumer had paid in full the last quarter of service when she cancelled service with the business. Linda claimed the business removed the trash bins from the property but continued to charge for the trash bins and an extra quarter for trash service. Linda requested the business stop billing her. After Consumer Affairs intervention and mediation, the business removed the charges in the amount of \$371 and closed her account.

Linda T.  
Consumer

"Thank you soooooo much. It's too bad I had to go to such lengths to get that resolved justly! I had no idea that the county had this benefit available to consumers..."

**DEFECTIVE VEHICLE**

Jade, the consumer, purchased a new vehicle from a business and brought it only to the

Jade K.  
Consumer

"I can't thank you enough for your assistance, guidance, and patience in mediating this problem. You have been understanding, level-headed, and very professional. Thank you for lending your ear and expertise to the situation and for seeing it through to the end and final resolution.

business for maintenance and inspections. The consumer claimed there was a significant amount of water pooling in the driver foot well floor of the vehicle. The business stated the consumer would be responsible for the repair, even though the manufacturer noted there was a missing water seal on the vehicle. After Consumer Affairs

intervention and mediation, the business repaired the vehicle at no charge to the consumer. The repair cost was \$500 which was a savings to the consumer.

## Community Outreach

Consumer Affairs analyzes trends and issues of concern in response to complaints received and mediated by staff. This analysis is used to develop educational information for outreach, publications, and programming.

Consumer Affairs develops educational programs for audiences of all ages on current consumer topics and trends. Consumer Affairs provides outreach presentations throughout the year to community groups, homeowner associations, condominium associations, civic associations, senior centers, schools, and faith-based and non-profit organizations. Consumer Affairs collaborates with Fairfax County Public Schools and develops interactive case studies and presentations that are used in the Academy programs which focus on college and career readiness and STEM programs (Science, Technology, Engineering, and Mathematics). Both approaches allow high school students to become aware of consumer transactions and resources.

Consumer Affairs conducted 265 outreach events in FY 2019, with higher volume of events occurring during the school year and National Consumer Protection Week in March.

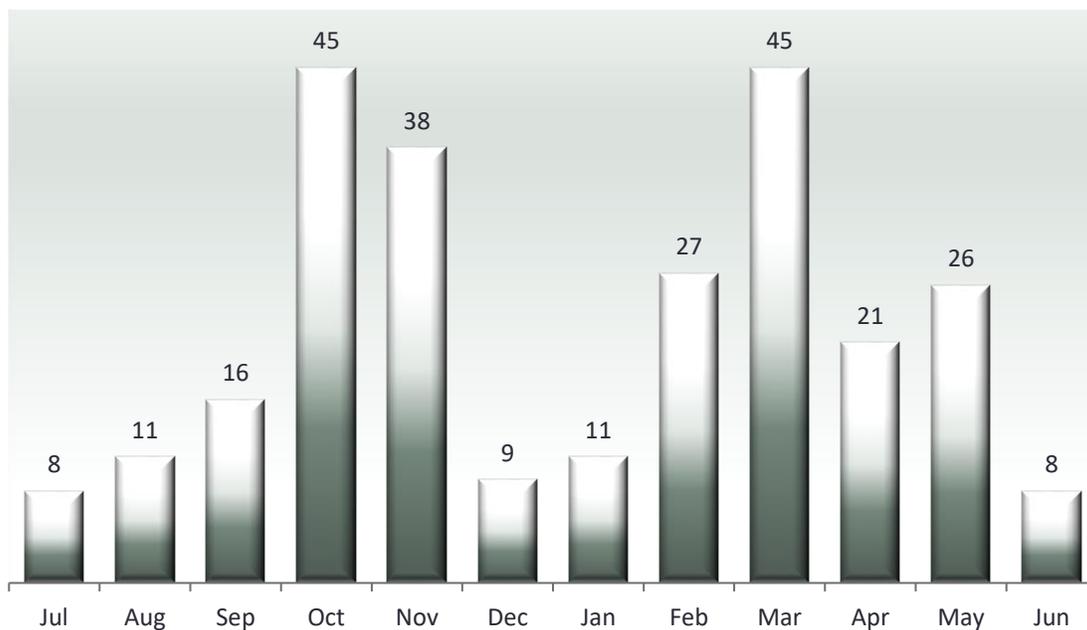


Figure 3 Community Outreach Events for Fiscal Year 2019

Consumer Affairs offers presentations on the following topics:

- Consumer Affairs 101
- Automobile Sales and Repairs
- Data Breaches
- Door to Door Scams
- Financial Education
- Funeral Planning
- High School 101
- Home Improvement
- Identity Theft
- Medical Identity Theft
- Online Holiday Shopping
- Scams Against Seniors
- What Landlords Need to Know
- What Tenants Need to Know
- What's in Your Credit Report
- When Debt Collectors Call

Consumer Affairs promotes services through publications such as the *Informed Consumer* electronic newsletter, a comprehensive Web site, and social media.

Consumer Affairs participates in the following consumer programs and initiatives:

#### **CONSUMER FOCUS**

Consumer Affairs records a program highlighting various consumer issues that is televised on Fairfax County Government Channel 16 and available through Video-on-Demand on the County Web site.

#### **CONSUMER CONNECTION**

Consumer Affairs hosts a monthly Facebook Live chat on consumer topics, such as Hiring a Contractor, Tenant Rights and Responsibilities, Landlord Rights and Responsibilities, Online Protection, Applying for College Financial Aid, Gift Cards, Federal Resources for Fairfax County Residents Affected by the Shutdown, Gym Memberships, National Consumer Protection Week, Home Improvements in Common Interest Communities, and Older Americans and Adult Abuse Prevention Month, and Urban Forestry Tree Maintenance. Viewers are able to comment with questions that are answered in real-time during the online program.

#### **YOUR COMMUNITY, YOU'RE CONNECTED**

Consumer Affairs hosts a bi-monthly program on various homeowner association issues and trends such as Legislative Review, Owners Responsibilities, Community Association Elections, Association Communications, Association Meetings, and Association Finances. This program is televised on Fairfax County Government Channel 16 and also available through Video-on-Demand on the County Web site.

#### **SILVER SHIELD ANTI-SCAM CAMPAIGN**

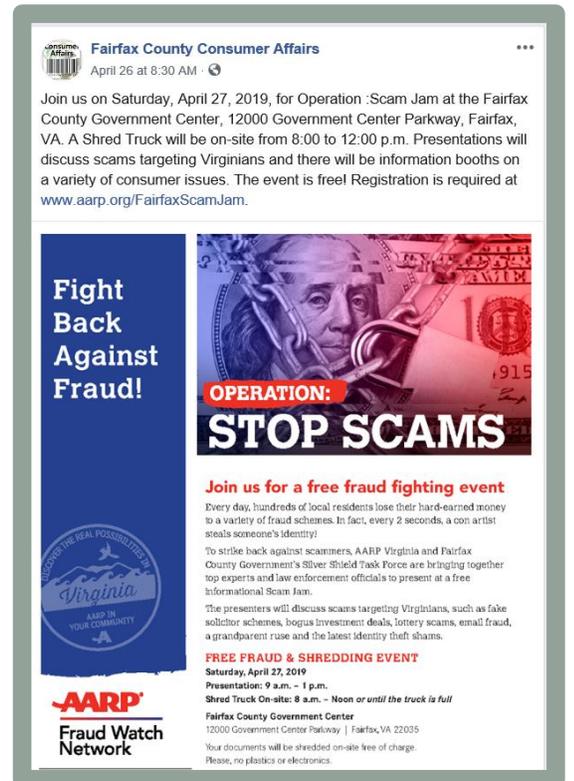
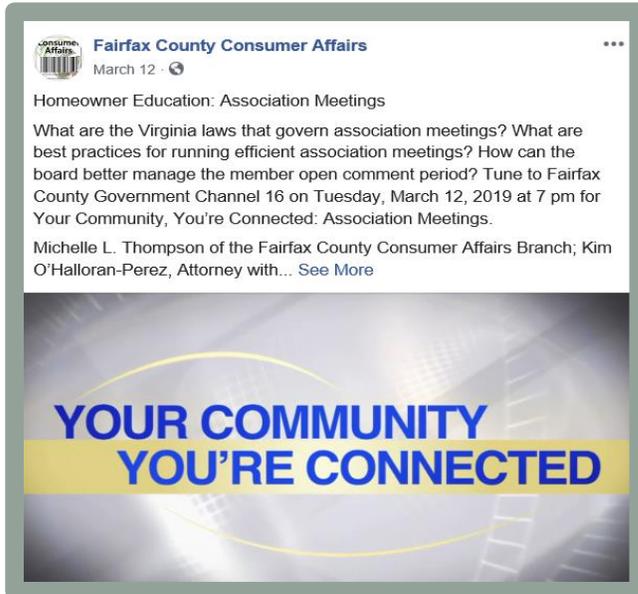
Consumer Affairs is a partner agency in the County's Silver Shield initiative. This campaign helps older adults avoid being scammed by sharing critical information about current scams. Resources available include outreach presentations at community events, podcasts, Fairfax County Government Channel 16 programs, publications, and Web sites with additional information.

**FINANCIAL EXPLOITATION PREVENTION TASKFORCE**

Consumer Affairs is a partner agency on the County's Taskforce. This taskforce meets monthly to review prevention and intervention strategies for assisting older adults with issues such as scams and exploitation. Consumer Affairs regularly participates in the Speakers Bureau associated with this initiative.



Consumer Affairs regularly posts to social media on relevant consumer information including tips, warnings, and resources. Commissioners also share consumer tips with fellow constituents. Following are several examples advising the public of relevant consumer issues and information:



## In Review

The Commission and Consumer Affairs monitor consumer trends to ensure educational information is made available to consumers so they can make informed decisions. The Commission is committed to serving consumers and businesses to make certain that all state and County codes are met. The Commission continues to make recommendations on taxicab certificates and rates to the Board of Supervisors, adheres to the appeals process for licenses and permits, and stays abreast of changes to legislation that affect consumers.



## Fairfax County Consumer Protection Commission

12000 Government Center Parkway, Suite 433  
Fairfax, VA 22035

703-222-8435 TTY 711

<https://www.fairfaxcounty.gov/cableconsumer/csd/consumer-protection-commission>

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

[www.facebook.com/fairfaxcountyconsumer](http://www.facebook.com/fairfaxcountyconsumer)



To request this information in an alternate format, call the Department of Cable and Consumer Services, 703-222-8435 TTY 711.



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