

PS COMMITTEE #2  
April 19, 2013

**Worksession**

**MEMORANDUM**

April 17, 2013

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst *SJF*

SUBJECT: **Worksession: FY14 Operating Budget  
Office of Consumer Protection**

*Those expected for this worksession:*

Eric Friedman, Director, Office of Consumer Protection (OCP)  
Marsha Carter, OCP  
Amy Wilson, Office of Management and Budget (OMB)

**Major Issues:**

- After several years of staff cuts, the FY14 recommended budget adds one new position and reflects an additional position added in FY13;
- Energy and environmental advocacy duties are being shifted to the County Attorney's Office;
- OCP now offers enhanced mediation and alternative dispute resolution services; and
- OCP will create a series of videos on different Common Ownership Communities topics.

The Executive's recommendation for the Office of Consumer Protection is attached at ©1-5.

**Overview**

For FY14, the Executive recommends total expenditures of \$2,148,716 for the Office of Consumer Protection, a 1.6% decrease from the FY13 approved budget.

	FY12 Actual	FY13 Approved	FY14 Rec.	% Change FY13-14
<b>Expenditures:</b>				
General Fund	\$2,007,581	\$2,182,612	\$2,148,716	-1.6%
Grant Fund				
<b>TOTAL Expenditures</b>	<b>\$2,007,581</b>	<b>\$2,182,612</b>	<b>\$2,148,716</b>	<b>-1.6%</b>
<b>Positions:</b>				
Full-time	16	17	17	0.0%
Part-time	0	0	1	0.0%
<b>TOTAL Positions</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>5.9%</b>
<b>TOTAL FTEs:</b>	<b>14.5</b>	<b>16</b>	<b>16.6</b>	<b>3.8%</b>

The FY14 County Executive recommendation is a decrease of \$33,896. This decrease comes from the following identified same services adjustments:

<b>IDENTIFIED SAME SERVICE ADJUSTMENTS:</b>	
Increase Cost: Compensation Adjustment	\$59,310
Increase Cost: Administrative Specialist	\$49,445
Increase Cost: Retirement Adjustment	\$29,270
Increase Cost: Other Labor Contract Costs	\$3,736
Increase Cost: Printing and Mail Adjustment	\$857
Total Increases:	\$142,618
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum	(\$35,262)
Decrease Cost: Group Insurance Adjustment	(\$36,545)
Decrease Cost: Elimination of Energy Consultant Services	(\$50,000)
Decrease Cost: Annualization of FY13 Personnel Costs	(\$54,707)
Total Reductions:	(\$176,514)
<b>NET SAME SERVICES ADJUSTMENT TOTAL:</b>	<b>(\$33,896)</b>

## FY14 Expenditure Issues

### Personnel Complement

**Administrative Specialist (\$49,445):** The FY14 County Executive recommended budget adds one part-time Administrative Specialist I position to provide administrative support to various programs within OCP. The position will also coordinate consumer education and volunteer recruitment and outreach.

**Patient Advocate:** The FY14 recommended budget also includes the patient advocate position that was added in FY13 as required by Bill 17-12, *Fire and Rescue Service – Emergency Medical Services (EMS) – Reimbursement* (attached at ©6). The law, effective January 1, 2013, established a full time Patient Advocate position in OCP, which will (1) develop and implement a program for customer service; (2) develop and staff a help desk for

questions; and (3) serve as a liaison with any vendor retained by the County to implement the program to ensure high quality customer service and prompt resolution of questions and concerns. The position is funded solely from FRS EMS Reimbursement fund (\$76,420 in FY14). *The Committee may wish to ask OCP for a status update on the position. Will this position be responsible for requests for hardship waivers of the transportation reimbursement?*

### **Elimination of Energy Consultant Services (-\$50,000)**

The FY14 recommended budget for OCP eliminates \$50,000 for consultant services. For the past several years, OCP has been providing energy and environmental advocacy, assisting other County offices with advocating for the lowest possible utility rates consistent with environmental stewardship. The \$50,000 had been used to pay a legal consultant to provide technical assistance.

Executive staff advises that given the increased number and complexity of Pepco-related cases, the Executive, County Attorney's Office, and OCP determined that it would be cost-effective to have the legal representation performed in house, and subsequently created a new Assistant Attorney position in the County Attorney's Office. This position is included in the County Attorney's recommended FY14 budget (\$148,160).

### **Enhanced Mediation and Alternative Dispute Resolution Services**

OCP has started offering enhanced mediation and alternative dispute resolution services for consumer and common ownership community disputes. OCP has retained the volunteer services of a law school professor with over 25 years experience as a mediator.

### **Commission on Common Ownership Communities (CCOC)**

Over the past several years, \$30,000 in the Common Ownership Community (COC) fund has been earmarked to fund education initiatives. In FY14, the CCOC will produce a series of up to 15 short videos on different COC management topics, as well as dispute resolution. The videos will cost approximately \$15,000 total. The videos will be used in several 30 minute CCM television programs, and will also be placed on YouTube. The remaining funds will be used for CCOC's education seminars and printed educational and instructional materials for general CCOC daily use.

### **Performance Measures**

OCP tracks various performance measures, including case volume and closure rates, as well as customer satisfaction rates. The following chart illustrates case volume and closure rates for the past three years. Both the number of written complaints that OCP receives, as well as the number OCP closes have dropped in the past three fiscal years.

Fiscal Year	No. of Cases Opened	% Change Previous Year	No. of Cases Closed	% Change Previous Year
FY10	1687	-4%	1645	-16%
FY11	1484	-12%	1559	-5%
FY12	1442	-3%	1388	-11%

The following chart provides data on customer satisfaction, regarding both the manner in which the case was handled as well as the case outcome. Customer satisfaction with the manner a case was handled is up from FY11, although overall satisfaction with the case resolution has dropped significantly. *The Committee may wish to ask OCP what may be contributing to that change. Are the types of complaints received more difficult to resolve in the customer's favor?*

Fiscal Year	OCP Customer Satisfaction (Manner)	% Change Previous Year	OCP Customer Satisfaction (Outcome)	% Change Previous Year
FY10	3.7	+28%	3.4	+31%
FY11	3.3	-11%	2.9	-15%
FY12	3.6	+9%	2.8	-3%

## FY14 Revenue Issues

FY14 revenues for OCP are calculated based on Common Ownership Community fees, new home builder's licenses, other fines, and other business licenses. Revenues for new home builder licenses and consumer affairs business licenses have dropped in the past year due to the recession. The information is summarized below.

### FY13 Revenue Summary

Category	Actual FY12	Approved FY13	Rec. FY14	\$ Change FY13-FY14	% Change FY13-FY14
COC fees	\$407,284	\$405,500	\$405,500	\$0	0%
Misc. Revenues	\$1,066			\$0	0
New Home Builder Licenses	\$127,185	\$134,000	\$134,000	\$0	0
Other Fines/Forfeitures	\$4,255	\$1,000	\$1,000	\$0	0
Other Business Licenses/Permits	\$62,388	\$55,000	\$55,000	\$0	0
<b>Total General Fund Revenues</b>	<b>\$194,989</b>	<b>\$595,500</b>	<b>\$595,500</b>	<b>\$0</b>	<b>0</b>

## Council Staff Recommendation

Council staff recommends approval as submitted by the Executive.

**This packet contains**

Recommended FY14 Operating Budget	© 1-5
May 7, 2012 Memo from County Executive to Council President re: Patient Advocate Position	6-7
Chapter 14 of 2012, Fire and Rescue Service – Emergency Medical Services Transportation – Reimbursement	8-16
Chapter 12 of 2008, Energy and Environmental Advocacy	17-20
Office of Consumer Protection Annual Report, FY2011 (40 <sup>th</sup> Anniversary Issue)	21-43
Office of Consumer Protection Organizational Chart	44

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# Consumer Protection

## MISSION STATEMENT

The mission of the Office of Consumer Protection (OCP) is to enforce consumer protection laws prohibiting unfair and deceptive business acts or practices to ensure a fair marketplace for consumers and businesses. Activities include complaint resolution, law enforcement, education, legislation, advocacy, and outreach to vulnerable consumers.

## BUDGET OVERVIEW

The total recommended FY14 Operating Budget for the Office of Consumer Protection is \$2,148,716, a decrease of \$33,896 or 1.6 percent from the FY13 Approved Budget of \$2,182,612. Personnel Costs comprise 93.4 percent of the budget for 17 full-time positions and one part-time position. A total of 16.60 FTEs includes these positions as well as any seasonal, temporary, and positions charged to or from other departments or funds. Operating Expenses account for the remaining 6.6 percent of the FY14 budget.

## LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

- ❖ ***A Responsive, Accountable County Government***
- ❖ ***Strong and Vibrant Economy***
- ❖ ***Vital Living for All of Our Residents***

## DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below, with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY13 estimates reflect funding based on the FY13 approved budget. The FY14 and FY15 figures are performance targets based on the FY14 recommended budget and funding for comparable service levels in FY15.

## ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***After a lengthy investigation in collaboration with DTS' Cable Office involving Comcast, OCP successfully negotiated a settlement agreement with Comcast requiring them to change their service fee notification procedures, and reimburse consumers for improperly charged service fees.***
- ❖ ***OCP continued to serve as the lead department in coordinating Montgomery County's intervention regarding electric utility cases before the Maryland Public Service Commission. OCP collaborated with Montgomery County's Special Counsel, Office of the County Attorney, and Department of Transportation (DOT) regarding the successful intervention on several major cases involving consumer rates, services, and Montgomery County street light tariff provisions preventing Pepco from raising rates worth millions of dollars.***
- ❖ ***OCP collaborated with Montgomery County Police Department, Office of the County Attorney, Intergovernmental Relations Office, and elected officials regarding trespass towing issues and complaints. OCP issued a comprehensive set of guidelines to assist towing firms in complying with new trespass towing restrictions and coordinated efforts to address potential federal preemption issues regarding state and local trespass towing laws.***
- ❖ ***In FY12, OCP began an interactive consumer education series that utilized an online forum to discuss consumer issues with the public. This interactive program was developed to address the latest topics affecting County residents. During the first 2-hour event, Director Eric Friedman fielded twenty-five inquiries with topics ranging from cell phone throttling to Pepco Smart Meters. Additional series topics include home improvement, towing, and common ownership community issues.***
- ❖ ***In partnership with Councilmember Nancy Floreen, the Office of Consumer Protection held a forum titled, "Improve Your Home Improvement Experience" to provide information from industry experts on how to select a home improvement contractor, permitting requirements for homeowners, and to address common scams.***

❖ **Productivity Improvements**

- **OCP continues to improve its business licensing program by initiating the first of a multi-step database enhancement. Currently, OCP's business licensing unit utilizes four distinct databases. In FY12, OCP finished the first of a three stage process to consolidate databases. OCP's Second Hand Personal Property Licenses have been transitioned with an improvement in productivity while minimizing user error with built-in business rule validation.**
- **OCP has maximized its consumer education outreach initiatives by utilizing a new interactive Live Discussion platform. OCP is able to reach a limitless audience, maximize resources, and address hot topics in real time.**
- **OCP continues to leverage its resources with the contribution of over 2,500 hours from its volunteer staff. OCP expanded its use of this valuable resource by providing training to volunteers allowing them to participate in off-site consumer education outreach events. OCP received a NACo Award for creating an electronic data base for its volunteer recruitment program.**
- **OCP continues to decrease its reliance on paper while maintaining efficient delivery of services. OCP's latest enhancement resulted in a paperless facsimile system whereby all OCP staff have immediate online access to incoming facsimiles.**

**PROGRAM CONTACTS**

Contact Marsha Carter of the Office of Consumer Protection at 240.777.3686 or Amy Wilson of the Office of Management and Budget at 240.777.2775 for more information regarding this department's operating budget.

**PROGRAM DESCRIPTIONS**

**Consumer Protection**

The OCP receives and investigates complaints and initiates its own investigations of deceptive or unfair trade practices against consumers. Staff resolves disputes between consumers and merchants, identifies violations of County, State, and Federal consumer protection laws, and makes referrals to other agencies when appropriate. Complaint categories include automotive sales/repairs, new home construction, home improvement repairs, predatory financial practices, credit and collection practices, telemarketing, and retail sales.

The OCP issues subpoenas to compel the production of documents or compel the attendance of witnesses. The office is authorized to hold hearings, administer oaths, and issue civil citations for violations of consumer protection laws. Special investigations are conducted and may result in Settlement Agreements or abatement orders, or in transmitting cases to the Office of the County Attorney for appropriate legal action. Investigators initiate charges for criminal prosecutions by the Office of the State's Attorney, and investigators also testify in court as expert witnesses. In addition, the Office engages in consumer advocacy by testifying before County, State, and Federal legislative bodies and by drafting new legislation to protect consumers.

The OCP develops and conducts consumer education programs. The Office issues press releases through the Office of Public Information, holds press conferences, and publishes consumer brochures; staff responds to requests for information regarding consumer protection rights and remedies. Staff makes presentations at schools; community, business and civic group meetings; and frequently appear on television and radio news programs. The Office maintains a webpage containing consumer protection information, a record of the number of complaints received against merchants, and consumer alerts. Outreach efforts include initiatives to better address the needs of vulnerable consumers, underserved communities, and residents with limited English proficiency. The office also works with the Advisory Committee on Consumer Protection.

The OCP is responsible for licensing or registering automobile repair and towing businesses; new homebuilders; radio, television and electrical appliance repair shops; and secondhand personal property dealers.

<b>Program Performance Measures</b>	<b>Actual FY11</b>	<b>Actual FY12</b>	<b>Estimated FY13</b>	<b>Target FY14</b>	<b>Target FY15</b>
Restitution received as a percent of restitution asked for by the consumer	85%	85%	85%	85%	85%
Average Office of Consumer Protection (OCP) customer satisfaction rating - Manner in which the customer's case was handled (1-4 scale)	3.2	3.5	3.5	3.5	3.5
Average OCP customer satisfaction rating - Outcome of the customer's case (1-4 scale)	2.9	3.0	3.0	3.0	3.0
Average time in workdays to investigate and close a written complaint: (<\$100)	64	64	64	64	64
Average time in workdays to investigate and close a written complaint: (\$101 - \$1,000)	64	64	64	64	64
Average time in workdays to investigate and close a written complaint: (\$1,001 - \$5,000)	64	64	64	64	64

	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Average time in work days to investigate and close a written complaint (>\$5,000)	64	64	64	64	64
Average time in workdays to investigate and close a written complaint: (\$NA)	64	64	64	64	64
Media Coverage - Percent of news releases receiving media coverage, including print news, television and radio	65%	65%	65%	65%	65%
Media Coverage - Number of times media outlets, including print news, television and radio, seek out OCP's expertise	24	24	24	24	24
Percent of OCP-initiated consumer protection cases closed that are resolved by OCP	72%	72%	72%	72%	72%

<b>FY14 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY13 Approved</b>	<b>1,893,512</b>	<b>14.10</b>
Increase Cost: FY14 Compensation Adjustment	59,310	0.00
Increase Cost: Administrative Specialist to coordinate key programs and functions	49,445	0.60
Increase Cost: Retirement Adjustment	29,270	0.00
Increase Cost: Other Labor Contract Costs	3,736	0.00
Increase Cost: Printing and Mail Adjustment	857	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum	-35,262	0.00
Decrease Cost: Group Insurance Adjustment	-36,545	0.00
Decrease Cost: Elimination of Energy Consultant Services	-50,000	0.00
Decrease Cost: Annualization of FY13 Personnel Costs	-54,707	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	11,198	0.00
<b>FY14 CE Recommended</b>	<b>1,870,814</b>	<b>14.70</b>

### Commission on Common Ownership Communities

The OCP serves as staff to the Commission on Common Ownership Communities. This Commission serves as an alternative dispute resolution mechanism to mediate and arbitrate certain disputes between the governing bodies of homeowner associations, condominium associations, and cooperatives, and the individuals living within these common ownership communities. The Commission also provides education to governing bodies of common ownership communities and their residents and acts as an advocate for their interests.

<b>Program Performance Measures</b>	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Percent of Commission on Common Ownership Communities (CCOC) cases resolved prior to a hearing	65%	65%	65%	65%	65%

<b>FY14 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY13 Approved</b>	<b>289,100</b>	<b>1.90</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-11,198	0.00
<b>FY14 CE Recommended</b>	<b>277,902</b>	<b>1.90</b>

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## BUDGET SUMMARY

	Actual FY12	Budget FY13	Estimated FY13	Recommended FY14	% Chg Bud/Rec
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	1,324,429	1,370,636	1,349,813	1,371,964	0.1%
Employee Benefits	590,833	621,626	647,167	635,545	2.2%
<b>County General Fund Personnel Costs</b>	<b>1,915,262</b>	<b>1,992,262</b>	<b>1,996,980</b>	<b>2,007,509</b>	<b>0.8%</b>
Operating Expenses	92,319	190,350	177,207	141,207	-25.8%
Capital Outlay	0	0	0	0	—
<b>County General Fund Expenditures</b>	<b>2,007,581</b>	<b>2,182,612</b>	<b>2,174,187</b>	<b>2,148,716</b>	<b>-1.6%</b>
<b>PERSONNEL</b>					
Full-Time	16	17	17	17	—
Part-Time	0	0	0	1	—
FTEs	14.50	16.00	16.00	16.60	3.8%
<b>REVENUES</b>					
Common Ownership Community Fees	0	405,500	405,500	405,500	—
Miscellaneous Revenues	1,066	0	0	0	—
New Home Builder's License	127,185	134,000	134,000	134,000	—
Other Charges/Fees	105	0	0	0	—
Other Fines/Forfeitures	4,245	1,000	1,000	1,000	—
Other Licenses/Permits	62,388	55,000	55,000	55,000	—
<b>County General Fund Revenues</b>	<b>194,989</b>	<b>595,500</b>	<b>595,500</b>	<b>595,500</b>	—

## FY14 RECOMMENDED CHANGES

	Expenditures	FTEs
<b>COUNTY GENERAL FUND</b>		
<b>FY13 ORIGINAL APPROPRIATION</b>	<b>2,182,612</b>	<b>16.00</b>
<b>Other Adjustments (with no service impacts)</b>		
Increase Cost: FY14 Compensation Adjustment [Consumer Protection]	59,310	0.00
Increase Cost: Administrative Specialist to coordinate key programs and functions [Consumer Protection]	49,445	0.60
Increase Cost: Retirement Adjustment [Consumer Protection]	29,270	0.00
Increase Cost: Other Labor Contract Costs [Consumer Protection]	3,736	0.00
Increase Cost: Printing and Mail Adjustment [Consumer Protection]	857	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum [Consumer Protection]	-35,262	0.00
Decrease Cost: Group Insurance Adjustment [Consumer Protection]	-36,545	0.00
Decrease Cost: Elimination of Energy Consultant Services [Consumer Protection]	-50,000	0.00
Decrease Cost: Annualization of FY13 Personnel Costs [Consumer Protection]	-54,707	0.00
<b>FY14 RECOMMENDED:</b>	<b>2,148,716</b>	<b>16.60</b>

## PROGRAM SUMMARY

Program Name	FY13 Approved		FY14 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Consumer Protection	1,893,512	14.10	1,870,814	14.70
Commission on Common Ownership Communities	289,100	1.90	277,902	1.90
<b>Total</b>	<b>2,182,612</b>	<b>16.00</b>	<b>2,148,716</b>	<b>16.60</b>

## CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY13		FY14	
		Total\$	FTEs	Total\$	FTEs
<b>COUNTY GENERAL FUND</b>					
Fire and Rescue Service	Fire	76,420	1.00	77,874	1.00

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# FUTURE FISCAL IMPACTS

Title	CE REC. FY14	FY15	FY16	( \$000's ) FY17	FY18	FY19
<b>This table is intended to present significant future fiscal impacts of the department's programs.</b>						
<b>COUNTY GENERAL FUND</b>						
<b>Expenditures</b>						
<b>FY14 Recommended</b> No inflation or compensation change is included in outyear projections.	2,149	2,149	2,149	2,149	2,149	2,149
<b>Labor Contracts</b> These figures represent the estimated cost of general wage adjustments, new service increments, and associated benefits.	0	79	98	98	98	98
<b>Labor Contracts - Other</b> These figures represent other negotiated items included in the labor agreements.	0	0	-4	-4	-4	-4
<b>Subtotal Expenditures</b>	<b>2,149</b>	<b>2,227</b>	<b>2,243</b>	<b>2,243</b>	<b>2,243</b>	<b>2,243</b>

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OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

May 7, 2012

TO: Roger Berliner, County Council President  
FROM: Isiah Leggett, County Executive *[Signature]*  
SUBJECT: Fire and Rescue Service – Emergency Medical Services – Reimbursement

RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

2012 MAY -8 PM 12: 25

In response to concerns expressed by members of our community regarding Expedited Bill 17-12, Fire and Rescue Service – Emergency Medical Services – Reimbursement, I am forwarding amendments which clarify the original intent of the bill, establish a Patient Advocate position in the Office of Consumer Protection, and add a monitoring and reporting requirement. I am enclosing a revised draft of the bill that includes each of my requested amendments, which are discussed in more detail below.

**Amendment 1: Insurance Reimbursement Program**

This amendment modifies the title of the bill to refer to “Fire and Rescue Service – Emergency Medical Services - Insurance Reimbursement” (page 1) and adds language referring to “Emergency Medical Services Insurance Reimbursement Program” (page 3, lines 26-27). Both of these amendments clarify that the bill’s primary purpose is to recover reimbursement from commercial insurers, Medicare, and Medicaid.

**Amendment 2: Fire and Rescue Personnel – No Insurance Inquiries**

This amendment prohibits Fire and Rescue personnel who respond to a request for emergency medical services transport from asking for any information relating to insurance coverage (page 2, lines 8-10).

**Amendment 3: County Residents – No Out-of-Pocket Expenses**

This amendment clarifies that County residents will pay no out-of-pocket expenses for an emergency medical services transport (page 3, lines 46-50).

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**Amendment 4: Non-supplantation**

This amendment clarifies that the base year for the non-supplantation clause is FY2012 (page 4, line 67).

**Amendment 5: Reporting Requirement**

This amendment requires the Fire Chief to report on a semiannual basis to the County Executive and County Council regarding implementation of the bill (page 5, lines 82-90).

**Amendment 6: Patient Advocate**

This amendment requires that the Office of Consumer Protection employ a Patient Advocate to: (1) develop and implement a program for customer service as a part of the Program; (2) develop and staff a help desk for questions regarding the Program; and (3) serve as a liaison with any vendor retained by the County to implement the program to ensure high quality customer service and prompt resolution of questions and concerns (page 5, lines 91-99).

**Amendment 7: Outreach and Education**

This amendment requires the implementation of a public outreach and education campaign before and during implementation of the Program which includes:

- Informational mailers to County households;
- Distribution of information through County internet and web-based resources;
- Radio and television public service announcements;
- News releases and news events;
- Information translated into Spanish, French, Chinese, Korean, Vietnamese and other languages, as needed;
- Extensive use of County Cable Montgomery and other Public, Educational, and Government channels funded by the County;
- Posters and brochures made available at County events, on Ride One buses and through Regional Service Centers, libraries, recreation facilities, senior centers, Montgomery County Public Schools, Montgomery College, health care providers, hospitals, clinics, and other venues; and
- Special outreach to senior and "New American" communities (page 6, lines 100-118).

If you have any questions about any of these amendments, please contact Assistant Chief Administrative Officer Kathleen Boucher at 240-777-2593.

Expedited-Bill No. 17-12  
Concerning: [[Fire and Rescue Service - ]]  
Emergency Medical [[Services]]  
Transportation - Insurance  
Reimbursement  
Revised: 5/15/12 Draft No. 4  
Introduced: April 24, 2012  
Enacted: May 15, 2012  
Executive: May 28, 2012  
Effective: January 1, 2013  
Sunset Date: None  
Ch. 14, Laws of Mont. Co. 2012

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

### AN EXPEDITED ACT to:

- [[ (1) authorize the County to impose and collect a reimbursement to recover costs generated by providing emergency medical services transports;
- (2) provide for a schedule of emergency medical services transport reimbursement charges, waiver criteria, permitted uses of reimbursement revenues, and other procedures to operate the emergency medical services reimbursement program;
- (3) prohibit a Local Fire and Rescue Department from imposing a separate emergency medical services transport reimbursement;
- (4) require the Executive to issue certain regulations to implement an emergency medical services transport reimbursement program;
- (5) require a certain annual transfer be made as payment of residents' uninsured portion of the emergency medical services transport reimbursement; ~~[[and]]~~
- (6) provide that County residents will pay no out-of-pocket expenses for an emergency medical services transport;
- (7) prohibit Fire and Rescue personnel who respond to a request for an emergency medical services transport from asking for any information relating to an individual's insurance coverage;
- (8) establish a Patient Advocate in the Office of Consumer Protection;
- (9) require the Fire Chief to report semiannually to the County Executive and County Council regarding implementation of this Act;
- (10) require the County to conduct a public outreach and education campaign; and]]
- (1) require health insurance providers to reimburse the County for emergency medical transportation provided to insured persons;
- (2) specify that County residents will not pay any out-of-pocket expense for emergency medical transportation provided by the County;
- (3) require emergency medical transportation fees to be waived for non-County residents with low or moderate incomes; and
- [[ (11) ]] (4) generally amend County law regarding the provision of emergency medical services.

By adding

Montgomery County Code  
Chapter 21, Fire and Rescue Service  
Section 21-23A. Emergency Medical Services Reimbursement Program

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Section 21-23A is added as follows:**

2   **21-23A.    Emergency Medical Services Transport Insurance Reimbursement**  
 3           **Program.**

4           (a)   Obligation to Transport.

5           (1)   The Fire and Rescue Service must provide emergency medical  
 6               services transport under applicable medical protocols to each  
 7               individual without regard to the individual's ability to pay.

8           (2)   Any personnel of the Fire and Rescue Service who respond to a  
 9               request for an emergency medical services transport must not ask  
 10              for any information relating to an individual's insurance  
 11              coverage.

12          (b)   Definitions. In this Section the following terms have the meanings  
 13              indicated:

14          (1)   Emergency medical services transport means transportation by  
 15              the Fire and Rescue Service of an individual by ambulance or  
 16              other Fire and Rescue Service vehicle used for a similar purpose.  
 17              Emergency medical services transport does not include  
 18              transportation of an individual under an agreement between the  
 19              County and a health care facility.

20          (2)   Federal poverty guidelines means the applicable health care  
 21              poverty guidelines published in the Federal Register or otherwise  
 22              issued by the federal Department of Health and Human Services.

23          (3)   Fire and Rescue Service means the Montgomery County Fire and  
 24              Rescue Service and includes each local fire and rescue  
 25              department.

26          (4)   Program means the Emergency Medical Services Transport  
 27              Insurance Reimbursement Program.

28 (c) Imposition of reimbursement. The County must impose a  
 29 reimbursement charge for any emergency medical services transport  
 30 provided in the County, and, unless prohibited by other law, outside the  
 31 County under a mutual aid agreement.

32 (d) Liability for Reimbursement. Subject to paragraph (e), each individual  
 33 who receives an emergency medical services transport is responsible for  
 34 paying the emergency medical services transport reimbursement.

35 (e) Hardship Waiver.

36 (1) The Fire Chief must waive the emergency medical services  
 37 transport reimbursement for any individual whose household  
 38 income is at or below 300 percent of the federal poverty  
 39 guidelines. An individual must request a waiver on a form  
 40 approved by the Fire Chief.

41 (2) The Fire Chief may deny a request for a waiver if the individual  
 42 who claims financial hardship under this Section does not furnish  
 43 all information required by the Fire Chief.

44 (f) County Residents - Payment of ~~[[Residents']] Uninsured Portion of the~~  
 45 Emergency Medical Services Transport Reimbursement.

46 (1) County residents must not be required to pay any out-of-pocket  
 47 expense relating to any emergency medical services transport  
 48 because residents are deemed to have paid any co-payment,  
 49 deductible, or uninsured portion of the cost of each emergency  
 50 medical services transport through taxes paid to the County.

51 ~~[[1]]~~ (2) Tax revenues the County receives must be treated as  
 52 payment, on behalf of County residents, of the balance of each  
 53 resident's portion of the emergency medical services transport  
 54 reimbursement charge that is not covered by the resident's  
 55 insurance.

56 [(2)] (3) The County Council must annually transfer from the General  
 57 Fund to the Consolidated Fire Tax District Fund an amount that  
 58 the Council estimates will not be covered by residents' insurance  
 59 as payment of all residents' uninsured portion of the emergency  
 60 medical services transport reimbursement charge.

61 (g) Restriction on Local Fire and Rescue Departments. A local fire and  
 62 rescue department must not impose a separate charge for an emergency  
 63 medical transport.

64 (h) Use of Revenue.

65 (1) Except for the transfer received from the General Fund under  
 66 subsection (f), the revenues collected from the emergency  
 67 medical services transport reimbursement must be used to  
 68 supplement, and must not supplant, [[existing]] Fiscal Year 2013  
 69 expenditures appropriated in the annual operating budget  
 70 resolution (not including any expenditures of revenue collected  
 71 under this program in Fiscal Year 2013) for emergency medical  
 72 services and other related fire and rescue services provided by the  
 73 Fire and Rescue Service.

74 (2) The Fire Chief must create a dedicated account in the fire fund  
 75 for the revenues collected from reimbursements under this  
 76 Program. This account must only be used for increased or  
 77 enhanced fire and rescue services above the level appropriated in  
 78 Fiscal Year 2013, as provided in paragraph (1), including new  
 79 field service positions related to expansion of 4 person staffing or  
 80 opening of new fire stations; increased training classes or  
 81 capacity; facility maintenance and repair; new or replacement  
 82 apparatus, gear, or equipment. Not more than 30% of this  
 83 account may be spent for personnel costs.

84           (3) A percentage of this account, which the Council must specify  
 85           annually in the operating budget resolution, must be used to  
 86           replace or augment apparatus owned and staffed by local fire and  
 87           rescue departments and training, gear, and equipment for local  
 88           fire and rescue departments. As part of the Executive's operating  
 89           budget submission, the Fire Chief must transmit a plan for use of  
 90           funds designated for local fire and rescue departments. The plan  
 91           the Chief transmits must specify:

92           (A) the amount of this account the Chief recommends to  
 93           allocate to replace apparatus that is owned and staffed by  
 94           local fire and rescue departments in the next fiscal year;  
 95           and

96           (B) the amount of this account to allocate to training, gear, and  
 97           equipment for volunteers.

98           (i) Regulations; Reimbursement Schedule. The County Executive must  
 99           adopt a regulation under method (2) to implement the emergency  
 100           medical services transport reimbursement program. The regulation  
 101           must establish a reimbursement schedule based on the cost of providing  
 102           emergency medical services transport. The reimbursement schedule  
 103           may include an annual automatic adjustment based on inflation, as  
 104           measured by an index reasonably related to the cost of providing  
 105           emergency medical services transports. The regulation may require  
 106           each individual who receives an emergency medical services transport  
 107           to provide financial information, including the individual's insurance  
 108           coverage, and to assign insurance benefits to the County.

109           (j) Reporting. The Fire Chief must submit a report to the County  
 110           Executive and County Council not later than January 1 and July 1 of

111 each year regarding implementation of the Program. The report should  
112 include:

- 113 (1) the number of calls for emergency medical services during the  
114 reporting period;
- 115 (2) the number and type of emergency medical services provided  
116 during the reporting period; and
- 117 (3) any other information relating to implementation of the Program  
118 that the County Executive or County Council request.

119 (k) Patient Advocate. The Office of Consumer Protection must employ a  
120 Patient Advocate to:

- 121 (1) develop and implement a program for customer service as a part  
122 of the Program;
- 123 (2) develop and staff a help desk for questions regarding the  
124 Program; and
- 125 (3) serve as a liaison with any vendor retained by the County to  
126 implement the Program to assure high quality customer service  
127 and prompt resolution of questions and concerns.

128 (l) Outreach and Education Campaign. The County Executive must  
129 implement a public outreach and education campaign before and during  
130 implementation of the Program. This campaign should include:

- 131 (1) informational mailers to County households;
- 132 (2) distribution of information through County internet and web-  
133 based resources;
- 134 (3) radio and television public service announcements;
- 135 (4) news releases and news events;
- 136 (5) information translated into Spanish, French, Chinese, Korean,  
137 Vietnamese, and other languages, as needed;

- 138           (6) extensive use of County Cable Montgomery and other Public,  
 139           Educational, and Government channels funded by the County;  
 140           (7) posters and brochures made available at County events, on Ride-  
 141           On buses and through Regional Service Centers, libraries,  
 142           recreation facilities, senior centers, public schools, Montgomery  
 143           College, health care providers, hospitals, clinics, and other  
 144           venues; and  
 145           (8) special outreach to senior and "New American" communities.

146           **Sec. 2. Expedited Effective Date.**

147           The Council declares that this legislation is necessary for the immediate  
 148 protection of the public interest. This Act takes effect on January 1, 2013.

149           **Sec. 3. Implementation.**

150           The County may collect the emergency medical services transport  
 151 reimbursement authorized by County Code Section 21-23A, enacted by Section 1 of  
 152 this Act, ~~[[may be collected]]~~ for any emergency medical services transport that  
 153 occurs on or after July 1, 2012. ~~[[Collection]]~~ The reimbursement may ~~[[occur]]~~ be  
 154 collected retroactively to ~~[[that]]~~ July 1, 2012, or any later date during the first fiscal  
 155 year the emergency medical services transport ~~[[fee]]~~ reimbursement is implemented.

156           **Sec. 4. Fire and Rescue Service Enhancements in Fiscal Year 2013.**

157           Subject to appropriation, the Council intends that, to the extent sufficient  
 158 revenue is achieved, revenue generated by the Emergency Medical Services  
 159 Transport Insurance Reimbursement Program authorized in County Code Section 21-  
 160 23A, enacted in Section 1 of this Act, in Fiscal Year 2013 should be used to fund the  
 161 following enhancements to the County Fire and Rescue Service in Fiscal Year 2013:

- 162           (a) Service Restoration: Place one ladder truck in the first battalion back  
 163           into service with dedicated 24-hour staffing.

164 (b) Apparatus Replacement Funding: Buy one tractor drawn ladder truck,  
165 one Engine Company, and 5 EMS units for system unit response  
166 improvements.

167 (c) Facility Maintenance and Improvements: Conduct a strategic facility  
168 assessment, develop a maintenance and improvement plan for all  
169 LFRD- and County-owned fire and rescue facilities and, to the extent  
170 possible based on available funding, begin initial maintenance and  
171 repairs to these facilities.

172 (d) Training: Provide system training for career and volunteer personnel,  
173 including core fire, rescue, EMS, technical rescue, and driver training  
174 classes.

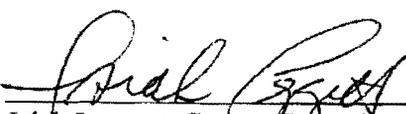
175 (e) Fire and Rescue Equipment: Buy personal protective equipment,  
176 portable fire, rescue, technical rescue, and EMS equipment for career  
177 and volunteer personnel, the training academy, and operational units.

178 Approved:

179   
180 \_\_\_\_\_  
Roger Bernier, President, County Council

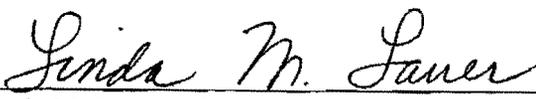
5/17/2012  
\_\_\_\_\_  
Date

181 Approved:

182   
Isiah Leggett, County Executive

May 28, 2012  
\_\_\_\_\_  
Date

183 This is a correct copy of Council action.

184   
Linda M. Lauer, Clerk of the Council

June 4, 2012  
\_\_\_\_\_  
Date

Bill No. 35-07  
Concerning: Consumer Protection -  
Energy and Environmental Advocacy  
Revised: 4/22/2008 Draft No. 10  
Introduced: November 20, 2007  
Enacted: April 22, 2008  
Executive: May 5, 2008  
Effective: August 4, 2008  
Sunset Date: None  
Ch. 12, Laws of Mont. Co. 2008

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Berliner, Ervin, Andrews, Elrich, Floreen, Leventhal, and Trachtenberg

**AN ACT** to:

- (1) require the Office of Consumer Protection to ~~[[represent]]~~ advocate for the County's interest in obtaining the lowest possible rates consistent with environmental stewardship for gas, electricity, and other energy sources by participating in matters pending before appropriate federal and state agencies; and
- (2) generally amend County law governing energy and the environment.

By amending

Montgomery County Code  
Chapter 11, Consumer Protection  
Section 11-2

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<del>[[Double boldface brackets]]</del>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Section 11-2 is amended as follows:**

2   **11-2. Office of Consumer Protection.**

3           **(a) Established.** The Office of Consumer Protection is a department of  
 4           County government.

5           **(b) Authority.** The Office may:

6           **[(a)] (1)** receive and investigate complaints and initiate its own  
 7           investigation of deceptive, unfair, or unconscionable trade  
 8           practices against consumers, hold hearings, compel the  
 9           attendance of witnesses, administer oaths, take the testimony of  
 10          any person under oath and require the production of any  
 11          evidence relating to any matter under investigation or in  
 12          question by the Office;

13          **[(b)] (2)** issue summonses and subpoenas to compel the attendance of  
 14          witnesses and the production of documents, papers, books,  
 15          records, and other evidence in any matter to which this Chapter  
 16          applies;

17          **[(c)] (3)** issue cease and desist orders and bring enforcement actions  
 18          regarding any trade practice that violates this Chapter;

19          **[(d)] (4)** report to any appropriate government agency with jurisdiction  
 20          over real estate transactions or consumer protection matters any  
 21          information concerning violation of any consumer protection  
 22          law;

23          **[(e)] (5)** communicate the interests of consumers and merchants before  
 24          administrative and regulatory agencies and legislative bodies to  
 25          ensure that both are adequately represented;



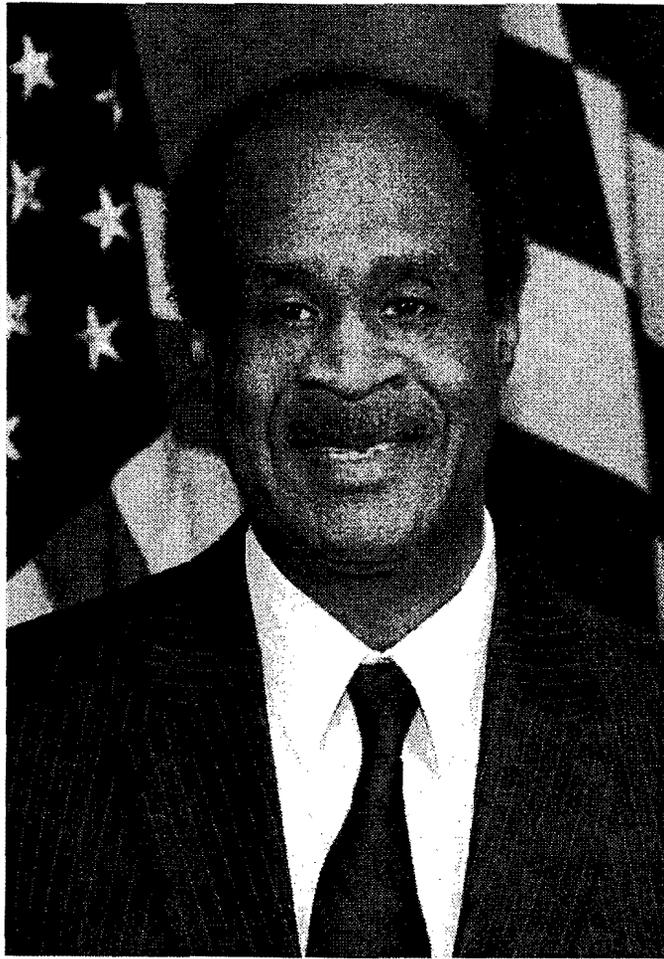


**40 Years**  
of Consumer Protection

Montgomery County, Maryland  
**Office of Consumer Protection**  
Annual Report  
FY 2011



Ensuring Integrity  
in our Marketplace



Forty years ago, Mrs. Idamae Garrott, president of the newly formed Montgomery County Council, called for the enactment of consumer protection legislation to "eliminate consumer fraud and deceptive and unfair trade practices." She urged Montgomery County to establish an "activist office" to "protect the health, welfare, and safety of the general public and honest business enterprises." In 1971, Montgomery County's consumer protection office was created and signed into law by County Executive James Gleason.

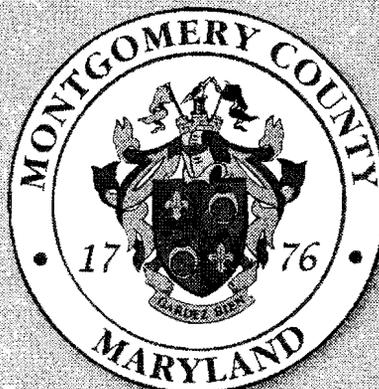
Forty years later, the President of the United States called for the enactment of consumer protection legislation to create a new federal agency to address financial consumer protection issues. In 2011, the federal Consumer Financial Protection Bureau was created and signed into law by President Barack Obama.

The advent of electronic commerce and communication has radically changed the nature of our marketplace and the challenges consumers and businesses face today. However, foreclosure crises and credit card abuses remain on the front pages of the news. We are fortunate that our elected officials had the foresight to establish, and the fortitude to maintain, a local consumer protection office capable of educating and protecting consumers and merchants in a rapidly changing marketplace replete with sophisticated pitfalls.

My administration is dedicated to providing responsive and accountable government services which contribute to a strong and vibrant economy and vital living for all residents. The Office of Consumer Protection's dedicated staff and volunteers continue to work hard, despite limited resources, to enhance the quality of life in Montgomery County. As we celebrate 40 years of consumer protection in Montgomery County, I look forward to addressing the challenges together in the coming years.

Ike Leggett

*Ike Leggett*  
County Executive



This Fiscal Year 2010/2011 Annual Report celebrates the 40th anniversary of the consumer protection office in Montgomery County, Maryland.

In 1971, Montgomery County established a consumer protection office as one of the first goals and priorities of the newly created County Executive and County Council. Chapter 11 of the Montgomery County Code created the "Office of Consumer Affairs" to eliminate consumer fraud and unfair and deceptive practices. Barbara B. Gregg was selected as the first executive director.

In 1996 the Office of Consumer Affairs became a division within the Department of Housing and Community Affairs. Elizabeth Davison was the director of DHCA. Joe Giloley initially served as acting chief, and in 1997 George Rose became chief of the Division of Consumer Affairs. Beginning in 2004, Evan Johnson, Ralph Vines, and Eric Friedman rotated in the position of acting chief of the Division of Consumer Affairs.

In 2005, 34 years after its creation, Montgomery County's consumer protection law was revised to reflect changes in the marketplace. In 2006, Council President Tom Perez initiated action to restore the consumer protection office as a separate County department rather than a division within a housing department. To reflect the nature of these changes, the office was renamed the "Office of Consumer Protection." In 2007, Eric Friedman was confirmed as the director of the Office of Consumer Protection.

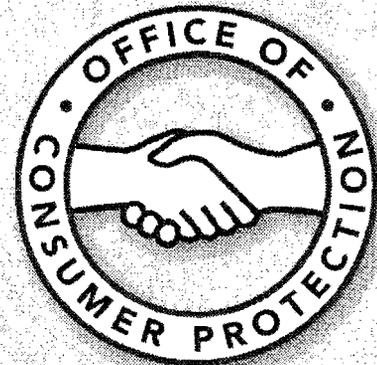
Today, celebrating our 40th year of public service, the core mission of the Office of Consumer Protection (OCP) remains true to the same underlying values and focus as when it was originally established. OCP joins the Police Department, Fire and Rescue Service, Sheriff's Office, and State's Attorney's Office in the public safety cluster of County agencies in safeguarding and educating consumers and businesses. OCP administers and enforces 11 County laws, and several new roles have recently been undertaken which enhance OCP's duties and responsibilities in today's marketplace.

## Mission Statement:

The mission of the Office of Consumer Protection is to enforce consumer protection laws prohibiting unfair and deceptive business acts or practices in order to ensure a fair marketplace for consumers and businesses. Activities include complaint resolution, law enforcement, education, legislation, advocacy, licensing, and outreach.

While our core mission is investigating and resolving consumer complaints, OCP is also responsible for the following additional programs:

- Commission on Common Ownership Communities
- Energy and Environmental Advocacy
- Domestic Workers Contracts
- New Home Sales Contracts
- Estimated Property Tax Disclosures
- Business Licensing (Auto Repair, Towing, New Home Builders, Appliance Repair, Pawn Shops)



Ensuring Integrity  
in our Marketplace

OCP designed and registered its first logo and tagline to capture the "here-to-help" philosophy which underlies the core mission of the office. The handshake reflects the value of *trust* as the underpinning of every consumer transaction, and the tagline underscores the importance of *fairness* in the marketplace for consumers and merchants.

# Forty Years of Consumer Protection

## What We Do

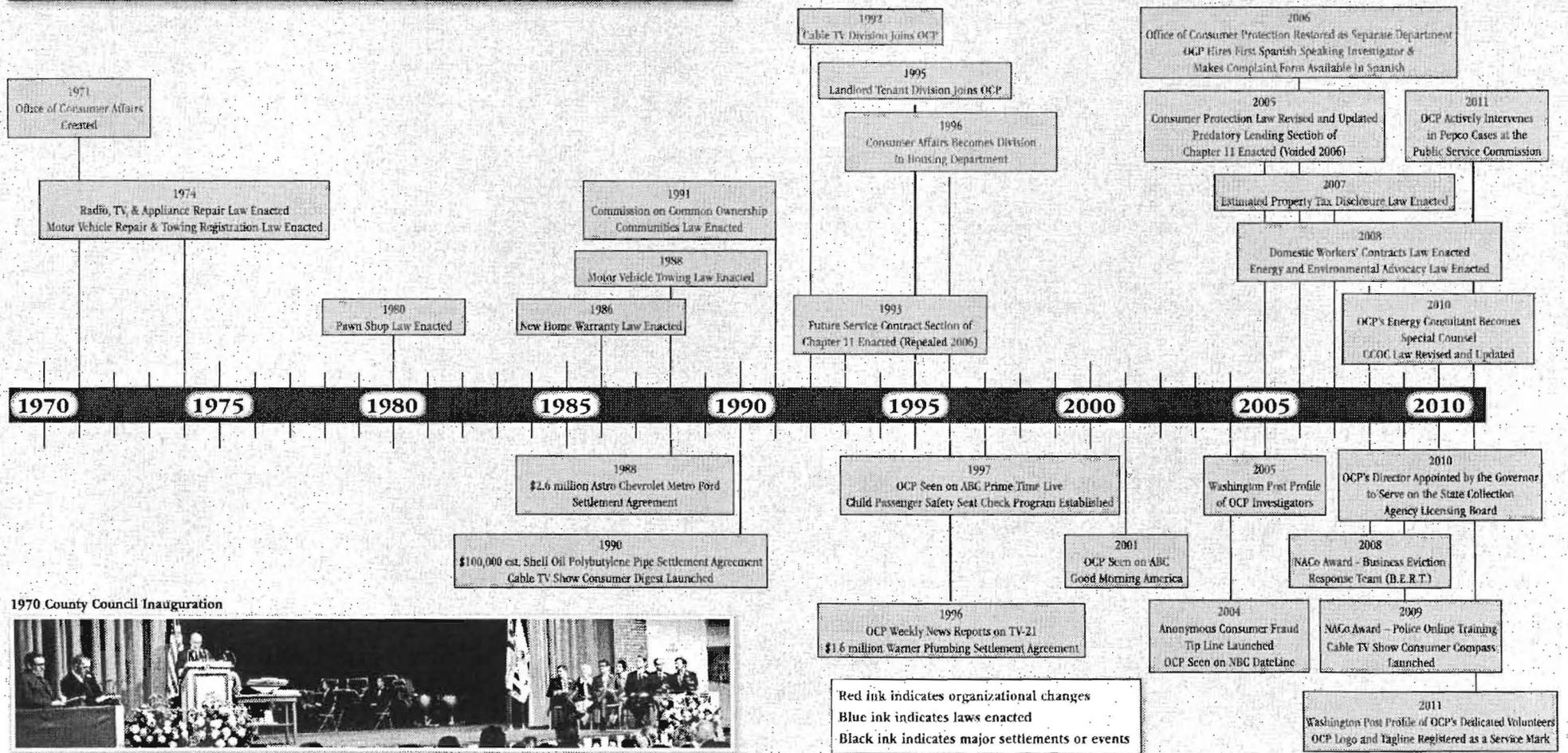
OCP investigates and resolves thousands of written complaints each year involving automotive sales and repairs, new-home

construction, home improvements, credit and financial issues, retail sales, advertising, internet services, and many other consumer transactions. We enforce several consumer protection

laws, and have the authority to execute settlement agreements, issue civil citations and subpoenas, conduct administrative hearings, and initiate legal action through the County Attorney.



Congressman Van Hollen's Consumer Protection Forum



1970 County Council Inauguration



te

## Law Enforcement – Prohibiting Deceptive Acts & Practices

OCP initiates legal action in order to ensure integrity in our marketplace. OCP has the authority to enter into settlement agreements, compel the attendance of witnesses and the production of documents, conduct administrative hearings, issue civil citations, and file legal action in court through the County Attorney's Office when a merchant is in violation of the Consumer Protection Act or any of the other laws administered by OCP. The following legal actions were taken in FY 2010/2011:

### Gas Appliance Installations & Inspections –

OCP filed a lawsuit in Circuit Court charging that a plumbing firm collected \$90 to \$150 from consumers for permit fees, but then failed to obtain the permits and inspections when installing gas water heaters. In addition to the financial harm, this case involved potential safety issues related to the installation of gas appliances.

As a direct result of this legal action, OCP and the Washington Suburban Sanitary Commission (WSSC) conducted a joint investigation into compliance with

permitting and inspection requirements for all gas appliances that were installed in Montgomery County by a sample of other appliance retail stores. The investigation revealed that two thirds of the gas water heaters sold during the tested time periods in 2010 and 2011 in Montgomery County by four of the large, "big box" type stores had not been properly inspected following installation, posing a potential safety hazard and depriving customers of services for which they had paid, but never received.

This report received extensive media coverage and served as the basis for WSSC to review its permitting and inspection procedures, as well as its consumer education outreach campaigns.

### Air Duct Cleaning – Settlement Agreement

OCP assisted a local TV news station in conducting a hidden camera investigative report and entered into a settlement agreement with a local duct cleaning company that engaged in deceptive and misleading advertising and service procedures.

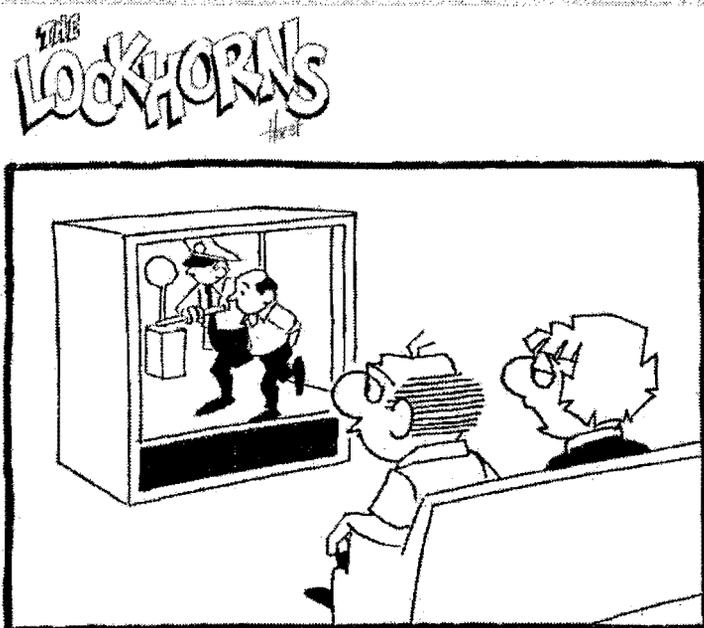
Refunds were provided to consumers, and the merchant agreed to change business practices. OCP also notified or reached agreements with seven other duct cleaning firms and two direct mail advertising firms regarding deceptive practices in the air duct cleaning industry.

OCP's action regarding merchants in this industry was based, in part, upon a report issued by the federal Environmental Protection Agency (EPA), which found that duct cleaning has never been shown to actually prevent health problems. In addition, OCP identified a sales tax violation which was reported to the Maryland Comptroller's Office.

### Legal Action Against Used Car Dealer

OCP collaborated with the state Motor Vehicle Administration (MVA) to take legal action against a used car dealer after both agencies received numerous complaints from consumers who purchased used vehicles but did not receive good titles or registrations to the vehicles within the timeframe required by law. Consumers who purchased and paid for these used cars were unable to register the vehicles in Maryland because the seller failed to transfer the vehicle titles to the consumers. In one case, the used car dealer sold the same vehicle to two different consumers.

In addition to the eight cases investigated by OCP and MVA, consumers with similar problems were urged to contact OCP. The dealership subsequently went out of business.



"HEY, ISN'T THAT THE GUY YOU JUST PAID TO PAVE OUR DRIVEWAY?"

# Complaint Resolution

## Home Improvement Nightmare

A Silver Spring consumer expecting the birth of a baby hired and paid a contractor \$24,000 to renovate a kitchen and bathroom. The contractor initiated the project, but then began making excuses and breaking promises regarding completion of the job. Subsequent inspections by reputable contractors revealed that the repairs initiated by the original contractor would have to be demolished in order to properly complete the job. OCP's investigator documented that the contractor was not licensed, and criminal charges were filed against the contractor for felony theft, abandonment, and operating without a license. OCP's investigator worked with the State's Attorney's Office in prosecuting the case. The defendant contractor was found guilty and ordered to pay restitution by the Circuit Court.

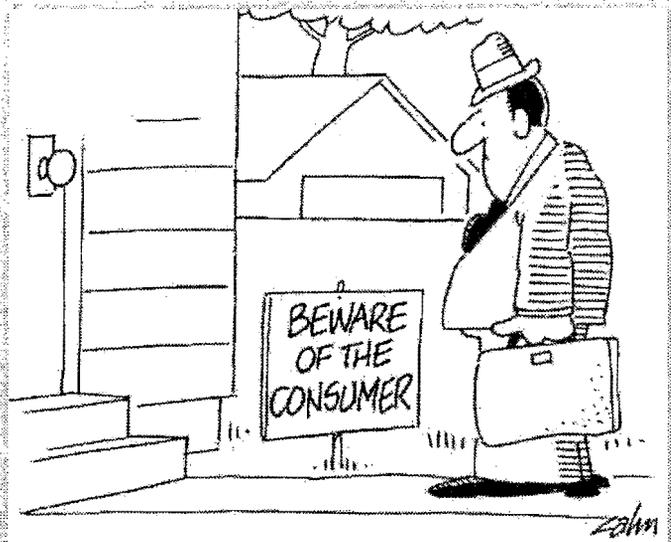
## Cheaper Electricity?

A third-party seller of electricity engaged in door-to-door sales practices offering residents "guarantees" of lower utility rates in order to convince consumers to switch electricity providers and sign up for a one- or two-year electricity plan. A consumer filed a complaint after learning that the "guaranteed savings" were not as represented by the salesperson. The consumer also complained about being forced to pay an \$820 early termination fee

when he attempted to cancel the electricity plan. OCP determined that the sales literature used by the third-party seller contained misrepresentations regarding the "savings" and that the sales person was not licensed as a door-to-door vendor. OCP met with the seller's attorneys and obtained the seller's agreement to change its advertising literature, modify the "fine-print" contained in its agreements, and ensure that all sales people are properly licensed.

## Vehicle Never Delivered

A consumer gave a \$4,000 cash deposit to an auto dealer for a used car. The dealer never delivered the vehicle to the consumer, and when the consumer asked for a refund, the dealer provided him with a bad check. Investigation revealed that the dealer was licensed as a Wholesale Dealer, but was prohibited from selling cars to the public. OCP contacted a detective from the Montgomery County Police Department's Auto Theft Unit, who agreed to work with OCP on the case. OCP's investigator and the police detective visited the address for the dealer, which turned out to be a shipping container and shack on a dirt lot in Gaithersburg. The dealer was contacted by phone, and agreed to meet with them the following week at that location. The consumer received a full cash refund of his \$4000, and the dealer agreed to no longer sell cars to the public in Montgomery County.



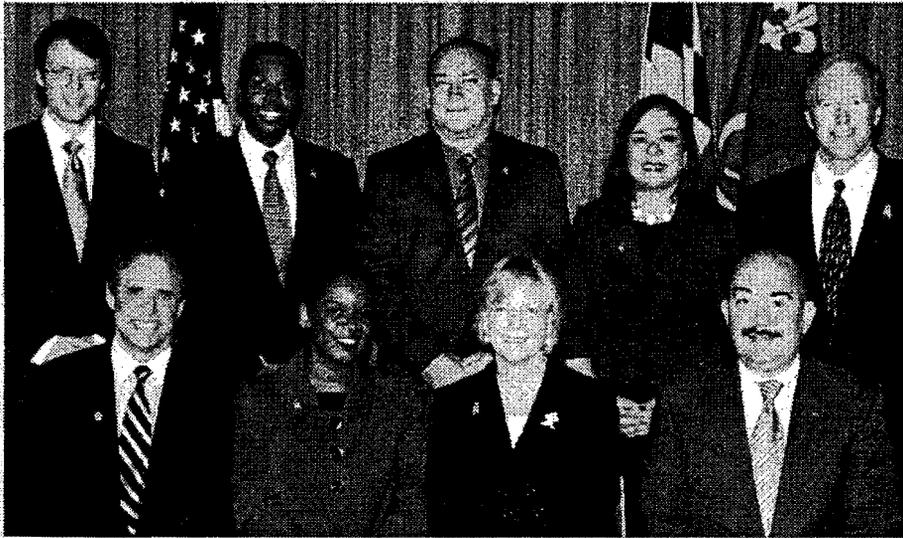
## Phantom Video Collection

Numerous consumers filed complaints with regard to notices they received from a collection agency alleging outstanding debts from a video business that had closed its doors years ago. In most cases the collection letters misrepresented to the consumers that they had not returned a rented video and, therefore, they were being charged the cost of the video and additional fees amounting to more than \$100. OCP contacted the out-of-state collection agency and requested that it verify the debts. The collection agency was unable to do so. As a result, the debt collection agency closed and ceased collections on all of the consumers' accounts. OCP also took action to ensure that the collection agency removed any negative credit information that had falsely been reported to the credit reporting bureaus.

## Holding Goods Hostage

A Montgomery County employee was moving to Rockville and obtained an estimate for the cost of the move. However, when the moving company arrived at the consumer's new home, it refused to unload the truck unless the consumer paid an amount four (4) times higher than the estimate. With the consumer's household goods being held hostage, the consumer reluctantly paid the exorbitant fee and filed a complaint with OCP and in Small Claims Court. The mover filed a counter-claim in Small Claims Court against the consumer. OCP's investigator determined that there were violations of both state and county laws. OCP's investigator successfully negotiated a settlement to resolve both pending Small Claims Court cases, and obtained a refund of \$1,275 for the consumer.

# Working with the County Council



Montgomery County Council: Left to right (standing) Hans Riemer, Craig Rice, Marc Elrich, Nancy Navarro, Phil Andrews, (seated): Roger Berliner, Valerie Ervin, Nancy Floreen, and George Leventhal.

## County Council

### • New Duties

OCP provides a remarkable ability to accept and successfully perform new administrative responsibilities in response to a variety of legislative initiatives enacted by the County Council. OCP is recognized and frequently serves as the “can-do” agency to which the County Council assigns new laws. For example: Estimated Property Tax Disclosures (Bill #24-07), Domestic Workers’ Contracts (Bill #2-08), and Energy & Environmental Advocacy (Bill # 35-07).

### • Constituent Services

OCP provides prompt and efficient services related to a myriad of consumer protection issues to constituents referred to OCP by all County Council members. OCP staff provides a “don’t-fall-through-the-cracks” approach in responding to Council members’ constituents in a helpful and non-bureaucratic manner. In addition, OCP coordinates public forums with Council members to educate and inform residents.

### • County Council Public Forums

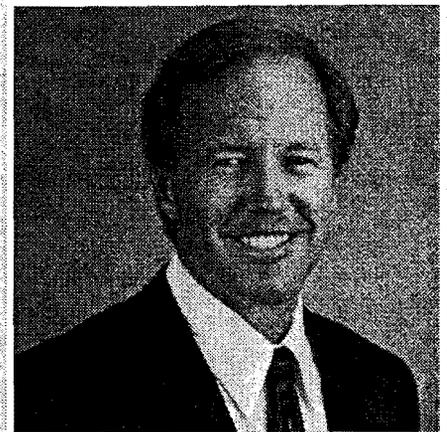
In FY2011, OCP collaborated with then County Council President Valerie Ervin and Councilmember Phil Andrews in hosting public educational forums to examine financial issues facing seniors.



**Council Member Valerie Ervin**

Two well-attended events were held in the Council members’ respective districts, bringing together experts from Maryland’s Long-Term Care Ombudsman Program, the Montgomery County State’s Attorney’s Office, attorneys in the field, and OCP.

In promoting the event, Council President Ervin stated, “Over this last year, our Office of Consumer Protection has seen a dramatic increase in complaints involving issues that adversely affect the lives of county seniors. We look forward to having an opportunity to discuss consumer protection issues with our residents to identify additional ways we can assist our seniors. The Office of Consumer Protection provides a tremendous service for our residents, and I am happy to support their work.”



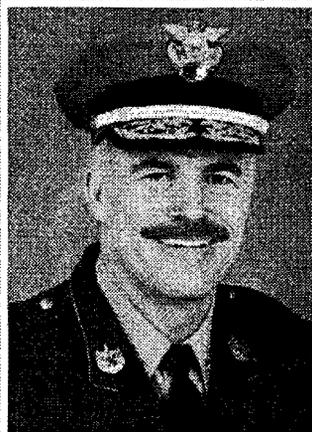
**Council Member Phil Andrews**

Councilmember Phil Andrews echoed Council President Ervin’s concern over issues affecting one of our most vulnerable groups when he said that, “Many seniors have to deal with a variety of complex financial issues relating to retirement and long-term care. In addition, seniors are often targeted by scam artists. The county’s Office of Consumer Protection is an outstanding resource for seniors for information about these issues...”

OCP will continue its dedication to educating county residents and business members to ensure integrity in our marketplace.

# Collaboration with Public Safety Agencies

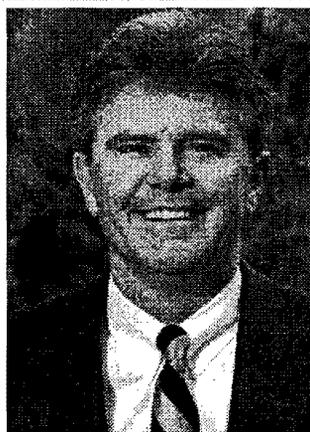
## Police



**Police Chief  
Tom Manger**

- **Financial Crime Section**  
OCP conducts field investigations and online research, interviews consumer victims, and interacts with police detectives in taking enforcement action against unlicensed home improvement contractors, sellers of counterfeit ("grey-market") merchandise, illegal auto sellers ("curbstoners"), and other merchants engaged in theft-by-deception transactions.
- **Towing**  
OCP provides information and interacts with police sergeants and officers regarding enforcement issues related to trespass (impound) towing and police-requested towing. OCP maintains registration files and background information regarding towing firms.

## State's Attorney



**State's Attorney  
John McCarthy**

- **Financial Crimes**  
OCP collaborates with the newly established "Senior Financial Exploitation Prevention Initiative" within the State's Attorney's Office to investigate financial exploitation of seniors and identify cases which appear appropriate for criminal prosecution. OCP staff work with the State's Attorney to prosecute unlicensed home improvement contractors and other merchants engaged in theft.
- **Consumer Education and Outreach**  
OCP's director and staff participate in public forums with the State's Attorney and staff to provide alerts and information in an effort to help Montgomery County residents avoid financial crimes and scams.

## Fire and Rescue Service



**Fire Chief  
Richard Bowers**

- **Safety Issues**  
OCP Staff collaborates with Montgomery County's Fire and Rescue Service regarding the installation of gas appliances that may not have been properly inspected. OCP investigators work with Fire and Rescue Service staff to prevent the sale of electrical appliances that have not been properly certified for sale.

## Sheriff



**Sheriff Darren Popkin**

- **Business Evictions**  
OCP and the Sheriff's Office have developed a Business Eviction Response Team (BERT) in an effort to protect consumer goods that are held by merchants at the time of an eviction. This program is a coordinated effort to safeguard and return consumers' possessions which would otherwise be lost or stolen as the unintended consequence of a court-ordered eviction of a merchant's store. This collaboration consists of a five-step process that frequently enables OCP to safeguard and return valuable goods to consumers. This program received a NACo award. It has successfully been used with regard to financial documents held by a mortgage company, photographs held by a photo studio, vehicles held by an auto repair shop, and frequently used with regard to clothing and uniforms held by dry cleaners.

# Collaboration with Other Agencies

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## Department of Permitting Services (DPS)

- **Licensing and Permitting**

OCP and DPS collaborate to maintain an online licensing database that enables residents to efficiently determine if a firm is licensed to build new homes in Montgomery County. In addition, OCP and DPS coordinate efforts to ensure that construction permits are only issued to licensed new home builders and home improvement contractors.

## Department of Housing and Community Affairs (DHCA)

- **Arbitration for Rehab Loan**

### Construction Disputes

DHCA provides low-interest rehabilitation loans to homeowners in need of money for repairs to their homes. These rehab loan contracts specifically provide that OCP shall serve as the arbitrator to resolve any construction disputes between the homeowners and the contractors.

## Department of Technology Services (DTS)

- **Cable TV & Internet Service Complaints**

OCP staff collaborated with the DTS Office of Cable and Broadband Services to investigate and resolve a long-standing issue and multiple complaints regarding a cable TV franchisee improperly charging additional fees for in-home service calls.

## Office of the County Attorney (OCA)

- **Lawsuits, Civil Citations, and Special Counsel**

OCP staff issue civil citations and develop cases for lawsuits against merchants for violating Montgomery County's consumer protection laws. OCP investigates these cases and is represented in court by the Office of the County Attorney. OCP researches and provides draft revisions to the Office of the County Attorney regarding County statutes related to consumer protection. In addition, OCP's energy consultant now also serves as special counsel with the Office of the County Attorney to represent Montgomery County in cases before the Maryland Public Service Commission.

## Department of Environmental Protection (DEP)

- **Home Energy Performance Audits**

OCP enforces the utility cost disclosure requirements which sellers have when selling homes. These requirements are in conjunction with the disclosure of energy information provided by DEP. Sellers of single-family homes and condominiums which are individually metered for electricity and/or natural gas are required to disclose certain usage and cost information when selling their homes. OCP provides information to assist sellers in complying with these requirements and is responsible for monitoring compliance.

## State/Federal/Other Agency Referrals

OCP routinely refers cases to other state and federal law enforcement agencies after conducting investigations. OCP often makes referrals to and collaborates with the following agencies:

- **Maryland Attorney General's Office**
- **Maryland Department of Labor Licensing and Regulation (DLLR)**
- **Federal Bureau of Investigation (FBI)**
- **U.S. Postal Inspector**
- **Montgomery County Department of Health and Human Services**
- **Montgomery County Public Schools**
- **Montgomery County Office of Human Rights**
- **Montgomery County Community Engagement Cluster**
- **Federal Trade Commission (FTC)**
- **Consumer Financial Protection Bureau (CFPB)**
- **Maryland Circuit Court**
- **Maryland Public Service Commission**
- **Maryland Office of the People's Counsel**
- **Maryland Comptroller**

## Energy & Environmental Advocacy



Left to right (standing): County Executive Ike Leggett, Congressman Chris Van Hollen, and Council President Roger Berliner.

**I**n Fiscal Year 2010/2011, OCP's duties regarding energy and environmental advocacy, initially established through Council member Roger Berliner's efforts, increased dramatically.

OCP's energy consultant was appointed by the county executive and confirmed by the County Council as a special counsel to represent Montgomery County before the Maryland Public Service Commission (PSC). OCP served as staff to a blue-ribbon panel work group created by the county executive to investigate Pepco's performance and reliability. Montgomery County intervened in several major cases regarding Pepco's electrical service:

**PSC Case #9240:** In response to complaints from Montgomery County and others, the PSC initiated an investigation into Pepco's reliability. Montgomery County intervened, submitted a comprehensive report, and staff testified during the hearing. Montgomery County's Special Counsel Stanley W. Balis was also able to cross-examine Pepco's witnesses. The PSC imposed a \$1 million fine, held that Pepco's performance was "imprudent," and asserted that rate payers should not bear all of the cost to improve Pepco's service.

**PSC Rule Making #43:** OCP Investigator Lisa Brennan represented Montgomery County in a work group formed to create reliability standards for all electric utility companies in Maryland. This work group of stakeholders met over a six-month period to develop reliability standards regarding all aspects of electric service distribution from tree cutting to customer service. A final rule is pending.

**PSC Case #9217 Phase II:** Montgomery County intervened in a rate-setting case related to the cost of street lights in Montgomery County. Montgomery County's special counsel worked with technical experts from Montgomery County's Department of Transportation to establish more equitable maintenance fees in an effort to reduce Montgomery County's payments to Pepco.

**PSC Case #s 9207-9208:** OCP filed comments for Montgomery County supporting the deployment of Advanced Meter Infrastructure ("Smart Grid") technology in Maryland. OCP Investigator Lisa Brennan has represented OCP on the PSC's Smart Grid Implementation Work Group which developed, among other things, customer education and communication plans for smart meters that are currently being deployed in Montgomery County.

**PSC Case #s 9153-9155:** The EmPOWER Maryland Energy Act is designed to establish energy and demand reduction goals of 15 percent in Maryland by 2015. OCP has commented on several issues in the EmPOWER cases, including submitting comments for the 2012-2014 planning cycle with the Department of Environmental Protection on improved marketing, education and awareness of programs, financing programs, and multifamily program accessibility.



## Education and Community Outreach

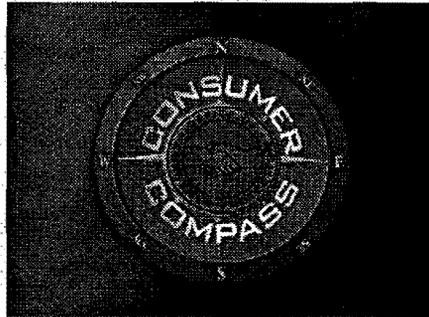
OCP's ability to educate consumers and effect change in the marketplace is greatly enhanced by the extent to which we can communicate with consumers through the media. OCP seeks to inform residents about what we are doing and effectively warn consumers about current scams.

### Forum with Congressman Chris Van Hollen

In May 2011 OCP co-hosted a public forum regarding financial issues in today's marketplace in which a standing-room-only crowd at the Silver Spring Civic Center heard from and interacted with Congressman Chris Van Hollen, Assistant to the President Elizabeth Warren, Montgomery County State's Attorney John McCarthy, and representatives of the Federal Trade Commission.

Representatives from more than 30 federal, state, and county agencies participated in the forum and delivered valuable information regarding identity theft, mail fraud, lottery and sweepstakes scams, investment scams, foreclosure prevention, home improvement scams, Medicare fraud, long-term care issues, and benefit services for veterans and social security recipients.

### "Consumer Compass" Cable TV Show



In FY 2010 and FY 2011, OCP staff continued working with the County Council to produce our cable TV show called *Consumer Compass*. This show is designed to showcase consumer-related issues. Episodes of this quarterly show have featured information about trespassing, household moving companies, landscaping firms, firewood sales, identity theft, auto maintenance, consumer alerts, and various OCP outreach activities. This show provides another opportunity for our staff to communicate valuable information to help consumers avoid problems.

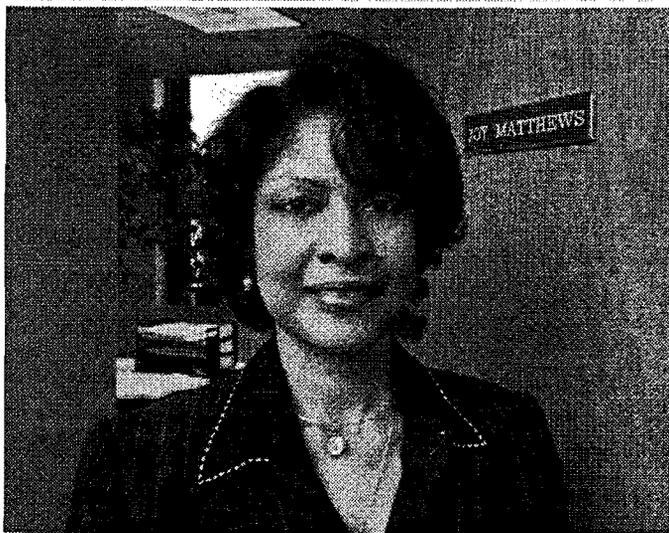
### Local Events

Beginning in FY 2010, in addition to many other educational events, OCP coordinated outreach campaigns at four major retail centers, enabling us to reach hundreds of consumers and many merchants. OCP's committed staff conducted these events on weekends throughout the county in order to reach the most consumers and maximize our visibility.

During FY 2011, OCP initiated a new campaign focused on addressing the needs of one of our most vulnerable populations, the senior community. OCP worked with our Advisory Board on Consumer Protection to develop a series of financial forums intended to tackle issues affecting seniors. The forum venues were strategically selected to reach as many people as possible from our senior community. OCP partnered with state and other County agencies, as well as legal advisors, health providers, senior residential facility managers, and elected officials to assemble resources, expert speakers and educational material that addressed senior-related issues, including long-term care needs, financial abuse, health care issues, and investment scams.

### E-subscribe, YouTube, and Twitter

Over the past two years, OCP has expanded its distribution of consumer information through the county's electronic service, E-subscribe, which is geared to quickly communicate with a large subscriber base. OCP also utilizes popular social networks such as Twitter and YouTube to disseminate alerts, news, and educational videos. Montgomery County Office of Consumer Protection can be found at <http://twitter.com/consumerwise> and <http://www.youtube.com/consumerwise>.

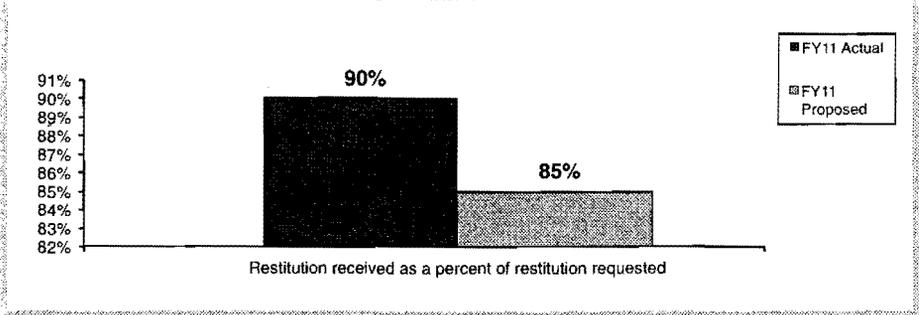


# CountyStat Performance Measures

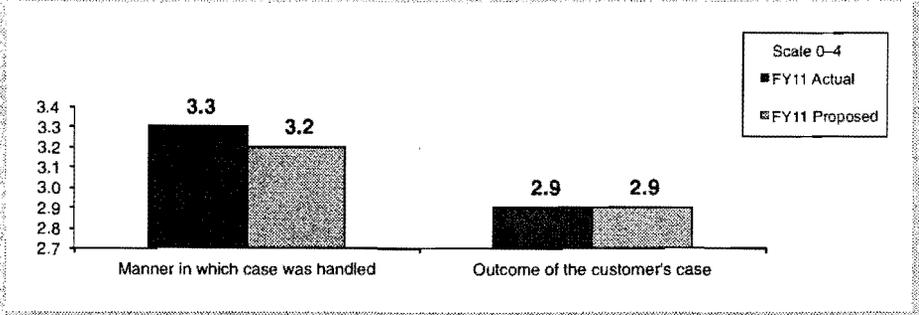
CountyStat, a component of Montgomery County's results-based accountability system initiated by County Executive Isiah Leggett and Chief Administrator Tim Firestine, is useful in managing toward results. OCP is committed to being "a responsible and accountable county government" office.

In FY 2010 and FY 2011, OCP achieved an improvement over the majority of its performance measures. Most notably, OCP's customer satisfaction level, measured by the customer's satisfaction with the manner in which the case was handled and with the outcome of the case, increased by over 24 percent in both categories.

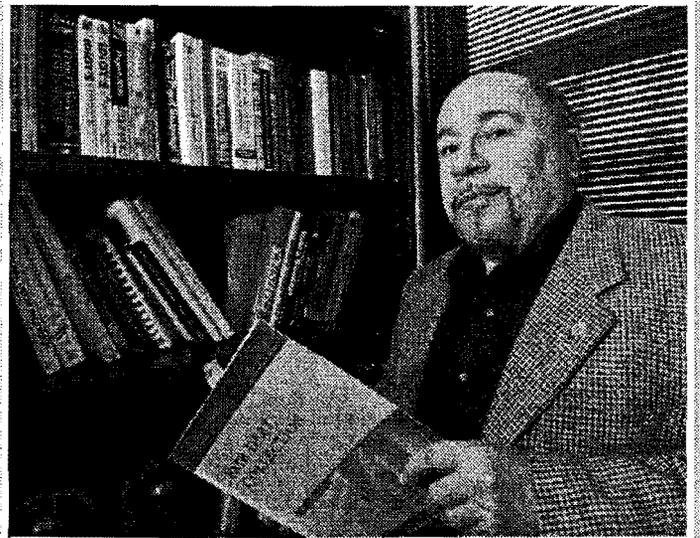
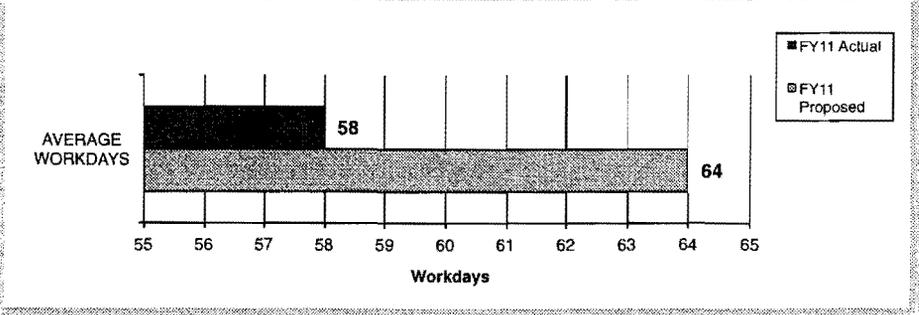
## Percentage of Adjusted Restitution Obtained by OCP



## Customer Satisfaction Ratings



## Average Time to Close a Consumer Complaint



## Commission on Common Ownership Communities

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Over one third of Montgomery County residents now live in communities governed by homeowner associations or condominium associations. The Commission on Common Ownership Communities (CCOC) operates as an alternative dispute resolution mechanism designed to hear and resolve disputes between homeowner and condominium associations and their owners and residents. The Commission has been in operation since 1991 and served as a model for other similar agencies that have recently been established in Prince George's and Charles counties. OCP serves as staff to the Commission and responds to all inquiries and filed disputes. The Commission's expenses are funded entirely from the annual registration fees all associations must pay, which are currently \$3 per unit or home.

The 15 volunteer commissioners are appointed by the county executive and confirmed by the County Council; volunteer local attorneys chair the hearing panels and write the decisions. In FY 2011, 21 new common ownership communities registered with the Commission, bringing the total of registered common ownership communities to 1005. These communities comprise a total of 126,042 residential units, housing over 400,000 county residents.

In FY 2011, the CCOC received 61 written complaints from homeowners and community associations, and responded to 800 requests for advice and information. With the assistance of



the Conflict Resolution Center of Montgomery County (CRCMC), 30 mediation sessions were conducted. The Commission held 13 public dispute resolution hearings and issued 15 final orders.

The Commission expanded its website by adding a major new section on "Frequently Asked Questions" about the Commission and relevant laws. The County Council's amendments to Chapter 10B took effect in July, 2010, and the new Code was added to the website, along with a revised Complaint Form that incorporates those amendments. The Commission is now working on updating its online *Manual & Resource Guide* and other materials to assist association members and their boards of directors. The Commission also published four newsletters on important topics of interest to common ownership communities.

## Advisory Committee on Consumer Protection

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OCP receives guidance and assistance from the Advisory Committee on Consumer Protection. The Advisory Committee, which meets monthly, consists of nine volunteer members reflecting a cross-section of consumer and business interests. The members are appointed by the county executive and confirmed by the County Council.

In FY 2010/2011 the Advisory Committee organized a public forum titled "Financial Issues Affecting Seniors." Topics included long-term care needs, financial abuse, health care issues, and investment scams.

The Advisory Committee recently issued a report and recommendations regarding the installation and inspection of gas appliances. This report followed a joint investigation by OCP and the

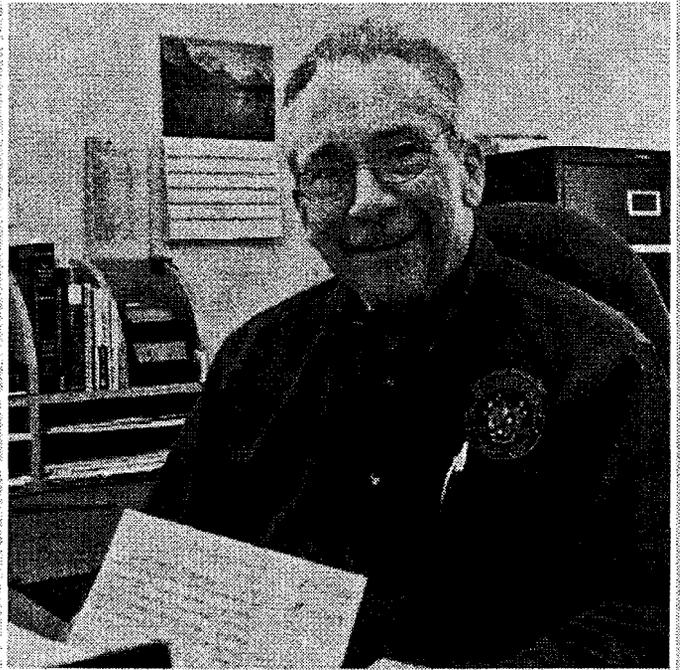
Washington Suburban Sanitary Commission (WSSC) which found that a majority of gas appliances installed in Montgomery County during a test period had not been properly inspected following installation.

The Advisory Committee issued a press release to solicit comments from all stakeholders regarding the installation and inspection of gas appliances in Montgomery County. After reviewing comments from consumers, retailers, Fire and Rescue Services, and WSSC, the advisory committee made several recommendations to improve the process. This report and recommendations were provided to WSSC and assisted in enhancing the procedures in Montgomery and Prince George's counties.

## Business Licensing Unit

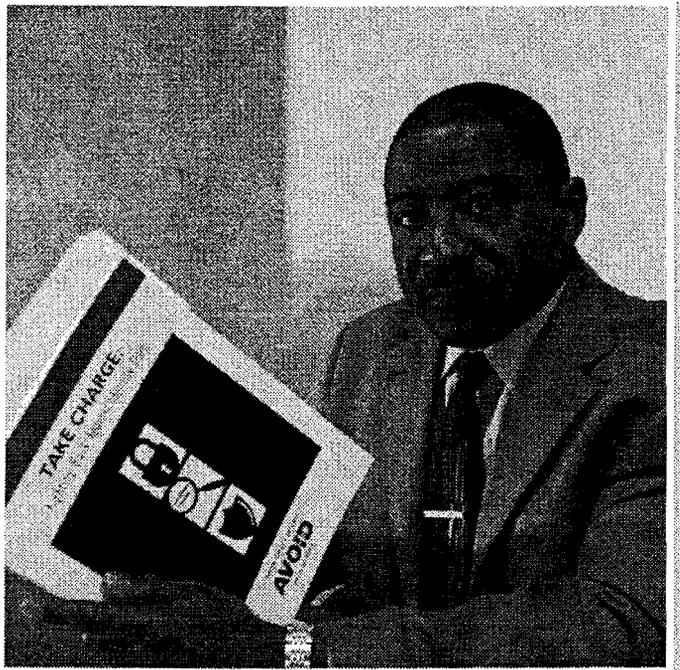
OCP continues its support of local businesses through our Licensing Unit. OCP is responsible for licensing new home builders, auto repair shops, auto towing businesses, appliance repair firms, and secondhand personal property dealers. Throughout FY 2010 and FY 2011, OCP continued to ensure that local business owners had the resources available to comply with local laws. In FY 2010, OCP redesigned its website to provide important information to merchants. OCP is also saving resources by moving toward a paperless environment. During FY 2011, OCP reported the following active licenses:

<b>Building Contractor's Licenses .....</b>	<b>393</b>
<b>Motor Vehicle Repair Licenses .....</b>	<b>793</b>
<b>Auto Towing Licenses .....</b>	<b>118</b>
<b>Radio/TV &amp; Small Appliance Licenses .....</b>	<b>150</b>
<b>Secondhand Personal Property Licenses .....</b>	<b>140</b>



## Builder's Board of Registration

OCP licenses new-home builders in Montgomery County. New and renewal applications for new-home builders are reviewed by the Builders' Board of Registration. The Board consists of five members appointed by the county executive and confirmed by the County Council. Two of the five members are required to be active in residential construction. All members are volunteers who do not receive compensation for serving. The primary duty of the Board is to certify to the OCP director whether or not an applicant is qualified to comply with the building codes. In addition, the Board, after giving the builder an opportunity for a hearing, may deny, suspend, refuse to renew, or revoke the license of a builder.



# Consumer protection

Agency looks out for the little guy

**The Washington Post**

Consumers in Montgomery County have team of determined volunteers on their side

**GETTING WISE** Consumer protection watchdogs have started to track fraud

MARYLAND OFFICIALS FIGHT CRIME AND TERRORISM

**Consumer agency cracks down on bankrupt Montgomery firms**

County fears customers may be left holding bag

Customers who divulge some of their most private information to counseling agencies may be surprised who gets access to it

Montgomery Communities

**Consumer Protection Reaches Agreement with**

**Bursting pipes prompt investigation by county**

Restaurateur has beef with meat scam

**New debt-counseling group draws fire**

**Travel agent found in N.Y. after fleeing ticket scandal**

Mueblería usa como eslogan "La casa se está quemando"

**County halts sales of microwave to detect microwaves**

**Consumers with Furniture Retailer Signs Settlement Agreement Regarding Deceptive Sales Practices**

**Police Arrest Suspect in Home Improvement Scam**

**Montgomery Cleans Up Cookware Scam**  
At Home Parties, Latinos Were Tricked Into Signing Purchase Agreements

**Customers can reclaim clothes from evicted dry cleaners**

More than 200 items left in business that shuttered in January, county says

**of meters e leakage**

**Inspections Lag on Gas Appliances Sold From Big-Box Stores**

Complaints can help lower newly-hiked credit card rates

**Office of Consumer Protection Report: Some retailers failing to ensure Use Only Licensed Contractors inspections of gas appliances**

**County Takes Legal Action Against Plumbing Firm**

## The Hippo Story

The Office of Consumer Protection is proud to be one of the "public safety" departments in Montgomery County.

The hippo represents the larger public safety departments: Police, Fire and Rescue Service, Sheriff, Emergency Management and Homeland Security, and Correction and Rehabilitation.

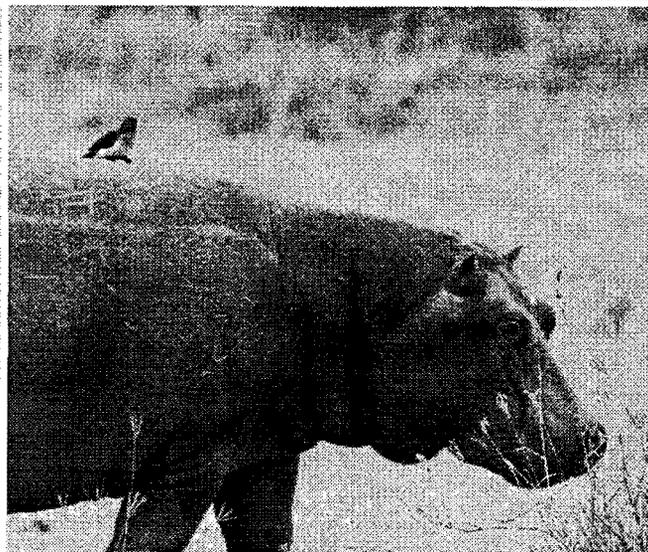
The bird on top of the hippo represents OCP, and symbolizes a symbiotic relationship among the departments.

The bird keeps the hippo healthy and active by eating bugs and parasites. OCP provides assistance with regard to impound towing, pawn shops, illegal contractors & car sellers, business evictions, unsafe electrical products, and the installation of gas appliances.



In collaborating with public safety departments, OCP enables the larger departments to more efficiently respond to other issues, and the larger departments are able to make appropriate referrals to OCP.

Together, all the public safety departments enforce laws that protect the quality of life in Montgomery County.



## Hall of Thanks

The Office of Consumer Protection's multidisciplinary staff are dedicated consumer advocates devoted to ensuring integrity in our marketplace. We take great pride in our customer service and results. In addition, letters and comments of praise from our biggest fans, Montgomery County residents, are greatly appreciated. The following comments speak to our successes and fuel our commitment to our mission:

*"I had given up months before... I got a live person at the Montgomery office, filed a complaint through them, and they acted."*

Abby T.  
Silver Spring, MD  
Submitted to the  
Washington Post

*"Thanks to your intervention, I got a very satisfactory result... I thank you for your time, dedication and good service."*

Aliette B.  
Silver Spring, MD

*"From day one, I knew I was in good hands and I felt confident following your advice, which was always spot on. You were extremely knowledgeable, skillful, patient, and helpful! Your efforts were tireless..."*

Paul B.  
Bethesda, MD

*"You addressed my complaint in a timely manner, kept me informed throughout the process, addressed the issues I had along the way and followed through in a most exceptional way."*

Walter W.  
Rockville, MD

*"...thank you and your staff for your outstanding service to the citizens of Montgomery County. I have lived in the county for many years, and your office is an outstanding example of good government at its best."*

Stanley L.  
Bethesda, MD

*"I cannot begin to describe my delight in being able to tell others that I have now experienced government at its best and truly mean it!"*

Mary C.  
Silver Spring, MD

*"...to express my gratitude that there is someplace in the government where I could go when I needed help and could not get to a satisfactory result on my own. I hope and expect that you are aware that county residents need this office and appreciate the work they do."*

Nancy C.  
Rockville, MD

*"We cannot praise enough the Montgomery County Office of Consumer Protection and its employees for their hard work on our behalf. We are a retired couple on a fixed income and were hopelessly overmatched in attempting to deal with one of America's largest corporations. No resolution would have been possible without the help of OCP. This is indeed a wonderful service rendered by the County to its residents."*

Edward F.  
Olney, MD

## Many Thanks to Our Volunteers

Since the creation of Montgomery County's Office of Consumer Protection, we have actively recruited and welcomed assistance from volunteers. OCP has been very fortunate to have a cadre of dedicated and talented volunteers who assist us in ways both big and small. Our volunteers include a retired deputy attorney general from New Jersey, a former teacher and principal, a retired Secret Service administrator, a former general counsel for a national bank, homemakers, college and high school students, and many other retired professionals.

These talented individuals, under the direction of our staff, sort through case details, answer calls from consumers, respond to mail, negotiate settlement agreements, and help coordinate consumer outreach events.

If you would like to volunteer with our office, please visit our website or call us at 240.777.3636.

OCP expresses its sincerest gratitude for the time, commitment, and dedication that our volunteers have provided through forty years of consumer protection.

Albert, Amanda  
 Alexander, Richard  
 Aquino, Victor  
 Bacot, Janet  
 Bacot, Libba  
 Baer, Jack  
 Bailey, Andrew  
 Bansal, Megha  
 Bates, Jeremy  
 Battle, Kendra  
 Becker, Judi  
 Beckwith, Lisa  
 Berilla, Trek  
 Blandford, Bill  
 Blass, Irv  
 Brill, Bob  
 Brownlee, Andrew  
 Cammisa, Joe  
 Carew, Katie  
 Chan, Kayshin  
 Chucker, Ellie  
 Clemens, Jules  
 Colletti, Mary Caroline  
 Colmar, Robert  
 Cooper, Rae

Creel, John  
 Dempsher, Eve  
 Dresner, Zita  
 Edelberg, Nate  
 Ezzat, Sarah  
 Euzent, Sid  
 Farrar, Allen  
 Feldman, Bill  
 Fishbein, Evelyn  
 Gale, Joshua  
 Gardner, Jarred  
 Gaule, Gabriela  
 Goldsmith, John  
 Goodman, Ellen  
 Hackett, William  
 Hall, Ron  
 Hickson, Michael  
 Horowitz, Michelle  
 Joyce, Barbara  
 Kane, William  
 Kelland, Colby

Kent, Robert  
 Kleine, Herman  
 Knapp, Jeremy  
 Kraft, Mary Lee  
 Krepchin, Pearl  
 Langsdorf, Roger  
 Lawson, Nilay  
 Lechter, Max  
 Lesser, David  
 Lesser, Nancy  
 Maiman, Seth

Malamud, Leonard  
 Mason, Dave  
 McMillan, Susan  
 Medina, Efen  
 Miller, Carl  
 Minami, Patricia  
 Montano, Ronald  
 Morales, Virginia  
 Newell, Bob  
 Nielson, Monica  
 Oganesyian, David  
 Olech, Martin  
 Oum, Steve  
 Ozlu, John  
 Poore, Phyllis  
 Qu, Tiffany  
 Rahman, Ayesha  
 Rappaport, Sydel  
 Reynolds, Tim  
 Rosenthal, Irwin  
 Sargeant, Karen  
 Seigel, Jerry  
 Shiau, Heidi  
 Shiau, Hubert  
 Silber, Charlotte  
 Spokany, Susan  
 Szawlewicz, Marge  
 Stern, Herb  
 Tafur, Emilio  
 Tarkington, Frank  
 Terrones, Abigail  
 Trombka, Elana  
 Turcios, Francisco  
 Vera, Mirka  
 Waters, Leta  
 Watkins, Keith  
 Weinberger, Morris  
 Weinman, Marvin  
 Wink, Linus  
 Zitelman, Jeff  
 Zuckerman, Irene  
 Zung, Robert  
 Zweig, Sheri



## OCP STAFF

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Lorena Bailey, *Investigator*

Lisa Brennan, *Investigator*

Peggie Broberg, *Office Manager*

Shaun Carew, *Customer Service Assistant*

Marsha Carter, *Operations Administrator*

Peter Drymalski, *Investigator*

Eric Friedman, *Director*

John Lewis, *Investigator*

Sharon Margolis, *Investigator*

Joy Matthews, *Investigator*

Doug Numbers, *Investigator*

Jim Parks, *Investigator*

Pam Prather, *Administrative Specialist*

Joe Rosado, *Investigator*

Bernie Vega, *Investigator*

Ralph Vines, *Investigations Administrator*



# Organizational Chart

## OFFICE OF CONSUMER PROTECTION (OCP)

*Ensuring Integrity in our Marketplace*

### OFFICE OF THE DIRECTOR

Legislation  
Media/Communications  
Program Measures  
Special Projects  
Staff to Advisory Committee on Consumer Protection

### INVESTIGATIONS UNIT

Automotive, Real Property, Retail, and General Investigations  
Annual Gift Card Study  
Business Eviction Response Team (BERT)\*  
Domestic Workers Initiative (Bill #2-08)  
Energy and Environmental Advocacy (Bill #35-07)  
Estimated Property Tax Disclosure Initiative (Bill #24-07) \*  
Staff to Builders' Board of Registration  
Staff to Commission on Common Ownership Communities  
Trespass/Impound Towing Regulations

### OPERATIONS UNIT

Budget and Financial Services  
Contract Administration  
Customer Service  
Consumer Outreach  
Human Resources and Staff Training  
Information and Technology Initiatives  
Office Operations  
Business Licensing Program  
Volunteer and Intern Program

\*National Association of Counties (NACO) Recognition Award Winner



## Spotlight on OCP's First Executive Director

**B**arbara B. Gregg was selected from more than 150 highly qualified applicants in 1971 by County Executive James Gleason, and served for 25 years as the first executive director of Montgomery County's newly created Office of Consumer Affairs.

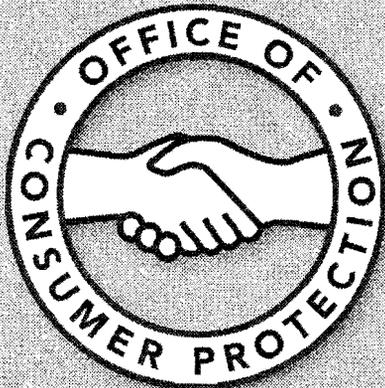
During this 25-year period, and through the administrations of five different county executives, Ms. Gregg is credited with developing the office from a fledgling agency, with only one investigator, into a nationally recognized consumer protection organization. Ms. Gregg instilled an office culture in which dedicated staff function as "can-do" public servants, not government bureaucrats. Competency, fairness, and integrity are the hallmarks of Ms. Gregg's legacy as the founding executive director of a most effective agency.

Ms. Gregg has a law degree from New York University and a BA in government from Cornell University. She was the supervising director of the Urban Law Institute of Antioch College, and also previously served as the managing attorney for Onondaga Neighborhood Legal Services in Syracuse, New York.





Eric Friedman, Director



Ensuring Integrity  
in our Marketplace

## OCP Staff Profiles

The OCP Staff of 16 includes five attorneys and a certified automotive technician. Three members of our staff are fluent in Spanish. Several are certified by the judicial system as experts in their fields qualified to testify in court on cases involving their specialties. OCP is fortunate to also have a team of dedicated English and Spanish speaking volunteers and interns. A total of 16 volunteers contributed an average of 2,600 hours in FY 2010 and FY 2011, working with administrators and investigators, and enabling OCP to "leverage" our ability to be productive.

During FY 2010 and FY 2011 OCP was fortunate to have Jim Parks, an ASE-certified automotive technician with over 30 years of experience, and Joe Rosado, a former communications engineer with the Secret Service, join our team. In addition, Shaun Carew brought his expertise in technology and customer service to OCP.

Also during FY 2010 and FY11 Program Specialist Virginia Foronda, Administrator Evan Johnson, and Investigator John Creel retired from OCP. With a combined 78 years of consumer protection service, their institutional knowledge, dedication, and acumen will be sorely missed.

OCP was saddened by the passing of Investigator Nellie Miller in 2010. Her skills and contributions to OCP and the Commission on Common Ownership Communities will be greatly missed. Nellie was the first investigator to work in Montgomery County's consumer protection office in 1971.

### Contact Information

Montgomery County, Maryland  
Office of Consumer Protection  
100 Maryland Ave, Suite 330  
Rockville, MD 20850

240-777-3636

Anonymous Consumer Tip Line: (240) 777-3681

Webpage: [www.montgomerycountymd.gov/consumer](http://www.montgomerycountymd.gov/consumer)

E-mail: [consumerprotection@montgomerycountymd.gov](mailto:consumerprotection@montgomerycountymd.gov)

Twitter: <http://twitter.com/consumerwise>

YouTube: <http://www.youtube.com/consumerwise>

## Numbers At a Glance (FY 2011)

### Administration

Budget .....	\$2 million
Total Employees .....	16
Including:	
Attorneys .....	5
Auto experts .....	1
Spanish Speaking staff .....	3
Volunteer Hours .....	2,610

### Consumer Complaints

Written Complaints .....	1,557
Consultation Requests .....	4,721
Merchant Disclosures .....	23,710
Restitution .....	\$ 594,710
Satisfied with Outcome .....	3.1 (scale of 0 to 4)
Satisfied with Manner .....	3.4 (scale of 0 to 4)

### Media Communications

Press Releases .....	7
E-subscribers .....	4,082
Twitter Subscribers .....	219
You-Tube Video Views .....	5,041
Website Visits .....	329,614

### OCP Education Outreach

Events/Forums .....	19
Average Attendance per Event .....	113

### OCP Law Enforcement

Settlement Agreements .....	7
Civil Citations/Criminal Charges .....	61
Subpoenas .....	34



Office of Consumer Protection  
100 Maryland Avenue, Suite 330  
Rockville, MD 20850



This information is available in an alternate format by calling 240-777-3636

# Office of Consumer Protection

