

Office of Consumer Protection (OCP) Annual Report
FY 15 (July 1, 2014 to June 30, 2015)



Who We Are

The Montgomery County 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

FY15 Approved Budget is \$2,256,236, an increase of \$107,520 or 5.0 percent from the FY14 Approved Budget of \$2,148,716. Personnel costs comprise 93.7 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.

ACCOMPLISHMENTS AND INITIATIVES

- *Master Automotive Technician*

The OCP is one of the only local government consumer protection offices to have a certified Master Automotive Technician on staff to [handle complaints regarding auto repairs](#). OCP's auto investigator served in the capacity of an independent expert on multistate, [hidden camera television report](#) regarding transmission repair shops

conducted by NBC affiliates. OCP's auto expert also collaborated with several County agencies that provide [emergency funds to eligible residents](#) who are in danger of losing their employment due to transportation problems because of emergency automotive repairs, and provided expertise, resources, and evaluation of proposed expenditures relating to automotive issues. This program was a FY13 NACO Award Winner.



- *Curbstoners Investigations*

The OCP collaborated with the County Police, State's Attorney's Office, and the Motor Vehicle Administration 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 Maryland, engaged in extensive searches on internet sales sites, and conducted field investigations to document the illegal sale of used vehicles in the County. Local Television news covered this enforcement action to warn and educate consumers.



- *Trespass Towing Abuses*

The 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.



COMMUNITY OUTREACH

- *National Consumer Protection Week*

The OCP hosted a National Consumer Protection Week [Open House](#) inviting merchants, and service providers to meet common ownership community residents, consumers and business licensing experts. The 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.



- *Live Chat*

The OCP expanded its [online live chats](#) as part of its 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.



- *Social Media*

The OCP 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.



Accomplishments and Initiatives

- *Deceptive Letter about Property Tax Assessment*

The OCP warned property owners not to be fooled by a [deceptive letter](#) encouraging consumers to pay \$99 to petition to have their property tax assessment reviewed. The direct mail solicitation gave the false appearance that it was from a state or local government agency, provided a return address that in, reality, was a mail-drop location and failed to disclose that there is actually no cost for property owners in Montgomery County to personally petition for a tax assessment review. Information regarding this matter was reported to the U.S. Postal Inspection Service. Consumers who provided credit card information or sent checks to this merchant were advised to [file a complaint](#), with Montgomery County's Office of Consumer Protection.

The Maryland State Department of Assessment and Taxation provides information on its [website](#) regarding how to file a petition to have a property tax assessment reviewed.

- *Consumer Advisory to Choose Charities & Donate Carefully*

The OCP [warned County residents](#) to be cautious when donating to charities and other causes. In response to a tragedy in the community, efforts were made to raise money and collect needed items for the families affected.

The agency offered advice to consumers to assist them to be smart givers:

- Donate only to known and trusted users. It is easy to verify a relative's fundraising request; however, responding to a local tragedy or catastrophe may take some research on your part. Verify that the donation is going to a legitimate source.
- Be careful about bogus websites claiming to be donation centers.
- Be aware of any fees associated with a platform. Always read the fine print and be aware that the method of payment may involve additional fees.
- Verify requests from people who you know. Scammers often hack personal email accounts and use the information to steal money.

DEPARTMENTAL COLLABORATIONS

- *Office of Common Ownership Communities*

The OCP served as staff to the Commission on Common Ownership Communities (CCOC). 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 Common Ownership Communities.

The CCOC released its "[Guide to the Procedures and Decisions of the Commission on Common Ownership Communities](#)." The Guide provides valuable information to County residents on laws affecting homeowners, and condominium and cooperative living associations, helps residents navigate the texts of Commission decisions on common ownership disputes, and is available on the CCOC website.

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 & 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 & 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.

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

Performance Measures	Achievement
Restitution received as of % asked	80%
Satisfaction with case handling	3.6*
Satisfaction with case outcome	3.4*
Time to investigate and close complaint	56 work days
OCP initiated cases resolved by OCP	62%
News releases covered by media	89
Media requests for OCP expertise	28

* Scale of 1-4