

PS COMMITTEE #1
October 17, 2016

MEMORANDUM

October 13, 2016

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst 

SUBJECT: Update: Office of Consumer Protection

Today, the Committee will receive an update from the Office of Consumer Protection (OCP) on its current initiatives and future plans. The following are expected to brief the Committee:

Eric Friedman, Director of the Office of Consumer Protection
Marsha Carter, OCP
Ivan Galic, Department of Technology Services
Hellen Vallone, Office of Management and Budget

OFFICE OF CONSUMER PROTECTION BACKGROUND

OCP's primary mission is to prohibit unfair and deceptive trade practices in order to protect consumers and maintain a level playing field for merchants. OCP is a law enforcement agency responsible for administering nine statutes, licensing several types of businesses (new home builders, auto repair and towing, appliance repair, and secondhand personal property dealers), and collaborating with numerous County agencies. OCP also serves as the Patient Advocate Position for the Emergency Medical Services (EMS) Insurance Reimbursement Program. Until July 1, 2016, OCP had been responsible for staffing the Commission on Common Ownership Communities (CCOC). The CCOC is now staffed by the Department of Housing and Community Affairs (DHCA).

CCOC HAS SHIFTED TO DHCA

OCP lost one full-time position for FY17, because it transferred from OCP to DHCA to continue to staff the CCOC. OCP now has 16 full-time staff and one part-time staff positions. The office has been able to completely focus its service on unfair and deceptive trade practices, and educating the public about consumer issues.

Other staff members who had provided support to the CCOC now fully support OCP's nine investigators and one administrator. The administrative support position that provided reception duties and data entry has also taken on responsibility for the Complaint and Licensing Management System (CALMS) support. These duties include providing consumer assistance with online and electronic submissions for electronic case files.

OCP'S NEW DATABASE, CALMS

The Committee has been briefed regularly over the past several years on the IT deficits within OCP. Last year OCP partnered with the Department of Technology Services (DTS) to provide a customized database solution for the office. The new database, CALMS, replaces OCP's 20+ year old Access-based system. When the Committee was last briefed on the new capabilities, Executive staff indicated that the new system will have e-mail scanning, citation, and licensing system integration to efficiently manage casework.

The new database, CALMS, was put into operation in June 2016. It was developed and is currently maintained by DTS through their Web and Mobile Applications Team. OCP has also implemented an online complaint filing system and has relaunched its "Tip Line." (Press release is attached at © 1, and screen capture of online submission form is attached at © 2-8).

All data (case notes and actions) for cases created since January 2013 has been imported from the Access database to the SQL server. As OCP works to classify cases more in alignment with the Maryland Attorney General's Office, DTS will complete additional refinements of the imported data.

The system is expected to have at least two more updates, including Version 2.0 in December 2016 and Version 3.0 in 2017. Version 2.0 will implement a variety of standard reports.

Training: Training is provided in a computer lab classroom, as well as by one-on-one instruction with a DTS senior IT staff person stationed in OCP. The training provides the ability for OCP to provide feedback to DTS about potential enhancements and modifications to the system. There are about 450 issues and enhances under consideration. Many minor enhancements have been made since June.

RECENT INITIATIVES

Flower Branch Apartment Explosion: OCP collaborated with many other County departments and non-profit agencies to provide information and assistance to residents affected by the explosion and fire at the Flower Branch Apartments. OCP is enhancing its outreach efforts to provide consumer education and services to all communities in the County. Consumer education flyers in English, Spanish, Amharic, Mandarin Chinese, and Vietnamese are attached at ©9-14.

“Permit Pirates” Initiative: OCP is drafting a proposal to revise the County’s New Home Warranty and Builder Licensing Law to address a current loophole, which some unlicensed contractors to repeatedly exploit.

Coupon-based Air Duct Cleaning Fraud: OCP has been working with federal and state agencies and the news media to educate consumers and develop statutory provisions to address system deception in this industry. It is drafting a proposal to suggest model legislation that would protect consumers.

Deceptive Immigration-related Services: OCP is working with several other departments and non-profit organizations to address deceptive marketing by merchants that allegedly provide immigration related services.

Online Referrals to Unlicensed Merchants: OCP is monitoring online referrals that may be directing consumers to merchants that are not properly licensed.

Complaints about Aging-in-place Services: OCP is focusing on business practices and marketing that offer services to seniors seeking to age in place. The office has been reviewing complaints against downsizing moving companies, estate sales operations, and home modification contractors.

Mediation Services: OCP is partnership with all County departments to increase the level of services provided to businesses in the County, including the launch of free mediation services to local businesses.

PATIENT ADVOCATE

In FY16, OCP resolved 198 patient/attorney inquiries about the EMS law. To date in FY17, OCP has resolved 53 patient /attorney inquiries. The top three inquiries are about EMS records, questions regarding the Request for Information form (used to obtain insurance information), and information about access to the program. The Patient Advocate also services as the OCP Director’s Administrative Aide.

DISCUSSION ISSUES

1. How well is the new online complaint submission system working? Has it impacted the number of complaints you have received? Have you had any formal or informal feedback from consumer users?
2. Consumers currently have the ability to submit an online complaint in English, and OCP's website indicates that a Spanish-language option is coming soon. What is the estimated timeframe for this option?
3. Casefiles from the past three years are being imported into CALMS. Is there a need to input data from prior years? How are older files stored now? Does CALMS have the ability to store images, e-mails, etc. from casefiles?
4. What is the complaint classification system used by the Maryland Attorney General's Office? What steps are necessary to more closely align County complaint files with this system?
5. Does DTS have an IT staff person in OCP full-time? If not, how many hours per week of support are provided? What support does the DTS staff person provide other than training? What are the terms of the technology support agreement you entered with DTS in June?
6. One problem related to OCP's significant staff reductions over the years was the increasing challenge of getting out into the community to provide more consumer education. With the transfer of CCOC support to DHCA, has OCP's realignment back to core consumer protection issues allowed OCP to provide more consumer education?
7. The integrated case management system report function should be available by December. Please describe some of the anticipated report function capabilities. For example, will reports be available on a geographic basis? Will this data eventually be provided to DataMontgomery?

This packet contains

"Consumer Protection Begins Online Complaint Filing System" (June 23, 2016)	© 1
Screen Shot of Online Complaint	2-8
Long Branch Apartment Flyers in English, Spanish, Amharic, Mandarin, and Vietnamese	9-14

Press releases

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Press releases » Release

Consumer Protection Begins Online Complaint Filing System & Relaunches “Tip” Line

For Immediate Release: Thursday, June 23, 2016

Montgomery County residents can now file consumer complaints electronically. This new, online system makes it easier for consumers to request that the Office of Consumer Protection (OCP) investigate and hopefully resolve disputes regarding most consumer transactions.

At the same time, OCP is relaunching its 24-hour “tip” line to facilitate receiving anonymous tips, suggestions, comments, and/or feedback regarding any consumer protection issues. Consumers and merchants are encouraged to call 240-777-3681 to leave a consumer-related message for OCP director Eric Friedman.

“The Office of Consumer Protection has been helping consumers and merchants ensure integrity in our marketplace for more than 45 years,” said County Executive Ike Leggett. “This new online system enhances its ability to collaborate with other departments and organizations to enforce consumer protection laws and educate county residents.”

The online complaint tracking and case management system offers an efficient way for consumers to report problems and seek assistance regarding auto repair and sales, home improvement, new home warranties, retail sales and advertising, collection practices, home services, towing, and more. The Montgomery County Department of Technology Services used in-house expertise to build this customized online system.

OCP is responsible for enforcing consumer protection laws prohibiting unfair and deceptive business practices to ensure a fair marketplace for consumers and businesses. OCP engages in complaint investigation and resolution, consumer education and outreach, and advocacy and legislation. OCP licenses all auto repair shops, towing firms, new home builders, appliance repair shops, and pawn/consignment stores. OCP provides expert mediation services, video alerts and information on cable TV, and assistance from a dedicated team of investigators and volunteers.

For more information about the Office of Consumer Protection, call 240 777-3636, or 311, or visit the website at www.montgomerycountymd.gov/consumer.

###



Office of Consumer Protection

Search

OCP Complaint Application

Instructions:

1. Before submitting a complaint, please complain directly to the company. If the company does not resolve the issue, submit a complaint online.
2. Please complete the entire form. Required fields are marked with an asterisk (*).
3. Supporting documents are submitted separately. Send copies of any documents involved in the transaction (including advertisements, contracts, receipts, statements, the front and back of canceled checks, correspondence, warranties, etc.) by e-mail, fax or hard copy. Instructions are provided below. Include your case number on all correspondence.
4. Failure to submit paperwork may delay investigation of your complaint.
5. Do not send any original documents. We will not be responsible for originals.

* = Required Field

Consumer Information

Title

Select One ▾

First Name *

Middle Name / Initial

Last Name *

Address *

Apt./Unit

City *

State *

Select One ▾



Postal / Zip Code *

Country *

United States ▼

Telephone Day *

Ext.

Telephone Evening

Ext.

Telephone Cellular

Fax

Email

Please check "Yes" to receive consumer alerts and news via email. *

Yes

No

For statistical purposes, please tell us if you are 65+ years of age. *

<65

65+

Decline

Individual/Merchant Information

Please search for Individual or Merchant and select it from the drop down. If you cannot find the Individual or Merchant (No Match Found), click the "Add New Individual/Merchant" button to add the new Individual or Merchant.

Type here to search Individual or Merchant

3

Add New Individual/Merchant

Complaint Information

Transaction Type *

Select One ▼

Transaction Date



Amount Paid *

Payment Method*

Select One ▼

Did you sign a contract? If Yes, please mail in a copy of the contract? *

- Yes
- No

Date Complained To Business *



Name of Person Contacted *

Title of Person Contacted:

Did s/he respond? *

- Yes
- No

Is there a pending court action? *

- Yes
- No

4

Have you submitted this matter to an attorney or another agency? *

Yes

No

Describe your complaint. (Do not include sensitive personal data such as credit card numbers, bank account numbers, etc.) *

Refund Amount Requested/Estimated Value of Claim: *

What form of relief are you seeking? (Exchange, Repair, Money Back, etc.) *

How did you learn about us? *

Select One ▼

Electronic Signature Agreement

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READ AND UNDERSTAND THE FOLLOWING BEFORE SIGNING BELOW:

Once we receive your complaint, it will be reviewed for jurisdiction and to determine the best course of action. If we determine that there is a more suitable agency to handle your dispute, we will make an appropriate referral and advise you in writing. Otherwise, your complaint will be assigned to an investigator. We will send you an acknowledgement letter providing the name and phone number of of your investigator, and the case number assigned to the complaint.

Please include your case number on any future correspondence you send to us.

I authorize the Office of Consumer Protection and/or its representative to make inquiries on my behalf, into any and all files or accounts that may be necessary to investigate the complaint I have filed with the agency. Further, I authorize the office of Consumer Protection to use and supply, on my behalf, any private information included in this document.

I understand that a copy of this form may be sent to the business against which I have filed this complaint. I understand that this complaint is a public document and is available for inspection by the public and the media.

I do solemnly declare and affirm under the penalties of perjury that the contents of my complaint are true and correct.

By entering your full name in the "Signature (Sign with your full name)" field, you are signing this Complaint Form electronically. You agree your electronic signature is the legal equivalent of your manual signature on this Complaint Form.

Signature (Sign with your full name): *
.....
.....

Submit

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Email Address

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Sign up for a newsletter or update your subscription preferences.

Awards



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Translation

Select Language ▼

Powered by [Google Translate](#)

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Office of Consumer Protection

Contact Us

Filing Consumer Complaints

To file a complaint with the Office of Consumer Protection, please use the links below to submit a complaint. To view a representative list of the types of complaints that OCP accepts, please [click here](#).

SUBMIT A COMPLAINT (English) **** NEW ****

FORMULARIO DE QUEJA DE CONSUMIDOR (Spanish Language Complaint Form)

ENVIE UNA QUEJA (Spanish) En proceso, pronto estará disponible./Coming soon.

SUPPORTING DOCUMENTS

To submit supporting documents to our office:

- Scan documents and e-mail them to: Submit Supporting Documents (Envíe Los Comprobantes), or, if your email is not configured on your computer, OCP.CALMS@montgomerycountymd.gov. Please be sure to include, "DOCUMENTS - Case No. ADD YOUR CASE NUMBER" in the subject line.
- Fax documents to 240.777.3768, or
- Mail a copy of your documents to:

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

Please include your case number with all submissions. Do not send original documents. We will not be responsible for originals.

Upon receiving a written complaint and necessary documentation, OCP investigators will contact the merchant and attempt a resolution. The consumer will be kept informed of the progress of the case and participate in negotiating a settlement, if applicable. Cases are also reviewed for a pattern of deceptive business practices and OCP may take legal action to correct these practices if appropriate.

Note: Complaints submitted to our office are considered to be public documents and are available for inspection by the public and the media.

eSubscription

Email Address





OFFICE OF CONSUMER PROTECTION

Isiah Leggett
County Executive

Eric S. Friedman
Director

WARNING
Some people may try to take advantage of you

After a disaster, unscrupulous people will try to take advantage of victims –especially those who have just received a check.

- **Be Careful Who You Trust:** Just because someone speaks your language, it does not mean that you can trust them, or that they really will help you.
- **Identity Theft:** Do not give out your personal information to anyone unless and until you have verified who they are and why they need such information.
- **Notarios Publicos** or “notary publics” are **not** lawyers and are **not** authorized to provide legal services.
- **Hiring Lawyers:** Be sure to ask questions, make sure they are licensed in Maryland, and that they have the experience you need.
- **Stop and Think:** There is no need to rush. If someone pressures you to sign something immediately, tell them you’ll get back to them later.

Please call the Office of Consumer Protection if you have questions. We speak Spanish, Portuguese, Italian, Farsi and have interpreters for other languages available.

100 Maryland Avenue, Room 330 • Rockville, Maryland 20850 • T: 240.777.3636 • F: 240.777.3768





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ከፍተኛ ማስጠንቀቂያ

አንዳንድ ሰዎች ሊያጭብረብሩ ስለሚሞክሩ ብርቱ ጥንቃቄ ማድረግ አስፈላጊ ነው።

ከአደጋ በኋላ ይሉኝታቢስ ሰዎች የአደጋው ስለባ የሆኑትንና ፤ በተለይም በቅርቡ ቼክ የተቀበሉትን ሰዎች ለማጭበርበር ሙከራ ስለሚያደርጉ፤

- የምታምኑትን በጥንቃቄ እወቁ : የአገራችሁን ቋንቋ ስለተናገሩ ብቻ ታማኝ ናቸው ወይም ከልብ ይረዷችኋል ማለት አይደለምና ተጠንቀቁ፤
- መረጃ ስረቃ። የግል መረጃዎችን ለማንም እንዳይሰጡ ተጠንቀቁ። ማንነታቸውን ሳያረጋግጡና ሳያጣሩ መረጃዎችን ለምን እንደፈለጉ ሳይጠይቁ ፈጽሞ እንዳይሰጡ፤
- ኖታሪዎች(notary) ጠበቃ አይደሉም በመሆኑም ህጋዊ አገልግሎት ሊሰጡ አይችሉምም ስልጣንም የላቸውም።
- ጠበቃ መከራየት፤ ጥያቄ ለመጠየቅ እርግጠኛ ይሁኑ፤ በሜሪላንድ ግዛት ውስጥ ህጋዊ ፈቃድ እንዳላቸውና በሚፈልጉት ጉዳዮች ላይ ልምድ እንዳላቸው እርግጠኛ ይሁኑ፤
- ቆም ብለው ያስቡ! መጣደፍ አያስፈልግም፤ አንድ ሰው ወዲያውኑ እንዲፈረሙ ጫና ካበዘ መፈረም አይገባም። እመለሳለሁ ብለው ይውጡ።

እባክዎ ተጨማሪ ጥያቄ ካለዎ የኮንሲመር ፐሮቴክሽን ቢሮ ይደውሉ። ስፓኒሽ፣ ፖርቹጊስ፣ ጣሊያንኛ፣ ፋርሲ እንዲሁም ለሌሎች ቋንቋዎች አስተርጓሚ አለን።



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OFFICE OF CONSUMER PROTECTION

Isiah Leggett
County Executive

Eric S. Friedman
Director

ADVERTENCIA

Alguna gente puede tratar de tomar ventaja de usted

Después de un desastre gente inescrupulosa puede tratar de tomar ventaja de usted, especialmente a aquellos que han recibido un cheque

- **Sea Cuidadoso Con Quien Usted Confía:** Solo porque alguien habla su lenguaje, esto no significa que usted pueda confiar en ellos, o que en realidad los van a ayudar.
- **Robo de Identidad:** Nunca le dé su información personal a nadie a menos que usted haya **verificado** quienes son y por qué necesitan esa información.
- **Notarios Públicos:** Los notarios públicos **no son** abogados y **no están autorizados** a proveer servicios legales.
- **Empleando Abogados:** Asegúrese de hacer preguntas, asegúrese que estén licenciados en Maryland y que tienen experiencia en lo que usted necesita.
- **Deténgase y Piense:** No hay prisa. Si alguien le quiere presionar a firmar algo, dígame que después lo contactará.

Si tiene alguna pregunta o necesita más información; por favor llame a la Oficina de Protección al Consumidor. Hablamos español, portugués, italiano, farsi, y tenemos a la disposición intérpretes de otros lenguajes.

100 Maryland Avenue, Room 330 • Rockville, Maryland 20850 • T: 240.777.3636 • F: 240.777.3768

www.montgomerycountymd.gov/consumer



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OFFICE OF CONSUMER PROTECTION

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County Executive

Eric S. Friedman
Director

警告

有些人可能會試圖利用你

災難發生後，不擇手段的人會嘗試利用受害者 – 尤其是那些剛收到支票的受害者。

- 小心選擇你信任的人：僅僅因為有人說您的語言，這並不意味著您可以信任他們，或者他們真的會幫助您。
- 身份盜竊：不要洩露您的個人信息給任何人，除非或是等到您已經驗證他們是誰以及他們為什麼需要這樣的信息。
- Notarios Publicos 或“公證人”都不是律師也沒有被授權提供法律服務。
- 聘請律師：一定要問問題，以確定他們有在馬里蘭州執業的執照，並且他們有辦理您處境的經驗。



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- 停下來想一想：沒有必要急。如果有人給您壓力要您立即簽署一些東西，告訴他們您會晚點給他們答覆。

如果你有任何問題，請撥打消費者保護辦公室。我們講西班牙語，葡萄牙語，意大利語，波斯語和有其他語言的譯員。



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THÔNG BÁO CẢNH GIÁC

V/v HIỆN NAY MỘT SỐ PHẦN TỬ XẤU ĐANG CÓ TÌNH- TÌM CÁCH LỢI DỤNG BÀ CON

Thường sau con hũa hoạn, một số phần tử xấu (cơ hội) sẽ cố gắng tìm cách lợi dụng sự nhẹ dạ-cã tin của bà con nhằm trục lợi; đặc biệt là những bà con vừa mới nhận được tiền hỗ trợ - đền bù từ Chính Phủ.

Sau đây là một số lưu ý bà con cần Quan tâm - Cảnh giác - Đề phòng:

- **Không phải bất cứ người nào nói được tiếng Việt** và có khả năng giao tiếp được bằng tiếng Anh - Mỹ là bà con sẽ dễ dàng trong việc Ủy Thác - Tin Tưởng ngay.
- **Không đưa những thông tin cá nhân của mình cho bất cứ ai chẳng hạn như:** Số An Sinh Xã Hội hoặc ID vv.... cho đến khi bà con biết thật rõ về người đó cũng như lý do - tại sao mà họ cần những thông tin cá nhân của mình.
- **Cần hiểu cho rõ về những người Công Chứng Giấy Tờ hoặc Xác Nhận Chữ Ký** rằng họ không phải là 'Luật sư' cũng không phải 'Người có thẩm quyền giải quyết' trong các dịch vụ pháp lý'.
- **Cần nắm chắc sự hiểu biết cần thiết trong việc phải 'Thuê một Luật sư'**. Chẳng hạn như khi phải thuê một Luật sư, bà con phải biết cách đặt câu hỏi với họ về những thắc mắc của mình hoặc những vấn đề mình cần giải quyết vv... phải chắc chắn họ đang có giấy phép hành nghề luật sư ở Maryland và kinh nghiệm trong những lãnh vực mà bà con cần giúp đỡ.
- **Cần học cách nói:** "Xin hãy để tôi suy nghĩ và sẽ gọi lại cho ông/bà/anh hay cô sau". Không cần thiết phải vội vàng trong việc ủy thác hay giao phó sự tin cậy. Nếu có ai đó muốn bà con phải ký ngay các loại giấy tờ mà mình không thật an tâm về vấn đề nào đó; Xin hãy nói với họ câu "Xin hãy để tôi suy nghĩ và sẽ gọi lại cho ông/bà/anh hay cô sau".

Nếu bà con có điều gì thắc mắc hoặc muốn cần được Bảo vệ - Hỗ trợ; xin hãy gọi cho chúng tôi ngay!
"Văn Phòng HỘI BẢO VỆ NGƯỜI TIÊU DÙNG QUẬN MONTGOMERY" để được giúp đỡ. Chúng tôi có nhân viên phiên dịch nói tiếng Tây Ban Nha, Bồ Đào Nha, Ý Đại Lợi, ... và các ngôn ngữ khác.

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