

**Office of Consumer Protection (OCP) Annual Report**  
**FY17 (July 1 2017 to June 30 2018)**



Ensuring Integrity  
in our Marketplace

## **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 FY18 Operating Budget for the Office of Consumer Protection is \$2,364,597 an increase of \$255,527 or 12.12 percent from the FY17 Approved Budget of \$2,109,070. Personnel Costs comprise 91.36 percent of the budget for 17 full-time position(s) and one part-time position(s). Operating Expenses account for the remaining 8.64 percent of the FY18 budget

## **Examples of Complaint Resolution in FY 2018**

The OCP fielded nearly fifty (50) complaints from two newer developments where the builder's roofing sub-contractor had failed to correctly install specialty shingles. Without following the very specific instructions, these shingles would simply wave in the breeze and fly off in every storm. This resulted in not only

roofing damage, but water damage to the interior of the homes. OCP's investigator negotiated the inspection of every roof the builder's subcontractor installed in these two developments (whether or not a complaint had been filed), replacement of all missing shingles now and into the future, an extended (10 year) warranty on the roofs. OCP is continuing to oversee the inspection process while also negotiating over the remaining water damage complaints.



As part the County's Business Eviction Response Team, the OCP assisted the owner of a consignment shop, and its consumers, after the business was evicted. In this process, the OCP facilitated the return of hundreds of items of clothing and furniture to the consumers, worked with the landlord for access to facilitate this return, and is continuing in FY2019 to work with the evicted owner to return thousands of dollars owed to over seventy (70) consumers.



OCP is believed to have the only ASE Certified Master Auto Technician on staff as an investigator. This investigator has been requested for [undercover stings](#) of car repair shops by sister agencies and news programs. OCP handled over 100 car repair cases and consumer inquiries during FY2018. These cases often required a review of not only the documentation, but an under-the-hood review by the investigators.



### **Legislative Action**

The OCP provided written testimony in opposition to SB1198/HB916/HB674 (Business Regulation – Home Improvement Contracts) which each sought to increase the maximum deposit amount permitted by law. OCP also testified in opposition to to HB1253 (Business Regulation -Collection Agencies – Exemptions from Licensure) which sought to exempt law firms from registering

as a debt collector. OCP testified in favor of HB937 (Business Regulation – Household Goods Movers – Registration), and HB648 (Maryland Consumer Rights), as improvements in consumer protection. The former mandated registration by intrastate movers while the latter sought to add statutory damages to the State’s main consumer protection statute. OCP also testified in support of SB236 (State Board of Education – Financial Literacy and Entrepreneurship Curriculum-Development and Implementation) as a useful tool in developing smarter consumers for the future. Finally, OCP took the unprecedented step to provide testimony in support of *In the Matter of Advanced Methods to Target and Eliminate Unlawful Robocalls* (CG Docket No. 17-59), FCC’s proposed regulations to curb robocalls and call spoofing.

### **Examples of Community Outreach**

The OCP provided speakers, staff, and educational materials to forty-one (41) programs hosted by numerous organizations including the Boy Scouts of America, University of Maryland Graduate Legal Aid, OASIS, Shir Mangal Mandir, Public Libraries, Department of Recreation, A.S.K. Technology at Montgomery College’s Business Training Center, Salvadoran Festival, Single Parent Conference at Montgomery College, Nuclear Regulatory Commission, Ingleside and Homecrest Retirement Communities, various Villages and several Senior Forums organized by Councilmembers.

Notably, OCP hosted two separate events featuring members of Congress. First was a program at B-CC High School featuring Senator Chris Van Hollen and Maryland Attorney General Brian Frosh. The second program was an event at the Silver Spring Civic Building featuring Representative Jamie Raskin, fmr. Deputy Treasury Secretary Sarah Bloom Raskin, and Maryland Attorney General Brian Frosh.



The OCP used social media to begin its “Scambuster Awards” program to recognize consumers spotting scams and routing them. These Awards resulted in multi-lingual videos produced by Department of Technology Service’s Cable Office and are found on OCP’s [YouTube channel](#), [ConsumerWise](#).



OCP otherwise provided alerts and warnings to the public about seasonal scams, romance scams, cybersecurity alerts, and other areas of general consumer interest.

OCP also issued three Newsletters including “[Advertising Fraud: The Role of Bots in Shaping Consumer Choice](#)” and “[Facebook and Privacy: A Step-by-Step Guide](#).” The former was featured by a guest speaker to County staff during Cybersecurity Awareness Week and the latter was featured in a WDVM news report.

The OCP added a section to its website highlighting “[Scams Targeting Businesses](#).”

Work product measures capturing the breadth of work performed by the Outreach Program is not captured by CountyStat and is hoped to be added to a separate dashboard in FY19.

### **Departmental Collaborations**

The OCP, is seated as a member of the Public Safety Workgroup on the [Age-Friendly Montgomery Task Force](#). In collaboration with other Public Safety Workgroup members, the OCP created an outreach calendar for the workgroup’s use. Such cross-use of outreach opportunity increases the reach of the agencies’ various campaigns. Moreover, this outreach calendar was expanded to include any other member of the Age-Friendly Montgomery Task Force.

OCP, in collaboration with the Office of Permitting Services, investigated a new home builder which prompted complaints of workmanship from 50% of its customers. DPS issued numerous citations and OCP (through the Board of Building Contractors) began proceedings at the Office of Zoning & Administrative Hearings to revoke the builder’s license.

The OCP continued its active role advocating in two workgroups before the Public Service Commission regarding the PC 44 Rate Design & Competitive Markets and Customer Choice Work Groups.

**Special Projects**

The OCP began a multi-year research project into incidences of unlicensed contractors using online referral e-businesses to reach consumers. The findings of this research report is expected in the next fiscal year.

**Business Licensing**

The DTS added the Radio, Television and Electrical Appliance Installation and Repair Registration to CALMS. Work product measures capturing the breadth of work performed by the Licensing Program is not captured by CountyStat and continued to be added to a separate dashboard.

The OCP’s home page, <http://montgomerycountymd.gov/OCP>, has information on licensing and registration for home builders; commercial parking lot registration; motor vehicle repair and towing; radio, television and small appliance installation and repair; and second-hand personal property dealers. It also has a Business Services page that can link to the OCP’s Business Liaison.

**Some statistics (# of complaints, licenses, phone call consultations, etc.)**

The OCP received over 1388 written complaints from the public and closed over 1301 investigations. The following chart includes some performance measures with results in FY 2018:

<b>Performance Measures</b>	<b>Achievement</b>
Restitution received as of % asked	95
Satisfaction with case handling*	3.1
Satisfaction with case outcome*	2.9
Time to investigate and close complaint	76 work days
OCP initiated cases resolved by OCP	54%
News releases covered by media	100%
Media requests for OCP expertise	19

\*scale of 1-4

The OCP responded (by telephone, email, or walk-in) to over 2568 “Consultation Requests” from the public in which OCP staff provided information and advice to consumers, merchants and non-profits.

### **New Employee Hired / Retired**

In Fiscal Year 2018, the Office of Consumer Protection added two new investigators.

