

## MEMORANDUM

October 13, 2021

TO: Public Safety (PS) Committee

FROM: Naeem M. Mia, Legislative Analyst

SUBJECT: **Oversight Worksession: Office of Consumer Protection (OCP)**

### **Expected Attendees:**

- Eric Friedman, Director (OCP)
- K. Samuel Buo, Administrator (OCP)
- Tracy Rezvani, Investigative Programs Administrator (OCP)
- Maurice Valentine, Public Liaison for Public Campaign Financing Program (OCP)

### **Summary**

Due to the ongoing COVID-19 pandemic, the Council's FY22 budget review process included a consent calendar approval of several department/office budgets with the plan that those departments/offices would be scheduled for a Committee oversight review session in the Fall of 2021. The purpose of these oversight sessions is to:

- 1) provide the Committees with an opportunity to meet with Department/Office Directors;
- 2) receive updates on key programs or initiatives; and
- 3) review any relevant spending or performance data.

Director Friedman and staff are available to discuss the recent activities of the department. The department's FY22 Approved Operating Budget is on circles 1-4. More information about the department, including current alerts on scams and virtual informational events, can be found here: <https://www.montgomerycountymd.gov/ocp/>

### **Discussion Items for the Committee**

- A) Effects of the COVID-19 Pandemic
- B) New Function: Public Liaison for the County's Public Campaign Financing Program
- C) Key Initiatives & Investigative Highlights
- D) License / Registration Performance Measures
- E) Current Staffing, Vacancies, Recruitment & Challenges
- F) Listening to & Feedback from Council
- G) Logistics

This packet contains:

1. FY22 Approved Operating Budget – OCP

Circle Page #

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# Consumer Protection

## APPROVED FY22 BUDGET

\$2,453,337

## FULL TIME EQUIVALENTS

18.00

 ERIC FRIEDMAN, DIRECTOR

## MISSION STATEMENT




The mission of the Office of Consumer Protection (OCP) is to enforce consumer protection laws prohibiting unfair and deceptive business acts or practices to ensure a fair marketplace for consumers and businesses. Activities include complaint resolution, business registration, law enforcement, education, legislation, advocacy, and outreach to vulnerable consumers.

## BUDGET OVERVIEW



The total approved FY22 Operating Budget for the Office of Consumer Protection is \$2,453,337, an increase of \$256,610 or 11.68 percent from the FY21 Approved Budget of \$2,196,727. Personnel Costs comprise 94.76 percent of the budget for 19 full-time position(s) and no part-time position(s), and a total of 18.00 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 5.24 percent of the FY22 budget.

## COUNTY PRIORITY OUTCOMES

While this program area supports all seven of the County Executive's Priority Outcomes, the following are emphasized:

-  **Effective, Sustainable Government**
-  **A Growing Economy**
-  **Thriving Youth and Families**

## INITIATIVES

-  The Montgomery County COVID-19 portal added OCP alerts and information regarding consumer scams related to the pandemic. In addition to posting on social media, these alerts received media coverage on WJLA TV-7 and WUSA TV-9.
-  OCP alerted consumers and restaurants about the complicated and costly fee structures associated with major food delivery apps, which resulted in media coverage.

## INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

-  OCP decreased the amount of time that it takes the department to process and issue business registrations and licenses by

22.48 percent (FY19 18.19 days, FY20 14.1 days).

☀ OCP increased the percentage of complaint cases resolved by the department by 21.57 percent (FY19 51%, FY20 62%).

## PROGRAM CONTACTS

Contact K. Samuel Buo of the Office of Consumer Protection at 240.777.3760 or Dieter Klinger of the Office of Management and Budget at 240.777.2847 for more information regarding this department's operating budget.

## PROGRAM PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable). The FY21 estimates reflect funding based on the FY21 Approved Budget. The FY22 and FY23 figures are performance targets based on the FY22 Approved Budget and funding for comparable service levels in FY23.

Measure	Actual FY19	Actual FY20	Estimated FY21	Target FY22	Target FY23
<b>Program Measures</b>					
Number of business registrations received <sup>1</sup>	646	637	640	640	640
Number of complaint cases received	1,191	1,070	1,131	1,100	1,150
Percent of consumer protection cases closed that are resolved by OCP	51%	62%	58%	63%	65%
Average number of calendar days to Issue a business license / certificate of registration (excluding new home builder registrations)	18.19	14.10	13.75	12.00	10.00
Average number of workdays to investigate and close a written complaint (All complaints)	84.0	42.6	88.0	70.0	68.0
Average OCP customer satisfaction rating - Outcome of the customer's case (4 point scale) based on customer satisfaction survey	3.05	3.66	3.60	3.60	3.60

<sup>1</sup> Actual FY20 amount includes registrations received for New Home Builders, New Home Sellers, Motor Vehicle Repair and Towing operators, Secondhand Personal Property dealers, and Small Electrical Repair dealers.

## PROGRAM DESCRIPTIONS

### ☀ Consumer Protection

The Consumer Protection program is a law enforcement function established in 1971 responsible for enforcing consumer protection laws to prohibit unfair and deceptive business acts to ensure fairness and integrity in the marketplace for consumers and businesses. The program is responsible for receiving, investigating, and resolving complaints, educating consumers and merchants, and licensing certain businesses.

The program has the authority to issue civil citations for violations of law, issue subpoenas to compel testimony and documents, and collaborate with other agencies to advocate for legislation.

## BUDGET SUMMARY

	Actual FY20	Budget FY21	Estimate FY21	Approved FY22	%Chg Bud/App
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### COUNTY GENERAL FUND

## BUDGET SUMMARY

	Actual FY20	Budget FY21	Estimate FY21	Approved FY22	%Chg Bud/App
EXPENDITURES					
Salaries and Wages	1,602,160	1,555,876	1,418,478	1,814,684	16.6 %
Employee Benefits	590,912	509,882	436,215	510,146	0.1 %
<b>County General Fund Personnel Costs</b>	<b>2,193,072</b>	<b>2,065,758</b>	<b>1,854,693</b>	<b>2,324,830</b>	<b>12.5 %</b>
Operating Expenses	77,448	130,969	74,361	128,507	-1.9 %
<b>County General Fund Expenditures</b>	<b>2,270,520</b>	<b>2,196,727</b>	<b>1,929,054</b>	<b>2,453,337</b>	<b>11.7 %</b>
PERSONNEL					
Full-Time	17	17	17	19	11.8 %
Part-Time	1	1	1	0	-100.0 %
FTEs	16.60	16.60	16.60	18.00	8.4 %
REVENUES					
New Home Builder's License	132,385	153,000	153,000	153,000	—
Other Fines/Forfeitures	4,350	1,000	1,000	1,000	—
Other Licenses/Permits	48,734	51,000	51,000	51,000	—
<b>County General Fund Revenues</b>	<b>185,469</b>	<b>205,000</b>	<b>205,000</b>	<b>205,000</b>	<b>—</b>

## FY22 APPROVED CHANGES

	Expenditures	FTEs
<b>COUNTY GENERAL FUND</b>		
<b>FY21 ORIGINAL APPROPRIATION</b>	<b>2,196,727</b>	<b>16.60</b>
<b><u>Changes (with service impacts)</u></b>		
Add: Public Campaign Finance Liaison position [Consumer Protection]	100,086	1.00
Enhance: Administrative Support for Public Liaison position [Consumer Protection]	79,219	0.40
<b><u>Other Adjustments (with no service impacts)</u></b>		
Increase Cost: Annualization of FY21 Lapsed Positions	51,941	0.00
Increase Cost: FY21 Compensation Adjustment	40,652	0.00
Increase Cost: FY22 Compensation Adjustment	19,679	0.00
Increase Cost: Motor Pool Adjustment	550	0.00
Decrease Cost: Print and Mail Adjustment	(12)	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY21	(3,000)	0.00
Decrease Cost: Retirement Adjustment	(32,505)	0.00
<b>FY22 APPROVED</b>	<b>2,453,337</b>	<b>18.00</b>

## CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY21 Total\$	FY21 FTEs	FY22 Total\$	FY22 FTEs
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## CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY21 Total\$	FY21 FTEs	FY22 Total\$	FY22 FTEs
<b>COUNTY GENERAL FUND</b>					
Fire and Rescue Service	Fire	83,167	1.00	88,896	1.00

## FUNDING PARAMETER ITEMS

CC APPROVED (\$000S)

Title	FY22	FY23	FY24	FY25	FY26	FY27
<b>COUNTY GENERAL FUND</b>						
<b>EXPENDITURES</b>						
<b>FY22 Approved</b>	<b>2,453</b>	<b>2,453</b>	<b>2,453</b>	<b>2,453</b>	<b>2,453</b>	<b>2,453</b>
No inflation or compensation change is included in outyear projections.						
<b>Labor Contracts</b>	<b>0</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
<b>Subtotal Expenditures</b>	<b>2,453</b>	<b>2,491</b>	<b>2,491</b>	<b>2,491</b>	<b>2,491</b>	<b>2,491</b>