

PS COMMITTEE #5  
June 25, 2009

**M E M O R A N D U M**

June 23, 2009

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst *SJF*

SUBJECT: Quarterly 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  
Evan Johnson, Administrator, OCP  
Marsha Carter, OCP

**UPDATE ON ORGANIZATIONAL CHANGES WITHIN OCP**

As part of the FY2010 budget process, OCP lost two filled positions – the Communications Manager (part-time investigator position) and the Senior Executive Administrative Aide. Office duties will have to be reallocated to existing staff, beginning July 1, 2009. Total OCP staff was reduced from 21 to 19 positions. This continues a trend of reducing the number of staff in OCP over the past several years. As noted during budget worksessions, even though staffing has been reduced, the scope of OCP responsibilities has increased. OCP is responsible for the oversight of several new initiatives, including oversight of:

- Domestic workers model contract (Bill 32-08)
- Energy and environmental advocacy (Bill 35-07)
- Development tax district disclosure (Bill 36-07)
- Property tax disclosure (Bill 24-07)

**Committee members may wish to ask OCP how it plans to reallocate work assignments and whether there are any concerns about maintaining performance as a result.**

## COUNTYSTAT PERFORMANCE MEASURES

OCP has implemented all new performance measures as part of the CountyStat program. Its eight new performance measures include:

- Restitution received as a percent of restitution asked for by the consumer, and validated by the assigned OCP case investigator
- Average OCP customer satisfaction rating
- Average time in workdays to investigate and close a written complaint
- Percent of consumer protection cases closed that are resolved by OCP
- Percent of media news releases receiving media coverage
- Number of times media outlets, including print news, television, and radio seek out OCP's expertise
- Percent of Commission on Common Ownership Communities (CCOC) cases resolved through mediation
- Percent of consumers using OCP services who found out about the office through each communication method

These new performance measures are intended to provide results-based measurements rather than output-based measures. For example, performance regarding the amount of restitution recovered or the success of complaint investigations is now expressed as a percentage rather than a raw number. In addition, OCP's customer satisfaction survey was completely revised in order to enhance the potential feedback and to increase its statistical integrity. A copy of the *Office of Consumer Protection Customer Service Satisfaction Survey* is provided at ©1-2.

**Committee members may wish to ask what the process is for requesting that consumers fill out the new survey. Is it provided to every consumer who files a complaint, or a certain percentage? How often are data from surveys compiled and analyzed?**

## CABLE TELEVISION SHOWS

As part of OCP's outreach and consumer education initiatives, the office is currently featured in two cable television shows. "County Comments" features OCP's Director every two months regarding current consumer protection topics. In addition, OCP staff appear quarterly in a new cable show called "Consumer Compass." Its premiere episode addressed trespass towing complaints, tips on how to avoid problems with household moving firms, and how to request that OCP make a presentation at an event. Both shows are 15 minutes long. See ©3 for the press release regarding OCP's new show, "Consumer Compass."

## CURRENT CONSUMER ISSUES

OCP indicates that complaints regarding used car dealers are currently being investigated. Two significant issues have been identified – selling vehicles to which the dealership does not have lawful title, and selling vehicles "as-is", in violation of State law. OCP works with the

Maryland Motor Vehicle Administration on these issues, and is currently entering into Settlement Agreements with two used car dealerships.

### **NACo ACHIEVEMENT AWARD**

OCP recently won a National Association of Counties (NACo) Achievement Award for creating an online video training course to help police officers respond to consumer protection related calls. This is a new program, coordinated through the Police Training Academy, to provide police officers with enhanced information to enable officers to respond to calls for assistance by providing more than the traditional response. Officers are frequently called to the scene for disputes involving consumer protection transactions that result in the threat or fear of personal injury. Historically, police officers did not receive training on consumer protection laws. Therefore, some officers may be unsure of how best to resolve the underlying incident beyond solely preventing the situation from escalating into an assault, battery, or other breach of the peace.

One example of such a complaint may involve a moving company that loads a consumer's household items onto its truck, but then demands payment of more than the originally quoted price in order to unload the consumer's possessions. If the consumer refuses to pay more, the mover may hold the property hostage until payment is made. Prior to this training, the officer may have been unaware that it is illegal in Maryland to hold a consumer's possessions in exchange for payment.

The consumer protection online training course provides officers with consumer protection related information in nine key areas to increase their ability to effectively respond on the scene. The online training course can be found at:

<http://polbreeze.mcgov.org/p99304936/>

### **REVISED OCP OFFICE BROCHURE**

OCP completely revised its tri-fold office brochure to reflect the expanded duties assigned to OCP by the County Council and County Executive (©4-5). An electronic version of the brochure is also available on OCP's webpage.

**Committee members may wish to ask if the brochure is distributed to other locations, and if so, which ones?**

<u>This packet includes the following:</u>	<u>©#</u>
Customer Satisfaction Survey	1-2
Press Release on "County Compass" Cable Show	3
New OCP Brochure	4-5

**1. Case Number:**

**2. Overall, I was satisfied with the manner in which the investigator handles my complaint.**

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree
- N/A

**3. If you were dissatisfied with the manner in which the investigator handled your complaint, please provide the reason:**

- Investigator did not return my telephone calls
- Investigator did not seem interested in my complaint
- Other, please explain:

**4. Considering the nature of my complaint, the amount of time taken to handle it was reasonable.**

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree
- N/A

**5. I am likely to use this service again.**

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree
- N/A

**6. Overall I was satisfied with the outcome of my complaint.**

- Strongly Agree
- Agree
- Disagree
-

Strongly Disagree

N/A

**7. Overall, I was dissatisfied with the outcome of my complaint due to the following reasons:**

- Investigator did not handle my complaint properly
- Merchant failed to resolve my problem
- County law did not cover my problem
- Other, please explain:

**8. Based on your experience, please rate our customer service:**

	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
Receptionists were courteous	<input type="radio"/>				
Investigators were courteous	<input type="radio"/>				
Receptionists were able to adequately answer my questions	<input type="radio"/>				
Investigators were able to adequately answer my questions	<input type="radio"/>				
I was kept informed about the status of my complaint	<input type="radio"/>				

**9. Additional Comments:**

Submit Survey



MONTGOMERY COUNTY, MARYLAND

News Release

For Immediate Release: 6/18/2009

New County Cable Show Features Office of Consumer Protection; "Consumer Compass" Showcases Consumer-Related Issues

Montgomery County's Office of Consumer Protection (OCP) is featured on County Cable Montgomery's newest show, "Consumer Compass."

The 15-minute show, which will be produced quarterly, is hosted by OCP Director Eric Friedman who introduces various segments of the show. The flagship show, which began airing on June 14, deals with towing complaints, household moving complaints and various OCP outreach activities.

"This show provides another opportunity for our staff to provide valuable information to help consumers avoid problems," said Friedman.

"Consumer Compass" can be seen on Channel 6 on Comcast and RCN and Channel 30 on Verizon. For a schedule of show times or to view it online, visit the County's homepage at [www.montgomerycountymd.gov](http://www.montgomerycountymd.gov), click on County Cable 6, go to Weekly Schedule and/or Programs.

The show is written and produced by Cathy Grubman, County Cable Montgomery producer in the Office of the County Council.

For more information about the show, call 240-777-3636.

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Media Contact: Sue Tucker, 240-777-6507

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Release ID: 09-274

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## Helpful Agencies & Resources

Maryland Attorney General's Office,  
Consumer Protection Division  
[www.oag.state.md.us/consumer](http://www.oag.state.md.us/consumer)  
410-528-8662  
1-888-743-0023

Maryland Department of Labor, Licensing, & Regulation  
*Licenses professional and financial merchants including  
home improvement contractors*  
[www.dllr.state.md.us](http://www.dllr.state.md.us)  
410-230-6001  
1-888-218-5925

Federal Trade Commission  
[www.ftc.gov](http://www.ftc.gov)  
202-326-2222

Washington Consumers' CHECKBOOK Magazine  
*Non-profit organization issues ratings on local businesses  
and is available in public libraries.*  
[www.checkbook.org](http://www.checkbook.org)  
1-800-213-7283



Consumer Reports  
*Non-profit organization tests and reports on products  
and services and is available in public libraries.*  
[www.consumerreports.org](http://www.consumerreports.org)

Consumer World  
*Consumer news and information.*  
[www.consumerworld.org](http://www.consumerworld.org)

Maryland Consumer Rights Coalition  
*Non-profit grassroots consumer organization.*  
[www.mdconsumers.org](http://www.mdconsumers.org)  
410-366-1965

Montgomery County—Landlord/Tenant Complaints  
[www.montgomerycountymd.gov/dhca](http://www.montgomerycountymd.gov/dhca)  
240-777-3609

Montgomery County—Cable TV Complaints  
[www.montgomerycountymd.gov/dts](http://www.montgomerycountymd.gov/dts)  
240-773-2288

Better Business Bureau  
[www.dc.bbb.org](http://www.dc.bbb.org)  
202-393-8000

Montgomery County  
Office of Consumer Protection  
100 Maryland Avenue  
Suite #330  
Rockville, MD 20850

Telephone:  
240-777-3636

FAX:  
240-777-3768

Web page:  
[www.montgomerycountymd.gov/  
consumer](http://www.montgomerycountymd.gov/consumer)

Email Address:  
ConsumerProtection@  
montgomerycountymd.gov

Anonymous Consumer Tip Line:  
240-777-3681



Isiah Leggett  
County Executive



Ensuring Integrity  
in our Marketplace



Ensuring  
Integrity  
in our  
Marketplace



**The Office of Consumer Protection (OCP)** is the Montgomery County agency responsible for enforcing consumer protection laws prohibiting unfair and deceptive business acts to ensure a fair marketplace for consumers and businesses. The office was established in 1971.

### Complaints

OCP investigates and resolves thousands of consumer complaints regarding automotive sales and repairs, new home construction, home improvements, credit and financial issues, retail sales, internet services, and most other consumer transactions.

### Law Enforcement

OCP issues civil citations and subpoenas, executes settlement agreements, conducts administrative hearings, and initiates legal action through the County Attorney. OCP works with agencies that prosecute criminal cases.

### Education and Outreach

OCP provides pre-purchase information on its web page including the number of complaints filed against each merchant. OCP issues news releases, email alerts, and provides speakers to community organizations. Investigators are available for consultation by telephone, email, and in person.

### Advocacy & Legislation

OCP testifies on consumer related bills and collaborates with other offices to enact new legislation in our rapidly changing marketplace.

### Licensing

OCP licenses automotive repair facilities, towing companies, new home builders, appliance repair firms, and pawn shops & consignment shops.

**OCP also is responsible for the following programs:**

### Commission on Common Ownership Communities

OCP serves as staff to the Commission on Common Ownership Communities which handles disputes between residents and their condominium or homeowner associations.

### Energy and Environmental Advocacy

OCP works with other County agencies to advocate for the County's interests in obtaining the lowest possible utility rates consistent with environmental stewardship. OCP assists home sellers and buyers obtain information about utility usage and costs.

### Domestic Workers

OCP administers a program requiring employers to negotiate and offer written contracts disclosing information about job conditions and benefits to certain workers employed in their homes. A model contract and resource information are available on OCP's web page.

### Property Tax Disclosures

OCP administers several laws concerning the proper disclosure and advertising of estimated property taxes and charges to ensure that home purchasers do not receive misleading information. An online tax calculator is provided on OCP's web page.

### New Home Sales Contracts

OCP enforces several laws related to the sale of new homes.

**OCP receives assistance from the following groups:**

### Advisory Committee on Consumer Protection

OCP provides advice to OCP in carrying out its duties and functions. Members are appointed by the County Executive and confirmed by the County Council.

### Builder's Board of Registration

OCP provides recommendations to OCP in reviewing license applications for new home builders. Members are appointed by the County Executive and confirmed by the County Council.

### If You Have a Consumer Problem

First, explain your concerns directly to the merchant. If that does not work, contact OCP to file a complaint. A complaint form can be found on OCP's web page. Be sure to provide a copy of all related documentation when you file the complaint.

### OCP Staff

OCP's dedicated staff includes attorneys, certified automotive experts, Spanish speaking investigators, and volunteers. We are here to be of service to you.

### OCP in the News

OCP's outreach and consumer education efforts are enhanced by media coverage regarding our activities. Staff frequently appear on local television and radio news programs, and are frequently quoted in local newspapers and magazines. Our staff have been quoted in national news publications such as the *New York Times*, *The Wall Street Journal*, *Business Week*, and *US News & World Report*. Staff have also appeared on national television news programs such as *DateLine*, *Good Morning America*, *Prime Time Live*, *The Today Show*, and *48 Hours*. Links to media coverage are provided on our web page.

### Consumer Tips

- Read all contracts and sales receipts carefully before you sign, and make sure to keep a copy. Do not sign blank documents.
- Never provide personal information over the telephone or computer unless you initiated the contact and can verify the identity of the merchant.

