

# Consumer Protection

## 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 FY10 Operating Budget for the Office of Consumer Protection is \$2,442,010, a decrease of \$266,480 or 9.8 percent from the FY09 Approved Budget of \$2,708,490. Personnel Costs comprise 93.4 percent of the budget for 19 full-time positions for 18.5 workyears. Operating Expenses account for the remaining 6.6 percent of the FY10 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

This table presents the department's headline measures or submeasures that relate to multiple programs including projections from FY09 through FY11. These estimates reflect funding based on the FY09 savings plan, the FY10 budget, and funding for comparable service levels in FY11.

Measure	Actual FY07	Actual FY08	Estimated FY09	Approved FY10	Projected FY11
<b>Headline Measures</b>					
Restitution received as a percent of restitution asked for by the consumer	NA	NA	TBD	TBD	TBD
Average Office of Consumer Protection (OCP) customer satisfaction rating - Manner in which the customer's case was handled (1-4 scale)	NA	NA	TBD	TBD	TBD
Average OCP customer satisfaction rating - Outcome of the customer's case (1-4 scale)	NA	NA	TBD	TBD	TBD
Average time in workdays to investigate and close a written complaint: (<\$100)	NA	NA	TBD	TBD	TBD
Average time in workdays to investigate and close a written complaint: (\$101 - \$1,000)	NA	NA	TBD	TBD	TBD
Average time in workdays to investigate and close a written complaint: (\$1,001 - \$5,000)	NA	NA	TBD	TBD	TBD
Average time in workdays to investigate and close a written complaint: (\$NA)	NA	NA	TBD	TBD	TBD
Percent of OCP-initiated consumer protection cases closed that are resolved by OCP	NA	NA	TBD	TBD	TBD
Media Coverage - Percent of news releases receiving media coverage, including print news, television and radio	NA	NA	TBD	TBD	TBD
Media Coverage - Number of times media outlets, including print news, television and radio, seek out OCP's expertise	NA	NA	TBD	TBD	TBD
Percent of Commission on Common Ownership Communities (CCOC) cases resolved through mediation	NA	NA	TBD	TBD	TBD

## ACCOMPLISHMENTS AND INITIATIVES

- ❖ **The Office of Consumer Protection (OCP) is designated to lead on the following legislation:**
  - **Estimated Property Tax Disclosure (Bill #24-07), requiring sellers of homes to provide potential homebuyers with an estimate of their property tax and other non-tax charges;**
  - **Energy and Environmental Advocacy (Bill #35-07), authorizes the office to advocate for the County's interest in obtaining the lowest possible rates consistent with environmental stewardship for energy sources; and**
  - **Domestic Workers (Bill #32-08), requiring residents who employ domestic workers to offer a written contract that discloses specific information regarding job conditions and benefits.**
- ❖ **Dedicated English and Spanish speaking volunteers and interns have contributed a total of 3,323 hours in FY08, enabling OCP to "leverage" its ability to be productive. Volunteer hours are equivalent to 1.5 full-time staff hours.**
- ❖ **The office conducted a "Look, Listen, & Learn" Walking Community Outreach Tour in the Wheaton Triangle to develop a better understanding of the consumer protection needs and issues of the Hispanic/Latino community.**
- ❖ **Productivity Improvements**
  - **The office created and launched its first logo and tagline to help achieve higher visibility and recognition in outreach campaigns. OCP adopted a back-to-basics strategy to symbolize the importance and sanctity of "trust" in every consumer transaction.**

## PROGRAM CONTACTS

Contact Marsha Carter of the Office of Consumer Protection at 240.777.3686 or Phil Weeda of the Office of Management and Budget at 240.777.2780 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.

<b>Program Performance Measures</b>	<b>Actual FY07</b>	<b>Actual FY08</b>	<b>Estimated FY09</b>	<b>Approved FY10</b>	<b>Projected FY11</b>
Restitution received as a percent of restitution asked for by the consumer	NA	NA	TBD	TBD	TBD
Average Office of Consumer Protection (OCP) customer satisfaction rating - Manner in which the customer's case was handled (1-4 scale)	NA	NA	TBD	TBD	TBD
Average OCP customer satisfaction rating - Outcome of the customer's case (1-4 scale)	NA	NA	TBD	TBD	TBD
Average time in workdays to investigate and close a written complaint: (<\$100)	NA	NA	TBD	TBD	TBD

	Actual FY07	Actual FY08	Estimated FY09	Approved FY10	Projected FY11
Average time in workdays to investigate and close a written complaint: (\$101 - \$1,000)	NA	NA	TBD	TBD	TBD
Average time in workdays to investigate and close a written complaint: (\$1,001 - \$5,000)	NA	NA	TBD	TBD	TBD
Average time in workdays to investigate and close a written complaint: (\$NA)	NA	NA	TBD	TBD	TBD
Percent of OCP-initiated consumer protection cases closed that are resolved by OCP	NA	NA	TBD	TBD	TBD
Media Coverage - Percent of news releases receiving media coverage, including print news, television and radio	NA	NA	TBD	TBD	TBD
Media Coverage - Number of times media outlets, including print news, television and radio, seek out OCP's expertise	NA	NA	TBD	TBD	TBD

<b>FY10 Approved Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY09 Approved</b>	<b>2,460,030</b>	<b>19.4</b>
Increase Cost: Retirement Adjustment	26,730	0.0
Increase Cost: Annualization of FY09 Personnel Costs	16,140	0.0
Increase Cost: Professional Services	11,260	0.0
Increase Cost: Office Supplies/Operating Expenses	7,150	0.0
Increase Cost: Service Increment	5,310	0.0
Increase Cost: Group Insurance Adjustment	3,370	0.0
Decrease Cost: Motor Pool/Travel	-1,000	0.0
Decrease Cost: Retirement Incentive Program (RIP) Savings	-32,910	0.0
Decrease Cost: Abolish Principal Administrative Aide; re-assign support work to other administrative staff	-80,520	-1.0
Decrease Cost: Abolish Senior Executive Aide position; re-assign support work to other administrative staff	-100,750	-1.0
Decrease Cost: Abolish Investigator III position; consumer outreach services will be provided by management	-113,450	-0.8
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-3,010	0.0
<b>FY10 Approved</b>	<b>2,198,350</b>	<b>16.6</b>

### 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.

<b>Program Performance Measures</b>	Actual FY07	Actual FY08	Estimated FY09	Approved FY10	Projected FY11
Percent of Commission on Common Ownership Communities (CCOC) cases resolved through mediation	NA	NA	TBD	TBD	TBD

<b>FY10 Approved Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY09 Approved</b>	<b>248,460</b>	<b>1.9</b>
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-4,800	0.0
<b>FY10 Approved</b>	<b>243,660</b>	<b>1.9</b>

## BUDGET SUMMARY

	Actual FY08	Budget FY09	Estimated FY09	Approved FY10	% Chg Bud/App
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	1,794,535	1,820,970	1,788,010	1,597,670	-12.3%
Employee Benefits	759,988	743,240	707,230	682,650	-8.2%
<b>County General Fund Personnel Costs</b>	<b>2,554,523</b>	<b>2,564,210</b>	<b>2,495,240</b>	<b>2,280,320</b>	<b>-11.1%</b>
Operating Expenses	91,700	144,280	92,330	161,690	12.1%
Capital Outlay	0	0	0	0	—
<b>County General Fund Expenditures</b>	<b>2,646,223</b>	<b>2,708,490</b>	<b>2,587,570</b>	<b>2,442,010</b>	<b>-9.8%</b>
<b>PERSONNEL</b>					
Full-Time	22	21	21	19	-9.5%
Part-Time	1	1	1	0	—
Workyears	22.3	21.3	21.3	18.5	-13.1%
<b>REVENUES</b>					
Civil Citations	1,243	0	1,000	1,000	—
New Home Builder License	144,900	200,000	200,000	200,000	—
Consumer Affairs Business Licenses	48,090	69,200	69,200	69,200	—
<b>County General Fund Revenues</b>	<b>194,233</b>	<b>269,200</b>	<b>270,200</b>	<b>270,200</b>	<b>0.4%</b>

## FY10 APPROVED CHANGES

	Expenditures	WYs
<b>COUNTY GENERAL FUND</b>		
<b>FY09 ORIGINAL APPROPRIATION</b>	<b>2,708,490</b>	<b>21.3</b>
<b>Other Adjustments (with no service impacts)</b>		
Increase Cost: Retirement Adjustment [Consumer Protection]	26,730	0.0
Increase Cost: Annualization of FY09 Personnel Costs [Consumer Protection]	16,140	0.0
Increase Cost: Professional Services [Consumer Protection]	11,260	0.0
Increase Cost: Office Supplies/Operating Expenses [Consumer Protection]	7,150	0.0
Increase Cost: Service Increment [Consumer Protection]	5,310	0.0
Increase Cost: Group Insurance Adjustment [Consumer Protection]	3,370	0.0
Decrease Cost: Motor Pool/Travel [Consumer Protection]	-1,000	0.0
Decrease Cost: Additional Lapse Savings	-7,810	0.0
Decrease Cost: Retirement Incentive Program (RIP) Savings [Consumer Protection]	-32,910	0.0
Decrease Cost: Abolish Principal Administrative Aide; re-assign support work to other administrative staff [Consumer Protection]	-80,520	-1.0
Decrease Cost: Abolish Senior Executive Aide position; re-assign support work to other administrative staff [Consumer Protection]	-100,750	-1.0
Decrease Cost: Abolish Investigator III position; consumer outreach services will be provided by management [Consumer Protection]	-113,450	-0.8
<b>FY10 APPROVED:</b>	<b>2,442,010</b>	<b>18.5</b>

## PROGRAM SUMMARY

Program Name	FY09 Approved		FY10 Approved	
	Expenditures	WYs	Expenditures	WYs
Consumer Protection	2,460,030	19.4	2,198,350	16.6
Commission on Common Ownership Communities	248,460	1.9	243,660	1.9
<b>Total</b>	<b>2,708,490</b>	<b>21.3</b>	<b>2,442,010</b>	<b>18.5</b>