

**MINUTES**  
**COMMISSION ON CONSUMER AFFAIRS**  
April 9, 2024

The Commission on Consumer Affairs for the South Carolina Department of Consumer Affairs (Department) met at 1:00 p.m. The following were in attendance:

**COMMISSION MEMBERS:**

Mr. David Campbell	Chair, Columbia, South Carolina
Mr. Fred Pennington	Vice Chair, Simpsonville, South Carolina
Mr. Jack Pressley	Columbia, South Carolina
Mr. Mark Hammond	Secretary of State, Columbia, South Carolina
Mr. James Lewis*	Murrell's Inlet, South Carolina

\*Via Teams

**MEMBERS EXCUSED:**

**MEMBERS UNEXCUSED:**

**OTHERS IN ATTENDANCE:**

Department Staff: Ms. Carri Lybarker, Ms. Jennie Daniels, Ms. Kelly Rainsford, Ms. Mandy Self, Ms. Darlene Dinkins

*Notice of the meeting, its time, date, and location has been provided to the following: The State, Post and Courier, WIS-TV, ABC Columbia, WSPA, WYFF, WCSC*

**I. CALL TO ORDER**

Commissioner Campbell, Chair called the meeting to order.

**II. STATEMENT OF COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT**

Commissioner Campbell, Chair asked if the Department has complied with the FOIA requirements. Ms. Lybarker affirmed the Department had complied.

**III. APPROVAL OF MINUTES**

Commissioner Campbell, Chair presented the March 12, 2024, Minutes for approval. Commissioner Pennington made the motion, and Commissioner Pressley gave a second. The minutes were approved unanimously.

**IV. COMMISSION POLICY ISSUES:**

Commissioner Campbell, Chair called on Ms. Lybarker to give an update on Department activity:

- Budget:
  - Presented to the Senate Subcommittee on April 3<sup>rd</sup>. The full Senate will debate the week of April 22<sup>nd</sup>.
  - The House gave the COLA and retention monies for staff. H5203, a proviso codification bill, includes 80.1 on violations monies.
- Legislation:
  - H4957 - Student Athlete Name, Image, and Likeness. On Senate floor.
  - S434 - regarding service contracts and negative option/auto renewal. Crossed over and assigned to House LCI.
  - S700 - Earned Wage Access bill. Crossed over and assigned to House LCI.

- H4116 - increases the criminal penalties for preneed contracts. Headed to conference committee.
- H5118 - utility reform, this could potentially move the Consumer Advocate role to ORS. The Senate introduced a companion bill S909. Following closely. In Senate Judiciary.
- Reported House Legislative Oversight Committee (HLOC) will submit a draft report to the full committee on or by April 29<sup>th</sup>.
- Ms. Lybarker answered questions from the members regarding the HLOC process.

## **V. PROGRESS REPORTS**

### **A. ADMINISTRATIVE SERVICES**

Commissioner Campbell, Chair called on Ms. Daniels who shared the following:

- Reported revenue is steady and in the black, she noted the receipts are tapering off because the high renewal period has ended.
- Gave an update on Q3, noting the violations account.
- Reported the remaining budget is good.
- Reported (3) vacancies, (2) complaint analysts for Legal and the front desk/intake. She noted we received (90) applications for the complaint analysts and front desk.
- Ms. Daniels answered questions regarding the processing fees that are paid and listed on the report.

### **B. ADVOCACY**

Commissioner Campbell, Chair called on Ms. Lybarker who shared the following:

- Reported Public Hearings for Duke's rate increase is being held across the state. Mr. Edwards, staff attorney and Ms. Dinkins attended the first one in Greenville April 8<sup>th</sup>. There are (5) more scheduled across the state.
- Reported on Rulemaking and Ratemaking. Duke & Dominion have filed for rate increases. Hearings will be held in May and July, respectively.
- She mentioned a pending regulation to require HOAs to appear before the Public Service Commission.
- Reported on review of (46) insurance filings received. Reviews are taking an average of (23.8) days.
- Ms. Lybarker asked if there were any questions.

### **C. CONSUMER SERVICES**

Commissioner Campbell, Chair called on Ms. Self who shared the following:

- Gave an overview of complaints received agency wide and how they were assigned by Division. She noted the month saw a small decrease, for Q3 we are (22) complaints less than FY23.
- Gave an overview of refunds, credits, and adjustments.
- Gave an overview of online filings.
- Gave a report on the top (3) categories for complaints and explained referred complaints. She noted vehicles as the most received at (119) of those (30) repair; (26) related to used vehicles; (6) new vehicles.
- Reported on the complaints assigned to the Services division noting how they were processed by staff.
- Ms. Self asked if there were any questions.

### **D. IDTU**

Commissioner Campbell, Chair called on Ms. Self who shared the following:

- Gave an overview of (35) complaints assigned and included the number of days to close and closing designation. Reported 7.7% were unsatisfied. She noted we now have a contact for complaints at META (Facebook) and that has helped with closing complaints.
- Received (65) scam reports for the month.
- Received (15) ID theft reports for the month.

- Reported on scam and ID theft top categories.
- Reported money lost at \$315K for the month and provided the counties with the highest reporting.
- Ms. Self asked if there were any questions.
- Ms. Lybarker answered questions regarding earned wage access and the “get your pay early” advertising.

## **E. ENFORCEMENT**

Commissioner Campbell, Chair called on Ms. Rainsford who shared the following:

- Gave an overview of complaints:
  - Reported on the number received and the closing designations. We had a high consumer satisfaction rate of 36.5%. She mentioned the closing of aged complaints from the pension buying settlement. The CFPB finalized all of the refunds, allowing us to close those (11) complaints from 2018-2022.
  - She noted we have (2) vacancies with the complaint analysts and Mr. Copeland, chief enforcement attorney and Mr. Coller, complaint supervisor are working complaints to keep them moving.
- Reported updates on litigation:
  - Cash Central ~ we are following up with the court to get back on the docket.
  - Updated ongoing litigation as delineated in the Progress Report.
- Reported on Security Breaches categories. Received (5) in March, noting nearly 3 million residents affected in FY24. Ms. Lybarker added information about a meeting with the Chief Privacy Officer to discuss the types of services state agencies can offer when a breach occurs.
- Licensing:
  - Noted the number of days to process and approve filings in under (30) days is 96.9% for Q3.
  - Filed and paid online is at 82% for Q3 FY24.
- Updated Investigator activity:
  - Visited 16 counties in March and 95.7% for FY24.
  - We are at 19% of licensees reviewed, on track for meeting the 25% goal for the year.
- Ms. Rainsford answered questions from members.

## **G. PUBLIC INFORMATION**

Commissioner Campbell, Chair called on Ms. Lybarker who shared the following:

- Reported on media highlights for March.
- Reported on events (shred events & presentations) for National Consumer Protection Week/Month. We shredded 45K lbs. of paper and served 1,600 cars/consumers in (6) events.
- Reported on (19) presentations, (18) for (761) consumers. We had (1) business presentation with partnership with FTC, BBB and Legal Services titled “Consumer Protection in SC.”
- Gave an overview of the social media traffic/website and numbers for the month. The big post on Nextdoor was “Be Battery Smart” partnering with DHEC. We also did a webinar on “Be Battery Smart.” We had (1,400) views on YouTube, HOA was number one for the month.
- Ms. Lybarker asked if there were any questions.

## **VI. DATE OF NEXT MEETING.**

Commissioner Campbell, Chair reminded everyone the next meeting date is May 14, 2024.

## **VII. ADJOURNMENT**

Commissioner Campbell, Chair adjourned the meeting at 2:03 p.m.