

COMMISSION ON CONSUMER AFFAIRS

May 13, 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:

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

MEMBERS EXCUSED:

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| Mr. Jack Pressley | Columbia, South Carolina |
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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

Guest: Mr. John Cantrell

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 8, 2025, minutes for approval. Commissioner Pennington made the motion, and Commissioner Hammond 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:

- Updated members on Legislation and FY26 Budget:
 - Senate and House concluded Budget debates:
 - Senate gave Department the same budget as the House, the complaint analyst position and the FY25 Cost of Living Increase funds to cover other funds employees. No vetoes for our budget are anticipated. Department's FY26 budget is around \$5.2 million, \$2.4 million in General Fund dollars, \$2.8 million in Other Fund authorization, and (48) FTEs.
 - Budget proviso requiring Boards and Commissions to affirm taking of Constitutional oath added to budget. Conference Committee will review.

- Bills that passed:
 - S 157 Storm Recovery Securitization; H3309 addressing energy reform; H4402 dealing with PSC elections when not in session.
- Bills of interest carried over to, and items for, next year:
 - H 4521 addressing litigation funding; S 325 Cabinet bill; S 488 loan limitations for consumer loans and deferred transactions; H3405 APP store accountability; H3658 requiring Department contact information in notices/contracts.
 - Anticipate continuing to work on drafting High-Cost Home Loan and Cryptocurrency ATM bills in off-season.
- Updated members on implementation of House Legislative Oversight Committee recommendations.
- Discussed Employee Appreciation activities and preparations to close-out agency books for FY25.
- Ms. Lybarker asked if there were any questions.

V. PROGRESS REPORTS

A. ADMINISTRATIVE SERVICES

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

- Reported revenue is good, expenditures are down for operating items. Advocacy expert witness funds will carry over. Ms. Lybarker noted funds received for (2) new FTE positions did not begin to spend until October/November.
- Reported revenue for April is up over last year. Received over \$2.5 million so far this fiscal year.
- Reported on the remaining budget amounts. Anticipate a good carry over.
- Ms. Daniels answered questions about how we project revenue. Ms. Lybarker shared the other funds budget is forecasted considering the past (5) years.

B. ADVOCACY

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

- Reported on Rulemaking – the new Administration has not presented anything within our purview in April.
- Gave an update on the Ratemaking cases before the PSC:
 - The PSC decided to have a hearing on the Duke EE modification case.
 - Testimony due in Duke's securitization case on Monday. Duke has estimated \$604 million as the cost of Hurricane Helene. It is a work in progress as they review the possible Bond interest rates. Mr. Hall answered questions about how the process will move forward and the way the customer is impacted by the increase.
- Received (19) insurance filings, (4) were in our jurisdiction. An average of (15.9) days to review.
- 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 in April (498) and (482) in April FY24, a 3.3% increase.
- Reported 84.7% were filed online.
- Gave an overview of refunds, credits, and adjustments for the agency \$108,991.59 for the month.
- Gave a report on the top (3) categories for complaints received:
 - Vehicles: (32) repairs; (19) used and (13) credit sales,
 - Real estate: (44); HOA (42) timeshare and (2) general real estate,
 - Contractors: (12) general repairs; (8) solar/energy; (7) new home.
- Reported on the complaints assigned (343) to the Services division, closing (328).
- Reported on monies received in refunds and adjustments was near \$24K.
- Provided an overview of days to close, unsatisfied closing designation and abandoned complaints.

- Ms. Kujawski then 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 (34). The average number of days to close was (100).
- Reported 25.00% closed unsatisfied.
- Received (44) scam reports.
- Received (67) ID theft reports.
- Reported on the top (3) categories for scams: purchase (7), debt collection (6), travel (5). The travel scams were related to the “toll text” requiring folks to pay or risk vehicle registration suspension and late fees charged.
- Reported on the top (3) ID theft reports categories: financial (33), government (18) and medical (6). These made up 85% of all reports.
- 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. 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:
 - Assigned (121) complaints, closed (132) in April.
 - Received almost \$85K in credits, refunds and adjustments through complaint process. One refund was from a travel club complaint in the amount of \$4,593 and cancelled the contract. Reported (9) abandoned complaints for the month and (37) for the fiscal year. This is the largest number since FY18.
 - The number of days to close (75) exceeded the goal.
- Reported updates on pending litigation:
 - Cash Central, we are waiting for the decision.
 - Portfolio Recovery v. Campney, the Court Appeals decision stands and has been remitted to the Circuit Court.
 - SCATDA.
 - Mortgage Log Penalty Case (Green), appellate brief filed.
- Reported on Security Breaches, received (3) financial; (2) health; (1) education, not Power School related; and (2) other. The huge jump in the number of consumers affected is due to a ransomware attack originally reported to DCA in August 2024. Nationwide it affected over 190 million people. It was medical billing/health information that was compromised. They reported 2,713,470 South Carolina residents affected.
- Reported on fines, refunds and adjustments.
- Reported on licensing:
 - Huge success with applications processed/issued within (30) days- 99.4% for the month and 98.8% for FY25. Fees paid online are at 94.5% for the month and 91.4% for FY25.
 - Total of (31,772) applications received; this number surpassed the FY24 total. Received (31,211) in FY24.
- Reported on investigator activities (55) for the month, included (10) mortgage broker, (4) pawn broker, (23) physical fitness, and (18) preneed. Reviewed 2.4% of licensees in April, anticipate reaching the 25% goal.
- Ms. Rainsford asked if there were any questions.

G. PUBLIC INFORMATION

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

- Reported top new releases during Financial Literacy Month.
- Provided (26) presentations, continuing the record number of presentations and (5) community events.
- Reported the LifeSmarts event in Chicago. The SC team finished 20th overall. The team captain won a \$1000 scholarship.
- Provided an overview on social media and website visits.
- Mr. Cooke asked if there were any questions.

VI. DATE OF NEXT MEETING.

Commissioner Campbell, Chair reminded everyone the next meeting date is June 10, 2025.

VII. ADJOURNMENT

Commissioner Campbell, Chair adjourned the meeting at 2:14 p.m.