




County of Fairfax, Virginia

MEMORANDUM

DATE: November 7, 2022

TO: Consumer Protection Commission

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

SUBJECT: Consumer Protection Commission Meeting for November 15, 2022

Please find attached the Consumer Protection Commission meeting packet. The next scheduled meeting is **Tuesday, November 15, 2022, at 7:30 p.m. in Conference Room 232** of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

Please RSVP with your attendance to Susan Jones by COB on Monday, November 14, 2022, at Susan.Jones@fairfaxcounty.gov or 703-324-5877.

Enclosures

cc: Ellicia Seard-McCormick, Deputy County Executive

Susan C. Jones, Consumer Specialist III
Department of Cable and Consumer Services



**FAIRFAX COUNTY
CONSUMER PROTECTION COMMISSION
November 15, 2022 AGENDA**

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

Remote Participation Motions

Minutes

- Approval of the draft October 18, 2022, meeting minutes

Report of the Chairperson

Report of the Director

Commissioner Matters

Old Business

-

New Business

- Temporary Taxicab Fuel Surcharge Public Hearing
- Chapter 28.1
- Proposed Amendments to Fairfax County Code Chapter 84.1
- Nominations of Officers

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

October 18, 2022

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

Attendance:

Commissioners: Belkowitz, Gulakowski,
Hargraves, Kharat, Kirk, Kratovil, Rosier, Svab

Absent:

Commissioners: Fee, Freedenthal, O'Savio,
Roark, Springer

Staff:

Rebecca L. Makely, Acting Director
Cable and Consumer Services
Susan C. Jones, Consumer Specialist III
Consumer Affairs Branch
Carl Newcomb, Consumer Specialist III
Regulation and Licensing Branch
John W. Burton, Assistant County Attorney
Office of the County Attorney

The meeting was called to order at 7:32 PM by Vice Chairperson Gulakowski.

Minutes

The minutes for the September 20, 2022, meeting were amended by Acting Director Makely to reflect the requirements in the Remote Participation Policy. Vice Chairperson Gulakowski made the motion to accept the changes. Commissioner Hargraves seconded the motion. The September 20, 2022, minutes were unanimously approved, 8-0-0.

Report of the Chairperson

Vice Chairperson Gulakowski had no matters to bring before the Commission.

Report of the Director

Acting Director Rebecca Makely stated in addition to County Executive's request to extend the Emergency Taxicab Fuel Surcharge, the taxicab industry has requested a review of Chapter 84.1-8-3(b) of the County Code that relates to age of the vehicle and the mileage. The current Code states:

It shall be unlawful to operate as a taxicab in the County any vehicle that has a model-year age greater than ten years or that has more than 500,000 miles, whichever occurs first. Vehicle age shall be calculated as if the vehicle was placed into service on December 31st of the vehicle year as shown on its Virginia motor vehicle registration.

The taxicab industry requested the age of the vehicle be extended to 12-15 years and waive the mileage requirement. Staff will present their findings to the Commission at the November meeting.

Commissioner Matters

Commissioner Belkowitz had no matters to bring before the Commission.

Commissioner Kharat had no matters to bring before the Commission.

Commissioner Kratovil had no matters to bring before the Commission, but noted he will share I.D. theft stats at the next meeting.

Commissioner Rosier mentioned October is Breast Cancer Awareness Month and the importance of getting mammograms.

Commissioner Hargraves said the portal for student loan debt relief is now open, which can lead to scammers taking advantage of the situation.

Commissioner Svab had no matters to bring before the Commission.

Chairperson Kirk had no matters to bring before the Commission.

Old Business

1. Remote Participation Policy. Acting Director Makely stated it was discussed at the last meeting and emailed to the Commission to review the updates made by the Office of the County Attorney that was drafted on behalf of Boards, Authorities, and Commissions (BACs). Acting Director Makely stated the updates would need a vote from the Commission. Acting Director Makely indicated Commissioner Belkowitz had a couple of questions on the policy.

Commissioner Belkowitz expressed his concern on the requirement to specify a personal reason to participate remotely and for information to be included in the minutes. Commissioner Belkowitz's biggest concern is that in his opinion Mandatory Requirements Section B does not comply with Americans with Disabilities Act. Commissioner Belkowitz stated the policy requires a person to communicate verbally. The Americans with Disabilities Act (ADA) has protections that require government agencies to ensure individuals can effectively communicate and there are people who do not communicate verbally.

Commissioner Belkowitz believes it ignores, under the ADA, the individual's preferred method of communication. Commissioner Belkowitz cannot support this policy and believes the wording needs to be changed.

A discussion ensued on who is affected by the policy, technical issues, reasonable accommodation, communicating verbally vs. being heard, context, and footnotes.

Acting Director Makely stated the remote participation policy has been updated for all 84 BACs, the County's Board of Supervisors (BOS), Planning Commission, and Board of Zoning Appeals. The CPC previously adopted their current Remote Participate Policy with that exact language in question. Acting Director Makely did send verbatim to the County Attorney, Commissioner

Belkowitz's concerns, and the County Attorney responded that its policy complies with applicable law and should an individual request a reasonable accommodation from the County, the County will respond to that request. The law on "preferred" accommodation under ADA Titles I, II, and III is well settled in the realm of Employment, Public Service, and Public Accommodation respectively: The ADA provides a right to reasonable accommodation not to preferred accommodation.

Acting Director Makely asked the County Attorney's Office to attend the meeting, but they were not available. Acting Director Makely further stated this template has been well vetted, and the County has been rolling it out for BACs to adopt. The Economic Advisory Commission which includes appointed members as well as the BOS adopted this exact policy today at 3:00 p.m. Acting Director Makely did state as a Commission you can move forward with changes to the policy which would be reviewed by the County Attorney's Office.

Assistant County Attorney John Burton stated this policy comes from the Virginia Freedom of Information Act and dedicated County Attorneys are assigned to this task. ADA is about the exception to the rule and federal law would supersede state law and local government policy.

Commissioner Hargraves made the motion to change the language in Section 3b to:

Arrangements have been made for the voice of the remotely participating member to be heard (*or if such member's preferred method of communication is non-verbal, such method shall apply in lieu of verbal*) by all persons at the primary or central meeting location. If at any point during the meeting the voice of the remotely participating member is no longer able to be heard by all persons at the meeting location, the remotely participating member shall no longer be permitted to participate remotely.

Commissioner Belkowitz seconded the motion. The motion passed 6-1-1 with Commissioner Kirk voting in the negative and requesting his dissenting opinion "because ...ceases to effectively communicate" be noted in the minutes.

Commissioner Hargraves made the motion to accept the red line version of the Remote Participation Policy with amendment. Commissioner Belkowitz seconded the motion. The motion passed 5-2-1.

2. Chapter 28.1. Acting Director Makely asked the Commission whether the information provided by the County Attorney was sufficient to move forward with discussion. Acting Director Makely indicated Commissioner Kratovil's draft document has been provided on several occasions since February 2022. The Commission requested the County Attorney put together a chart that had a comparison of all sections that the CPC has oversight as it relates to appeals and the power and duties of the Commission. This was to help the Commission move forward with making a proposal of the proposed amendments to Chapter 28.1. No action or vote is happening on the chart provided by the County Attorney. It is information item only. Acting Director Makely asked if the CPC is ready for staff to put together a redline version to include Commissioner Kratovil's requested changes and come back with a proposal for the CPC to consider.

A discussion ensued on changes to provisions in all the eight Chapters of the County Code, model language to use for appeals, Commission's authority, and appeal process specification.

Acting Director Makely stated staff will bring a redline draft of Chapter 28.1 for the CPC to review at the next meeting.

Commissioner Kratovil mentioned using a small working group to review the proposed changes to Chapter 28.1. Acting Director Makely noted the CPC Bylaws state:

***Article VIII-Committees** The Chairperson may appoint special committees and a Chairperson for each with the consent of a majority of the Commission members present and voting. All meetings of any such committees shall comply with the notice and other requirements of the VFOIA. To the extent practicable, any such committee shall be composed of at least four members. Committee meetings may be held at the call of the Chairperson or at the request of two members, with notice to all members.*

Commissioner Kratovil conceded to wait until the November meeting to see the draft proposal.

New Business

1. Cryptocurrency Presentation. Acting Director Makely informed the Commission that the presenter had to leave. Acting Director Makely will provide the presentation slides and the *Consumer Connection* Facebook Live program on Cryptocurrency recorded that afternoon for the CPC to view.

2. Emergency Taxicab Fuel Surcharge. Acting Director Makely explained the current Emergency Taxicab Fuel Surcharge will end on December 29, 2022. The County Executive requested a no gap extension of the fuel surcharge. Acting Director Makely stated staff analysis shows gas prices are on the rise again. Acting Director Makely has come before the CPC to request authorization to advertise a public hearing at the November 15, 2022, meeting.

Chairperson Gulakowski made the motion that the Consumer Protection Commission authorize the advertisement of a public hearing to be held on Tuesday, November 15, 2022, 7:30 p.m., to consider a Temporary Uncodified Ordinance that will provide for up to One Dollar Per-Trip Emergency Taxicab Fuel Surcharge from December 30, 2022, through June 30, 2023. Commissioner Kirk seconded the motion. The motion passed unanimously, 8-0-0.

Commissioner Hargraves made the motion to adjourn the meeting. Commissioner Kirk seconded the motion. The motion passed unanimously, 8-0-0.

The meeting adjourned at 9:23 PM.

CPC Calendar

Consumer Protection Commission

2022 Planning Calendar

November 15, 2022

- January 18
 - Nomination of Officers
 - 2022 Meeting Calendar
 - 2022 Items of Interest
- February 15
 - Consumer Affairs 101
- March 15
 - 2022 Elections
- April 19
 - 2022 Legislative Review
- May 17
 - Emergency Taxicab Fuel Surcharge
 - Regulation and Licensing 101
 - Chapter 28.1 (Deferred)
- June 21
 - Emergency Taxicab Fuel Surcharge Public Hearing
- July 19
 - FY 2022 Annual Report
 - Police Civilian Review Panel Presentation
- August 16
 - Meeting Cancelled
- September 20
 - Remote Participation Policy
 - Chapter 28.1
- October 18
 - Remote Participation Policy
 - Chapter 28.1
 - Bitcoin/Cryptocurrency Presentation
 - Temporary Taxicab Fuel Surcharge
- November 15
 - Temporary Taxicab Fuel Surcharge Public Hearing
 - Chapter 28.1
 - Proposed Amendments to Fairfax County Code Chapter 84.1
 - Public Hearing on Proposed Amendments to Fairfax County Chapter 84.1
 - Nominations of Officers
- December 20
 -

CPC Membership

Name**Staff**

Harold G. Belkowitz
Appt. Expires 7/31/2024

John Fee (Chairperson)
Appt. Expires 7/31/2024

Chester J. Freedenthal
Appt. Expires 7/31/2024

Denis Gulakowski
(Vice-Chairperson)
Appt. Expires 7/31/2024

Dirck A. Hargraves
Appt. Expires 7/31/2023

Pratik J. Kharat
Appt. Expires 7/31/2024

Dennis D. Kirk
Appt. Expires 7/31/2025

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

Triston "Chase" O'Savio
Appt. Expires 7/31/2024

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

Jacqueline Rosier (Secretary)
Appt. Expires 7/31/2025

Maurice B. Springer
Appt. Expires 07/31/2024

Paul Svab
Appt. Expires 7/31/2024

Rebecca L. Makely, Acting Director
Department of Cable and Consumer Services
703-324-5947

rebecca.makely@fairfaxcounty.gov

Susan Jones, Consumer Specialist III
Consumer Affairs Branch
703-324-5877

susan.jones@fairfaxcounty.gov

Main number: 703-222-8435

Fax number: 703-653-1310

CAB Statistics



Consumer Affairs Branch
Monthly Summary - All Activities
October 2022

	Current Month		Fiscal Year-to-Date		Prior Fiscal YTD	
Cases Received	69		343		353	
Cases Closed	81		307		288	
Favorable	35	43%	156	51%	162	56%
Unfavorable	4	5%	19	6%	23	8%
Invalid	8	10%	14	5%	12	4%
Other	34	42%	118	38%	91	32%
Total (Checks column totals)	81	100%	307	100%	288	100%
Advice Inquires (closed)	682		2054		1713	
Case Inquires over 90+days (open)	25		88		50	
Amount Received	\$26,239.00		\$107,825.00		\$190,119.00	

CLOSED COMPLAINT CATEGORIES

	FISCAL YEAR-TO-DATE	% FYTD	PRIOR FISCAL YTD	% PRIOR FYTD
Tenant - Landlord		45%	Tenant - Landlord	32%
Housing - Services		19%	Cable Television (regulated)	21%
Automotive - Services		5%	Housing - Services	11%
Communications - Media		5%	Automotive - Service	7%
Medical		3%	Internet Sales	6%
Other		23%	Other	23%

Community Outreach

Outreach Event Calendar November 2022

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
11/2/2022	Senior Safety Summit Consumer Booth	Hollin Hall Senior Center 1500 Shenandoah Road Adlexandria, VA	81	9:00 a.m. - 12:00 p.m.	SCJ
11/2/2022	Online Shopping Safety (Virtual)	Department of Emergency Management and Safety 4890 Alliance Drive Fairfax, VA	4	7:00 p.m. - 8:00 p.m.	SCJ
11/21/2022	Consumer Knowledge	Annandale High School 4700 Medford Drive Annandale, VA		8:00 a.m. - 4:00 p.m.	MPD LY AB
11/22/2022	Consumer Knowledge	Annandale High School 4700 Medford Drive Annandale, VA		8:00 a.m. - 4:00 p.m.	MDP LY SW CH
11/29/2022	Consumer Connection	12000 Government Center Parkway Fairfax, VA		11:00 a.m. - 11:20 a.m.	SCJ

Consumer Resources

Resource Items

Fairfax County Department of Cable and Consumer Services
<https://www.fairfaxcounty.gov/cableconsumer>

Fairfax County Consumer Affairs
<https://www.fairfaxcounty.gov/cableconsumer/csd/consumer>

Fairfax County Consumer Affairs Facebook
<https://www.facebook.com/fairfaxcountyconsumer/>

Fairfax County Coronavirus (COVID-19) Updates
[Fairfaxcounty.gov/covid19/](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: Cryptocurrency (October 18, 2022)
<https://fb.watch/giEJ9m7RvX/>

Information Items

Fairfax County seeks more authority from state to fix pickup issues ([more](#))

A Penny for Your Thoughts ([more](#))

Student loan scammers are circling. Keep them at bay ([more](#))

DPWES to Enforce New Recovery Plan Agreement with American Disposal Services to Restore and Maintain Timely and Reliable Trash Collection Service ([more](#))

Hearing will determine if taxi-fare surcharges stay in place ([more](#))

Fairfax County seeks more authority from state to fix trash pickup issues

Matt Blitz October 20, 2022 ffnow.com

Fairfax County will ask the Virginia General Assembly for more authority to fix its **trash troubles**, as complaints about American Disposal Services continue.

At Tuesday's (Oct. 18) **legislative committee meeting**, the Board of Supervisors once again dove into the persisting problems with trash pickups by the private, contracted collectors that serve about 90% of residents and almost all businesses in the county.

Throughout this year, the county has received many complaints about the contractors' performance, especially American Disposal, which **cut back on pickups** this spring.

In late September, the county signed a **consent agreement** with the company. According to Providence District Supervisor Dalia Palchik, the agreement obligates American Disposal to hire more drivers and customer service personnel, increase salaries, and credit customers for missed pick-ups, starting Jan. 1. It also imposes a \$5,000 fine on the company.

Per Palchik's newsletter, the contractor has until Dec. 31 to "make the necessary schedule modifications" and maintain adequate staff and equipment to resolve its service issues. Customers must be notified of any changes to their collections by that date as well.

FFXnow was unable to reach American Disposal for comment.

Meanwhile, the county is **considering lobbying** state lawmakers to ease restrictions on its ability to impose its own trash pick-up model.

“This surge in complaints, which account for approximately 86 percent of all waste collection complaints received by the County, has led to consideration of alternative solid waste management system models, and whether such alternatives could improve the quality and/or reliability of service delivery,” a staff report says.

One alternative would be to implement a franchising model, which Virginia law currently allows localities to do.

“Under a franchising model, the County would likely be divided into several different zones, and each zone would be served by a single collection company. Customers would pay for service based on County-negotiated rates,” the staff report notes.

However, the state code complicates the county’s ability to enact this model. Notably, if franchising ends up prohibiting a currently contracted company from continuing to service the county, the county either has to essentially wait five years to start franchising or pay the affected company a year’s worth of gross receipts.

“The code makes [franchising], quite frankly, impossible. It might as well be banned outright,” Braddock District Supervisor James Walkinshaw said **Tuesday**. “The five-year delayed implementation date, obviously, prevents anyone from doing it. That’s why no one in the Commonwealth has done it, to my knowledge.”

The code does have some exceptions, mainly for if a trash pick-up company is so inadequate at its job that it’s “threatening public health and safety” and is breaching the contract.

McKay asked the county legal team what would constitute a breach of contract, noting that an answer would probably have to come at a later date.

“Where do we think the line is where [it’s] threatening public health and safety?” McKay said. “[Are] we potentially getting near reaching that? If we have multiple consent agreements and trash laying out and it’s a public...health issue and they are obviously not fulfilling the agreement. It’s probably a pretty high bar, but we should know that if these problems persist.”

Per staff recommendation, the committee voted in support of asking the General Assembly to provide “flexibility” for a franchise model. This could mean wiping out or altering these “onerous requirements” to make it easier for the county to franchise trash service.

Walkinshaw made it clear that this doesn’t mean the county will definitely go the franchising route. It simply seeks the ability to do it without facing a huge delay or a big payout.

The fact that the county has to ask the General Assembly for this authority harkens back to Virginia’s Dillon Rule, which McKay **recently told FFXnow** is becoming “increasingly more intrusive” in the county’s day-to-day operations.

Walkinshaw also suggested updating the Virginia code with some of the options detailed in the consent agreement, like the ability to levy fines and make companies credit customers for missed pick-ups.

“It seems to me that if we are able to come to a consent agreement with a particular hauler, that they have to credit customers for missed pick-ups, then everyone should be held to that. If we think that’s important, why wouldn’t that be in the code?” Walkinshaw asked.

All supervisors agreed that the county should ask for alterations to the state code, but a few cautioned that not all county residents are having trash issues, noting that a new model might make things worse for others. Palchik suggested instituting a pilot program first to gauge what works.

But first, state legislators would have to grant the county more authority to manage its own trash collecting.

“We obviously support broadening authority,” McKay said.

A Penny for Your Thoughts

by Penny Gross October 20, 2022 9:00 AM fcnp.com

Taking out the trash is one of those weekly activities that you expect to happen like clockwork: you put the can(s) at the curb early on the morning of the assigned day for pick-up, go about your daily activities, and retrieve the empty can(s) after the trash hauler comes through the neighborhood. That's the way it's supposed to happen, but it's not always the case. Some callers report that weeks can go by without garbage collection.

Approximately 90 percent of Fairfax County residents have contractual relationships with private trash and recycling companies that are authorized to provide services in Fairfax County. Those customers pay fees directly to the provider. The remaining 10 percent or so are in sanitary services districts collected by Fairfax County's Division of Solid Waste, and include many Mason District neighborhoods. Those customers pay an annual fee, which is billed on their real estate tax invoice. Whether properties have private collection or county service, trash and recycling are supposed to be picked up at least once a week, and yard waste is collected during the growing season, usually March through November, although the terms of individual contracts may vary.

During the pandemic, county and private haulers faced severe service challenges because of COVID-19 and an absence of drivers with Commercial Drivers Licenses (CDLs), needed to operate heavy equipment, both on the road and at the processing locations. Most providers are offering significant signing bonuses for CDL operators right now, which has addressed some immediate vacancies, but which may be unsustainable in the long term. The CDL staffing issue is a nationwide problem, and affects many industries, not only solid waste.

Despite the extra efforts of some private haulers, the Board of Supervisors has received many complaints about failure to collect trash and yard waste, most recently by American Disposal Services (ADS), one of two major private haulers in the county. Earlier this year, a settlement between Fairfax County and ADS led to a \$2500 civil penalty regarding code violations and a consent agreement to improve service quality. Nonetheless, in response to continuing complaints, the Board of Supervisors directed the County Executive and the County Attorney to determine further any additional enforcement actions for violations of the county's Solid Waste Ordinance, and to examine applicable consumer protection statutes and other legal options available to aid residents to receive the services for which they are paying. The Board also asked for information about local governments' abilities to move to a different system of solid waste collection that might be subject to state restrictions. That

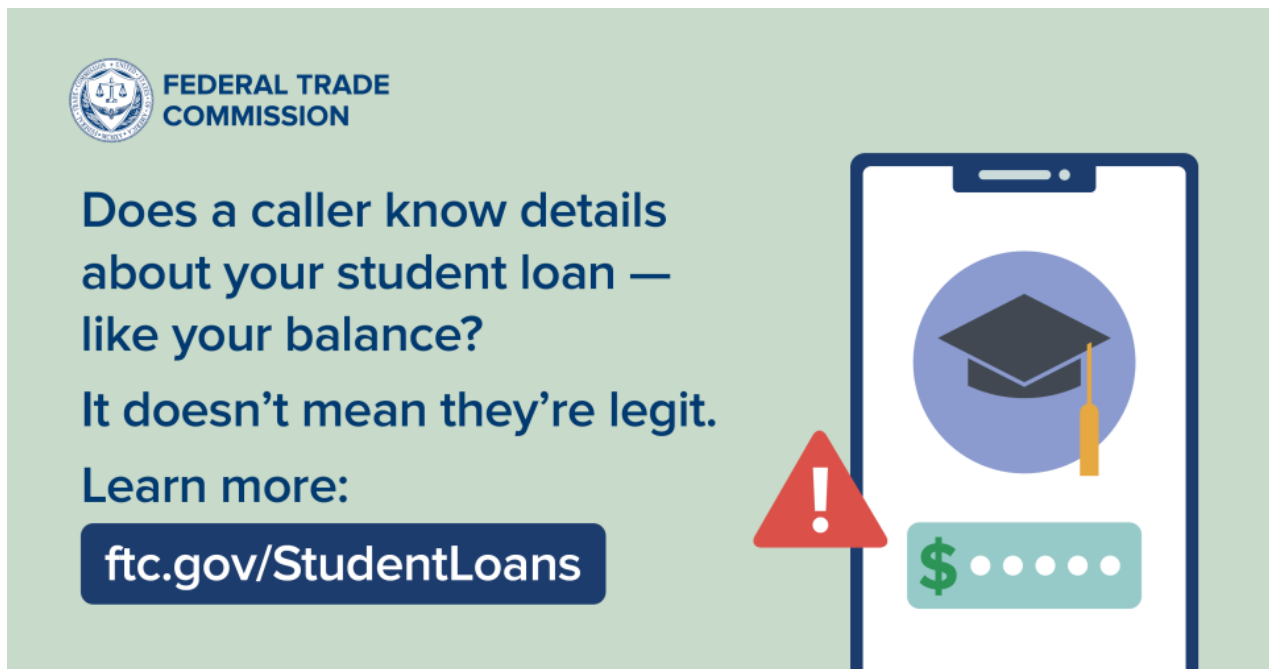
information should be available in the coming weeks. As noted by my colleague, Braddock District Supervisor James Walkinshaw, “picking up the trash and picking it up on time is critical to public health, environmental protection, and quality of life in our community.” All three are at risk when the quality of service fails to meet the standards and expectations of Fairfax County residents.

Two quick items of note: the every-popular book sale at the George Mason Regional Library, 7001 Little River Turnpike in Annandale, returns this week – Thursday, October 20, to Sunday, October 23, from 10:30 a.m. until 5:30 p.m. each day. Proceeds benefit the programs sponsored by the Friends of the George Mason Regional Library.

On Saturday, October 22, the Annandale Parade steps off at 10 a.m. from the intersection of Columbia Pike and Gallows Road, near the historic Little White Church. Wear your Halloween costume and plan for lots of fun at this longtime community event. I look forward to seeing you there!

Student loan scammers are circling. Keep them at bay

By K. Michelle Grajales
Attorney, Division of Financial Practices
October 3, 2022

A graphic from the Federal Trade Commission (FTC) with a light green background. In the top left is the FTC logo and the text "FEDERAL TRADE COMMISSION". The main text reads: "Does a caller know details about your student loan — like your balance? It doesn't mean they're legit. Learn more: ftc.gov/StudentLoans". To the right is an illustration of a smartphone. On the screen is a graduation cap icon in a blue circle, and below it is a green button with a dollar sign and five white dots. A red warning triangle with a white exclamation mark is positioned to the left of the smartphone.

FEDERAL TRADE COMMISSION

Does a caller know details about your student loan — like your balance?
It doesn't mean they're legit.
Learn more:
ftc.gov/StudentLoans

With the recent announcement of the [one-time federal student loan debt relief plan](#), we knew scammers were on their way. Well, they're here. The application for debt relief is rolling out any day now, so focus on [getting information directly from the Department of Education](#).

But what do these student loan scams look like?

You might get an offer that seems real because they say there's an affiliation with the Department of Education or your loan servicer — but it's fake. The person who contacts you to “help” might even know something about your loan (your balance, or that you recently consolidated) — but that's a scammer who'll ask you to confirm that info as a way to get you to share even more details they can use. The “debt relief application” they give you is sometimes a direct deposit or Power of Attorney form — which lets the scammer start taking money from your bank account. And your (ahem) helper might ask for your FSA ID, or access to your account — but don't share either. If you can't get in to see your loan balance, you can't tell that a company might be charging you while your real student loans go unpaid (and unforgiven).

Whatever the story, here's how to avoid student loan scammers:

- **Don't pay anyone to help you apply for loan forgiveness.** Nobody can get your loans forgiven faster, even if you pay them. **This** program is completely free — and the only way to apply is at [StudentAid.gov](https://studentaid.gov). Sign up for [Department of Education updates](#) to find out when the application officially opens.
- **Don't give away your FSA ID login information.** If anyone says they need your FSA ID to help you, that's a scam. Don't do it. They can cut off contact between you and your servicer — and even steal your identity.
- **Don't trust someone who contacts you saying they're affiliated with the Department of Education.** Scammers use official-looking names, seals, and logos. They promise special access to repayment plans. None of that is real. If you're not sure if the “offer” is legit, hang up and call your [federal student loan servicer directly](#).

Have you spotted one of these scams? Tell us about it at ReportFraud.ftc.gov.

DPWES to Enforce New Recovery Plan Agreement with American Disposal Services to Restore and Maintain Timely and Reliable Trash Collection Service

November 4, 2022

FAIRFAX COUNTY, Va - In response to a significant drop-off in reliable trash collection service, the Fairfax County Department of Public Works and Environmental Services (DPWES) and American Disposal Services, Inc., (ADS) have established a plan to resolve the significant volume of service-related complaints DPWES has received from ADS customers. Complaints of missed collections have been received from individual homeowners and from homeowner associations representing thousands of residents. ADS acknowledges it has been unable to consistently meet the weekly collection requirement largely due to problems with hiring and retaining operations personnel.

Since the number of complaints began to surge earlier this year, DPWES and ADS have discussed the service reliability and quality issues, and ADS' plans to recover and restore service to the minimum requirements of County Code (a minimum of once-weekly collection of refuse, recyclables, and yard waste).

Effective October 4, DPWES and ADS entered into a Consent Agreement that, among other things, set forth a legally-enforceable Recovery Plan that includes:

- Posting job advertisements at a minimum of 50 relevant outlets, including social media, and staging quarterly local job fairs.
- Offering pre-paid tuition for CDL training (driver shortages are a significant factor in ADS' hiring struggles).
- Hiring additional drivers every week until the service problems are resolved, providing monthly written reports to DPWES on progress.
- Increasing the starting wage of drivers by at least 20 percent and collection crews by at least 10 percent.
- Retaining seven additional customer service personnel.
- Establishing a service quality goal and lead measures/metrics to demonstrate and maintain progress.
- Establishing a defined credit process for residential customers to cover all missed collections, effective January 1, 2023.

ADS must also provide DPWES with written daily, weekly, and monthly status reports on missed and rescheduled collections, and the firm's management is

required to attend weekly meetings with DPWES enforcement personnel to review progress on the Recovery Plan.

It is anticipated that, by December 31, 2022, ADS will have made the necessary modifications and notifications to customers for the changes in collection schedule/frequency that are necessary to restore quality service to its customers. ADS reports that every residential customer will be affected by these schedule modifications. By this same date, ADS must maintain personnel and equipment to adequately serve its existing Fairfax County customer base, and failure to collect properly set-out refuse, yard waste, and recyclables on a weekly basis and/or failure to complete the above changes timely will result in the application of financial penalties each day until the overdue items are completed.

Residents wishing to know more about the ADS Recovery Plan change (or about any other aspect of the County's solid waste management system) should contact DPWES' Solid Waste Management Program at (703) 324-5230 or via email to trashmail@fairfaxcounty.gov.

We're social! For updates on DPWES related projects, services and events visit us on [Facebook @fairfaxcountyenvironment](#) and on [Twitter @ffxpublicworks](#).

Hearing will determine if taxi-fare surcharges stay in place

By [Brian Trompeter](#)
November 3, 2022



Photo by [sippakorn yamkasikorn](#) on [Unsplash](#)

Fairfax County supervisors on Nov. 1 unanimously approved a public hearing on Dec. 6 at 4 p.m. regarding authorization of an emergency \$1-per-trip taxicab-fuel surcharge, which would be in effect from Dec. 30 through June 30 next year, unless county leaders rescind it before that expiration date.

Higher fuel prices already prompted supervisors to approve similar surcharges twice this year. The board approved an up-to-\$1-per-trip fee, requested by Old Dominion Transportation Group, which was in effect from April 13 through June 11. Because the average price of regular gasoline then rose to \$5.02 per gallon, supervisors subsequently approved an up-to-\$2-per trip taxicab-fuel surcharge that began June 29 and will expire Dec. 29.

Regular gas now averages \$3.79 in the county, costing taxicab drivers an extra \$36 per month or \$429 per year. Officials said a \$1-per-trip surcharge would offset fuel costs up to \$4.30 per gallon.

Several nearby jurisdictions also have authorized temporary \$1-per-trip fuel surcharges to aid taxi drivers.

Fairfax County Public Schools (FCPS) and the county government maintain contracts with taxicab firms to provide transportation for special-needs residents. Implementation of the proposed temporary fuel surcharge would cost the school system about \$16,000 more and the Department of Neighborhood and Community Services an estimated \$1,416, officials said.

“While both organizations will experience an operational impact from the temporary emergency taxicab fuel surcharge, the retention of taxicab drivers is vital in maintaining transportation for students with disabilities and special needs to and from school and transportation options for eligible older adults, persons with disabilities, and those with limited income,” county officials wrote in their memorandum for the Board of Supervisors’ Nov. 1 meeting.