

**MINUTES**  
**COMMISSION ON CONSUMER AFFAIRS**  
October 8, 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. Fred Pennington	Acting Chair, Simpsonville, South Carolina
Mr. Jack Pressley	Columbia, South Carolina
Ms. Meredith Augustine	Designee, Secretary of State, Columbia, South Carolina
*Via Teams	

**MEMBERS EXCUSED:**

Mr. David Campbell	Chair, Columbia, South Carolina
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**MEMBERS UNEXCUSED:**

Mr. James Lewis	Murrell's Inlet, South Carolina
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**OTHERS IN ATTENDANCE:**

Department Staff: Ms. Carri Lybarker, Ms. Jennie Daniels, Ms. Kelly Rainsford, Ms. Mandy Self, 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 Pennington, Acting Chair called the meeting to order.

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

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

**III. APPROVAL OF MINUTES**

Commissioner Pennington, Acting Chair presented the September 10, 2024, Minutes for approval. Commissioner Pressley made the motion, and Commissioner Augustine gave a second. The minutes were approved.

**IV. COMMISSION POLICY ISSUES:**

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

- Provided an update on the FY26 budget. Governor's budget hearing is on October 24<sup>th</sup>. We submitted our line-by-line detailed budget last week.
- Gave an overview of the legislative schedule: the Senate scheduled their organizational session for December 4<sup>th</sup> and the House will come in on December 3<sup>rd</sup>. We anticipate some pre-filing as this is the start of a two-year session. One potential bill may touch on the Fannie Mae Net Yield retiring. Another may be a work from home option for brokers.

- Shared DCA is invited to a ceremonial bill signing for the earned wage access bill (\$700). Stated the bill is effective November 21<sup>st</sup>. Gave overview of staff preparations and application processing.
- Reported the agency's House Legislative Oversight Committee report is finalized. Provided an overview of the recommendations, staff progress and planning to complete the items in the year timeframe provided. Ms. Lybarker and Commission discussed the recommendation to add Commission Meeting Minutes to the agency webpage.
- Shared a request from Senator Scott's office about presenting to the US Senate Banking, Housing and Urban Development Committee in a meeting addressing how to protect consumers from scams and from financial fraud. She and Ms. Rainsford went to D.C. and presented on September 12<sup>th</sup>. The panel included an AARP and an Ohio representative.
- Ms. Lybarker answered questions on the potential purchase of vehicles and the savings they have afforded the agency over the last seven years.
- Ms. Lybarker asked if there were any questions.

## **V. PROGRESS REPORTS**

### **A. ADMINISTRATIVE SERVICES**

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

- Reported (1) remaining closing packet is due in November to close out FY24.
- Reported revenue for the month, noting the programs that are not in active renewal.
- The EEO reporting is also due to Human Affairs Commission. We completed the first phase and will complete the rest and submit.
- Under Revenue we have a new program listed, Earned Wage Access Providers, which brought in \$1K for the month.
- Reported on the remaining budget amounts.
- Noted we are interviewing for the Investigator and the (2) positions in Public Information.
- Ms. Daniels answered questions on the difference of remaining funds as compared to FY24 numbers. She mentioned some of the difference is reflective of the "authorized to spend" amounts. It may vary due to requests made throughout the year.

### **B. ADVOCACY**

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

- Noted Mr. Hall and Mr. Edwards are in Myrtle Beach for a Santee Cooper rate increase hearing. This is the result of a law that passed back in 2021. Gave us the ability to participate in a public hearing on behalf of the consumer interest regarding the proposal. We submitted written comments in September.
- Reported on Rulemaking and Ratemaking for September.
- Received (8) insurance filings, one was in our jurisdiction. An average of (16) days to review.
- Ms. Lybarker answered questions about the process of the Santee Cooper hearing.

### **C. CONSUMER SERVICES**

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

- Gave an overview of complaints received agency-wide for the month (461), noting complaints received continue to increase. She compared the numbers to January – August of 2024, which was (33) higher than the same time this year.
- Reported 87.4% were filed online.
- Gave an overview of refunds, credits, and adjustments for the agency- \$82,471.
- Gave a report on the top (3) categories for complaints received: vehicles, repairs continue to be the top category; real estate, HOA's are number one and for contractors, we continue to see general repairs and HVAC complaints.

- Reported on the complaints assigned (324) to the Services division, closing (310).
- Services staff recovered \$22,524 in refunds and adjustments.
- Provided an overview of days to close and the unsatisfied closing designation. She discussed the HOA and abandoned complaints.
- Noted top (3) refund categories. Miscellaneous made the list for a second month. The refund came from a complaint on a private investigator. He refunded \$6K to the consumer.
- Ms. Self asked if there were any questions.

#### **D. IDTU**

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

- Gave an overview of complaints assigned (36) and the number of (39) days to process. Closed (29) complaints with 5% as unsatisfied.
- Received (57) scam reports.
- Received (53) ID theft reports.
- Reported on the top (3) categories for scams: debt collection, service/repair and purchase. For ID theft the top (3) were financial, government and medical.
- Reported on Sentinel mailouts, mailed (269) and emailed (815). We received 1.9% response of those.
- Ms. Self answered questions from Commissioners about email scams from FedEx. Ms. Lybarker answered questions and discussed the Magistrates Court potentially hearing all HOA cases.
- Reported on actual and potential losses.
- Reported on the age-ranges for consumers submitting reports.
- Ms. Self shared information about the kinds of scam reports we receive.

#### **E. ENFORCEMENT**

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

- Gave an overview of complaints:
  - Reported refunds, credits, and adjustments of nearly (\$60K) through the complaint process.
  - Reported on unsatisfied complaints- of the 13.9%, 5.8% were red flag.
  - Assigned (313) in Q1 FY25 as compared to (399) in Q1 FY24. We have (2) analysts who are in training and doing well. Closed (318) as compared to the same time last year when we closed (223).
  - Shared her appreciation to Ms. Self and Ms. Kujawski for training the analysts.
- Reported updates on litigation:
  - Reported the pending cases:
    - Cash Central.
    - Portfolio Recovery.
    - SCATDA.
    - Mortgage Log Penalty Cases (2).
    - Serenity Mortuary.
- Reported on Security Breaches - (6) for month and (25) for Q1 as compared to (62) in Q1 for FY24. (742,000) consumers affected as compared to (1.3 million) last year.
- Reported on fines, refunds, and adjustments.
- Reported on licensing:
  - Received (643) more applications in Q1 and approved (1,042) more than the previous year. Licensing positions are filled, and staff is trained. The high renewal season begins on November 1<sup>st</sup>. We are receiving the first of the Earned Wage Access applications.
  - Issued within (30) days is ahead of goal (98.5% for Q1) as well as application fees paid online. We are at 88% for Q1, the goal is 83%.

- Reported on investigator activities, noting we completed (133) activities in Q1 compared to (138) last year. We are interviewing to fill the open position; they will focus on mortgage brokers. Reviewed 5.5% of all licensees in Q1.
- Ms. Rainsford asked if there were questions.

#### **G. PUBLIC INFORMATION**

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

- Reported on Press Releases, issued (3) and all were picked up.
- Reported (39) media mentions.
- Reported on (11) presentations. Of these (9) where ID Theft and Scams. We received 4.81 stars in our ratings. We had (311) in attendance for the month and (858) for Q1, that is around (200) more than Q1 FY24. We were in (7) counties for the month and (17) for Q1.
- Participated in (2) community events.
- Gave an overview of the social media traffic/website and numbers for the month, mentioned the Nextdoor comments on the electric bill webinar.
- Mr. Cooke asked if there were any questions.

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

Commissioner Pennington, Acting Chair reminded everyone the next meeting date is November 12, 2024.

#### **VII. ADJOURNMENT**

Commissioner Pennington, Acting Chair adjourned the meeting at 2:24 p.m.