

Consumer Protection Commission FY 2022 Annual Report



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CHAIRPERSON'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
Chairperson
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, tow operators, and shared mobility device operators and certificates. 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 5,058 case inquiries in FY 2022, 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.

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 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 65 presentations throughout the community during FY 2022.

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.

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, Chairperson

Denis Gulakowski, Vice-Chairperson

Jacqueline G. Rosier, Secretary

Harold G. Belkowitz, Esq.

Dennis Dean Kirk, Esq.

Wesley P. Callender

Jason J. Kratovil

Chester J. Freedenthal

Michael J. Roark

Dirck A. Hargraves

Maurice B. Springer

Pratik J. Kharat

Paul Svab

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 consumer affairs and shall report periodically thereto concerning the Commission's activities.
- Advise the Department of Cable and Consumer Services on consumer matters and on carrying out its duties and functions under Fairfax County Code Chapter 10.
- May hold public hearings on and publish its finding on issues of widespread public interest which deal with illegal, fraudulent, deceptive, or dangerous consumer practices. May adopt, promulgate, amend, and rescind rules and regulations, subject to the approval of the Board of Supervisors, concerning such issues.
- Refer apparent violations of any provisions of Fairfax County Code Chapter 2.1 (Virginia Home Solicitation Sales Act §§ 59.1-196 through 59.1-207) of Title 59.1 of the Code of Virginia, as amended, to either the Commonwealth Attorney or to the County Attorney or to both for investigation.
- Shall have all powers and perform all duties specified under 28.1 (Massage Therapy, Establishments and Services), Chapter 31 (Peddlers, Solicitors, and Canvassers), Section 82-5-32 (Removal, immobilization, and disposition of Vehicles unlawfully parked on private or County property), and Chapter 84.1 (Public Transportation) of the Code of the County of Fairfax.
- May, as directed by the Board, advise and inform the Board of Supervisors on all issues relating to cable communications.

During FY 2022, the Commission meetings included the following items:

STAFF REPORT ON TRESPASS TOWING FEES – AUGUST 2021

Rebecca L. Makely, Director, Consumer Services Division, provided an overview of the Trespass Towing Advisory Board Proposal which included the review of Code of Virginia, jurisdictional survey of Trespass Towing Fees, Trespass Towing Fee analysis, summary of analysis, staff report, timeline, and resources.

APPEALS PROCESS DISCUSSION – OCTOBER 2021

John W. Burton, Assistant County Attorney, Office of the County Attorney, gave a summary of how the appeal jurisdiction of the CPC set forth in County Code Chapter 28.1 differs from other chapters in the County Code.

ANNUAL REPORT REVIEW, 2021 TAXICAB BIENNIAL DETERMINATION, NOMINATION OF CANDIDATES – NOVEMBER 2021

Rebecca L. Makely, Director, Consumer Services Division, provided an overview of the FY 2021 CPC Annual Report.

Rebecca L. Makely, Director, Consumer Services Division, presented the 2021 Taxicab Biennial Determination staff analysis and recommendation to the Consumer Protection Commission.

Chairperson Fee made the decision to discuss the slate of candidates for Chairperson, Vice-Chairperson, and Secretary at the December 21, 2021, CPC meeting.

NOMINATION OF OFFICERS – JANUARY 2022

Vice Chairperson Gulakowski, Nominating Committee Chairperson, provided a Slate of Candidates for Chairperson (Fee), Vice Chairperson (Gulakowski), and Secretary (Rosier). The Election of Officers will be held at the March 15, 2022, meeting.

CONSUMER AFFAIRS 101 – FEBRUARY 2022

Susan Jones, Branch Manager, Consumer Affairs provided an overview of Consumer Affairs services and resources.

2022 ELECTIONS – MARCH 2022

Nominating Committee Chairperson Gulakowski provided the Slate of Candidates for Chairperson (Fee), Vice Chairperson (Gulakowski), and Secretary (Rosier).

2022 LEGISLATION – APRIL 2022

Consumer Specialist Prescott Barbash presented a summary of legislative bills reviewed by Consumer Affairs that were approved by the Governor.

REGULATION AND LICENSING 101 – MAY 2022

Consumer Specialist III Carl Newcomb presented an overview of the services provided by the Regulation and Licensing Branch.

EMERGENCY TAXICAB FUEL SURCHARGE PUBLIC HEARING – JUNE 2022

The Consumer Protection Commission held a public hearing to consider a temporary uncodified ordinance that will provide for up to a two dollar per-trip emergency taxicab fuel surcharge from June 29, 2022, through December 29, 2022.

The Commission meets the third Tuesday of each month at 7:30 p.m. In person meetings are open to the public and electronic meetings are publicly accessible.

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 2022, Consumer Affairs responded to 5,058 inquiries relating to tenant-landlord, home improvement, towing, automotive, and retail transactions.

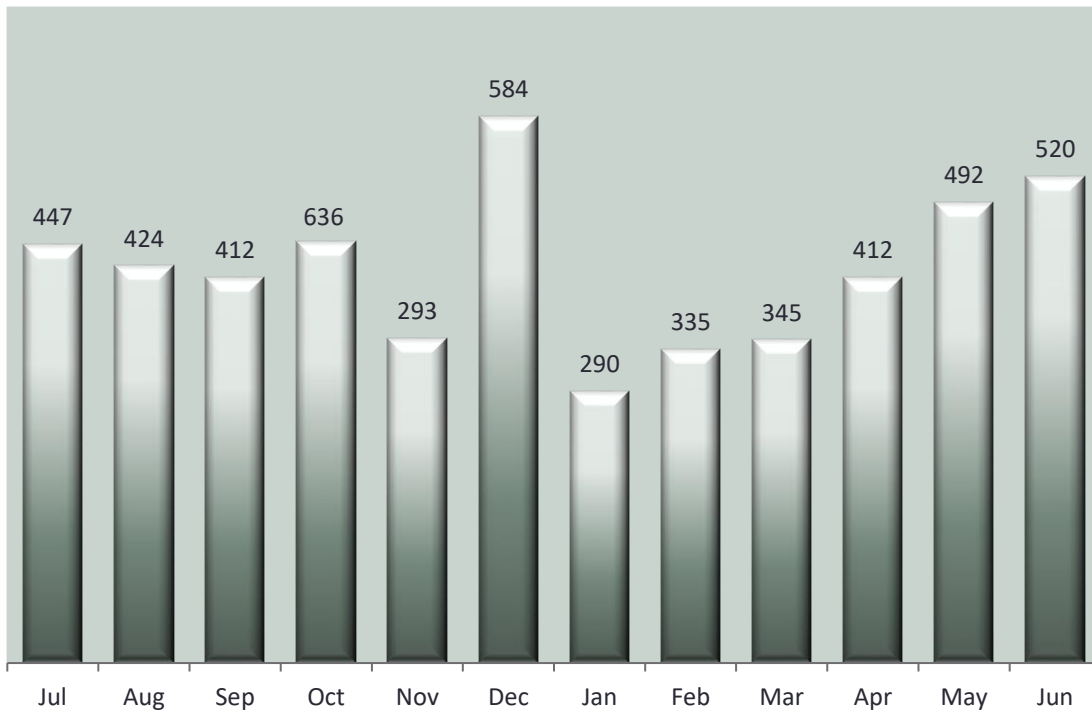
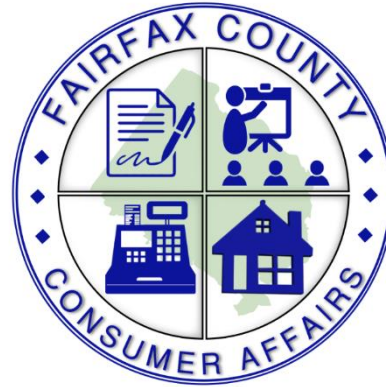


Figure 1 Consumer Inquiries for Fiscal Year 2022

CONSUMER COMPLAINTS

Consumers can 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.

In FY 2022, Consumer Affairs mediated and investigated consumer complaints on a variety of topics, such as tenant-landlord, home improvement, automotive, retail, and towing.

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. Automotive complaints involve billing and repair issues. Retail complaints include refunds, warranty issues, and faulty goods. Towing complaints include authorized tows, towing fees, and failure by towing companies to properly display signs. The “Other” category includes complaints related to internet and wireless service billing, medical billing, professional services, and cable television.

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

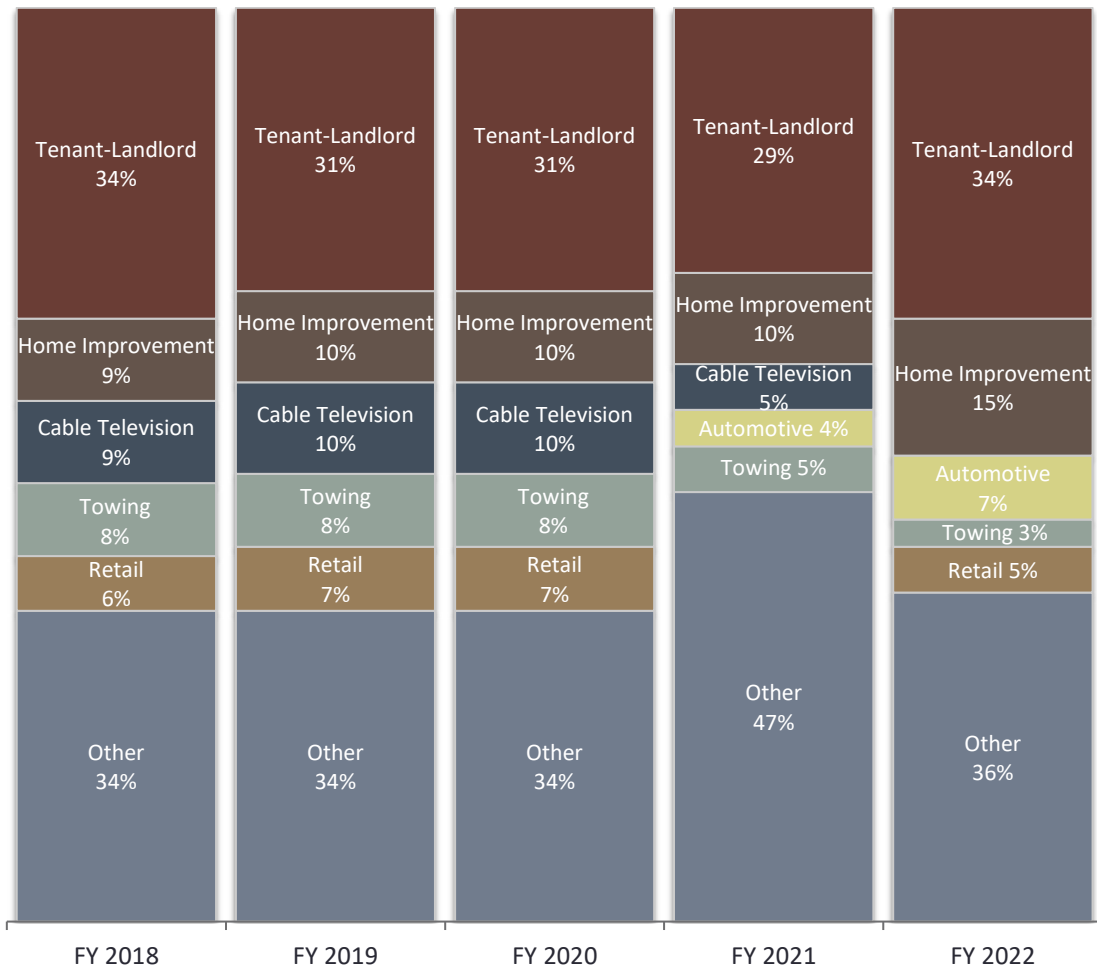


Figure 2 Consumer Complaint Categories from Fiscal Year 2018 to 2022

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. Through the mediation efforts provided by Consumer Affairs, \$548,662 was recovered for consumers in FY 2022, an increase of \$144,013 from FY 2021.

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 2022, there were no requests for arbitration services.

COMPLAINT SUMMARIES

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

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

DELIVERY BLUES

David, the consumer, ordered a television online from a business for \$370.99. The consumer requested the television be delivered to his home address. The day after he ordered the television, the business sent a text that stated the television would be delivered that day. The consumer claimed the television did not arrive. The consumer contacted the business and was told the television was to be delivered to his company address. Since no one was there to accept the delivery, the consumer requested the business deliver it to his home. The following day, the consumer received a text from the business with a picture of the television placed at a door; however, it was not the consumer's house. The consumer contacted the business again and the business representative cancelled the consumer's order against his wishes. The consumer alleged the business failed to refund the \$370.99. After Consumer Affairs intervention and mediation, the business issued a full refund to the consumer's satisfaction.

"I CAN'T SAY HOW HAPPY I AM WITH THE OUTCOME OF THE CASE. I AM VERY GRATEFUL FOR YOUR HELP. WITHOUT IT, I WOULD HAVE ONLY LOST MY MONEY, BUT ALSO CONSUMED WITH BITTERNESS OF BEING HELPLESS. PLEASE KEEP UP THE GOOD WORK"

DAVE

PESTY CALLS

Jennifer, the consumer, contracted with a business for pest control service. The consumer cancelled service in September 2021, by mailing a written letter to the business. The consumer included a check in the letter as final payment of service. The consumer alleged the business continues to contact

the consumer for service. The consumer asked the business to stop calling and sending texts. The consumer filed a complaint with Consumer Affairs when the business contacted her and stated they would be out the next day to perform the service. The consumer requested the business stop calling, texting, and indicating service will be performed. After Consumer Affairs intervention and mediation, the business apologized for the error and removed the consumer's contact information from the business database to the consumer's satisfaction.

"THANK YOU SO MUCH. IT'S GOOD TO KNOW THAT THIS IS A SERVICE THAT FAIRFAX COUNTY OFFERS. I APPRECIATE YOUR ASSISTANCE."

JENNIFER

TRASH DAMAGE

Alyce, the consumer, contracted with a business for trash, recycling, and debris removal service. The consumer watched the trash truck damage the consumer's mailbox and post. The

"IN THE MAIL TODAY, PAYMENT IN FULL OF \$268.77 CAME FROM THE INSURANCE COMPANY OF THE TRASH COMPANY. THANK YOU FOR YOUR ASSISTANCE IN SUCCESSFULLY RESOLVING THIS MATTER AND GETTING THIS TRASH COMPANY TO DO THE RIGHT THING AFTER RUNNING OVER MY MAILBOX AND POST. MUCH APPRECIATED."

ALYCE

consumer contacted the business to report the damage. The consumer claimed the business agreed to replace the mailbox and post. The business replaced the post, but they refused to replace the mailbox. The consumer provided an invoice of the cost to replace the mailbox and post and requested reimbursement of \$268.77. After Consumer Affairs intervention and mediation, the business issued a refund of \$268.77 to the consumer's satisfaction.

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 both in the academy programs that focus on college and career readiness and STEM programs (Science, Technology, Engineering, and Mathematics). Both approaches allow high school students to be educated on transactions and made aware of consumer resources.

Consumer Affairs conducted 65 outreach events in FY 2022. The COVID-19 pandemic impacted the ability for most in-person outreach events to take place; however, staff was able to participate in virtual outreach events. The large number of outreach events conducted in December was using the Fairfax County Public Schools high school consumer education curriculum.

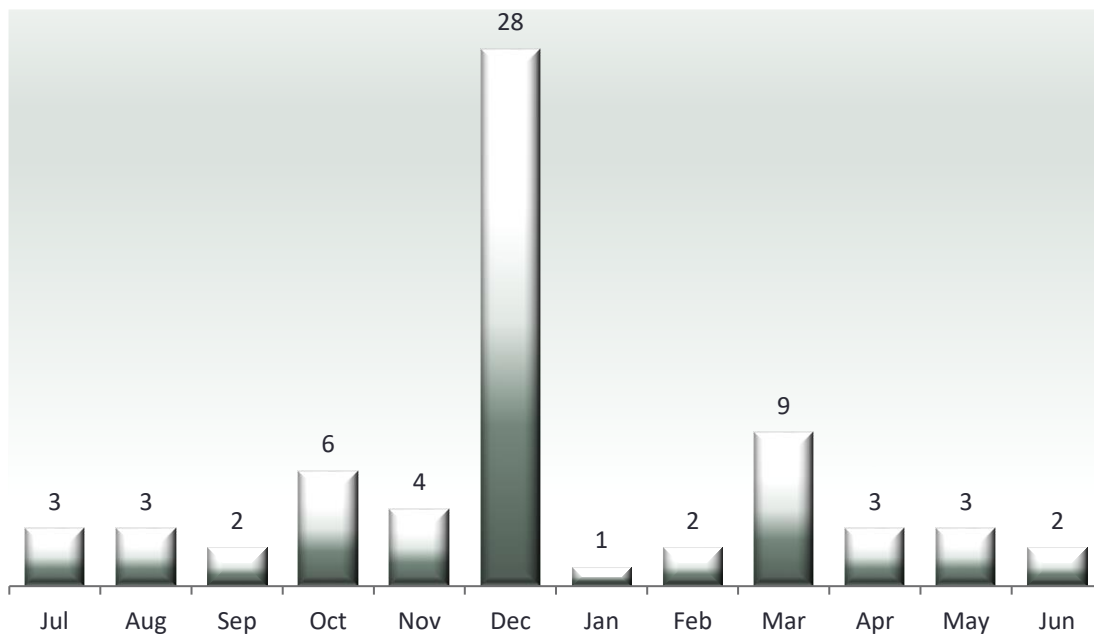


Figure 3 Community Outreach Events for Fiscal Year 2022

Consumer Affairs offers presentations on the following topics:

- Consumer Affairs 101
- Building a Better Credit Report
- Data Breaches
- Door to Door Scams
- Financial Education
- Funeral Planning
- High School 101
- Home Improvement
- How to Block Unwanted Calls
- Identity Theft
- Managing Expenses and Debt During COVID-19
- Medical Identity Theft
- Online Shopping
- Scams Against Seniors
- What Landlords Need to Know
- What Tenants Need to Know

Consumer Affairs promotes services through publications such as the *Informed Consumer* electronic newsletter, a comprehensive consumer 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 program on consumer topics, including Tenants and Landlords, Homeowner and Condominium Associations, Fairfax County Eviction Prevention Resources, Personal Cyber Security, Holiday Shopping Tips, Financial Empowerment Center at South County, Tax Season Scams, Online Romance Scams, Telemarketing Fraud, Regulation and Licensing 101, Legal Services of Northern Virginia, and Emergency Management and Emergency Preparedness. Viewers can comment with questions that are answered in real-time during the online program. The programs can be viewed on the Consumer Affairs Facebook page at <https://www.facebook.com/fairfaxcountyconsumer>.

YOUR COMMUNITY, YOU'RE CONNECTED

Consumer Affairs hosts a bi-monthly program on various homeowner association issues and trends including: 2021 Legislative Review, Association Meetings, and Association Budgets. This program is televised on Fairfax County Government Channel 16 and 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 Financial Exploitation Prevention 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.

EVICTON PREVENTION TASKFORCE

Consumer Affairs is a partner agency on the County's Eviction Prevention Taskforce. This taskforce meets monthly to collaborate on efforts to connect residents who are facing evictions with services provided by the County.

Consumer Affairs regularly posts relevant consumer information on social media 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, follows the appeals process for licenses and permits, and stays abreast of changes to legislation that affect consumers.

Fairfax County Consumer Protection Commission

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consumer@fairfaxcounty.gov

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

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

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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