

Minutes of the Fairfax County Consumer Protection Commission

May 20, 2014

7:30 PM Conference 4/5
Government Center
12000 Government Center Pkwy.
Fairfax, Virginia 22035
Chairman Fee, presiding

Attendance:

Commissioners: Durant, Fee, Hine, Kazmi, Kirk,
Luse, Nguyen, Roark, Rosier

Absent:

Commissioners: Belkowitz, Chung, Hargraves,
Martz

Staff:

Michael S. Liberman, Director
Department of Cable and Consumer Services
John W. Burton, Assistant County Attorney
Susan C. Jones, Branch Chief,
Consumer Affairs
Henri Stein McCartney, Chief
Regulations and Licensing Branch
Carl Newcomb, Consumer Specialist II
Regulations and Licensing Branch

The meeting was called to order at 7:32 PM by Chairman Fee.

Minutes

The minutes of the February 18, 2014, and April 15, 2014 meeting were approved.

Report of the Chairman

Chairman Fee attended and spoke at the Board of Supervisors Public Hearing on April 9, 2014, in support against the elimination of the Consumer Affairs Branch.

Chairman Fee mentioned that the Board of Supervisors passed the Towing rate increase of \$135 effective May 1, 2014.

Report of the Director

Director Liberman spoke about the Board of Supervisors budget Public Hearing and that the Consumer Affairs Branch will not be eliminated.

Commission Matters

Commissioner Roark had no matters to bring before the commission.

Commissioner Hine had no matters to bring before the commission.

Commissioner Luse had no matters to bring before the commission.

Commissioner Durant had no matters to bring before the commission.

Commissioner Rosier had questions concerning right of way issues on her property, what are the homeowner's rights, and what authority companies had to bury cable lines without authorization. Staff will have Cable Policy and Regulation Division contact Commissioner Rosier to address the inquiry.

Commissioner Kazmi had no matters to bring before the commission.

Commissioner Kirk had no matters to bring before the commission.

Old Business

There was no old business to discuss.

New Business

Solicitation Appeal Hearing for John Robert Tyler, Jr.

Paul Duggan, Esquire, representing John Tyler, Jr. presented his case on why his client should be allowed to solicit in Fairfax County. He discussed the provisions of Chapter 31 of the Fairfax County Code, no evidence to support that his client was a threat to the health, safety, or welfare of the public, and background information on Mr. Tyler.

John Tyler spoke about his business, reasons for wanting a solicitor's license, and explanation on his criminal background.

A discussion ensued on what the background check revealed, safety concerns in neighborhoods, job opportunities available outside of solicitation, date that applicant can apply for solicitor license, and percentage of money made in Fairfax County.

Henri Stein McCartney, Chief, Regulation and Licensing Branch presented a staff report on the reasons for denial of John Tyler, Jr. solicitor's license under Section 31-2-8(b) of Fairfax County Code.

Chairman Fee made the motion to uphold staff decision to deny the granting of the solicitor's license. Chairman Luse seconded the motion.

The motion to deny passed 5 to 3.

Meeting Calendar

Director Liberman distributed to Commissioners proposed meeting dates for calendar year 2015. The purpose is to review the calendar, determine meeting dates that may present an attendance issue, and identify alternate dates as needed to ensure the attendance needed to conduct business. The calendar review will be placed on the June meeting agenda since staff must submit conference room reservation requests for 2015 in July.

Commission discussed possible topics for upcoming meetings to include human trafficking, HOA legislative review, and cable franchise companies.

The meeting ended at 9:19 PM.