

PS COMMITTEE # 4
April 17, 2015

MEMORANDUM

April 15, 2015

TO: Public Safety Committee

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

SUBJECT: **FY16 Operating Budget: Office of Consumer Protection (OCP)**

Those expected to attend this worksession include:

Eric Friedman, Director, Office of Consumer Protection
Dieter Klinger, Chief Operating Officer, Department of Technology Services (DTS)
Marsha Carter, OCP
Helen Vallone, Office of Management and Budget (OMB)

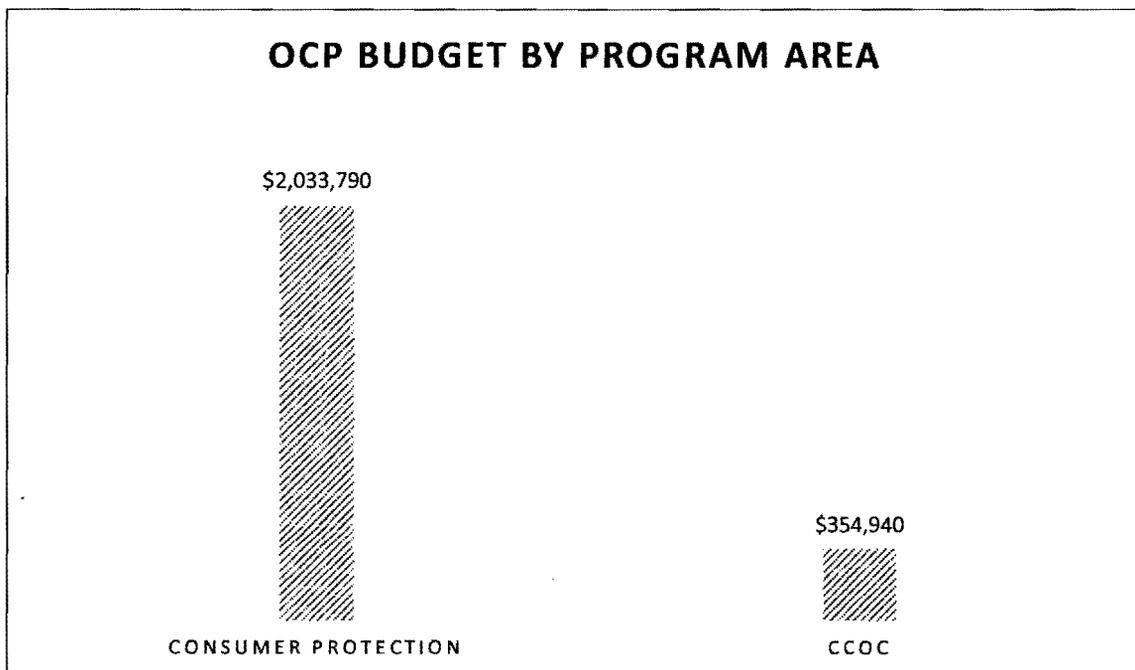
Budget Summary:

- OCP has two vacant positions out of 18, and the vacancies are subject to the County's hiring freeze. The vacant manager position leaves OCP with no managers or supervisors.
- The recommended budget adds \$41,000 for Common Ownership Community Outreach.
- OCP still struggles with certain outdated IT databases and still depends heavily on paper files, particularly in the Commission on Common Ownership Communities.

Overview

For FY16, the Executive recommends total expenditures of \$2,388,730 for the Office of Consumer Protection, a 5.9% increase from the FY15 approved budget.

	<i>FY14 Actual</i>	<i>FY15 Approved</i>	<i>FY16 Recommended</i>	<i>% Change FY15 - FY16</i>
<i>Expenditures by fund</i>				
General Fund	\$2,136,954	\$2,256,236	\$2,388,730	5.9%
Total Expenditures	\$2,136,954	\$2,256,236	\$2,388,730	5.9%
<i>Positions</i>				
Full-Time	17	17	17	0.0%
Part-Time	1	1	1	0.0%
FTEs	16.6	16.6	16.6	0.0%



The FY16 County Executive recommendation is an increase of \$132,494, or 5.9%. This increase comes from adding \$41,000 for contractual services for the Commission on Common Ownership Communities for public outreach, as well as from the following identified same services adjustments:

Identified Same Service Adjustments	
Increase Cost: FY16 Compensation Adjustment	\$61,924
Increase Cost: Retirement Adjustment	\$47,243
Increase Cost: Group Insurance Adjustment	\$4,947
Total Increases:	\$114,114
Decrease Cost: Printing and Mail	(\$1,687)
Decrease Cost: Annualization of FY15 Personnel Costs	(\$20,933)
Total Decreases:	(\$22,620)
NET SAME SERVICES ADJUSTMENT TOTAL:	\$91,494

FY16 Expenditure Issues

Personnel Complement

There is no change in the number of recommended positions for OCP in FY16. The office continues to have 17 full-time positions and one part-time position. Two positions are currently vacant, including a full-time Manager III position and a part-time Administrative Specialist I position. Because of position cuts over the past several years and the vacancy for the one remaining manager position, OCP currently has no managers. An organizational chart is attached at © 9.

OCP Personnel Changes FY07 - FY16											Net Change	% Change
	FY07 Actual	FY08 Actual	FY09 Actual	FY10 Actual	FY11 Actual	FY12 Actual	FY13 Actual	FY14 Actual	FY15 Actual	Rec. FY16	FY07- 16	FY07- 16
Full-time Positions	23	22	21	19	16	16	17	17	17	17	-6	-26.1%
Part-time Positions	1	1	1	0	0	0	0	1	1	1	0	0.0%
Total Positions	24	23	22	19	16	16	17	18	18	18	-6	-25.0%

Staff reductions over the past several years, as well as the inability to fill the two vacant positions, have resulted in service impacts. The OCP director is now functioning as a direct supervisor to all staff. While investigators remain very busy with complaint caseloads, there is little staff available to devote time to other duties such as reviewing and revising outdated consumer protection statutes and executive regulations. OCP has not been able to be represented at many regional consumer protection conferences, task force meetings, and networking events. OCP has limited ability to actively testify in Annapolis regarding consumer protection-related bills. It has also been limited in its ability to engage in public speaking outreach events. OCP also has not been able to focus on trending scams, and has not been able to publish any new brochures. OCP has not published an annual report since 2011. The lack of managerial staff has resulted in a limited ability to provide daily supervision and training to staff. ***The Committee may wish to ask for a status update regarding OCP's request for an exception to the hiring freeze to hire both of these positions.***

Ongoing IT Issues

Last year, the Committee discussed OCP's ongoing IT needs. Council staff requested an inventory of all hardware and software currently used by OCP. It is attached on ©10.

OCP is still using six Microsoft Access databases to meet its stated mission. Program work is heavily dependent on database use, and database failure would be extremely detrimental. Access is no longer supported by either Microsoft or the County's Department of Technology Services (DTS). OCP also uses the Hansen System, a New Home Builder Licensing database that is operated by the Department of Permitting Services.

Over the past year, OCP has had some IT improvements completed. DTS has provided a contractual employee to assist OCP. The contractual employee helps compiling and reporting programs associated with the licensing database. The contractual employee has not yet assisted with the complaint database at this time, and the problems have not been identified. OCP has reported this problem to DTS.

OCP has updated one database and developed reports which allowed to begin tracking complaint cases submitted by seniors to continue to monitor this group of often-vulnerable consumers. It has had 18 computers replaced that are now running Microsoft Office 2010. It still has 11 remaining computers running Microsoft Office 2003, which Microsoft no longer offers support for under a mainstream maintenance. OCP is working with DTS to upgrade the software. All computers are running Windows 7.

In addition to the antiquated databases, OCP still heavily relies on paper files, particularly in the Commission on Common Ownership Communities (CCOC). *The Committee may wish to ask DTS for an overview of identified IT needs in OCP, and a status update on what is currently being provided in terms of support and updated technology, as well as what remains to be done. Depending on information provided by DTS, if it is determined that OCP needs a comprehensive operations and IT assessment to determine what systems are necessary for OCP to efficiently perform its stated mission, Council staff recommends adding sufficient funds to the Reconciliation List to conduct such an assessment in FY16. The Committee may also wish to have OCP and DTS report back to the Committee in September to provide an update on what progress has been made.*

Council Bill 45-14

Bill 45-14, effective January 1, 2016, requires the CCOC to develop an educational curriculum to train a member of the governing body of a common ownership community (COC) on the responsibilities of directors. It also requires a member of the governing body of a COC to complete this training or similar training approved by the CCOC within 90 days of their election or appointment.

In the bill's fiscal impact statement, OMB estimated a one-time expenditure of \$30,000 to develop an online training course for board members, an annual recurring cost of \$47,780 for one additional half-time Administrative Specialist II to keep records, and \$3,000 for miscellaneous materials. OMB estimated that an increase in the licensing fee from \$3 to \$3.50 per unit would raise \$67,000 annually. *The Committee may wish to ask for a status update on the development of the online training course with the University of Maryland, including timeframe and associated costs.*

Contractual Services for Common Ownership Communities (\$41,000)

The recommended budget includes \$41,000 for contractual services for Common Ownership Communities. These funds are for “outreach” for COCs. *The Committee may wish to ask for more detail on the type of outreach this involves. It is not clear if this is funding that supports Bill 45-14 or some other initiative.*

If the funding is not allocated for the development of the online training course, Council staff recommends that the Committee consider the following options for funding:

- Add \$80,000 to the Reconciliation List for FY16 to fund one-time costs and an additional part-time Administrative Specialist II position; or
- Request a change in regulation to increase the fee assessed on COC housing units from \$3.00 to \$3.50 to cover associated ongoing costs.

Office of Legislative Oversight Review of CCOC

The Office of Legislative Oversight (OLO) recently conducted an evaluation of the CCOC and issued its report, including recommendations, on March 10, 2015.¹ OLO’s three recommendations are summarized below:

- Request the CE to review the CCOC’s allocation of resources to ensure it can perform all tasks mandated by law, including more informal dispute resolution, education, and policy work;
- Request the CE to develop an electronic case management system for all CCOC complaints and a database inventorying all relevant information regarding COCs; and
- Relocate the CCOC from OCP to the Department of Housing and Community Affairs (DHCA), absent any significant drawbacks to such a relocation.

Councilmember Floreen has also requested the Public Safety add \$2 million general funds to the CCOC to address many of the issues outlined in the OLO report, including lack of databases and other IT systems, staff and resources to provide more community education, and ensure the CCOC meets all program goals. Councilmember Floreen’s memo to the Committee is attached at ©11-12. *In order to address the issues raised in the OLO report as well as by Councilmember Floreen’s memo, the Committee may wish to consider the following options:*

- Schedule a more in-depth review of the OLO report after budget;
- Place \$2 million on the Reconciliation List to fund the additional staff and IT needs outlined in Councilmember Floreen’s memo; and/or

¹http://www.montgomerycountymd.gov/OLO/Resources/Files/2015_Reports/OLOReport2015-8CommissiononCommonOwnershipCommunities.pdf

- Place sufficient funds on the Reconciliation List to conduct a formal IT needs assessment.

FY16 Revenue Issues

FY16 revenues for OCP are calculated based on Common Ownership Community fees, new home builder’s licenses, other fines, and other business licenses. The information is summarized below.

FY16 Revenue Summary					
Category	Actual FY14	Approved FY15	Rec. FY16	\$ Change FY15-FY16	% Change FY15-FY16
COC fees	\$408,770	\$405,500	\$410,000	\$4,500	1.1%
New Home Builder Licenses	\$137,679	\$134,000	\$134,000	\$0	-
Other Fines/Forfeitures	\$595	\$1,000	\$1,000	\$0	-
Other Licenses/Permits	\$53,999	\$55,000	\$55,000	\$0	-
Miscellaneous Revenues	\$835	\$0	\$0	\$0	-
Total General Fund Revenues	\$601,878	\$595,500	\$600,000	\$4,500	0.8%

Council Staff Recommendation

Depending on information provided at the worksession regarding OCP IT needs, Council staff recommends placing sufficient funds on the Reconciliation List to conduct a formal, comprehensive IT needs assessment. Council staff also recommends that OCP and DTS report back to the Committee in September 2015 to provide an IT status update. Council staff recommends approval of the rest of the budget as submitted by the Executive.

This packet contains

OCP Recommended FY16 Operating Budget	© 1-5
OCP Responses	6-10
Councilmember Floreen’s Memo Requesting Additional Funding for CCOC	11-12

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 FY16 Operating Budget for the Office of Consumer Protection is \$2,388,730, an increase of \$132,494 or 5.9 percent from the FY15 Approved Budget of \$2,256,236. Personnel Costs comprise 92.4 percent of the budget for 17 full-time positions and one part-time position, and a total of 16.60 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 7.6 percent of the FY16 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 FY15 estimates reflect funding based on the FY15 approved budget. The FY16 and FY17 figures are performance targets based on the FY16 recommended budget and funding for comparable service levels in FY17.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***The Office of Consumer Protection (OCP) conducted a review of complaints involving the Washington Suburban Sanitary Commission (WSSC) and Montgomery County residents. Due to the nature and number of complaints related to incorrect and higher water bills, OCP investigated the complaints by reviewing information from residents and WSSC, conducting interviews, and observing the field work done by meter readers. OCP concluded that the lack of independent oversight with respect to WSSC and WSSC complaints creates frustration; further review by an independent reviewer may be needed, as well as more sophisticated meter-reading technology.***
- ❖ ***OCP successfully issued six civil citations against a local moving company doing business in Gaithersburg. The citations stemmed from consumer complaints alleging several violations of the County law and the Maryland Household Goods Movers Act. Violations included holding goods hostage, failure to state if a moving estimate is binding or non-binding, misrepresenting services included in estimates and charging extra for these services, and misrepresentation on the company's website that it was licensed and insured. Following a trial in District Court, the merchant was found guilty of all six violations.***
- ❖ ***OCP joined County Executive Isiah Leggett, Montgomery County Police, State's Attorney's Office, Maryland Home Improvement Commission, Department of Natural Resources, and neighboring police departments in a crackdown on unlicensed home improvement contractors. These unlicensed contractors typically victimize consumers, especially seniors, by going door-to-door soliciting unconsciously high payments in exchange for making repairs. The law enforcement agencies have agreed to share information and work cooperatively to file criminal charges against individuals who victimize local homeowners.***
- ❖ ***County Executive Leggett and OCP collaborated with Montgomery County Police Financial Crimes Section in warning residents about a nationwide telephone scam that relies upon intimidation to steal millions of dollars from consumers. Telephone scammers have been contacting local residents and asserting that the Internal Revenue Service (IRS) had prepared a warrant for their arrest if they do not immediately send money in order to mitigate***

the criminal charges.

- ❖ **OCP hosted a well-attended film screening with the Maryland Consumer Rights Coalition (MCRC). MCRC produced a documentary video, "Driven to Defraud," that documents scams used by some car dealers to abuse Maryland car purchasers and shows consumers how to protect themselves from yo-yo sales (consumer getting called back in because of an alleged financing issue), interest rate mark-ups, rebuilt wrecks and other scams. OCP's auto expert and certified master automotive technician held a question-and-answer session.**
- ❖ **Productivity Improvements**
 - **OCP continued increasing its outreach efforts into communities with at-risk consumers by expanding its live online chats to include the first bilingual Live Discussion responding to questions regarding matters concerning domestic workers, drivers' licenses for undocumented drivers, notario fraud (merchants who mislead Spanish speaking consumers into believing that the merchant is an attorney), and general consumer questions.**
 - **OCP is a member of a Multi-Jurisdictional Task Force consisting of various law enforcement agencies including, Montgomery County Police, State's Attorney Office, Maryland Department of Natural Resources, FBI, and Howard County, Frederick County, District of Columbia, Fairfax County, Culpepper, and Arlington Police Departments. The Task Force was established to investigate crimes perpetrated by unlicensed and unscrupulous tree and landscaping contractors, who often take advantage of senior citizens by overcharging for services.**
 - **The Common Ownership Communities program (COC) developed a seminar for members of community association and boards titled, "The Essentials of Community Association Volunteer Leadership" in how to properly run a common ownership community.**
 - **OCP is successfully focusing on "reality-testing" mediation sessions. Cases which involve misunderstandings and factual disputes, rather than violations of consumer protection laws, are identified and referred for in-depth mediation sessions. These mediation sessions are conducted by having the parties sit in separate rooms with mediator "shuttling" back and forth.**

PROGRAM CONTACTS

Contact Marsha Carter of the Office of Consumer Protection at 240.777.3686 or Helen P. Vallone of the Office of Management and Budget at 240.777.2755 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.

<i>Program Performance Measures</i>	Actual FY13	Actual FY14	Estimated FY15	Target FY16	Target FY17
Average OCP customer satisfaction rating - Outcome of the customer's case (1-4 scale) based on customer satisfaction survey	2.8	3.2	2.8	2.8	2.8
Average Office of Consumer Protection (OCP) customer satisfaction rating - Manner in which the customer's case was handled (1-4 scale) based on customer satisfaction survey	3.3	3.2	3.3	3.3	3.3
Average time in work days to investigate and close a written complaint (>\$5,000)	64	94	64	64	64
Average time in workdays to investigate and close a written complaint (All complaints)	68	59	64	64	64
Average time in workdays to investigate and close a written complaint: (\$1,001 - \$5,000)	64	67	64	64	64
Average time in workdays to investigate and close a written complaint: (\$101 - \$1,000)	64	57	64	64	64
Average time in workdays to investigate and close a written complaint: (\$NA)	64	57	64	64	64
Average time in workdays to investigate and close a written complaint: (Less than \$100)	64	44	60	60	60
Media Coverage - Number of times media outlets, including print news, television and radio, seek out OCP's expertise	27	25	24	24	24
Media Coverage - Percent of news releases receiving media coverage, including print news, television and radio	94%	94%	75%	75%	75%
Percent of OCP-initiated consumer protection cases closed that are resolved by OCP	61%	63%	65%	65%	65%
Restitution received as a percent of restitution asked for by the consumer and validated by the assigned OCP case investigator	85%	80%	85%	85%	85%

<i>FY16 Recommended Changes</i>	Expenditures	FTEs
FY15 Approved	1,943,498	14.70
Decrease Cost: Printing and Mail	-1,687	0.00
Decrease Cost: Annualization of FY15 Personnel Costs	-20,933	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.	112,912	0.00
FY16 CE Recommended	2,033,790	14.70

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.

<i>Program Performance Measures</i>	Actual FY13	Actual FY14	Estimated FY15	Target FY16	Target FY17
Percent of Commission on Common Ownership Communities (CCOC) cases resolved prior to a hearing	56%	65%	60%	60%	60%

<i>FY16 Recommended Changes</i>	Expenditures	FTEs
FY15 Approved	312,738	1.90
Add: Contractual services for Common Ownership Communities	41,000	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.	1,202	0.00
FY16 CE Recommended	354,940	1.90

BUDGET SUMMARY

	Actual FY14	Budget FY15	Estimated FY15	Recommended FY16	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	1,379,954	1,444,397	1,386,245	1,461,434	1.2%
Employee Benefits	675,308	669,927	697,852	746,071	11.4%
County General Fund Personnel Costs	2,055,262	2,114,324	2,084,097	2,207,505	4.4%
Operating Expenses	81,692	141,912	142,798	181,225	27.7%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	2,136,954	2,256,236	2,226,895	2,388,730	5.9%
PERSONNEL					
Full-Time	17	17	17	17	—
Part-Time	1	1	1	1	—
FTEs	16.60	16.60	16.60	16.60	—
REVENUES					
Common Ownership Community Fees	408,770	405,500	415,500	410,000	1.1%
Miscellaneous Revenues	835	0	0	0	—
New Home Builder's License	137,679	134,000	134,000	134,000	—
Other Fines/Forfeitures	595	1,000	1,000	1,000	—
Other Licenses/Permits	53,999	55,000	55,000	55,000	—
County General Fund Revenues	601,878	595,500	605,500	600,000	0.8%

FY16 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY15 ORIGINAL APPROPRIATION	2,256,236	16.60
Changes (with service impacts)		
Add: Contractual services for Common Ownership Communities [Commission on Common Ownership Communities]	41,000	0.00
Other Adjustments (with no service impacts)		
Increase Cost: FY16 Compensation Adjustment	61,924	0.00
Increase Cost: Retirement Adjustment	47,243	0.00
Increase Cost: Group Insurance Adjustment	4,947	0.00
Decrease Cost: Printing and Mail [Consumer Protection]	-1,687	0.00
Decrease Cost: Annualization of FY15 Personnel Costs [Consumer Protection]	-20,933	0.00
FY16 RECOMMENDED:	2,388,730	16.60

PROGRAM SUMMARY

Program Name	FY15 Approved		FY16 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Consumer Protection	1,943,498	14.70	2,033,790	14.70
Commission on Common Ownership Communities	312,738	1.90	354,940	1.90
Total	2,256,236	16.60	2,388,730	16.60

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY15		FY16	
		Totals	FTEs	Totals	FTEs
COUNTY GENERAL FUND					
Fire and Rescue Service	Fire	61,599	1.00	65,042	1.00

FUTURE FISCAL IMPACTS

Title	CE REC. FY16	FY17	FY18	(5000's) FY19	FY20	FY21
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY16 Recommended	2,389	2,389	2,389	2,389	2,389	2,389
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	5	5	5	5	5
These figures represent the estimated annualized cost of general wage adjustments, service increments, and associated benefits.						
Subtotal Expenditures	2,389	2,394	2,394	2,394	2,394	2,394

Office of Consumer Protection Budget Questions – FY16

Note: OCP's budget will be reviewed by Public Safety on April 17 at 9:30 AM - 3CCR. Please provide written responses by April 2. Thanks!

1. Please provide a current organizational charge of the office, including titles. Please indicate what positions, if any, are vacant.

Organizational Chart (Attachment A)

VACANT POSITION	EFFECTIVE DATE OF VACANCY
Manager III	January 2015
Administrative Specialist I (Grade 18) PT	January 2015

2. If you are attempting to hire for any vacant positions, have you been granted exceptions to the hiring freeze? **Not at this time. The vacant positions listed in #1 are under review.**

3. Please provide the most recent statistics you have regarding case volume, closure, and customer satisfaction. What has the trend been over the past three years?

PROGRAM MEASURE	FY13	FY14	FY15 - YTD
Consumer Cases Opened	1314	1272	885
Consumer Cases Closed	1292	1334	904
Consumer Consultations	2979	3403	2363
Customer Satisfaction - Manner	3.4	3.4	3.8
Customer Satisfaction - Outcome	3.1	3.2	3.2

4. Has OCP undertaken any new functions or duties in the past year? **Yes.**

OCP has been able to collaborate with Montgomery County's Department of Permitting Services (DPS) in order to identify contractors engaged in renovating or building new homes without first obtaining the proper license and permits.

OCP has been requested to assess the possibility of taking action regarding the dangers of radon gas in the resale of single family homes.

5. Has OCP had to stop providing any specific functions or duties? **Yes.**

OCP has not published an annual report subsequent to the issuance of OCP's 40th Anniversary Annual Report.

OCP's director has resigned from serving on the Board of Directors of the Maryland Consumer Rights Coalition (MCRC).

OCP has not been able to be represented at many regional consumer protection conferences, task force meetings, and networking events.

OCP has been limited in its ability to actively testify in Annapolis regarding consumer protection related bills and multi-jurisdictional enforcement activity.

OCP has been limited in its ability to engage in public speaking outreach events.

OCP has not been able to devote sufficient time to reviewing and revising outdated provisions to consumer protection statutes and executive regulations.

OCP has only been able to provide limited daily supervision and training to staff.

OCP has not been able to focus on trending scams and has not been able to publish any new brochures.

6. The past few fiscal years have included \$30,000 for consumer outreach and education for CCOCs. Is there funding in the FY16 recommended budget for those activities? **Yes.** If so, please describe how you plan to use the funds.

As in the past few fiscal years, OCP's FY16 budget includes \$30,000 for consumer outreach and education. In FY16, the CCOC plans to produce another series of 10 to 15 short educational videos on topics of association management and member rights; two, 8 hour training sessions for homeowner association boards and members; and print additional copies of several well received education brochures and information manuals.

8. Please provide a copy or link to the most recent annual report.

http://www.montgomerycountymd.gov/OCP/Resources/Files/OCP_Publications/annual_report_2011.pdf

9. Please provide an update about Patient Advocate position and the type of inquiries and disputes the position has handled. How many cases did you have in FY14, and in YTD FY15?

OCP is continuing its important role as Patient Advocate for the Emergency Medical Services (EMS) Insurance Reimbursement Program. While each call OCP receives will typically fall into a predefined category, no two calls are quite the same. OCP works quickly to determine the best course of action and response for each issue or request received and consults regularly with Montgomery County Fire & Rescue Services to respond to patient's needs.

OCP provides a weekly report to MCFRS displaying the number and types of calls received. The Patient Advocate received 204 inquiries in FY14 and has received 125 inquiries as of March 24, 2015.

The majority of inquiries are regarding how to obtain duplicate copies of EMS records, the Request for Information form used to obtain insurance information for billing purposes, and general information about the program and its process.

10. Please provide the reason for and a description of the \$41,000 added for contractual services for COC.

Funds were added in contractual help for outreach for the Commission on Common Ownership Communities.

11. Have any IT improvements been made during the last year? If so, please describe. **Yes.**

In FY15, OCP updated its database and developed reports which allowed the department to begin tracking complaint cases submitted by seniors to continue monitor this group of vulnerable consumers.

OCP is working with DTS to address a number of issues related to OCP's business licensing database and complaint database (disclosures). DTS has provided a contract employee to assist OCP with compiling and reporting programs associated with the licensing database. The contractor is not assisting with the complaint database (disclosures) at this time and the problems have not been identified. OCP has reported the problem to DTS.

In late FY14/early FY15, OCP replaced 18 computers. Currently, OCP has 11 remaining computers running MS 2003 software and is working with DTS to upgrade the software.

12. Please provide a current inventory of all computer hardware (include brief description, e.g. HP Pavilion Laptop, or Lenovo M Series desk top, HP laser printer, etc.)

Current Inventory of All Computer Hardware (Attachment B)

13. Do all staff have dedicated access to a desk top or laptop computer? **Yes.**

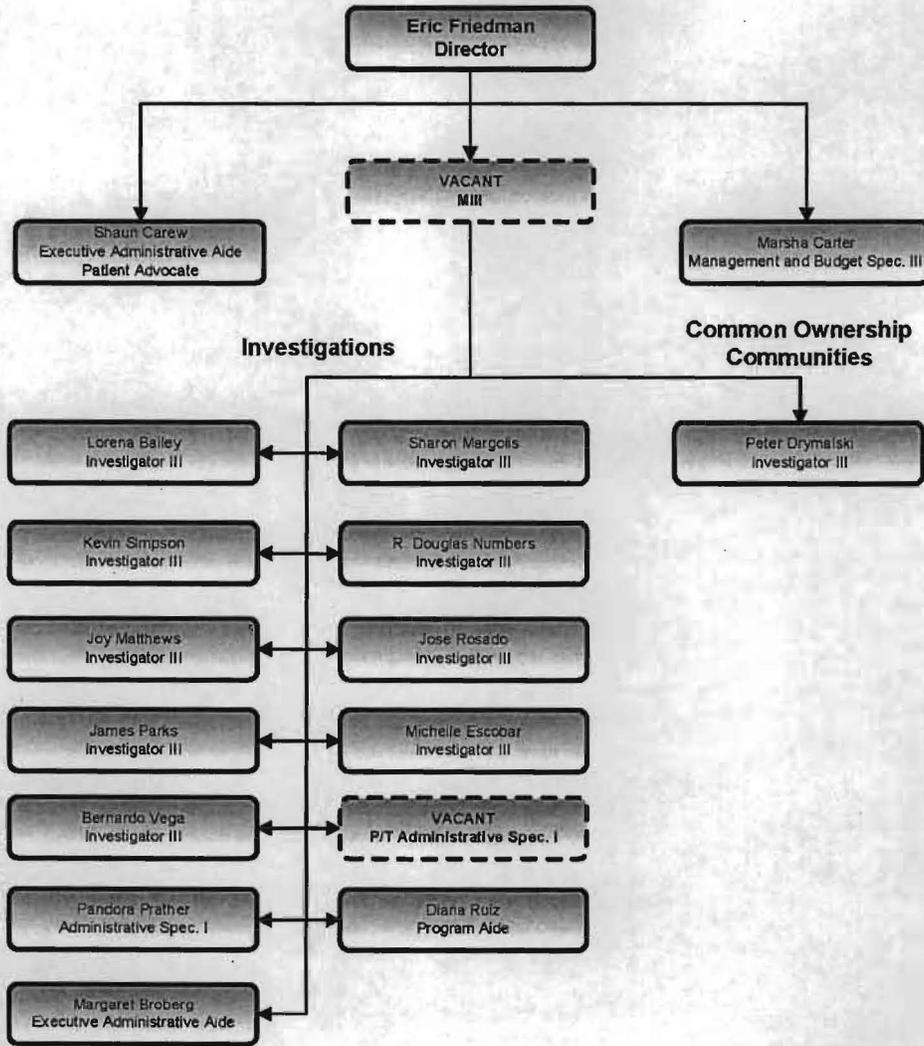
14. Please provide the names and versions of the current software used for

1. Computer operating system;
All machines are running Windows 7
2. Microsoft Office;
Office 2003 (11 computers)
Office 2010 (20 computers)
3. Any database system(s);
MS Access – OCP has six (6) databases using MS Access
Hansen System – OCP's New Home Builder Licensing database is housed on a Hansen System operated by the Department of Permitting Services.
4. Any other software programs used in the office.
Adobe Acrobat 9
Microsoft Publisher
Google Chrome
Mozilla Firefox
Visio
CMS (Website)



ATTACHMENT A

Office of Consumer Protection



ATTACHMENT B

	Client_Id	Model Name	Bar (DCM)	Office Ver.	OS	SEAT	Printer
1	NUMBED	LENOVO M83	60020	2010	Windows 7 Enterprise	FULL	HP Photosmart C5280
2	BAILEL02	LENOVO M83	61131	2010	Windows 7 Enterprise	FULL	HP Laser Jet
3	BROBEP	LENOVO M83	60809	2010	Windows 7 Enterprise	FULL	HP Photo Smart C4280
4	VEGABE01	LENOVO M83	61134	2010	Windows 7 Enterprise	FULL	HP Deskjet F4180
5	ESCOBM01	LENOVO M83	60315	2010	Windows 7 Enterprise	FULL	N/A
6	PARKSJ01	LENOVO M83	61127	2010	Windows 7 Enterprise	FULL	N/A
7	19OCP1	Desktop M81	54050	2003	Windows 7 Enterprise	FULL	N/A
8	SIMPSK01	LENOVO M83	59230	2010	Windows 7 Enterprise	FULL	N/A
9	PRATHP	LENOVO M83	61133	2010	Windows 7 Enterprise	FULL	HP Office Jet Pro K5400
10	ROSADJ	LENOVO M83	61132	2010	Windows 7 Enterprise	FULL	N/A
11	MATTHJ	LENOVO M83	61136	2010	Windows 7 Enterprise	FULL	HP Photosmart 2575
12	19OCP1	L440 LAPTOP	61782	2010	Windows 7 Enterprise	FULL	N/A
13	MARGOS	LENOVO M83	61130	2010	Windows 7 Enterprise	FULL	HP PSC 750 XI
14	19OCP1	LENOVO M83	60006	2010	Windows 7 Enterprise	FULL	N/A
15	ruizdi01	LENOVO M83	61128	2010	Windows 7 Enterprise	FULL	HP Deskjet F4180
16	CREELJ	Desktop M81	54042	2003	Windows 7 Enterprise	FULL	N/A
17	19OCP1	LENOVO M83	63473	2010	Windows 7 Enterprise	FULL	N/A
18	DRYMAP	Desktop M81	54041	2010	Windows 7 Enterprise	FULL	HP PSC 750 XI
19	19OCP1	LENOVO M83	61135	2010	Windows 7 Enterprise	FULL	N/A
20	19OCP1	Desktop M81	54043	2003	Windows 7 Enterprise	FULL	N/A
21	19OCP1	Desktop M81	54044	2003	Windows 7 Enterprise	FULL	N/A
22	LANGMI01	Desktop M81	54045	2003	Windows 7 Enterprise	FULL	HP PSC 750 XI
23	LESSED01	Desktop M81	54046	2003	Windows 7 Enterprise	FULL	N/A
24	19OCP1	Desktop M81	54047	2003	Windows 7 Enterprise	FULL	N/A
25	19OCP1	Desktop M81	54048	2003	Windows 7 Enterprise	FULL	N/A
26	19OCP1	Desktop M81	54049	2003	Windows 7 Enterprise	FULL	HP Laser Jet 6L
27	FRIEDE	LENOVO M83	61129	2010	Windows 7 Enterprise	FULL	N/A
28	19OCP1	Desktop M81	54978	2003	Windows 7 Enterprise	FULL	N/A
29	BAILEL02	Lenovo x230	56568	2003	Windows 7 Enterprise	FULL	N/A
30	CARTEM	Lenovo L540	35044	2010	Windows 7 Enterprise	FULL	N/A
31	CAREWS01	Lenovo L540	34965	2010	Windows 7 Enterprise	FULL	N/A
32	19OCP1	Thinkpad Tablet	52623 na	na	na	na	N/A
33	CAREWS01	Thinkpad Tablet	52624 na	na	na	na	N/A
34	FRIEDE	Ipad (wifi only)	52630 na	na	na	na	N/A
	NETWORK						Ricoh MP 4002SP Printer
	NETWORK						Ricoh MP C3003 Printer
	NETWORK						Ricoh MP C3003 Printer



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

MEMORANDUM

NANCY FLOREEN
COUNCIL VICE PRESIDENT

April 8, 2015

TO: Councilmember Marc Elrich, Chair, Public Safety Committee
Councilmembers Tom Hucker and Sidney Katz, Members, Public Safety Committee

FROM: Councilmember Nancy Floreen, Chair, PHED Committee

SUBJECT: FY16 Funding Request for Commission on Common Ownership Communities (CCOC)

By this memo, I request that the Public Safety Committee add \$2 million to the Fiscal 2016 Operating Budget in order to support the long underfunded and understaffed work of the Commission on Common Ownership Communities.

While the CCOC has also requested that it be established as a standalone agency, we have not yet reached that conclusion. However, we know that CCOC has significant needs that require support now.

Common ownership communities cover 134,000 housing units, which is 40% of the county's housing stock. We know that the number of units will grow and that CCOC's responsibilities will likewise grow.

CCOC operates in a 1980s office with its work almost completely paper-based. It has no digital case management system. It also has no digital process for any of the myriad other functions we would expect it to do, such as keeping uniform data on associations or directors or monitoring compliance with the Council's recently passed training requirement for the 5,000 directors in community associations.

Despite the myriad of mediation matters it is obligated to resolve, the CCOC operates today with one professional staffer and no clerical support. Commissioners and attorneys are all volunteers. By contrast, DHCA's Landlord-Tenant Mediation Program deals with issues arising from 83,000 rental units. For FY 16, the Executive is requesting 7.5 FTEs and roughly \$1,000,000.

My itemized funding request for the estimated personnel, technology and operations improvements necessary to bring the CCOC closer to serving its statutory obligations is as follows:

Staff increase	Nine (9) FTEs and three (3) part-time employees	\$1,046,361
Digital Office Modernization	Automation, design, development, testing, data transfer, systems integration, Implementation, training	\$700,000
Director Training	Development of online courses for association director training pursuant to enacted Council Bill 45-14	\$200,000
TOTAL		\$1,946,361



I further request that all funds appropriated from the General Fund be in addition to the funds collected in fees by DHCA on CCOC's behalf. It is incredible to me that DHCA collects \$408,000 from fees of \$3.00/unit, but CCOC only nets about \$160,000; the rest is withheld by DHCA and the Office of Consumer Affairs.

I very much appreciate your attention to this matter when you take up the OCA budget on April 17.

cc: Councilmembers

Clarence Snuggs, Director, DHCA

Eric Friedman, Director, OCP

Rand Fishbein, Chair, CCOC