

MINUTES
COMMISSION ON CONSUMER AFFAIRS
May 14, 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, Mr. Roger Hall, Ms. Jennie Daniels, Ms. Kelly Rainsford, Ms. Cherise Kujawski, Mr. Scott Cooke, 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 April 9, 2024, Minutes for approval. Commissioner Pressley made the motion, and Commissioner Pennington 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:

- Budget:
 - The Senate gave something in every category, they gave us part of expert witness request. The House amended it and sent it back to the Senate. There is one new proviso on the House side addressing the method to determine what is a high-cost loan. We intend to release an administrative interpretation using what the Consumer Financial Protection Bureau calculates as a high-cost loan that tracks with the proviso language. We are talking with the interested parties, including the industry.

- The Budget Conference Committee has been assigned. The Legislature will come back June 18 and 26 to consider the Conference Report and subsequent Governor vetoes.
- Legislation- the following bills passed:
 - H4957- Student Athlete Name, Image, and Likeness, allows colleges to get involved. We will do some webinars to educate schools and agents on the changes.
 - S700 - Earned Wage Access.
 - S434 - Service contracts and negative option/auto renewal.
 - H3424 - an age verification bill for pornography websites, it got moved to Title 37.
- Legislation, continued- the following bills did not pass:
 - H4116 - increases the criminal penalties for preneed contracts.
 - H5118 - energy/utility reform, this could potentially move the Consumer Advocate role to ORS.
 - The cabinet bills.
- Reported the final report was received from the House Legislative Oversight Committee (HLOC) and provided a high-level overview for members. Ms. Lybarker answered questions about the report.
- Shared plans for Employee Appreciation.
- Noted we are in the last quarter of FY 24 and will do inventory and upgrade computers in June.
- 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, revenue was down for the month as compared to last year. That difference is in the violations account. Revenue for FY24 is around \$2.6 million, which amounts to over \$460K more revenue received compared to the same time in FY23.
- Reported on online payments.
- Reported the remaining budget is in line with the previous year.
- Reported on purchasing of computers and other end-of-year items.
- 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.
- Reported the Duke Storm Bonds were priced and issued. Mr. Hall answered questions about the type of Bonds that are offered.
- Submitted the Duke Energy of the Carolinas testimony.
- Attended (6) public hearings in April in preparation of the merits hearing which begins May 20, 2024. They are also scheduling hearings for the Dominion case at the request of AARP.
- Reported on review of (28) insurance filings received. Reviews are taking an average of (23.3) days.
- Mr. Hall asked if there were any questions.

C. CONSUMER SERVICES

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

- Gave an overview of complaints received agency-wide and how they were assigned by Division. She noted a nearly 25% increase over the same period last year.
- Gave an agency overview of online filings.
- Gave an overview of refunds, credits, and adjustments for the agency and services.
- Gave a report on the top (3) categories for complaints and refunds: vehicles, real estate and contractors.

- Reported on the complaints assigned to the Services division noting how they were processed by staff.
- Reported on unsatisfied complaints and their designations.
- Ms. Kujawski asked if there were any questions.

D. IDTU

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

- Gave an overview of complaints assigned and included the number of days to close and closing designation. Of these, 5.6% were unsatisfied.
- Received (58) scam reports for the month.
- Received (18) ID theft reports for the month.
- Reported on scam and ID theft top categories and age ranges.
- Reported money lost on actual and potential losses.
- Ms. Kujawski asked if there were any questions.

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 are down (2) complaint analysts, but we should make offers to two we have interviewed recently.
 - Reported on refunds and adjustments through the complaint process. We had \$186K in refunds, adjustments, and credits.
- Licensing:
 - Reported 98.6% were processed in (30) days or less, 95.9% for FY24.
 - Reported filed online for the first 3 quarters was at 90.5% and 96.7% in April.
- Reported updates on litigation:
 - Cash Central ~ we are following up with the court to get back on the docket.
 - Portfolio Case has several sets of attorneys and one of them filed a voluntary dismissal and the other said they did not have the authority to do so. We are watching to see what comes of it.
- Reported on Security Breach categories. Received (15) – of these (4) health; (4) financial; (1) education and (6) other, affecting nearly 1.5 million residents. Of those, AT&T included nearly 1.06 million. That is over 4 million for FY24.
- Updated Investigator activity:
 - We are at 21.5% of licensees reviewed, on track for meeting the 25% goal for the year.
 - Visited 44 counties in FY24.
- Ms. Rainsford answered questions about Physical Fitness fines for businesses not properly licensed.

G. PUBLIC INFORMATION

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

- Reported on (86) media highlights for April including door-to-door contacts following storms in the Rock Hill area.
- Reported on LifeSmarts competition in San Diego. Irmo High School (IHS) attended as a wildcard team for South Carolina, as Swansea High was unable to raise the funds to travel. IHS were recognized for an anti-counterfeiting poster they created. This was the first team to participate in a long time. Ms. Booker is planning to create interest for next year.
- Reported on (10) presentations, (9) for (163) consumers. We had (1) business presentation.
- Participated in the (6) utility hearings across the state.
- Gave an overview of the social media traffic/website and numbers for the month.
- Mr. Cooke asked if there were any questions.

VI. DATE OF NEXT MEETING.

Commissioner Campbell, Chair reminded everyone the next meeting date is June 11, 2024.

VII. ADJOURNMENT

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