

**CONSUMER PROTECTION BOARD MINUTES OF MEETING
SEPTEMBER 16, 2020**

PRESENT: Abel, Keith (Teams)
Aronofsky, Jill (telephonically)
Clark, Lawrence "Larry" (Teams)
Daley, Herbert (In Person)
Flynn, Michael (Teams)
Goldfarb, Jennifer (Teams)
Holness, Jephtha "Jeff" (Teams)
Lerner, Beth (telephonically)
Morguess, Joseph (Teams)
Murphy, Robert (Teams)
Rubalca, Jenny (telephonically)
Schnitzius, Kimberly (Teams)

ABSENT: Giraldo, Omar

ALSO PRESENT: Joseph O'Geen – ECPD Senior Program/Project Coordinator
W. Gail Custode – ECPD Senior Program/Project Coordinator
Javier Navas – Assistant County Attorney
Doug McCrary – Analyst Supervisor
Beverly Cooley – Administrative Assistant
Nancy R. Alexandre _ Administrative Assistant
Carlos Cabieses – Board Clerk

The meeting was called to order at 9:30 a.m. by Michael Flynn, Chair. The Roll Call was conducted, and quorum was established.

Chair requested that each Board member introduce themselves. Each Board member introduced themselves providing a brief background about themselves.

Introduction of newly appointed member, Mr. Robert Murphy, to the Consumer Protection Board.

Chair inquired if the Division had done something regarding the passing of Board Member Ms. Ann Zucker. Mr. Joseph O'Geen, ECPD Senior Program/Project Coordinator, informed that the Division sent out a card to Ms. Zucker's family.

Chair made a Motion to approve the Board meeting minutes from May 20, 2020. Motion was then made, seconded, and passed unanimously.

CORRESPONDENCE: None

ADMINISTRATOR'S REPORT/DIVISION'S REPORT

A. Quarterly Reports

Mr. O'Geen, began by informing that the Division returned \$12,500 over the last quarter to complainants. Reports from the 3rd Quarter FY 2020 (April – May 2020) of the Broward County Consumer Protection Program were distributed among members. At the same time, Mr. O'Geen reminded the Board that the Division is still in need of 4 new members and to reach out to their Commissioners for appointment.

B. Outstanding Items:

Mr. O'Geen requested panel volunteers for the hearing scheduled for Monday, September 21, 2020. At the same time, Mr. O'Geen asked the Board to complete their new contact information and to return it to Board Clerk, Carlos Cabieses.

C. Division's Vision Moving Forward

Mr. O'Geen mentioned that in 2017, Mr. Jeff Halsey, ECPD Director, promised the Board new changes and improvements in the upcoming years. These changes and improvements include:

- The Division provide Quarterly Reports to the Board in every meeting.
- Based on priority, the Division will be more focused on the towing/immobilization complaints.
- All consumer complaints are handled by the call center instead of the Division. The Division no longer receives handwritten complaints. The call center puts those complaints in a Q-Alert and the Division processes them accordingly.

Mr. O'Geen then asked the Board if they wanted to continue handling hack denials and cease and desist cases or if the Board wanted to do more. He also asked if they agreed on bringing a facilitator for the next CPB meeting to assist with any kind of structure changes or enforcement changes.

Miscellaneous answers and suggestions provided by the Board are as follows:

- The Board should become more proactive and perhaps be empowered to issue citations or notices of violation.
- The Board should focus more on moving companies, car dealerships, and internet scams.
- The Board should explore more to expand its authority, but this could be tricky due to limitation and preemption by the State.
- The Division should put out a request to the community to find out what changes they would like to see.

Chair asked if Assistant County Attorney, Javier Navas, could check with other attorneys from the National Association of County Attorneys as a resource to find out what other Counties with the same scope are doing in regard to Consumer Protection Enforcement.

Questions and answers followed. Lengthy discussion was had.

Chair made a Motion to use a facilitator to set up and guide the Board for any structure and enforcement changes. Motion was then made, seconded, and passed unanimously.

In closing, Mr. O'Geen asked the Board to review the 2019-2021 Federal Priorities and Appropriation Plan and provide any suggestions. The deadline to provide submissions was September 18, 2020.

COUNTY ATTORNEY'S REPORT:

Assistant County Attorney, Javier Navas, mentioned that he sent a memo to the Board regarding Board Voting Procedures. Essentially, the memo was a reminder that pursuant to the Broward County Code of Ordinances ("Code") the Board should make decisions based on the greater weight of the evidence presented at the hearings. He also added that the Board must exclude any irrelevant and immaterial evidence and that their decisions should be based solely on the basis of whether the respondents did or did not violate a provision of the County's Code.

OLD BUSINESS: None

NEW BUSINESS: None

BOARD MEMBERS' CONCERN:

Chair shared with the Board that the Division's Internship Program for NOVA University law school students was a success. At this time, Chair offered compliments to the Division's staff for the effort made to accommodate these students during the pandemic. He specially thanked Ms. W. Gail Custode, ECPD Senior Program/Project Coordinator, for her patience and the remarkable work she did and make the program a success.

In closing, Chair stated that the Sun Sentinel newspaper published an opinion piece that he (Chair) and a law student drafted regarding the scam and issues involving Covid-19. The article particularly discussed that some consumer loans were deferred for three (3) months, but then after the three (3) months elapsed, the lenders asked for the money consumers owed. Chair was able to negotiate with some of these lenders to defer payments for seven (7) months. He urged all members to get involved in this kind of things.

NOMINATIONS OF OFFICERS: None

With no further business, the meeting adjourned at 10:32 a.m.

Respectfully submitted,

Carlos Cabieses
Board Clerk