

MINUTES
COMMISSION ON CONSUMER AFFAIRS
February 11, 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. 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:

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

OTHERS IN ATTENDANCE:

Department Staff: Ms. Carri Lybarker, Roger Hall, 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 January 14, 2025, Minutes for approval. Commissioner Pressley made the motion, and Commissioner Hammond 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 requests that are moving through the House. Our request is for (2) new complaint analysts, the other is for additional monies to cover the COLA for another fund funded FTE's. We did share the HOA report with them. We will present to the Senate tomorrow.
- Reported on Legislation for the House and Senate:
 - The energy bill had several amendments – the one to move the utility intervention back to ORS was deleted and they would leave it with DCA.
 - S 157 is a Duke securitization bill, eliminating phase one to allow them to move forward and make refunds if they collect too much money.
 - H 3928 would allow electric utilities to raise rates every year without going before the PSC.
 - H 3843 proviso bill to codify our provisos to keep fees.

- S 325 to make the department a cabinet agency.
- We are drafting a crypto currency bill ATM and a direct care medical care provider bill.
- Mortgage bankers are working to define the high-cost loan.
- Noted she will be attending a Secret Service crypto training and the Mortgage Bankers Day event.
- Ms. Lybarker answered questions about the budget and the HOA education.

V. PROGRESS REPORTS

A. ADMINISTRATIVE SERVICES

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

- Reported revenue for the month, noting a difference of \$54K from last year. The FYTD difference is around \$148K, some due to less in violations for this year.
- Reported online licensing was at 92.9%
- Reported on the remaining budget amounts.
- Ms. Daniels asked if there were any questions.

B. ADVOCACY

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

- Reported on Rulemaking, CFPB had (2) we have paused reviews.
- Reported on Ratemaking, noting the PSC denied the reconsideration request from Dominion.
 - Gave updates on: Santee Cooper & Duke.
 - PSC opened a docket to address the impact of Helene.
- Received (28) insurance filings, (4) were in our jurisdiction. An average of (17) days to review.
- Mr. Hall answered questions about the potential power plant that may be reopened in Colleton County.

C. CONSUMER SERVICES

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

- Gave an overview of complaints received (514) January 2025 we received (473) January 2024 and that is an 8% increase year over year.
- Reported 88.3% were filed online.
- Gave an overview of refunds, credits, and adjustments for the agency \$164K.
- Gave a report on the top (3) categories for complaints received:
 - Vehicles (110) mainly used cars and repairs; real estate (100) of those (62) HOA, (36) timeshare, and (2) real estate agents; contractors came in third with (8) HVAC, (7) general (5) new home & security.
- Reported on the complaints assigned (376) to the Services division, closing (376).
- Reported Services staff recovered \$139K in refunds and adjustments.
- Provided an overview of days to close and the unsatisfied closing designation was at 13.3% (under the goal of 15%) excluding HOA's.
- 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 (24) and closed (19) complaints. The average number of days to close was 50 and 21.1% closed unsatisfied, these are largely due to the issues with complaints closed as Abandoned due to not receiving requested information to proceed.
- Received (67) scam reports.
- Received (64) ID theft reports, (34) were a result of the Sentinel outreach which is 2.2% return.

- Reported on the top (3) categories for scams: service/repair, lottery/sweepstakes and purchase. For ID theft all reports were financial, and government related, one each medical and crime/warrant.
- Reported on actual losses over \$1.1 million and potential losses related to scams.
- Reported on the age-ranges for consumers submitting reports.
- Gave an overview of the 2025 HOA Complaint Report.
- Ms. Self asked if there were questions.

E. ENFORCEMENT

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

- Gave an overview of complaints:
 - Assigned (114) and (102) closed.
- Reported on refunds, and adjustments around \$25K. Nearly half was from (2) complaints: one of the complaints was regarding solar panels and they removed the panels and cancelled a loan of \$7,300 and the other was a timeshare vacation club cancelled contract of \$5,300.
- Reported complaints closed as unsatisfied FYTD was at 17%.
- Reported updates on litigation:
 - Reported the pending cases:
 - Cash Central.
 - Portfolio Recovery.
 - SCATDA.
 - Mortgage Log Penalty Cases (2).
 - Serenity Mortuary.
- Reported on Security Breaches - (8) total, noting the Power School* breach is not included, affecting around (494K) * of the (518K) people. Three school districts have reported and all but (4) school districts use the software in some way. For remaining breaches (2) were health care and (3) other.
- Reported on fines for the month: \$25,500 and most of which are related to Mortgage brokers and originators licensing renewals.
- Reported on licensing:
 - Reported a huge success for the fourth month in a row all applications processed/issued within (30) days was at 99.2% and FYTD is 99%. 96.1% filed online and 95% FYTD, 95.8% paid online with 93% FYTD. Ms. Lybarker shared we have seen an 8% increase in applications received.
- Reported on investigator activities (58) for the month and (343) FYTD, they have reviewed 14.6% of all licensees FYTD.
- Ms. Rainsford answered questions about the new businesses filing.

G. PUBLIC INFORMATION

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

- Reported (63) media mentions, (1) news release that was picked up.
- Reported we were in (6) counties.
- Provided (12) presentations, (6) DTP Bingo; (3) ID Theft; (2) SCDCA education and (1) financial literacy. Participated in (1) community event. There were (5) presentations that had to be rescheduled due to the winter storm.
- Reported YouTube (2,500) views; the home page saw 13K visits.
- Gave info 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 March 11, 2025. Ms. Lybarker reminded members to file their Economic Statement of Interest by the deadline of March 30, 2025.

VII. ADJOURNMENT

Commissioner Pennington, Acting Chair adjourned the meeting at 2:34p.m.