

SC DEPARTMENT OF
CONSUMER AFFAIRS

CONSUMER AFFAIRS

Fifty Years of Consumer Protection

1975
/ 2025





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OUR MISSION



Promoting a fair marketplace for consumers and businesses through advocacy, complaint mediation, enforcement and education.

The South Carolina Department of Consumer Affairs

The South Carolina Department of Consumer Affairs ("SCDCA"/ "Department" / "Agency") is the state's consumer protection agency. Established in 1974 with a "go-live" date of January 1, 1975, SCDCA is celebrating fifty years of experience in protecting South Carolina consumers while recognizing those businesses that act honestly and fairly.

The Department is charged with administering, interpreting and enforcing over 120 laws, including the S.C. Consumer Protection Code which largely governs consumer credit transactions.

The offering and use of consumer credit grew substantially from post World War II to the 1960s. Unfortunately, the laws were being outpaced by the growth and the reactive nature of new laws coupled with case law based on applying old laws created a confusing patchwork system. Enter the National Conference of Commissioners on Uniform State Laws (NCCUSL).

Recognizing the effect the confusing landscape of consumer credit law had in stifling the market, NCCUSL approved a comprehensive credit code in 1968 - the Uniform Consumer Credit Code (UCCC).

OUR VISION



Ensuring consumers and businesses are educated and empowered in a fair, transparent and competitive marketplace.

OUR VALUES



- C**ompetence
- R**espect
- E**quality
- D**edication
- I**ntegrity
- T**imeliness

- 1968**
 - » Uniform Consumer Credit Code (UCCC) approved by National Conference of Commissioners on Uniform State Law.
- 1969**
 - » South Carolina Joint Senate-House Legislative Committee to study the UCCC created.
 - » House Bill 1306, the first version of the UCCC, introduced in SC.
- 1970**
 - » March 15, SC Retail Council submits "A Comparative Analysis and Study of Existing South Carolina Law, The UCCC and The Federal Truth in Lending Law" to the Joint Study Committee.
- 1971**
 - » UCCC bills introduced in the SC House (H1359) and Senate (S120) as a result of the Joint Study Committee's work. Neither bill became law.
- 1973**
 - » A modified version of the two 1971 bills introduced in the SC Senate (S340). SC House bill (H1359) addressing credit card services charges introduced.
 - » After passing the House, the Senate amended it with its UCCC bill. A Conference Committee was appointed, and compromise amendments were approved.
- 1974**
 - » Act 1241, the South Carolina Consumer Protection Code (SCCPC), signed by the Governor 8/13/74.
- 1975**
 - » SCCPC effective January 1st.
- 1976**
 - » Joint Study Committee on UCCC, the successor of the original study committee, recommends a bill (H2435) containing consumer loan and additional consumer.
- 1978**
 - » Advocacy Division created through an amendment to the SCCPC.
- 1980**
 - » Several miscellaneous amendments made to the SCCPC through five different bills.
- 1982**
 - » Major amendment made to the SCCPC. Notable highlights include deregulating interest rates and clarifying the applicability of the SCCPC to all consumer credit transactions.

Shortly thereafter, the South Carolina General Assembly created a Joint Senate-House Legislative Committee to study the UCCC and versions of a South Carolina Consumer Protection Code were introduced. To assist in the Committee's efforts, the SC Retail Council commissioned "A Comparative Analysis and Study of Existing South Carolina Law, the UCCC, and the Federal Truth in Lending Law." This industry association of consumer credit sellers were supportive of the enactment of a SC UCCC, seeing it as a comprehensive credit law creating an open, competitive market for creditors, providing protections for consumers, and furthering federalism ideals.

For the next few years, the Joint Study Committee continued its work, introducing various bills on the House and Senate sides, until the General Assembly adopted what we now know as the SC Consumer Protection Code (Code). It was signed by Governor West on August 13, 1974 with an effective date of January 1, 1975. The law created the Department of Consumer Affairs, provided a regulatory framework for consumer credit sales, and required the agency to engage in the mediation of consumer complaints, whether or not credit is involved.

In addition to setting up the Agency, the focus of the Department's first Administrator Pete Parker was education. Staff went on a roadshow across the state to inform consumers and businesses on the new requirements and protections as well as the services offered by the Agency. News briefs were written on the same subject matter to try and get information out to arm citizens with the tools they needed to make informed decisions and ensure the playing field was a fair one, with scrupulous business not being undercut by those who failed to comply with the law.

As the Code was being implemented, conflicts with existing law and additional gaps were identified. This led to an amendment in 1976 expanding the provisions to consumer loans and adding more consumer protections, bringing the law in line with the 1974 version of the UCCC. In 1977, the Agency's Administrator, Pete Parker, was charged by the Legislature to report on conflicts between the Code and usury statutes (those setting interest rates for consumer transactions). This education on the law surrounding consumer credit expanded to the national stage as well, with agency participation as Amici in cases dealing with the UCCC in other states and informing Congress of the impact of certain federal

bills on state's rights in the area of consumer credit. As the Code was being firmed up through legislative efforts back home, the Agency also faced its role in preventing confusion head on through official guidance. To ensure all were on the same page with the implementation of the Code, SCDCA issued ten declaratory rulings and forty-two administrative interpretations in its first four years of operations.

From 1978 through 1980, small amendments to the Code were made with the goal of eliminating confusion. The Department also grew with the addition of the Consumer Advocacy Division. At the same time, federal credit laws were passed. This led to our General Assembly passing a far-reaching, simplification statute in 1982. It clarified that the Code is the one stop shop for consumer credit regulation in this state.

SCDCA Purposes

- 1 Simplify, clarify and modernize consumer credit law.
- 2 Provide rate ceilings to assure an adequate supply of credit to consumers.
- 3 Educate consumers and foster competition among businesses so that consumers may obtain credit at reasonable cost.
- 4 Protect consumers against unfair practices, while having due regard for the interests of legitimate and scrupulous creditors.
- 5 Permit and encourage the development of fair and economically sound consumer credit practices.
- 6 Conform the regulation of consumer credit transactions to the policies of the Federal Consumer Credit Protection Act.
- 7 Make the law uniform among the various jurisdictions.

Special Recognition

Harry Haynesworth and Retired Chief Justice Jean Toal

When looking through documentation of what led to the creation and perfecting of the Consumer Protection Code in the early years, Harry Haynesworth and then attorney Jean Toal's names appear frequently. Mr. Haynesworth and Chief Justice Toal co-authored the SC Retail Association report that serves as a foundation for the discussions of the Code in the legislature. Mr. Haynesworth authored a law review article in 1979 on the Code's history and requirements, later repurposing its contents into the SC Bar Publication "The South Carolina Consumer Protection Code: Text with Comments" that still is published today. He is also credited with drafting the 1982 amendments to the Code. Chief Justice Toal became a Representative in the South Carolina House in 1975, spearheading several of the amendments that refined the Code. References to the "Toal amendment" are sprinkled throughout Commission Minutes in the 1970s and early 1980s. We offer a special nod of appreciation to them both and commend them for their efforts in establishing a fair and balanced framework, protecting the interests of businesses and consumers alike.

It is said that after the 1982 amendments, the Code finally embodied the purposes envisioned by NCCUSL, specifically that: (1) competition should determine prices, (2) laws governing consumer credit should be contained in one law, (3) for the market to work effectively, you need ease of market entry, knowledgeable consumers, and protections for the less sophisticated consumers. To this day, these sentiments and those delineated as the purposes set forth in the Code still ring true, much in part due to those who setup and operated the Agency in those early years.

In the pages following, we highlight people who "made their mark" on SCDCA. Former Administrators, staff and deputies whose contributions are evident to this day and whose efforts serve as the foundation for agency successes. We look at the work of agency divisions in the 70s and 80s and highlight how they have evolved through time. In preparing the 50th Journal, it became very clear that there is nothing new under the sun.

The financial marketplace is the foundation of our economy, and ensuring a fair and balanced one is essential for it to run well. Technology is ever-changing, and the Department has harnessed it in all areas of its operations, including supervision and complaint mediation. It allows us to reach or exceed our goals and performance measures and expand our educational initiatives.

Education is a core component of SCDCA's mission, and you can see that theme throughout all the pages. Each SCDCA division works together in

some way to further the goal of ensuring consumers and businesses alike are aware of their rights and responsibilities under the laws - alerting one another to unique consumer problems, scams and concerns which might warrant consumer or business education and media attention efforts.

The Department's reliance on partnerships in the performance of its mission is evident through the years as well. Budget woes plagued the Agency at the outset, causing a delay in fully standing up the agency. Over the years, the agency's budget has ebbed and flowed - we currently have the same number of employees as we did in 1990. But, the use of technology and partnerships with local, state and federal agencies, as well as private organizations, have contributed to the Agency's successes and an award-winning legacy.

The dedication of staff, current and past, and of our Commission, Council of Advisors and others who have come alongside us to ensure that consumers are protected, and scrupulous businesses flourish, is invaluable. We look forward to continuing to rise to any challenges the Agency may face, adapt and evolve, and fulfill those purposes the NCCUSL and policymakers created for us those many years ago. Here's to the next fifty years and beyond!

Best Regards,

Carri Grube Lybarker
Carri Grube Lybarker, Esq.
Administrator/Consumer Advocate



1974

Irvin D. "Pete" Parker

Named SCDCA's first Administrator on September 30, 1974 and served until 1981.



Irvin D. Parker, newly appointed commissioner of consumer affairs for South Carolina, will speak on "The South Carolina Consumer Protection Code."

The Columbia Record, 1974

Irvin D. "Pete" Parker was the first Administrator of the Department. He came from a family of farmers in Manning, SC and served four years in the Air Force. While earning his bachelor and law degrees from the University of South Carolina, he worked as an announcer at Columbia radio stations. He later became a senior attorney in the Civil Division of the South Carolina Attorney General's (AG) Office. During his tenure at the AG's Office, he noticed a number of consumer problems and complaints that the office was not well designed to deal with unless they involved clear violations of law. Parker worked to develop a legal framework to address consumer problems and lobbied for the creation of the state's Consumer Protection Code and a Department of Consumer Affairs.

Governor John West signed the Consumer Protection Code into law on August 13, 1974. Parker was chosen to explain the Code and present an estimate of the scope and number of initial filers anticipated to the Department's newly appointed Commission on Consumer Affairs.

Parker was appointed as the Department's first Administrator on September 30, 1974, and charged with standing up the Agency and most importantly, assembling a staff to administer the law. The Agency was challenged with the problem of defining and explaining what exactly the Department of Consumer Affairs would do and how it would benefit consumers and businesses alike. Budgetary constraints impacted the Agency's efforts out of the gate and remained a challenge Parker would have to wrestle with during his tenure.

A lot of time was spent on education in those early days, including issuing declaratory rulings and administrative interpretations on the code and its amendments in an attempt to remedy confusion and uncertainty. From January through June 1975 alone, Parker issued eight declaratory rulings. In the following four fiscal years, forty-two administrative interpretations were issued. Several are still in effect today.

In 1978, when the Agency had become more established, the General Assembly created the Consumer Advocate's office within the Department. Parker, as the first Advocate, had the ability to intervene as a party in matters where consumers' rates were determined by administrative agencies such as the Public Service Commission and the Dairy Commission.

Parker resigned from the Agency in July 1981 and retired as the Director of the State Accident Fund in 2004. He passed away in November 2024. The South Carolina Department of Consumer Affairs will be forever grateful for and influenced by his leadership.

The department has been in operation for w few months prior to the bill's becoming effective Wednesday, to get administrative matters cleared up. Parker said the new code will give the consumer a better chance of receiving fair treatment in credit purchases.

Evening Post, 1974

Advocacy Division



The Advocacy Division provides legal representation for the consumer interest in matters involving rate-making. The Division was established in 1978 to represent consumers before state regulatory agencies that set rates and to ensure that increases in rates are justified. Actions filed often result in adjudications or settlements that generate savings for consumers and businesses alike.

Some of the Division's first cases involved requests to raise pay phone rates from ten cents to twenty-five cents per call as well as requests for rate increases by electric utilities, gas companies, and water and sewer companies. An early action by the Consumer Advocate challenged the state's Dairy Commission's authority to regulate the price of milk paid by distributors to the state's dairy producers. The South Carolina Supreme Court would later rule against milk price-setting.

Highlights

- 1978 → Consumer Advocate Irvin Parker challenged the South Carolina Dairy Commission's authority to set minimum prices for milk.
- 1984 → SC Supreme Court agrees with the Department that an SCE&G reserve account costs should not be passed onto its customers. Resulted in savings of over **\$430,000**.
- 1986 → US Supreme Court agrees with SCDCA and other states that the Federal Communications Commission cannot preempt state law.
- 1989 → SC Supreme Court adopts the SCDCA's position that the Department of Insurance has the authority to require refunds of monies collected pursuant to an unlawful increase in insurance rates.
- 1999 → SCDCA, along with co-petitioner SC Cable T.V. Association, negotiated a settlement with BellSouth resulting in **\$80 million** in refunds. This was the largest dollar settlement ever approved by the Public Service Commission.
- 2004 → SCDCA reached a **\$100 million** settlement agreement with BellSouth regarding the level of the company's earnings during 1996-1998. The settlement resulted in bill credits to residential and business customers.
- 2012 → SC Court of Appeals adopts the Department's position that the law requires notice to it and the public when workers' compensation loss costs filings are made with the Department of Insurance, even when containing an overall decrease.
- 2020 → The PSC adopted, and the Supreme Court later affirmed, a recommendation from SCDCA's expert, reducing Blue Granite's rate increase requests and saving consumers approximately **\$1.7 million** annually.

Changes to the law in the 1980s and 1990s expanded the Division's responsibilities to include the analysis of worker's compensation, homeowners, auto and other insurance filings. In 1989, authority was added to allow the Consumer Advocate to represent the state's consumers before federal regulatory agencies as well. The responsibility to intervene in utility rate filings was removed from the agency in 2004 when lawmakers created the Office of Regulatory Staff.

The role to represent the residential consumer interest before the Public Service Commission (PSC) was restored to SCDCA on July 12, 2018. SCDCA's first petition to intervene after that restoration of the utility rate filing role came in November 2019 when Blue Granite Water Company sought to increase its rates. Since the restoration of the ability to intervene before the PSC, the Department has represented the interests of residential customers in **26 electric-related cases, 11 administrative dockets, 8 water/sewer cases** and **3 gas cases**.

1975

Lt. Col. Roy C. Harms

Hired in 1964 and named Deputy Administrator in 1975.
Served at SCDCA until 1990.



Ross and Roy Harms, deputy commissioner of the state Department of Consumer Affairs, urged the 35 people at the seminar to use common sense and be wary of deals "too good to be true."

The State Newspaper, 1986

Born in Dubuque, Iowa, Harms entered the Army toward the end of World War II. He later attended the University of Maryland International and eventually received a bachelor's degree and two masters. He served with distinction in the Korean War, receiving a Purple Heart, Silver Star and Bronze Star with Valor.

After settling in South Carolina, he became the Executive Director of the S.C. Financial Services Association. Soon after SCDCA's creation in 1974, Pete Parker brought Harms to SCDCA as one of his first hires. In June of 1975, the Commission on Consumer Affairs named Harms as the agency's first Deputy Administrator. Harms did much to assist in setting up the agency. His financial services background gave him a unique perspective and made him the ideal person to do the "number crunching" math that the new Code required. Those skills were put to use in managing the agency's budget as well.

Harms often traveled with or in place of Administrator Pete Parker, informing businesses of the new requirements contained in the Consumer Protection Code and the public of the Department's resources. In 1979, he served as the president of the Association of Consumer Credit Code States, representing the organization in various capacities. That same year, he traveled across SC, spearheading a significant problem-solving initiative. Because automobile repair and maintenance issues had become the top complaint

category shortly after SCDCA's inception, the agency, in partnership with the Attorney General's Office, held twelve public hearings throughout the state in the Fall of 1979. The goal was to better understand the scope and nature of these complaints and determine if recommendations could be made to reduce these issues. Today, vehicle issues remain in the top three complaint categories, with automobile repair often the largest subcategory.

When Administrator Parker resigned in 1981, he said, "I leave a highly motivated, dedicated, and competent staff to whom all the credit must go for making the Agency what it is." Harms stepped in to lead the Agency as the Acting Administrator until Steve Hamm was appointed as Administrator. At that time, Harms resumed the Deputy Administrator role, supervising the directors of the agency's five divisions. He ensured the enforcement, complaints, personnel, budget and fiscal activities of the agency were performed, meeting the challenge of maximizing the Department's limited financial and manpower resources.

Harms left SCDCA in 1990 and passed away in 2005. He will be remembered by the Agency as an influential part of the team that shaped the Department in its early years.

The department can seek only "voluntary compliance" by a firm. But because no company wants bad publicity, Harms notes. "We have found that if we go far enough up the corporate ladder, we get compliance. We try to resolve complaints to the consumer's satisfaction, and we resolve 55 to 60 percent of the complaints."

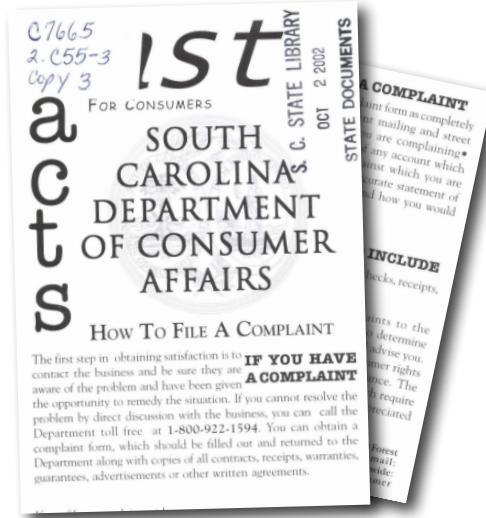
Evening Post, 1979

Complaints



Mediating consumer complaints is one of the core functions assigned to SCDCA from its origins. The free service was unmatched at state and federal levels in 1975, and the same is true today. It is available to a consumer - someone who purchased a good or service for personal, family or household use - whether credit is involved or not. The Agency processes and mediates thousands of consumer complaints each year, seeking to find equitable solutions for the consumer and the business.

SCDCA takes consumer complaints against businesses we regulate, refers complaints that fall within another agency's jurisdiction, and handles complaints against businesses that are unregulated. Complaints help resolve issues outside the court system, make businesses aware of areas that may be improved upon, informs the agency about illegal business practices and helps identify trends in the marketplace.

**1976**

In its first full year of operation, SCDCA received **2,730 consumer complaints**. The majority of consumers filing contacted the Agency via its toll-free number. A complaint analyst would take their information and mail a complaint form to the consumer for them to complete and mail back. This process was labor intensive and often required a lot of back and forth before the complaint could be processed.

**1985**

After a decade in service, consumers and businesses were becoming more aware of SCDCA. Nearly **40,000 calls** came into the Agency, the most ever and a 41% increase over the year prior. Approximately 20% of calls were complaint related. Staff sent out nearly 11,000 consumer complaint forms and processed 4,557 complaints.

**1997**

The Agency launched its first website, giving consumers the ability to download complaint forms online and print them at home. This small step into the digital space made a big impact as South Carolinians could submit complaint forms more quickly. This year also marked the first time the Agency recovered credits, refunds and adjustments in excess of **\$1 million**.

**2014**

January 2014 marked a crucial leap forward when SCDCA launched a **fully online consumer complaint system**, helping the Agency cut costs and process complaints more quickly and thoroughly. Consumers can submit, and businesses can respond to, complaints online. The award-winning system also allows users to submit comments to SCDCA staff, monitor complaint status and research complaints 24/7.

**2025**

SCDCA received **6,081 consumer complaints**, the most in over fifteen years. The rise began post-COVID and constitutes a 55% increase when compared to 2021 filings. Homeowners association related complaints comprised 10% of all complaints received in 2025. Eighty-six percent of consumers filed via the online system which helped staff with managing the volume.

1975

Kathleen Goodpasture Smith

Hired as the first law clerk of the Department in 1975 and became the first Counsel to the Administrator. Served at SCDCA until 1981.



Mrs. Smith handles much of her work, including the interpretation of the complex Consumer Protection Code,

The State, 1977

Kathy Goodpasture Smith is a native Texan, graduated from Texas Christian University and she received a law degree at the University of South Carolina in 1975. In the early 1970s, Smith worked with the Federal Trade Commission in Atlanta, GA, where she became more familiar with consumer complaints and consumer matters. Smith was hired as the first law clerk of the Department in 1975, and within seven months, she became the first staff attorney. As the Department grew, she later became the first Counsel to the Administrator, serving as the legal advisor to Pete Parker and Deputy Administrator Roy Harms.

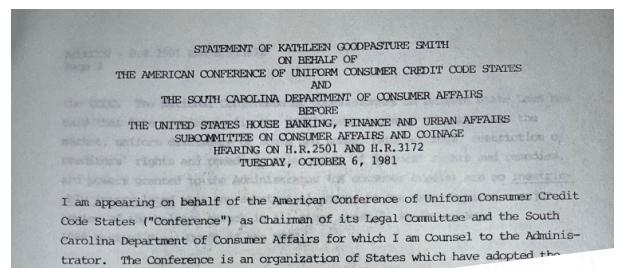
During her time at the Department, Smith's time was spent educating the public on the agency and assisting businesses with understanding rights and laws. She was instrumental in developing most of the early regulations, declaratory rulings and administrative interpretations needed to administer the new South Carolina Consumer Protection Code. In total, she drafted twelve administrative interpretations, several of which are still relied upon today.

Smith also served as Chairman of the American Conference of Uniform Consumer Credit Code States Constitution Committee and Legal Advisory Committee. This gave her several opportunities to educate legislators on the Code. Smith met with the South Carolina Congressional Delegation on many occasions and testified at federal and state legislative hearings, including Congressional hearings regarding the Credit Deregulation and Availability Act of 1981. Smith testified in favor of

preserving the Uniform Consumer Credit Code and the state's right to regulate and license consumer credit.

In her time at the Department, Smith provided highly professional legal guidance at the agency, state and national levels with her expertise on consumer credit, laws, legal acumen and a strong rapport with the members of the regulatory community.

She left the agency in 1981 and worked for SC National Corporation and Wachovia. Smith currently serves as Of Counsel for Haynsworth Sinkler Boyd law firm. She continues to work in the consumer credit field and serves as the author/editor of the preeminent book on the South Carolina Consumer Protection Code, a role she assumed in 1990.



Kathleen Smith's job is to interpret laws for the agency and to advise the staff. "I have to be sure I understand a given law and pass this information on to businesses and to the consumer," she says simply. "If a violation of a law occurs, I may direct an investigation and assist in preparing the papers that the Attorney General's Office will need in case of litigation."

The State, 1977

October 6, 1981

Legal Division



(Aldens, Inc. v. Patrick Ryan, Administrator of Consumer Affairs for the State of Oklahoma, 571 F2d 1159 (10th Cir. 1976). That same year, Administrator Parker went to Congress to relay preemption concerns regarding the pending Federal Trade Regulations Rule.

At the time, however, the Department's primary enforcement activities were locally focused on ensuring compliance with the new filing requirements of the Code, as well as its advertising and Truth in Lending provisions. The Agency's regulatory scope broadened in 1981 with the introduction of its first industry-specific framework, the Private Personnel Agency Act. This expansion continued steadily: four more frameworks were added in the 1980s, three in the 1990s, and eight in the 2000s. Today, the majority of the industries regulated by the Agency involve a consumer credit or financial contract as the foundation of the consumer transaction.

This growth in supervisory authority is underscored by a dramatic rise in application volume: while SCDCA processed roughly **270,000 applications** and filings **in its first four decades**, it has handled **over 242,000** **in the past decade alone**. In the 1980s, the authority to represent the Agency in enforcement actions was transferred from the Attorney General's Office to the SCDCA. Since that transition, the Department has consistently worked to ensure a level playing field for industries and to protect consumers.

Highlights

- 1981 → SCDCA began participation in a joint state-federal odometer investigation and prosecution effort. An investigator from SCDCA was sworn as a special agent of the federal grand jury and responsible for developing odometer tampering cases for federal prosecution.
- 1988 → Court of Appeals upheld the Department's position that a maximum rate filing expires if not made during the prior year, resulting in **consumer refunds**. *Bell Finance Co., Inc. v. S.C. Department of Consumer Affairs*, 374 S.E.2d 918 (1988).
- 1998 → SCDCA continued its cooperative efforts with the State Law Enforcement Division and the US Attorney's Office in investigating odometer and other automobile related crimes, and wire fraud cases. The wire fraud case (airline ticket fraud) resulted in a **\$98,000** restitution.
- 2016 → SCDCA, in coordination with the SC Board of Financial Institutions, entered **\$9.65 million settlement** agreement with CashCall, Inc., an internet based lender. It involved 8,300 loans entered into by South Carolina consumers between 2010-2013, ranging from \$700-\$10,000 with interest rates from 90%-355%.
- 2023 → SCDCA submitted a Court of Appeals Amicus Curiae Brief in a private debt collection action and participated in oral arguments relaying its position that the Code requires a Notice of Right to Cure be delivered to a consumer before acceleration of a credit card debt. The Court agreed.

Brandolyn Thomas Pinkston

Hired as the SCDCA Education Coordinator in 1980. Named Director of Public Information and Education in 2001. Served as Administrator from 2002-to 2011 when she retired.



"Candy and gum are by the checkout counter so kids will pick them up on the way out and add them to your basket. Don't fall into that."

— Brandolyn "Brandy" Clinton, educational coordinator

Pinkston is a Hartsville, SC native. She received her bachelor's degree in political science from Shaw University in Raleigh and her master's degree in history from North Carolina Central University in Durham. While Pinkston was teaching at the college level, Roy Harms recruited her to become the Agency's Education

Coordinator in 1980. It's clear from Commission minutes that Pete Parker was focused on education from the outset of the Department's operations. But budget woes often sidelined the ability for the Agency to hire education-specific personnel. This changed in the late 70s, and soon after Pinkston came on, the Department became an award-winning agency in the area of education and outreach. She harnessed her love of education and focused on creating curriculum and tools for teachers.

During Fiscal Year 1982, she launched a toy safety workshop for preschool and elementary school teachers and helped develop the "Ripoff" curriculum that gained national attention and was implemented in elementary, secondary and adult education classes across the state. "Advertisements Demand Sense," a program for elementary, junior high and adult education classes, and "Credit: A Teaching Unit" are other projects she helped spearhead with Agency partners.

In addition to the school focus, educational efforts touched on general tips on a broad range of topics. These activities did not go unnoticed as the Agency first donned the "award-winning" title in the

early 1980s. In 1983, SCDCA received the Annual Achievement Award in the Best Consumer Publication category from the National Association of Consumer Agency Administrators (NACAA) for a series of publications entitled "Frauds, Schemes, Rip-Offs and Con-Games." The following year, the Agency won the NACAA award for the Most Effective Use of Electronic Media for its PSA on Work-at-Home Frauds and its series of five Consumer Reports Scripts distributed to 64 radio and TV stations weekly. The themes of leveraging technology and a focus on students were prevalent during Pinkston's thirty-year career at the Agency.

Pinkston went on to be named Director of the Public Information and Education Division in October 1987 and Deputy Director of Public Information and Education in 2001. In 2002, she served as Acting Administrator until being selected as the Agency's fourth Administrator in 2004. Under her leadership, numerous educational outreach initiatives were implemented including the creation of Agency/industry roundtables, SCDCA's YouTube channel and the Agency's Twitter (now X) and Facebook pages. Pinkston retired from the Agency in February 2011. She was greatly influential in shaping SCDCA's outreach focus.



Brandolyn Thomas Pinkston, Steve Hamm, Dana Dow (Equifax)

Education

South Carolina Consumer Affairs Report

VOL. 3 No. 2
Irvin D. Parker/Administrator James W. Luck/Editor
MARCH, 1978

Education is a core component of SCDCA's mission as our agency works to inform consumers and businesses on their rights and responsibilities in the marketplace. For 50 years, the Agency has offered in-person presentations and seminars along with written publications on a wide range of topics. As times change, SCDCA leverages various partnerships and technology, distributing information via traditional and nontraditional sources.

On October 3, 1975, SCDCA hired the first Educational Coordinator to give lectures at academic institutions and to speak with civic, business and professional groups. During the first year, seventeen presentations were given. That number has ebbed and flowed over the years, with staff members giving **188 presentations** in Fiscal Year 2025.

During the early years, the Department sent out notices asking for help creating a library of information and resources related to consumer topics. Quickly, the staff evaluated the various channels and information to distribute, including via the "Consumer Affairs Report" newsletter, a consumer concerns column for newspapers and short scripts for radio and television spots. The first publications produced by the Agency were three fact sheets on the Agency, Buying a Used Car and Buying Clothes. The Agency even printed and made one copy of the newly minted Consumer Protection Code available to requesters for free. There are now more than 50 publications available for download at consumer.sc.gov. In Fiscal Year 2025, SCDCA distributed more than **27,000 publications** to businesses, state agencies and consumers.

The Department's educational efforts have even gone international. In 1994, SCDCA's Public Information and Education Director – Brandolyn Thomas Pinkston – participated as a moderator at the first Transnational Consumer Protection Conference in Toronto, Canada. The conference, sponsored by the Direct Selling Education Foundation of Washington, DC, focused on the NAFTA Treaty and related consumer protection issues, specifically from the perspective of consumers.



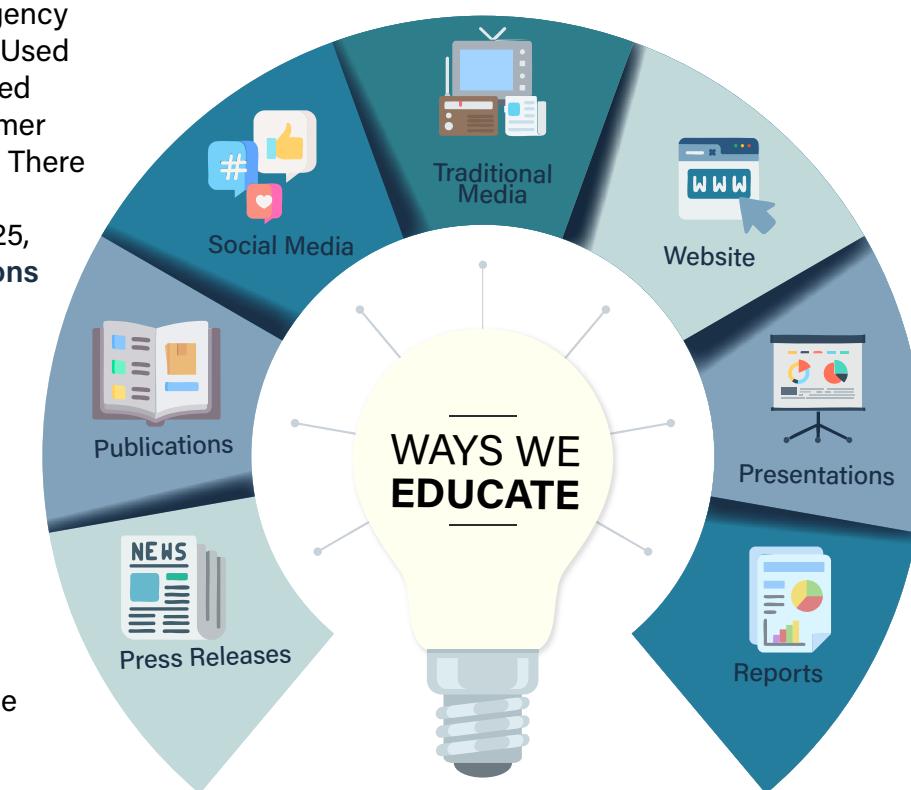
The Department has hosted subject matter experts from around the world, informing them of outreach for senior adults, as well as on cybersecurity and privacy laws. Our guide for guarding against scams has gone international, being distributed to other countries as a base point for their educational initiatives on disinformation of senior adults.



U.S. Senator Tim Scott, September 2024

On the home front, SCDCA was invited to discuss scams and the Agency's educational initiatives at the US Senate Housing, Banking and Urban Affairs Committee in September of 2024 for their "Protecting Americans' Money: Combatting Scams and Frauds Against Seniors and Savers" hearings.

Education has been central to the Department's activities since 1975. In the coming years, SCDCA will continue to leverage resources to inform policymakers about consumer issues, provide compliance guidance to regulated industries, and equip consumers with the tools necessary to avoid and recover from scams and ID theft.



Identity Theft Unit



Launched October 2013

Phone schemes have familiar ring

By PHIL PORTER
Special to The State



**CONSUMER
ADVOCATE**
Philip
Porter

Take precautions before calling an unfamiliar area code—it could be a international telephone call.

All across the nation, consumers are being enticed by advertisements that involve calls to international telephone numbers. Most international calling sequences begin with the prefix 011. However, some international numbers look like ordinary 10-digit domestic numbers. The Federal Communications Commission has received a multitude of complaints from consumers regarding unfamiliar international calls showing up on their phone bills containing dozens of area codes (mostly in the Caribbean). In particular, most of these phone scams are derived from area codes 809 (Dominican Republic) or 788 (St. Lucia), because many consumers think the telephone numbers are in the U.S. FCC rules require disclosures for 900 numbers, but these rules do not apply to international calls.

You could get a massive phone bill if you inadvertently call such an international number. That is because each country sets its own rates and there is no limit to the per-minute charges—sometimes up to \$10 per minute. The companies sending you the bill

are not charged for their access to an information provider. Examples of an information provider are psychic and adult entertainment lines. The information service is supposedly free. However, callers are charged long-distance, or international toll charges to cover the transmission of their calls. These types of service arrangements rely on cooperation between a telephone company and an information provider or information service advertiser, with the telephone company sharing the money collected for its toll charges with the information provider or advertiser.

What are some of the schemes?

■ Calls left on your answering machine about a sick or injured relative from someone you do not know or a number you do not recognize.

The State, 1998

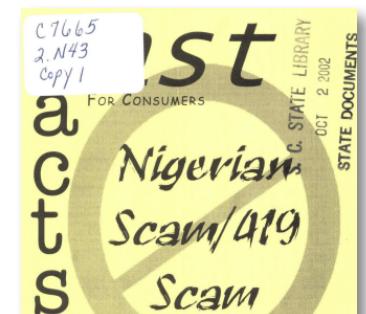
SCDCA launched its newest Division, the Identity Theft Unit ("the Unit" / "IDTU") in October 2013. to increase public awareness and knowledge about how to avoid, detect, deter and recover from identity theft and scams. The Department assisted consumers with identity theft and scams over the course of its years of service through its Public Information & Education, Consumer Services Division and at times, the Legal Division. With the evolution of scammers targeting personal information, recognition of the amount of personal data in the public sphere, the role of technology in giving increased access to it, and the global economy, it was time to centralize the Department's efforts.

While the Unit was not created until 2013, scam and identity theft prevention has been part of SCDCA's mission since the beginning. A 1981 news release warned businesses in the state about fake invoices demanding \$350 for listing their companies in an international directory. In 1983, the Department released a series of four publications entitled *Frauds, Schemes, Rip-Offs, and Con-Games*. Just a few years later, in 1985, Agency educational activities focused on a theme of "preventive consumerism," including outreach on how to avoid frauds and schemes and employing healthy skepticism.

Prizes and sweepstakes was added as a complaint category that same year. It was renamed *Prizes/*

Scams as reports began to pick up in the state and eventually made its way into the top ten types of complaints received in the mid-late 90s.

The issues of privacy and identity theft became a part of the Department's wheelhouse in the late 1990s as well. With the dawn of the digital age, outreach and education focused on protecting personal information. In 2000, SCDCA coordinated the *It's A Matter of Privacy* conference with the Direct Selling Education Foundation. Topics included credit reports, identity theft and issues related to online, medical, and government privacy. It was followed up the next year with a comprehensive educational campaign on the theme, "Consumer Confidential: The Privacy Story," focused on helping consumers take precautions against the misuse of their personal information.



What is the Nigerian/419 Scam?

These unsolicited letters, faxes, or e-mails seem innocent enough. Supposedly from a foreign company or diplomat claiming to need help transferring money or prevent his or her government from seizing certain funds, this popular scam is popping up in e-mail and mailboxes all over the country.

There's thousands or millions of dollars at stake, they say, and they'll give you a percentage of the money if you'll just help them stash the money into your account, or let them apply for the transfers in your — or your company's — name. Just don't tell anybody, and it's imperative that you reply in ten or so business days to receive the money. All the letter writer needs is a signed, stamped company letterhead, invoices, or a personal account number.

What to do if you've been victimized:

Soon come requests for money for 'bribing officials'



What can you do to protect yourself?

- NEVER extend credit to a stranger for any reason.
- NEVER give personal or business information – especially credit card or bank account numbers – to strangers, even if they sound official.
- NEVER do business with a foreign country without going through the proper channels.
- REPORT the sender to the sender's email provider, if possible.
- BEWARE of people offering 'free money.'
- REMEMBER: IF IT SOUNDS TOO GOOD TO BE TRUE, IT PROBABLY IS.

What to do if you've been victimized:

Soon come requests for money for 'bribing officials'

October 2002

The Department used the scam and identity theft data collected over the years to help inform the Legislature and Governor in the passage of a comprehensive identity theft protection act in 2008. This law and a 2012 state security breach helped garner support for funding the Identity Theft Unit.



4,835 ID Theft Reports

Actual Losses: \$10,878,823

Potential Losses: estimated \$4,059,988



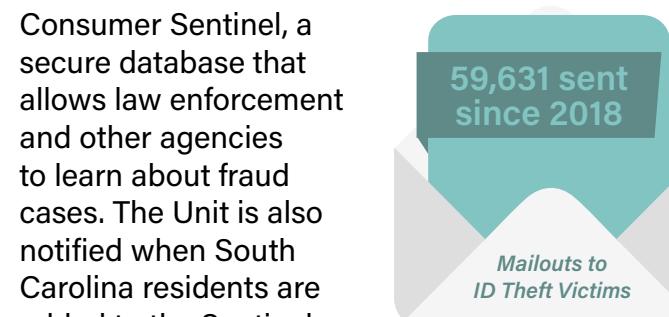
16,111 Scam Reports

Actual Losses: \$29,358,234

Potential Losses: \$12,322,165

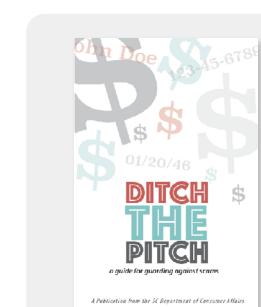
Cryptocurrency has become the new payment method that scammers prefer. Consumers are instructed to take cash to a cryptocurrency ATM, typically at a gas station, and deposit it. The scammer provides the victim with a QR code or account details that send the deposit into the scammer's account.

In the coming years, advancements in artificial intelligence will likely add to the sophistication of scams and make these schemes harder to detect. SCDCA will continue to monitor technology trends and focus on educating people on how they can avoid scams and identity thieves and provide tailored guidance to victims.



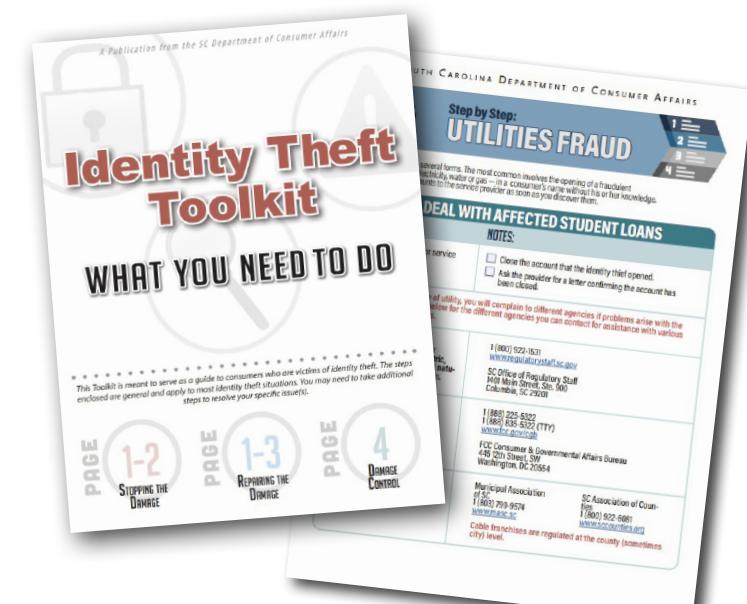
59,631 sent
since 2018
Mailouts to
ID Theft Victims

Many of the scams first seen by the Agency are still being perpetrated today. A scammer's goal never changes - they aim to separate consumers from their hard earned money or personal information. Through every decade, scammers have called people out-of-the-blue and attempt to get credit card numbers, checking account numbers and other financial details that can be exploited. Changes in technology bring new twists to age-old tricks that crooks use.



No matter the scam... THE RED FLAGS ARE THE SAME

Old fashioned paper publishing hasn't gone away through the digital boom. One of the most notable publications from SCDCA came in 2015 with the launch of the scam prevention guide "Ditch the Pitch." The book provides explanations, red flags and defense tactics for common scams. SCDCA modernized many of the tips and released an updated version of the guide in 2024.



Identity Theft Toolkit

WHAT YOU NEED TO DO

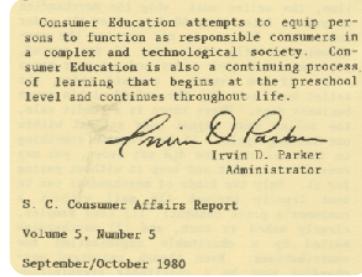
PAGE 1-2 STOPPING THE DAMAGE

PAGE 1-3 REPORTING THE DAMAGE

PAGE 4 REDUCE CONTROL

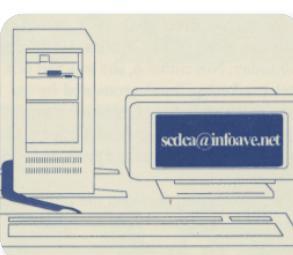


As a small agency with one office, leveraging resources is vital to fulfilling our mission. Adapting to new technology is key to SCDCA's efforts to improve performance and outreach to the public. The Agency constantly evaluates technologies and strategies to promote a culture of security, efficiency and knowledge.



On the education front, the Department can create great, helpful content all day long, but efforts are futile if we do not get it out to those who need it most. Before the internet, SCDCA relied on teleconferences to communicate tips to the public. These phone-based discussions touched on hot consumer topics like "Credit: Life or Debt" and "Home Mortgage Loans: Everything You Need to Know to Obtain One."

In 1994, the teleconference version of "Credit: Life or Debt" was revamped and telecast LIVE in partnership with the South Carolina Education Television Network. The show provided advice from credit professionals, helping consumers understand credit and how to use it wisely. **More than 60,000 young adults viewed the event.**



The South Carolina Department of Consumer Affairs joined the World Wide Web in 1997. A newsletter announcing the creation of the page noted that businesses and consumers could find helpful information on the now-defunct site: state.sc.us/consumer. The page offered many of the same services we continue to provide, such as instructions on how regulated businesses make filings and registrations, a complaint form (which could be printed, filled out and sent to the Department), and brochures on various topics such as avoidance of fraud, debt collections and frequently asked consumer questions.

By 2005, SCDCA's digital presence moved to a

new location sccomplaints.com. Later that year, an interactive online chat forum called "Ask Consumer Affairs" became an addition to the site. Staff members took part in online discussions where consumers could directly ask about topics ranging from mortgage loans, credit, buying cars, scams and how to file a complaint with the Department. The goal: to make receiving helpful information easy and fast. The service later moved to an email address where consumers could send their questions to staff members. The following year, the agency launched "Tele-Tips." The automated service allowed consumers to call the Department and receive recorded information on a variety of consumer issues. Covered topics included: how to file a complaint, debt collection, purchase of vehicles and fraud. As reliance on the internet for information grew,

SCDCA put its focus on its website as a central hub of information for consumers, businesses and the media.

The current website address - consumer.sc.gov - arrived in 2012 receiving an upgrade to our current look in 2018. The new design promised "a clean, streamlined and modernized site." A key feature is the drop-down menu on the home page called "How do I..." giving users the ability to get answers to frequently asked questions in just one click.

SCDCA was also an early adopter of social media channels to accomplish educational objectives. Of note, the Department became the first South Carolina state agency to be active on Nextdoor. It is a tool that we can use to get our message in front of a large portion of our state that we normally would not be able to reach as their platform allows our posts to potentially reach each person in our state who uses their service. Since our first post in October 2021, we have had over **fifteen million views**. We credit this exposure to increasing our weekly website visits, YouTube video views and webinar attendance. Upgrades in technology also allow businesses to file licensing and registrations easier and allow our

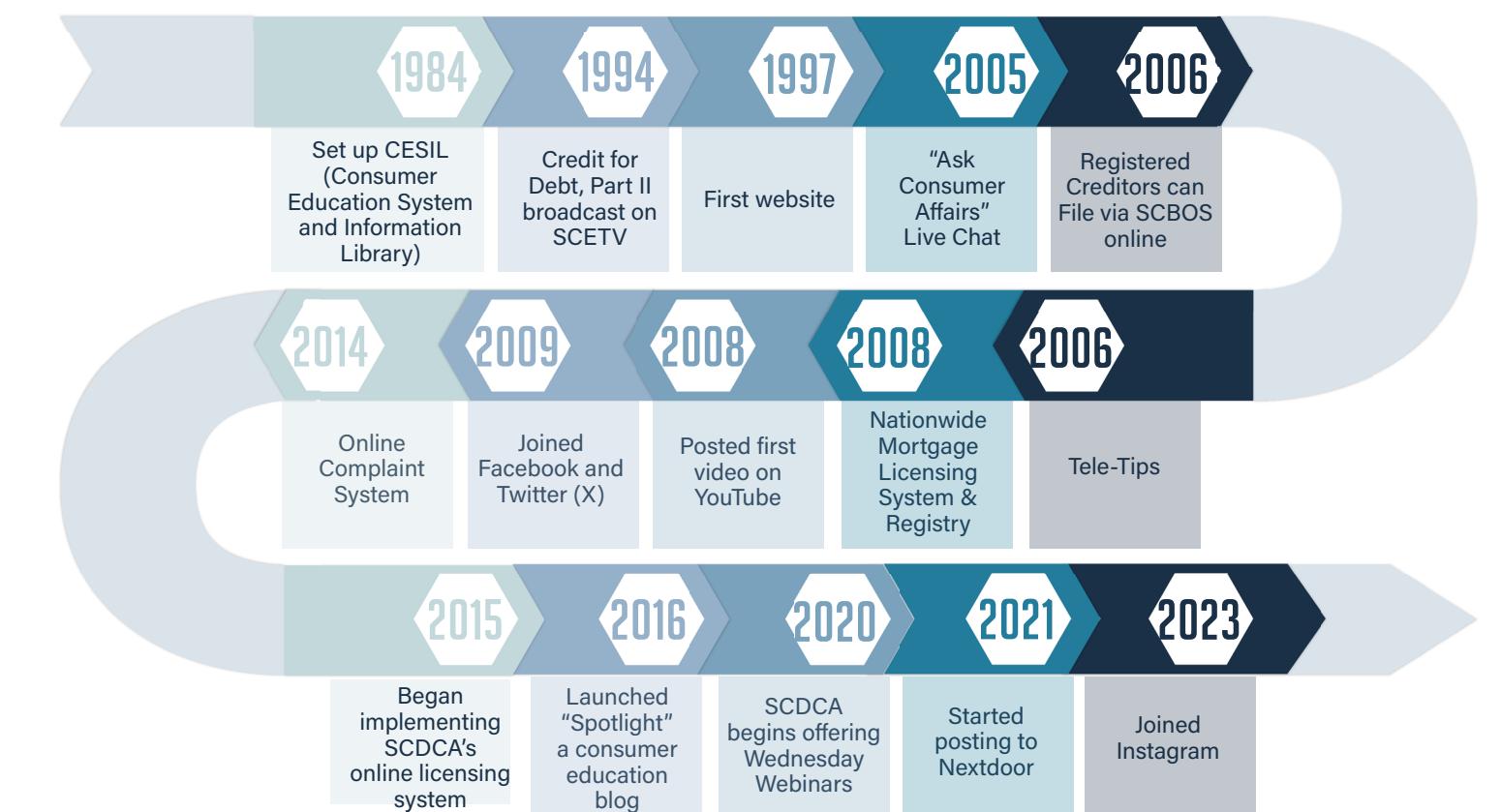


staff to process those filings faster. The Agency's first computer system was put into place in 1984 and housed a complaint database, a licensing database, and served as a repository for education pieces. This AS400 System held its place as the backend foundation for SCDCA's complaint and licensing functions for over 30 years!

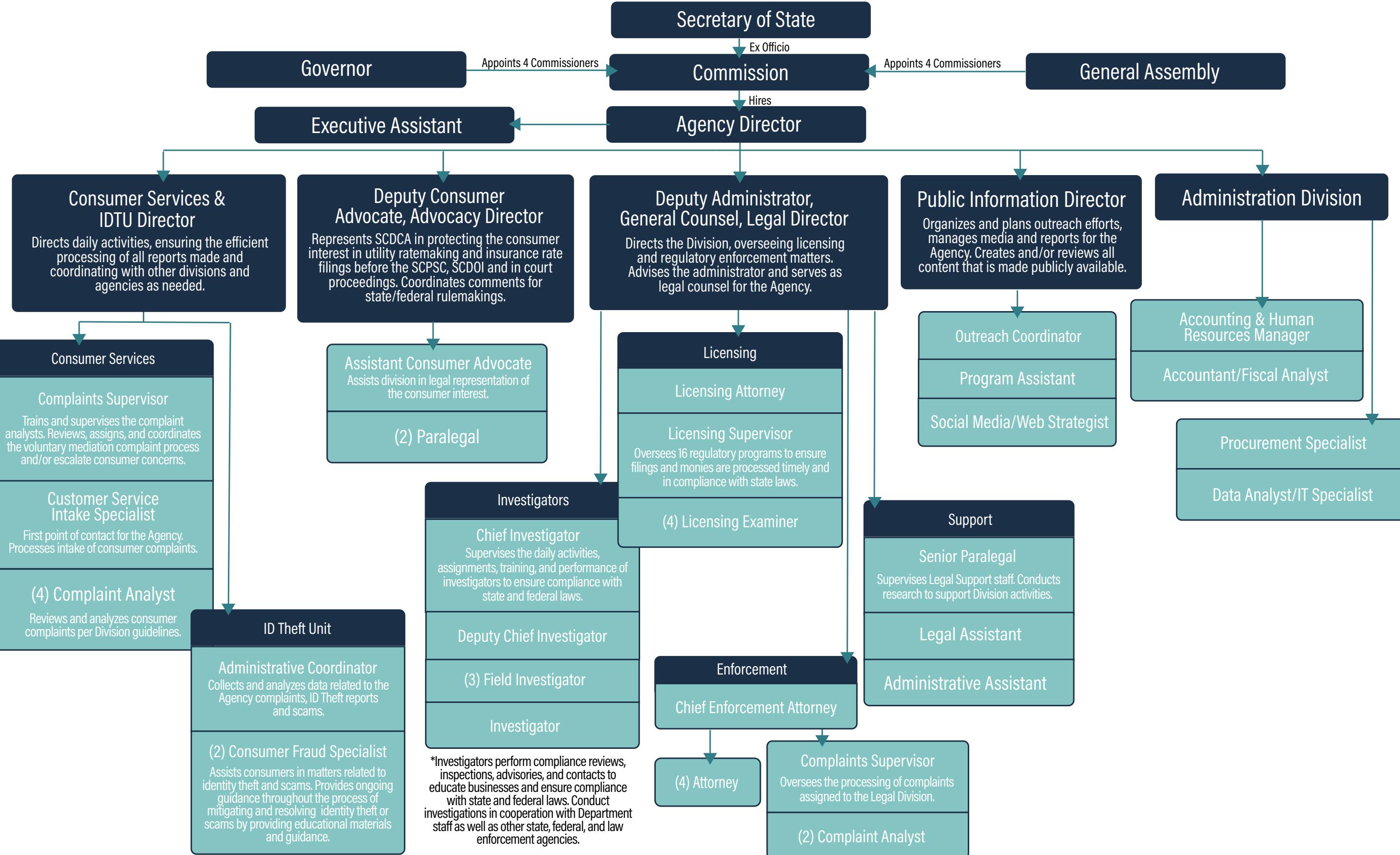
In 2006, the opportunity arose for the Agency to step its toe into the online licensing pool. SCDCA joined four other state agencies to offer online filings through the South Carolina Business One Stop. The effort aimed to save time and money by streamlining access to information, helping business owners determine exactly which documents were required, expediting registrations, and processing fee payments in real time. Building on this success, the Agency transitioned to a comprehensive in-house filing system in 2015. High adoption of the system has led to staff being able to process **95% of applications within 30 days of receipt of a complete application**. Use of the online payment capabilities also decreases user error, increases compliance with State deposit laws and overall contributes to the repeated stellar Audit Reports the Department receives from the State Auditor's Office.

The Agency's complaint services also evolved in the age of technology. Consumers file thousands of complaints with SCDCA each year. After 39 years of mail-based processing, the SCDCA Online Complaint System launched in January 2014. The 24/7 system allows consumers to file complaints with ease, and the backend functions help staff process more, faster. Shortly after its launch, the system received a **Digital Government Achievement Award** for best in class in the Government-to-Citizen category in October 2014. This award recognizes agency websites based on innovation, functionality, and efficiency. This technology also assisted SCDCA in reaching or exceeding complaint-related goals and performance measures when telecommuting was implemented for all staff during the 2020 pandemic.

Many services are currently offered virtually: a complaint portal, regulatory filings, brochure downloads, webinars, videos, and the ability to file scam and identity theft reports. Our online tools allow us to serve more South Carolinians than ever before with the same size team we had 35 years ago. As we look ahead to the next 50 years and beyond, we are dedicated to identifying new ways to connect with, and better serve, consumers and businesses.



Organizational Chart





SCDCA Staff

Over the past five decades, SCDCA has been fortunate to have a resilient, passionate staff who believe in, and are dedicated to furthering the Agency's mission and purpose.

Carri Grube Lybarker, Administrator/Consumer Advocate

Administration

Celeste Brown
Jennie Daniels
Darlene Dinkins
Scott Quinn
Jeremy Ward

Legal

Kelly Rainsford
Tenitia Baskett
Adam Birr
James Breeden
Robin Coleman
Chris Coller
Jeff Congialdi
Jim Copeland
Bryon Gibbs
Joni Green
Katherine Hawks
Kerri Hawley
Ashley Johnson
Robert Johnson
Deborah Lockard
Rosa McKoy
Ken Middlebrooks
Stacey Neals
Zach Passmore
Diavia Pierre
Stacy Staley
James Stewart
Daniel Stokes

Advocacy

Roger Hall
Jake Edwards
Joan Williams

Public Information

Scott Cooke
Ayah Favors
Bailey Hartfield
Andrew Nelson

Consumer Services

Mandy Self
Kevin Allen
Lisa Baker
Kim Davis
Candace Fant
Kimberley Greig
Valerie Rankin
Dawn Walters
William Weaver

Identity Theft Unit

Melanie English
Elliott Hudson
David Rodgers



Administrators

1974 Irvin D. "Pete" Parker

- Manning, SC Native.
- Served four years in the Air Force.
- Earned bachelor and law degrees from the University of South Carolina.
- Worked as a radio announcer at several South Carolina radio stations.
- Served as a senior attorney in the Civil Division of the South Carolina Attorney General's Office.
- Named first Administrator on September 30, 1974 and served until 1981.

1981 Steve Hamm

- Born in Los Angeles, California.
- Graduate of the University of California at Santa Barbara with a BA degree in Political Science and was awarded a Juris Doctor degree from School of Law at the University of South Carolina.
- Taught school in Sumter County.
- Began at SCDCA as a staff attorney in 1977.
- 1978, named Director of new Division of Consumer Advocacy.
- Appointed second Administrator in 1981, serving until 1994.
- Assisted in creating a national organization consisting of state consumer advocate offices.

1995 Phil Porter

- Pickens, SC native.
- Graduate of Clemson University with a BA degree in Political Science and was awarded a Juris Doctor degree from School of Law at the University of South Carolina.
- Started at the Department as a law clerk in 1978.
- Became a staff attorney in 1979.
- Became Deputy for Regulatory Enforcement in 1989, then appointed the third Administrator in 1995.
- Served as Administrator until 2001.
- Rejoined SCDCA as a staff attorney from 2021-2025.

2002 Brandolyn Thomas Pinkston

- Hartsville, SC native.
- Awarded bachelor's degree in political science from Shaw University and master's degree in history from North Carolina Central University in Durham.
- College professor prior to joining SCDCA.
- Began at SCDCA in 1980 as an Education Coordinator.
- Named the Director of Public Information and Education in 1987 and Deputy in 2001.
- Appointed fourth Administrator, serving October 2001-February 2011.
- In 2005, the National Association of Consumer Agency Administrators recognized the Department as agency of the year.
- Inducted in SC Black Hall of Fame, 2006.

2011 Carri Grube Lybarker

- Born in Willingboro, NJ (military family).
- Graduate of Winthrop University and the University of South Carolina School of Law.
- Began as a law clerk in 2004 and a staff attorney in 2005.
- In July 2010, named Acting Director of Public Information, later appointed as Deputy Director of Public Information, Consumer Services and Education.
- Serving as fifth Administrator since February 2011.
- President of the Association of Uniform Consumer Credit Code States from 2014-2016.
- Two-term president of National Association of Consumer Credit Administrators (NACCA) (2018-2020).
- NACCA Distinguished Service Award Recipient (2021).
- Two-term chair of Conference of State Bank Supervisors State Coordinating Committee (2003-2024).



Commission on Consumer Affairs

The Commission is the policymaking and governing authority for the Department, and is responsible for the enforcement of the Consumer Protection Code and appoints the Administrator. Serving four-year terms, the Commission was originally comprised of nine members, all appointed by the Governor. The composition later changed to eleven members, including the Secretary of State, a member from the House of Representatives and a member from the Senate. The remaining Commissioners were appointed - four by the Governor and four by the General Assembly. The legislator positions were later removed, taking the number of Commissioners back to its original nine.

First Commission on Consumer Affairs

Grady L. Patterson Jr., Chair
 James F. Harrison
 Robert E. Hudson
 Duane Loftis
 Rita McKinney
 Frances Morris
 Bennie H. Taylor
 Stephen W. Trewella
 Emil W. Wald

Current Commission on Consumer Affairs

David Campbell, Chair
W. Fred Pennington, Jr, Vice Chair
 Mark Hammond, Secretary of State, Ex Officio Member
 James E. Lewis, Jr.
 Jack Pressly

Commission on Consumer Affairs Chairs

Grady L. Patterson, Jr., Treasurer
 1974 - 1979
 John T. Campbell
 1979 - 1981
 Emil W. Wald
 1981 - 1988
 Lehman A. Moseley, Jr.
 1988 - 1995
 Dr. Lonnie Randolph, Jr.
 1995 - 2000
 Barbara B. League
 2000 - 2003
 Waring Howe
 2003 - 2006
 Dr. Lonnie Randolph, Jr.
 2006 - 2010
David Campbell
2010 - Present



Council of Advisors on Consumer Credit

The Council of Advisors on Consumer Credit consists of 16 members who are appointed by the Governor. One of the Advisors is designated by the Governor as chairman. The Council advises and consults with the Administrator concerning the exercise of the Administrator's power under the South Carolina Consumer Protection Code and may make recommendations to the Administrator. Members may also assist the Administrator in obtaining compliance with the South Carolina Consumer Protection Code.

First Council of Advisors on Consumer Credit

Alex Sanders, Chair
 William T. McCracken
 Beth H. Broome
 Harry V. Connolly
 Cleveland Stevens
 Jack Lawrence
 Jay Smith

Leonard S. Hutchison
 R.V. Clark
 Robert M. Jones
 Mrs. Joe Davenport
 Adair Crawley
 John R. McLain
 Mrs. John K. Cauthen
 Mrs. M. Maceo Nance

Current Council of Advisors on Consumer Credit

Sharon C. Bramlett, Chair
Kristin M. Bastian, Vice Chair
 Randall C. Cole
 Alethea Gadson
 James L. Godwin
 Victor C. Mcleod. III
 Virginia K. Palmer
 Scott C. Rhodes
 James Walters
 Robert J. Wilkes

Council of Advisors on Consumer Credit Chairs

Alex Sanders, State Senator
 1976 - 1978
 Leonard L. Hutchinson
 1978 - 1987
 Carlton Whipple
 1988 - 2000
 Joyce M. Smart-Buchanan
 2000 - 2002
 C. Brian McLane, Sr.
 2003 - 2007
 Sharon Bramlett
 2007 - Present

Awards & Recognitions



SCDCA is an award-winning Agency. Over its fifty year history, staff have garnered recognition for various outreach initiatives.

1983	National Association of Consumer Agency Administrators Award of Achievement
1984	SC State Budget & Control Board Demonstrating Commitment to Affirmative Action
	National Association of Consumer Agency Administrators Award of Achievement
1985	National Association of Consumer Agency Administrators Recognition for Excellence - Best Use of Technology
1989	National Association of Consumer Agency Administrators Recognition for Excellence - Outstanding Electronic Media
1990	National Consumer Education Materials Contest/FDA Certificate of Appreciation
1996	National Consumers Week Contest Government Award Winner
1997	Office of Insurance Services Excellence in Communication
1999	National Association of Consumer Agency Administrators Excellence in Consumer Education
2000	South Carolina State Library Notable Document Award for "What Teen Drivers Need to Know About Automobile Insurance & Safety"
	National Association of Consumer Agency Administrators Excellence in Consumer Education
	National Consumer Protection Week Contest Consumer Education Contest Winner
2003	Southeastern Association of Area Agencies on Aging Outstanding Community Service Award

2005	National Association of Consumer Agency Administrators Agency of the Year
2007	National Association of Consumer Agency Administrators Accepting the Challenge of Excellence Award
2008	National Association of Consumer Agency Administrators Accepting the Challenge of Excellence Award
	South Carolina Press Association 1st Place for Public Relations Campaign, Innovative Concepts, and Event Marketing
2010	BBB Central SC & Charleston Outstanding Service to SC Consumers
2011	South Carolina State Library Notable Document Award for "Consumer Alert"
2014	International Association of Business Communicators Merit Government Communication Program Customer Relations Award Publication Award
	Center for Digital Government Digital Government Achievement Award
2015	South Carolina State Library Notable Document Award for "Identity Theft: What You Need to Know"
2017	Equal Employment Opportunity Forum 100% Goal for Affirmative Action
2018	South Carolina State Library Notable Document Award for "Consumer Alert: Holiday Shopping Edition"
2020	South Carolina State Library Notable State Document Award for "Covid 19 Spotlight: How to Spot a Scammer"
2023	South Carolina State Library Notable Document Award for agency website
2025	South Carolina State Library Notable State Document Award for "Ditch the Pitch"

Celebrating 50 Years of Service



1974

- » The law that created SCDCA was passed in 1974. Except for allowing activities to set up the Department, the law did not officially become effective until Jan. 1, 1975.
- » First Commissioners appointed to the South Carolina Department of Consumer Affairs.
- » First members appointed to Council of Advisors on Consumer Credit.
- » Irvin Parker is the agency's first acting Administrator.

1975

- » SCDCA begins formal operations.

1976

- » Act 686 restored sections to the Code governing maximum charges on consumer loans and licensing provisions of certain lenders.

1978

- » Division of Consumer Advocacy was created in 1978 and increased commission membership to eleven.
- » Steve Hamm appointed Deputy Consumer Advocate.

1970s

1980

- » Acts 326, 337, 411, 433 and 475 passed providing clarity regarding usury, retention of minimum charges for consumer credit sales/loans repayment; brought state charted credit unions under Code; allows 90 days for the Insurance Commissioner to approve or disapprove forms and rate schedules; provides escalator provision for designated dollar amounts in Code; increased allowable rates for revolving charge accounts and non-supervised lenders; conformed three-month Code notice provision to Federal Reserve Board regulation; addresses mail order loan territorial applications sales/loans situation.

1981

- » Steve Hamm becomes Administrator.
- » Act No. 107, the S.C. Private Personnel Act, was passed.

1982

- » Act 385, the Consumer Protection Code Revision Act of 1982, was signed into law by Governor Richard W. Riley. The act deregulates interest rates and provides for a business established maximum rate structure.

1983

- » SCDCA named the official liaison for the US Consumer Product Safety Commission.

1984

- » The Motor Club Services Act, Act 400 of 1984, was signed into law.
- » Supreme Court agrees that certain SCE&G costs should not be paid by customers, resulting in savings of over \$430,000.
- » Supreme Court remanded for the Public Service Commission to make an adjustment in the rate charged by SCE&G, agreeing with SCDCA that certain reserve account costs should not be included in rate base.

1985

- » Act 165, the Physical Fitness Services Act sign into law.

1986

- » Act 121, the Rent-to-Own law became effective.

1988

- » Act 16-17-445 & 446 restricting robocalls, became effective.
- » Act 166 became effective, designating the Consumer Advocate to review auto insurance rate filings.
- » Act 40-39-10, clarifying fees that could be associated with pawn transactions, became effective.
- » Act 40-58-10, clarifying steps loan brokers must take in a lending transaction became effective.
- » Act 656 restricting robocalls, became effective.
- » Act 166 expanding the responsibilities of the Division of Consumer Advocacy's to include the analysis of auto insurance rate and recoupment filings.

1989

- » Act 142, known as the Lemon Law, became effective.

1990

- » Act 97, the Continuing Care Retirement Communities Law, became effective.
- » Act 456, the Athlete Agents Law, was passed.
- » Supreme Court rules the Department of Insurance has the authority to require refunds of monies collected pursuant to an unlawful increase in insurance rates, as argued by SCDCA.

1991

- » The State Continuing Care Retirement Community Act. The act requires the Department to issue a license to persons filing an application in accordance with §37-11-30 of the South Carolina Code of Laws.

1992

- » Act 452, aimed at curbing advance fee loan fraud, was signed into law.

1993

- » Act 161 gave the Administrator the authority to investigate below cost gas pricing.
- » Act 169, regulating PEOs, was signed into law.

1994

- » Act 483, the Prizes and Gifts Act was signed into law.

1995

- » Phil Porter becomes Administrator.

1996

- » Act No. 121 of 1985 became effective, which regulates rent-to-own businesses, consumer rental purchase agreements (rent-to-own businesses) and requires rental-purchase businesses to file notification.
- » Act No. 401, which authorized a two-dollar minimum charge for property insurance, became effective.

1997

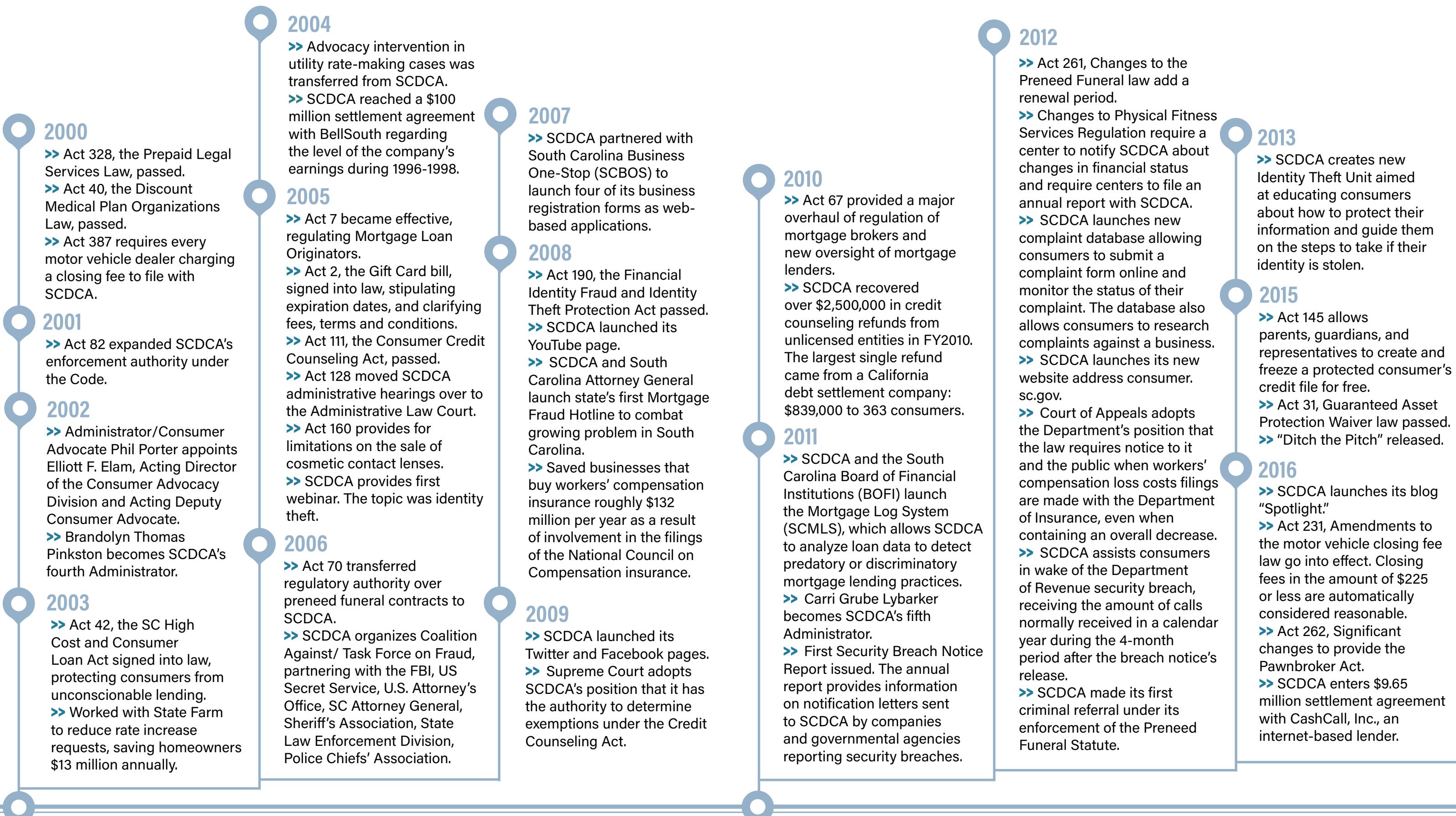
- » SCDCA joins the World Wide Web launching the website state.sc.us/consumer
- » SCDCA reaches a settlement with BellSouth, resulting in \$80 million in refunds.
- » SCDCA does first phone bank.

1999

- » Act 66 brought major amendments to the consumer credit insurance part of the Code.
- » BellSouth reduced rates for residential and business customers based on a settlement reached with SCDCA and approved by the Public Service Commission.

1980s

1990s



2000s

2010s

2017

- » Act 93, Amendments made to the Mortgage Lending Act and Mortgage Broker Act.
- » The South Carolina Department of Consumer Affairs and South Carolina State Board of Financial Institutions Consumer Finance Division finalized a \$9.65 million settlement agreement with CashCall, Inc., an internet-based lender.
- » Act 90 creates greater consumer protections regarding timeshare resale. The law adds requirements for a written contract, a five-day right to cancel, fee restrictions and escrow.
- » Act 29 removes SCDCA as enforcer of the below-cost motor fuel law. This statute prohibits the sale of motor fuel for a price below what the seller paid for it. The Attorney General's Office becomes the sole enforcer of the law.

2018

- » SCDCA launches new, streamlined website.
- » A change to state law requires SCDCA to collect certain data from complaints involving homeowners associations and provide a yearly report to the Governor, General Assembly and the public.
- » South Carolina Telephone Privacy Protection Act.
- » Act 218, passed into law in May 2018.

» A joint effort with the SC State Board of Financial Institutions Consumer Finance Division (BOFI-CFD), settlement resolves an enforcement action resulting from the identification of numerous deficiencies with the company's escrow practices.

2019

- » Launched "Project Vector" as a part of our technology and information security initiatives.
- » Act 258 restored SCDCA's ability to intervene in matters before the Public Service Commission to represent the "consumer interest."

2020

- » Reg. 28-55 re Employee's Revocable Authorization of a Deduction of Earnings.
- » PSC adopts SCDCA's recommendation, reducing Blue Granite's rate increase requests and saving consumers approximately \$1.7 million annually.
- » SCDCA joined with federal and state partners to announce a settlement with Nationstar Mortgage LLC, d/b/a Mr. Cooper, providing \$850,000 for 1,082 South Carolina borrowers.

2021

- » Regulation 28-78 on the marketing and sale of renewable energy including solar goes into effect. Requirements include a waiting period for consumers aged 70 or older, a right to cancel a contract within 10 days of signing it and sellers must give consumers a pamphlet detailing their rights and responsibilities as well as a standard disclosure.
- » SCDCA launched its Nextdoor account.
- » SCDCA and other agencies reach a settlement with a lender and its owners regarding its wage assignment and unconscionable debt collection practices, resulting in refunds of \$725,000 and ceasing collections.
- » Court of Appeals rules that prior to charging 18%, a creditor must file and post its rates. Failure to do so requires a refund of excess charges.

2022

- » Act 197 creates a preliminary continuing care sentinel community license.

2023

- » SCDCA launched its Instagram account.
- » SCDCA submits Court of Appeals Amicus Curiae Brief relaying its position that the Code requires a Notice of Right to Cure be delivered to a consumer before acceleration of a credit card debt. The Court agreed.

2024

- » Act 190 The South Carolina Earned Wage Access Services Act goes into effect, requiring businesses providing consumer-directed wage access services or employer-integrated wage access services, or both services to register with SCDCA.

2020s



SC DEPARTMENT OF
**CONSUMER
AFFAIRS**

PO Box 5757 • Columbia, SC 29250
(800) 922-1594 • consumer.sc.gov



Find the latest scam alerts and
news here. x.com/scdca



Check out our YouTube channel.
youtube.com/scdcatv



Look here for updates & educational materials.
facebook.com/SCDepartmentofConsumerAffairs

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