

Office of Consumer Protection (OCP) Annual Report

FY13 (July 1 2012 to June 30 2013)



Who We Are

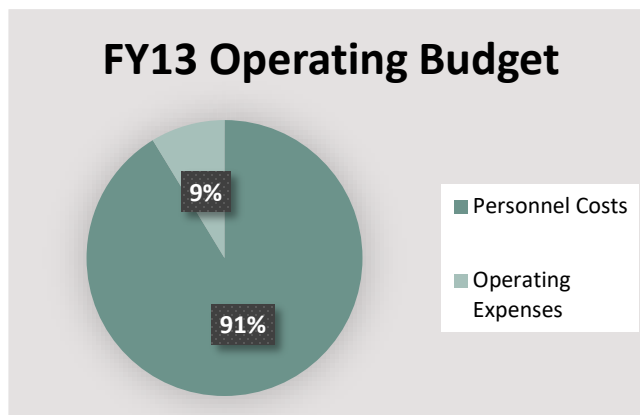
The Office of Consumer Protection (OCP) is a law enforcement agency responsible for administering nine statutes, licensing several types of businesses (new home builders, auto repair and towing, appliance repair and secondhand personal property dealers), and collaborating with other County agencies. OCP also staffs the Patient Advocate Position for the Emergency Medical Services Insurance Reimbursement Program.

Mission Statement

The mission of the Office of Consumer Protection 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 approved FY13 Operating Budget for the Office of Consumer Protection is \$2,182,612, an increase of \$234,292 or 12.0 percent from the FY12 Approved Budget of \$1,948,320. Personnel Costs comprise 91.3 percent of the budget for 17 full-time positions for 16.00 FTEs. Operating Expenses account for the remaining 8.7 percent of the FY13 budget.



Program Descriptions

❖ *Investigations*

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.

❖ *Outreach and Education*

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](#).

❖ *Licensing and Regulation*

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.



OCP Services Brochure

Accomplishments and initiatives

❖ *ABC's 20/20 Show*

OCP's actions regarding trespass towing were referenced in a nationally televised program report on [ABC's 20/20 show](#). In addition, OCP entered into a settlement agreement with a major property owner and obtained refunds for consumers who were improperly towed from a shopping center in Silver Spring.



❖ *Volunteer Program*

In the FY13 the OCP utilized the services of 18 volunteers, who contributed approximately 2500 hours. The services provided by the volunteers is equivalent to that of 16.0 full time employees. The OCP's volunteer database won a NACo award in 2012.



❖ *Social Media*

OCP has expanded its educational efforts by using [Facebook](#) and [Twitter](#). Since launching in FY13, OCP has over 500 Twitter and Facebook followers enabling OCP to reach a wider audience with [consumer news](#) and alerts.



Departmental Collaborations

❖ *Curbstoners*

OCP collaborated with the County Police, State's Attorney's Office, and the MVA to investigate and initiate criminal prosecution of illegal car sellers, commonly referred to as "[curbstoners](#)." OCP's investigators issued subpoenas to the major auto auction sellers in MD, engaged in extensive searches on internet sales sites, and conducted field investigations to document the

illegal sale of used vehicles in the County. [Local TV news covered](#) this enforcement action to warn and education consumers.

❖ *Department of Technology Services*

Coordinated with the Department of Technology Services (DTS) to aid DTS' Cable Office in initiating a major investigation involving a Cable TV provider and thousands of County consumers.

Community Outreach

❖ *Senior Educational Forums*

OCP's advisory board partnered with councilmembers in conducting several senior educational forums to provide information on issues affecting one of our most vulnerable populations. OCP also partnered with Congressman Christopher Van Hollen to host a financial education forum featuring Professor Elizabeth Warren. In addition, the office hosted a show entitled "Recovering from the Recession" to provide residents information on rebuilding credit and managing debt during these austere time

❖ *National Consumer Protection Week*

OCP hosted a [National Consumer Protection Week Open House](#) inviting consumers, merchants, and service providers to meet common ownership community, consumer and business licensing experts. OCP assisted consumers in obtaining and reviewing a copy of their free credit report. Assistance was available in English and Spanish. Home improvement, automotive repair, auto sales and leasing, towing, credit, common ownership community, and other experts answered questions throughout the event.



❖ *Financial Challenges Public Forum*

Hosted and conducted [a public forum](#) with the Commission on Common Ownership Communities to address the financial challenges faced by our communities. Over 100 people attended sessions covering best practices for managing budgets, grants, rebates and refunds, foreclosures, and using solar energy.

❖ *Educational Videos*

In an effort to help educate the residents and governing bodies of over 1,000 common ownership communities, OCP staff helped create a [series of 15 educational videos](#). This video series provides information on various topics from how to hold an election to how to file a complaint. All of these individual videos have been posted to OCP's webpage and YouTube. Approximately one third of Montgomery County residents live in these communities.



❖ *Democratic Club of Leisure World*

OCP Director Eric Friedman [spoke at the Democratic Club of Leisure World](#) on March 13th, 2013. He discussed consumer topics such as new credit card surcharges, identity theft and grandparent schemes.

❖ *Live Discussion Platform*

OCP expanded upon its [online live chats](#) as part of OCP's Consumer Ed Café— Food for Thought consumer education campaign. These outreach communications provided detailed information regarding trespass towing, home improvement, and common ownership community issues.



Casework

❖ *Permitting and Inspection Requirements*

Collaborated with the Washington Suburban Sanitary Commission (WSSC) in an [investigation](#) regarding compliance with permitting and inspection requirements for gas appliances installed in Montgomery County. The joint investigation followed a lawsuit filed by OCP against All State Plumbing, Heating & Cooling, Inc. for charging extra for permit fees, but failing to obtain permits and inspections. OCP and WSSC expanded its efforts to ensure inspection compliance by big box retailers potentially involving thousands of County households. Settlement agreements with several big box retailers are underway.

❖ *Energy and Environmental Advocacy*

Continues its Energy and Environmental Advocacy efforts on behalf of Montgomery County. OCP intervened in several major cases and rulemaking activity before the Public Service Commission. Most notably, the office aided the County Executive's Pepco Workgroup whose work culminated in a report summarizing 12,000 survey results from residential homeowners, businesses and Montgomery County residents.

❖ *EMS Insurance Reimbursement Program*

OCP embarked upon its new role as Patient Advocate regarding [the Emergency Medical Services \(EMS\) Insurance Reimbursement program](#). OCP's critical role was to develop and implement a program of high-level customer service to both county and non-county residents and to serve as liaison with Fire Rescue Service's 3rd party vendor to ensure that any billing issues are promptly resolved. OCP has made substantive recommendations regarding the implementation of this new program.

FY13 Statistical Measures

OCP Performance

<i>Performance Measures</i>	<i>Achievement</i>
Restitution Received as % of Asked	85%
Satisfaction with Case Handling	3.4*
Satisfaction with Case Outcome	3.1*
Time to Investigate and Close Complaint	68 work days
OCP-Initiated Cases Resolved by OCP	61%
News Releases Covered by Media	94%
Media Requests for OCP Expertise	27

*Scale of 1-4 (4=best)

Breakdown of Consumer Complaints (High-Volume Types)

<i>Complaints</i>	<i># of Cases</i>	<i>Days to Resolve</i>
Automotive Service (non-dealers)	93	85.1
Automotive Service (dealers)	50	73.5
Collection Practices	43	50.1
Furniture	36	69.1
Home Improvement (repair/remodel/décor)	81	63.1
Miscellaneous	27	81.1
Retail Stores	61	54.5
Telecommunications (long distance, wireless, prepaid)	61	54.5
Towing	186	61.6
Unlicensed Contractors	62	103.5

