

COMMISSION ON CONSUMER AFFAIRS

April 8, 2025

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, Jake Edwards, Ms. Jennie Daniels, Ms. Kelly Rainsford, Ms. Mandy Self, Mr. Scott Quinn, 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 March 11, 2025, minutes for approval. Commissioner Pressley made the motion, and Commissioner Campbell 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, she reminded them that the House budget included one of the requested FTE positions and the FY25 COLA for the other fund authorizations. The Senate Finance committee is working on the Budget, they will debate on the floor the week of April 21st. The Senate is not meeting during the week. The House is furloughing.
- Updated members on Legislation for the House and Senate. S 157 The utility securitization bill passed. Pending matters the department continues to follow include:
 - H 3658 - regarding the addition of our contact information in contracts.
 - H 3309 - the energy reform bill, includes a reporting requirement for DCA.
 - H 3843 - Proviso codification bill (80.1).
 - S 446 - the electric rate stabilization act allowing electric utilities to raise rates annually.
 - S 325 - makes Consumer Affairs a cabinet agency.

- S 488 - makes it unlawful to have multiple consumer loans and requires a database to restricts the number loans per consumer.
- Provided an update on the agency's implementation of recommendations from the House Legislative Oversight Committee report. Reported we have completed 3 of the 8.
- Employee appreciation will be observed in May, and we are working on 50th anniversary celebrations.
- Ms. Lybarker answered questions about H3309, specifically the rate stabilization component.

V. PROGRESS REPORTS

A. ADMINISTRATIVE SERVICES

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

- Reported revenue for Q3, it is down when compared to last year but remains strong. She noted the violations account is where the biggest difference is found.
- Reported a \$5,500 increase for March 2025 as compared to March 2024.
- Noted the balance of Preneed Reimbursement Funds. Report heading now shows the current total balance, not the FYTD balance. The payout for FY25 thus far is around \$19K.
- Reported 73% of online revenue, up from the same period FY24 (66%).
- Reported on the remaining budget amounts. The difference is mainly due to employee retention and operating costs.
- Ms. Daniels asked if there were any questions.

B. ADVOCACY

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

- Reported on Rulemaking, watching to see what is happening at the federal level. We completed (3) reviews to date.
- Received (26) insurance filings, (7) were in our jurisdiction. An average of (16.38) days to review.
- Updated pending Ratemaking cases before the PSC and utility bills at the Statehouse.
- Mr. Edwards asked if there were any questions.

C. CONSUMER SERVICES

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

- Gave an overview of complaints received, (518) March and (1,459) in FY25 Q3 as compared to (1,432) in FY24 Q3. We received (4,424) in FYTD25. We anticipate reaching (6,000) by June 30, 2025.
- Reported 85.9% of complaints were filed online in Q3.
- Gave an overview of refunds, credits, and adjustments for the agency, \$105K in March.
- Gave a report on the top (3) categories for complaints received:
 - Real estate (109) of those (56) timeshare and (48) HOA; vehicles (96) and utilities (32).
- Reported on the complaints assigned (368) to the Services division, closing (365).
- Reported on monies received in refunds and adjustments in Services division.
- Provided an overview of days to close, unsatisfied closing designation and abandoned complaints.
- Ms. Self then 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 (38) and the average number of days to close (92).
- Reported 27.3% closed unsatisfied.
- Received (51) scam reports.
- Received (54) ID theft reports, the first time in awhile ID theft reports filed exceeded scam reports.
- Reported the top (3) categories for scams: debt collection (8); service/repair (7), purchase and lottery (6).

- Reported ID theft reports number one was financial (34) followed by government (13) and medical (3).
- Reported on Sentinel mailings and the rate of return.
- Reported on actual losses and potential losses related to scams.
- Reported on the age-ranges for consumers submitting reports.
- Ms. Self asked if there were any questions.

E. ENFORCEMENT

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

- Gave an overview of complaints:
 - Assigned (112) complaints.
 - Received almost \$60K in credits, refunds and adjustments through complaint process.
 - Number of days to close was below the (75) goal.
- Reported updates on pending litigation:
 - Cash Central.
 - Portfolio Recovery v. Campney- the Supreme Court accepted DCA's Amicus Brief, and the oral arguments scheduled for later this month.
 - SCATDA.
 - Mortgage Log Penalty Cases (Green).
 - Serenity Mortuary.
- Reported on Security Breaches, received one large notice from a Credit Union affecting over (136,503) consumers. Continue to receive updates on the PowerSchool breach.
- Reported on fines, refunds and adjustments.
- Reported on licensing:
 - Reported a huge success with applications processed/issued within (30) days was at 98.9% for the month and 98.5% for Q3. Fees paid online are at 96.4% for the month.
 - Reported a total of (28,100) applications filed FYTD, exceeding last year (26,073), over a (2,000) increase. May see (30,000) with a quarter left in this fiscal year. Processed 28,362 FYTD.
- Reported on investigator activities (60) for the month, and (178) in Q3. Reviewed 19.7% of all licensees FYTD. Mortgage Broker compliance was the greatest number of activities in the month. Visited all but one county.
- Ms. Rainsford asked if there were any questions.

G. PUBLIC INFORMATION

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

- Reported top new releases on Tax ID Theft & Scams in partnership with Department of Revenue. Discussed media mentions (31) for the month, down in part because staff was out of the office doing presentations and events during National Consumer Protection month.
- Provided (28) presentations with (798) consumers and (110) business attendees. Attended (6) community events, (4) were shred events serving (1,743) cars and shredding nearly 61K pounds of paper.
- Reported DCA hosted (19) webinars and visited (11) counties during Q3. Gave information on top posts on social media.
- Mr. Cooke asked if there were any questions.

VI. DATE OF NEXT MEETING.

Commissioner Pennington, Acting Chair reminded everyone the next meeting date is May 13, 2025.

VII. ADJOURNMENT

Commissioner Pennington, Acting Chair adjourned the meeting at 2:18 p.m.