

MINUTES
COMMISSION ON CONSUMER AFFAIRS
August 13, 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
Ms. Meredith Augustine	Designee, 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, Mr. Roger Hall, Ms. Jennie Daniels, Mr. Phil Porter, 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 complied with the FOIA requirements. Ms. Lybarker affirmed the Department had complied.

III. APPROVAL OF MINUTES

Commissioner Campbell, Chair presented the June 11, 2024, Minutes for approval. Commissioner Pressley made the motion, and Commissioner Lewis gave a second. The minutes were approved.

IV. COMMISSION POLICY ISSUES:

Commissioner Campbell, Chair called on Ms. Lybarker to give an update on Department activity, noting today commemorates the 50th anniversary of the signing of the bill that created the SC Consumer Protection Code.

- Gave an overview of the FY25 Budget.
- Discussed the legislation under the Department's jurisdiction that became law (H4957, S700, S434, H3424, H4116) and upcoming educational efforts to inform interested parties on the changes.
- Reported the House Legislative Oversight Committee final hearing is scheduled for August 20, 2024, at 12:00 P.M.
- Gave an overview of the Mortgage Log Report that was issued at the end of June.
- Reported completion of (6) accounting packages, with (3) remaining for closing out of FY24.
- Reported the State Auditor only found (3) minor issues, waiting on the report.

- The IT Audit wrapped up and we are awaiting the findings/recommendations.
- The Accountability Report is due on September 13, 2024. The FY26 budget will be due on September 20, 2024, the HR personnel request was due on August 1, 2024, to the Department of Administration Office of Human Resources for review.
- Shared plans for the 50th year celebration in January 2025.
 - Shared highlights from the minutes from the first Commission meeting held in September of 1979. She noted the first budget issued for the Department was \$60K, Pete Parker, staff attorney at the SC Attorney General's office was appointed as the first Administrator.
- Noted Ms. Rainsford and other staff are attending ACUCCCS conference in Madison, WI.
- Ms. Lybarker answered questions from the members about consumer protections in other states.

V. PROGRESS REPORTS

A. ADMINISTRATIVE SERVICES

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

- Reported revenue for the end of FY24 and carry forward. Noted that violations made up 69% of the difference in revenue between FY24 and FY23.
- Noted the beginning of FY25 revenue is normal given that we are not in renewals at this time. Violations revenue ebbs and flows.
- Reported on MBE spending goal was net 4x's over for FY24.
- Reported on online revenue.
- Ms. Daniels asked if there were any questions.

B. ADVOCACY

Commissioner Campbell, Chair called on Mr. Hall who shared the following:

- Reported on Rulemaking and Ratemaking for FY24 Q4 and the beginning of FY25 July.
- Reported Public Service Commission activity:
 - DCA appeared in (12) utility matters, approx. half of them were directly rate related.
- Received (13) insurance flings in July, (2) were in our jurisdiction.
- Reported on Utility:
 - Duke Energy of Carolinas - we did not join the settlement entered by other parties. The PSC adopted the settlement except for (1) item and it will save nearly \$6.1 million for consumers.
 - Dominion Rate case – we did not object to the settlement entered by other parties. There will be a one-time savings of \$6.3 million to residential customers.
 - We are reviewing Duke's pilot program to finance appliances and HVAC systems. There is a hearing planned for August 29, 2024.
 - Santee Cooper proposed rate increase- it is state-owned meaning PSC does not approve rates. ORS will take a deeper dive and DCA will be permitted to speak at public meetings. We are working on comments for the October 8th board meeting.
- Mr. Hall asked if they 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 (5,776) and how they were assigned by Division for FY24.
- Reported 83.2% were filed online.
- Gave an overview of refunds, credits, and adjustments for the agency and Services which reached \$1.5 million; Services contributed to \$683K and IDTU contributed to \$19,470.
- Gave a report on the top (3) categories for complaints and refunds: real estate, vehicles and contractors and details about those complaints.

- Reported on the complaints assigned to the Services division (4,112) closing (4,170) and IDTU was assigned (277) and closed (251).
- Reported the Sentinel mailings have resumed, (564) were mailed in June.
- Reported the beginning of FY25 saw (517) complaints as compared to (508) in July 2023. (397) were assigned to Services.
- Noted a new calculation for unsatisfied complaint reports that excludes HOA and red flag complaints. For July unsatisfied complaints were at 13.6% and HOA was 9.4%.
- Gave a report on the top (3) categories for complaints and refunds: real estate, vehicles and contractors and details about those complaints.
- Gave an overview of refunds, credits, and adjustments for the agency and Services/IDTU.
- Ms. Self asked if they were any questions.

D. IDTU

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

- Gave an overview of complaints assigned and included the number of days to close and closing designation, with those closed unsatisfied at 7.1%.
- Received (78) scam reports for the month of July.
- Received (32) ID theft reports for the month of July.
- Reported on scam and ID theft top categories and age ranges.
- Reported money lost on actual and potential losses.
- Reported on the counties with highest reporting.
- Ms. Self asked if there were any questions.

E. ENFORCEMENT

Commissioner Campbell, Chair called on Mr. Porter who shared the following:

- Gave an overview of complaints:
 - Reported on (1,388) assigned and (1,209) closed in FY24 as compared to (1,316) assigned and (1,171) closed in FY23.
 - Reported refunds and adjustments through the complaint process.
- Reported updates on litigation:
 - Reported (12) cases in FY24.
 - The Preneed Funeral Contracts case hearing is set for September 24, 2024, at the ALC. He noted he and Staff Attorney Passmore will try the case as others in Legal Enforcement could be called as witnesses.
Cash Central motion to add three new defenses was argued on August 5. Ms. Rainsford argued and presented a memorandum in opposition. Cash Central provided no memorandum in support at the hearing but requested leave to do so and it is due today.
 - A mortgage log penalty case was decided in favor of the Department. An additional mortgage log penalty case is pending.
 - Each case listed is pending Court or administrative action.
- Reported on Security Breaches (171) for FY 24 as compared to (44) in 2020, the average of (14.5) a month.
- Reported on fines, refunds, and adjustments.
- Reported on licensing for FY 24, we received (31,211) and processed (32,965). 96% were processed within (30) days.
- Reported on investigator activities for FY24. They completed (585) activities and visited all counties in the state. They reviewed 25.8% of all licenses.
- Reported FY25 is off to a strong start.
- Mr. Porter answered questions from members.

G. PUBLIC INFORMATION

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

- Reported on Press Releases issued in FY24, (22) were released and (21) were picked up.
- Reported (785) media mentions in FY24.
- Reported on (160) presentations in FY24, with over (3,800) consumers and (1,153) business attendees. We presented in (13) counties in Q4 of FY24.
- Gave an overview of the social media traffic/website and numbers for the month.
- Noted the first month of FY25 saw (50) media mentions.
- Reported participation in (12) presentations including (3) community events, she noted this will be a new item tracked under presentations.
- Gave an overview of all social media noting a change in reporting related to Twitter, we are removing it and adding NextDoor.
- Reported on the re-vamp of the Ditch the Pitch (DTP) in preparation for the 50th Anniversary of the Department. She mentioned development of a new logo and a partnership with Meals on Wheels to disburse the new DTP.
- Ms. Lybarker asked if there were any questions.

VI. DATE OF NEXT MEETING.

Commissioner Campbell, Chair reminded everyone the next meeting date is September 10, 2024.

VII. ADJOURNMENT

Commissioner Campbell, Chair adjourned the meeting at 2:22 p.m.