

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

**Fiscal Year 2015-16
Accountability Report**

SUBMISSION FORM

AGENCY MISSION	The Department of Consumer Affairs' mission is to protect consumers from inequities in the marketplace through advocacy, mediation, enforcement and education.
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AGENCY VISION	<p>To protect consumers while giving due regard to those businesses acting in a fair and honest manner. The Department will strive to be a CREDIT to our State by holding the following values as essential in our relationships and decision-making:</p> <p>C competence R expect E quality D education I integrity T timeliness</p>
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Please state yes or no if the agency has any major or minor (internal or external) recommendations that would allow the agency to operate more effectively and efficiently.

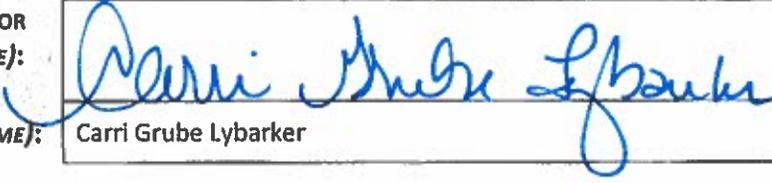
RESTRUCTURING RECOMMENDATIONS:	No (Currently internal changes in process. See "Agency Discussion and Analysis")
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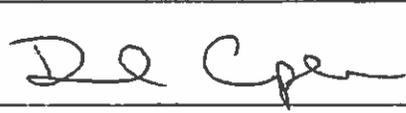
Please identify your agency's preferred contacts for this year's accountability report.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Carri Grube Lybarker	803-734-4297	CLybarker@scconsumer.gov
SECONDARY CONTACT:	Juliana Harris	803-734-4296	JHarris@scconsumer.gov

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I have reviewed and approved the enclosed FY 2015-16 Accountability Report, which is complete and accurate to the extent of my knowledge.

AGENCY DIRECTOR
(SIGN AND DATE):  9/15/14
(TYPE/PRINT NAME): Carri Grube Lybarker

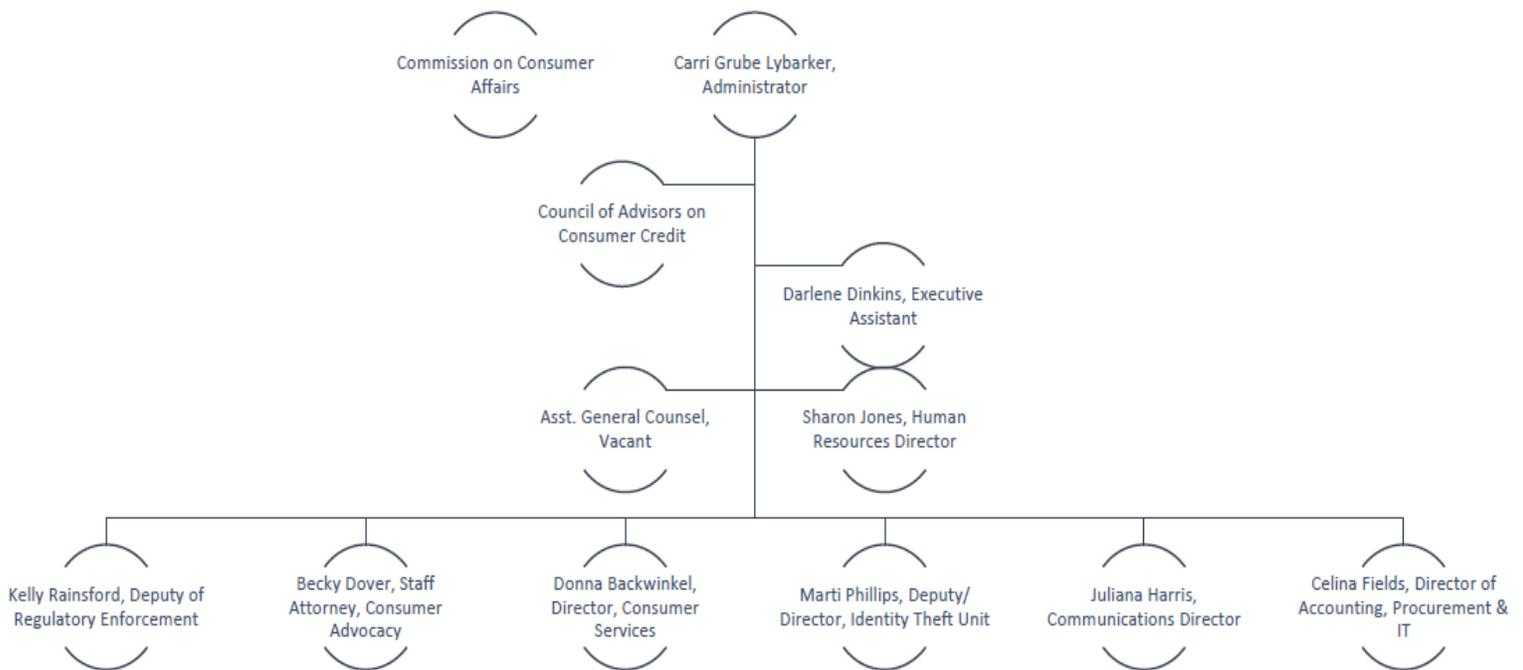
BOARD/CMSN CHAIR
(SIGN AND DATE): 
(TYPE/PRINT NAME): David Campbell, Chair, Commission on Consumer Affairs

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AGENCY'S DISCUSSION AND ANALYSIS

The South Carolina Department of Consumer Affairs (“DCA”/ “Department”) is the state’s consumer protection agency. Established in 1974, DCA has over **forty years** of experience in protecting South Carolina consumers while recognizing those businesses that act honestly and fairly. The General Assembly has charged the DCA with administering, interpreting and enforcing thirty-eight statutes, including the S.C. Consumer Protection Code. Our mission is to protect consumers from inequities in the marketplace through advocacy, mediation, enforcement and education.

The Department accomplishes its mission by: 1.) acting as an effective regulator, 2.) providing complaint mediation services that are unmatched at both state and federal levels, 3.) saving millions for both consumers and small businesses through insurance rate filing intervention, 4.) serving as an educational portal for consumers and businesses alike, and 5) informing the public on effective ways of preventing and mitigating identity theft situations. Governed by the Commission on Consumer Affairs, SCDCA is organized into six divisions: Administration, Consumer Services, Consumer Advocacy, Public Information and Education, Legal Division and the Identity Theft Unit.



The Consumer Services Division processes and mediates written consumer complaints, seeking to find equitable solutions for the consumer and the business, including refunds, adjustments and credits to consumer accounts. Staff takes consumer complaints against businesses regulated by the DCA, refers complaints that fall within another agency’s jurisdiction, and mediates those complaints against businesses that are unregulated. The Division provides SC taxpayers with a readily available, experienced, and cost-effective mediation service.

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The Advocacy Division provides legal representation for the consumer interest in matters involving property and casualty insurance and worker's compensation insurance. As the state agency designated to represent the insurance interests of consumers, the Advocacy Division aims to ensure that increases in homeowner's insurance and worker's compensation insurance rates are justified, working to avoid excessive, inadequate or unwarranted rate increases. When needed, an action is filed and the Division submits evidence in hearings that demonstrate the rate request is not justified and often results in adjudications or settlements that generate savings for consumers and businesses alike. The division also reviews rules and regulations proposed by state and federal agencies pertaining to ratemaking and provides comments as deemed appropriate.

The Public Information and Education Division serves as the main consumer education portal for consumers, business and the media. The Division informs consumers and businesses on their rights and responsibilities in the marketplace through traditional and alternative media distribution, including social media, presentations, media coverage and publications. Education is a central part of DCA's mission. Cultivating a marketplace comprised of well-informed consumers and businesses prevents deceptive and unfair business practices, allows legitimate business activity to flourish, resulting in the promotion of competition and a healthier economy.

The General Assembly has charged the DCA with advising the Legislature and Governor on consumer issues and state of credit in this State; administer, interpret and enforce the S.C. Consumer Protection Code and license, register, or otherwise regulate fifteen industries, including mortgage brokers, pawnbrokers, physical fitness centers, motor clubs, credit counseling organizations, prepaid legal services, athlete agents, the sale of preneed funeral contracts, registered consumer credit grantor, maximum rate filing and motor vehicle disclosure programs. These activities are performed through the agency's Legal Division.

The Department's newest division, the Identity Theft Unit provides education and outreach to South Carolina consumers across the state to increase public awareness and knowledge about what identity theft is, the steps consumers can take to protect themselves, and what consumers should do in the event of identity theft. For consumers who are identity theft victims, the Unit provides ongoing guidance throughout the process of mitigating and resolving their particular identity theft situation(s). The Unit also handles administration and enforcement of state identity theft-related consumer protection laws, including receipt of security breach notices to ensure reporting and notification requirements are met.

All of DCA's functions are supported by the agency's Administration Division. This Division contains the Administrator's Office, Human Resources and Accounting and Procurement.

DCA revised the agency's goals for fiscal year 2016. Historical, foundational goals of the agency were viewed in perspective of the SMART framework and revised accordingly. DCA's newly established goals are to: (1) Effectively administer and enforce the laws assigned to the Department to protect consumers from fraudulent, unfair and deceptive practices, (2) Provide a quality, streamlined program of licensing and registration to promote high standards for regulated businesses and ensure South

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Carolínians are effectively and efficiently served, (3) Educate consumers and businesses on their rights and responsibilities under the law, and (4) Constantly evaluate technologies and strategies available to promote a culture of security, efficiency and knowledge building. The Department revised corresponding strategies, objectives and measurements as well. Specifically with measurements, we incorporated more outcome and efficiency measures to form a more accurate reflection of DCA's impact on its customers. As we hone our understanding of the SMART method, we anticipate the report will continue to evolve and become an even more useful tool for the agency.

Several external factors affect DCA's ability to accomplish its mission and meet set goals. The financial condition of the industries regulated directly affects the number of filings received and processed, thus revenue collected. This decline coupled with general fund budgetary restraints resulted in decreased resources, including overall agency funding, human capital and technological enhancements. The Department experienced severe budget cuts between FY09 and FY12. The budget reductions not only occurred at the General Fund level, with the agency receiving a more than \$1.6 million base appropriations cut from FY09-FY12, but other funds decreased as well. The industries regulated by the Department were affected by the economic downturn; thus certain licensee numbers sharply declined. While the Legislature sets the amount of Other Funds the agency can maintain, there is no guarantee such funds will actually be received.

BUDGET BACKGROUND

75% base appropriations cut over 4 years

General fund cut 50% for FY11

10% for FY 12

FY10- DCA implemented a Reduction in Force (RIF)

Resulted in the loss of 40% of staff

General Fund Increases for FY13- FY16

FY 13 Increase- \$124,000

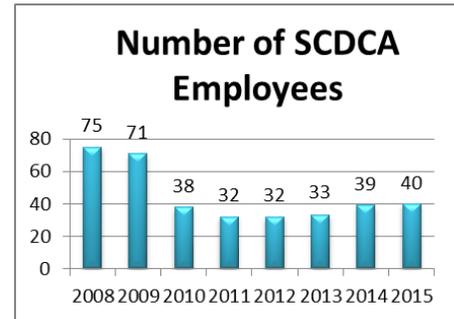
FY14 Increase - \$466,861
(creation of Identity Theft Unit)

FY15 Increase- \$82,000
(DTO)

FY16 Increase- \$33,823
(New FTE)

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These budgetary constraints contributed to the agency’s inability to hire needed staff, retain qualified personnel or appropriately compensate those whose job responsibilities had grown and who continued to provide superior service. After the implementation of a reduction in force in FY10, DCA went from 68 filled FTE positions to a low of 27 filled FTEs in 2011.



While we have seen improvement on budgetary fronts, personnel challenges continued. DCA is an agency with historically above par staff retention rates. However, due to hiring fluctuations over the years, several staffers became eligible for retirement in FY15 resulting in fifteen percent of agency staff retiring. In FY16, the challenge turned to retention of newly hired staff. During this fiscal year, seven staff members who were with the agency for three years or less left DCA for higher paying jobs with other agencies or in the private sector. Providing adequate compensation is an area DCA has struggled with for many years and what we believe is a leading cause in our declining staff retention rate. As stated above, the majority of the agency’s funding (64%) comes from fines and fees. While we are looking at potential general funds personnel increase requests, with the 2016 Classification and Compensation Study as our guide, we are in the process of reviewing regulatory fee structures to identify areas of underperformance so the appropriate statutory changes can be requested and identified salary gaps filled. This review is being incorporated into our overall regulatory review which began in FY13 and resulted in several regulations being deleted or updated and this year, updates to several sections of the Consumer Protection Code that remained untouched since the late 1970s and the Pawnbroker statute which had not been updated since its inception in 1988.

DCA, however, continued to take the retirements and staffing challenges in stride, and harnessed positives from the changes. In FY15, we began an internal restructuring of regulatory programs placing the administration and enforcement responsibilities for all under the supervision of a single Deputy, as opposed to two. In FY16, DCA implemented Phase II of its restructuring plan and moved two complaint analysts from the Services Division to the Legal Division to ensure appropriate processing of complaints against businesses falling under DCA’s regulatory purview. As the Department’s new backend licensing database with online deployment capabilities is completed during FY17, Phase III will include a re-envisioning of job duties within the Legal Division to shift those whose licensing processing duties will be streamlined to a compliance review focus.

In FY16, Consumers continued to file complaints via our online Complaint Filing System at a rate higher than paper. The System launched in January 2014 and 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. We believe the

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ease online filing provides for the agency, consumers and businesses contributed to the Division’s return on investment increasing from 176% in FY14 to 270% in FY16, 34% higher than FY15. As the System continues to be in use, and the division of regulated versus unregulated complaints with agency is fine-tuned, we will be able to ascertain realistic target values and will focus on implementing measures to produce improvement in both adoption and resolution areas in coming years.

For the third year in a row, DCA realized stabilized revenue collections from administration and enforcement. While DCA processed slightly fewer regulatory filings than the year prior, numbers are still significantly higher than those seen from 2009-2013. With the steady flow of filings, DCA compliance reviews increased 16%, coming on the heels of a 36% increase in FY15. These reviews have a direct impact in enforcement actions, which increased 31%, bringing the total increase since FY14 to 263%. Consumer refunds, credit and adjustments resulting from enforcement actions, also increased 37%. **Overall, the agency’s outcome of credits, refunds and adjustments for FY16 through efforts in complaint mediation, enforcement and intervention in insurance rate filings reached \$9,102,400.**

DCA also faces a continuing challenge of ensuring public awareness of the agency and its services/ role. DCA built on outreach efforts employed in FY15 to improve agency recognition during FY16. DCA staff made 104 presentations around the state, to over 3,500 South Carolinians. Presentations have generally targeted consumers, however, in FY17 DCA is developing a robust business outreach program and will track these initiatives as separate measurements in next year’s report. New outcome tracking measurements were also added this year, including the percentage of press releases picked up by media outlets, which reached 80% in FY16 and percentage of retweets which reached 129%. Both indicate DCA is issuing compelling content and has established good media relationships.

Looking to general operations, DCA continued to focus on security in FY16. While the agency has diligently worked on developing and implementing policies and procedures to protect sensitive data, the agency also made strides in the area of physical security. In FY16, we enclosed the agency reception area for the security of staff and also installed an access control system.

As stated last year, several projects which began in FY15 carried forward into FY16 and we anticipate will do so into FY17. DCA will continue to evaluate current processes to ensure they allow the agency to perform its statutory duties in the most comprehensive and efficient manner.

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Strategic Planning Template

Type	Goal	Item # Strat	Object	Associated Enterprise Objective	Description
G	1			Government and Citizens	EFFECTIVELY ADMINISTER & ENFORCE THE LAWS ASSIGNED TO THE DEPARTMENT TO PROTECT CONSUMERS FROM FRAUDULENT, UNFAIR AND DECEPTIVE PRACTICES.
S		1.1			Examine regulated industries to determine compliance with applicable laws and regulations, conduct investigations upon receiving probable cause and implement enforcement actions against violators.
O			1.1.1		Bring necessary enforcement actions, including joint enforcement actions with federal, state and local agencies
O			1.1.2		Obtain Refunds, Credits and Adjustments for consumers from regulated entities
O			1.1.3		Perform compliance reviews of regulated entities
S		1.2			Receive and expeditiously resolve complaints of individuals pertaining to any consumer transaction arising out of the production, promotion or sale of consumer goods and services.
O			1.2.1		Track and analyze complaints and resolutions obtained
O			1.2.2		Increase usage of online complaint system and decrease processing times
O			1.2.3		Obtain credits, refunds and adjustments for consumers equal to amount of general funds received
S		1.3			Promote the interests of consumers before the Legislature, Governor and regulatory agencies
O			1.3.1		Represent the consumer interest in certain ratemaking matters
O			1.3.2		Track pending legislation and testify before the Legislature on issues affecting consumers
O			1.3.3		Perform annual regulatory review to keep legislation current
G	2			Public Infrastructure and Economic Development	PROVIDE A QUALITY, STREAMLINED PROGRAM OF LICENSING AND REGISTRATION TO PROMOTE HIGH STANDARDS FOR REGULATED BUSINESSES AND ENSURE SOUTH CAROLINIANS ARE EFFECTIVELY AND EFFICIENTLY SERVED
S		2.1			Investigate and process applications for regulated entities
O			2.1.1		Increase availability and usage of online regulatory filing systems
O			2.1.2		Process business and employee license applications within an average time of 30 days of receipt of completed application
S		2.2			Interpret and explain statutes under the agency's jurisdiction in a fair manner, balancing the interests of consumers with those businesses acting honestly and fairly

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Strategic Planning Template

Type	Goal	Item # Strat	Object	Associated Enterprise Objective	Description
O			2.2.1		Issue and update formal and informal interpretations, rules and regulations
G	3			Education, Training, and Human Development	EDUCATE CONSUMERS AND BUSINESSES ON THEIR RIGHTS AND RESPONSIBILITIES UNDER THE LAW
S		3.1			Engage in traditional educational efforts to decrease consumer risks and increase industry compliance
O			3.1.1		Increase presentations by 10%, including joint educational outreach with federal, state and local agencies
O			3.1.2		Produce consumer and business educational materials, always including agency toll free number and website
O			3.1.3		Actively seek out media attention and cultivate relationships with media stakeholders
S		3.2			Increase public awareness through digital media and alternative cost-effective methods
O			3.2.1		Conduct presentations utilizing webinar software
O			3.2.2		Ensure website and social media content is up to date and contains compelling content
G	4			Maintaining Safety, Integrity and Security	CONSTANTLY EVALUATE TECHNOLOGIES AND STRATEGIES AVAILABLE TO PROMOTE A CULTURE OF SECURITY, EFFICIENCY AND KNOWLEDGE BUILDING
S		4.1			Implement and update technology and related policies to assist staff in performing job functions
O			4.1.1		Work with DTO to ensure secure, updated computer systems and software
O			4.1.2		Complete implementation of Information Security policies and procedures
O			4.1.3		Complete development of new licensing system by FY18
S		4.2			Provide an environment that supports staff development and retention
O			4.2.1		Increase the availability of cost effective internal and external training opportunities for staff
O			4.2.2		Maintain memberships and participation in state regulator/trade associations
O			4.2.3		Use performance reviews to clearly establish employee goals and expectations
S		4.3			Implement physical security measures to protect staff and sensitive information

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Performance Measurement Template

1	Number of enforcement actions	100	188	N/A	July 1- June 30	Progress Reports & Attorney Logs, includes auto advertising letters		1.1.1
2	Amount of consumer credits, refunds and adjustments from enforcement actions	\$75,000	\$238,817	N/A	July 1- June 30	Employee logs, updated as needed		1.1.2
3	Percentage of licensees subject to compliance reviews (25% annually by FY19)	N/A	N/A	25%	July 1- June 30	Progress Reports, updated monthly	Investigator activities / number of licensees subject to enforcement activity	1.1.3
4	Investigator activities completed	400	549	600	July 1- June 30	Progress Reports, updated monthly		1.1.3
5	Miles driven per investigator activity	175	160	175	July 1- June 30	Vehicle Lease Reports, updated monthly	Add total miles drives and divide by total number of compliance reviews completed.	1.1.3
6	Percentage of complaints closed	100%	89%	100%	July 1- June 30	Complaint Database, updated daily	Number of closed complaints/ number of complaints filed	1.2.1
7	Percentage of complaints closed satisfied	>75%	82%	>75%	July 1- June 30	Complaint Database, updated daily		1.2.1
8	Percentage of complaints filed online	70%	58%	64%	Jan 1-June 30	SC.Gov system reports, updated daily		1.2.2
9	Average days to resolve a complaint	25	35	25	July 1- June 30	SC.Gov system reports, updated daily		1.2.2
10	Amount of consumer credits, refunds and adjustments arising from consumer and scam complaints	\$1,000,000	\$1,645,373	\$1,000,000	July 1- June 30	Complaint Database, updated daily	Credits, refunds, and adjustments from services division and IDTU	1.2.3
11	Maintain at least 50% ROI in complaint mediation programs	>100%	270%	>100%	July 1- June 30	Progress Reports, updated monthly	Subtract amount of credits from Services budget, then divide by the Services budget.	1.2.3
12	Number of insurance rate notices reviewed	N/A	598	N/A	July 1- June 30	Progress Reports, updated monthly		1.3.1
13	Number of insurance cases intervened in	N/A	38	N/A	July 1- June 30	Progress Reports, updated monthly		1.3.1
14	Amount saved resulting from DCA insurance rate filing intervention	N/A	\$7,169,000	N/A	July 1- June 30	Progress Reports, updated monthly		1.3.1
15	Achieved the desired outcome on legislation	100%	100%	100%	2-year Legislative Session	Progress Reports, updated monthly		1.3.2

16	Percentage of DCA proposed regulations that became law during two year legislative cycle	100%	0%	100%	2-year Legislative Session	Progress Reports, updated monthly	number of proposed regulations / number of final regulations that became law during the session	1.3.2
17	Legislative hearing testimony/attendance on relevant bills	N/A	29	N/A	July 1- June 30	Progress reports		1.3.2
18	Percentage of comments provided to regulatory agencies by the deadline	100%	100%	100%	July 1- June 30	Progress Reports		1.3.2
19	Number of licensing programs available online	14	4	14	July 1- June 30	Agency Records, updated monthly		2.1.1
20	Number of DCA-SCBOS filings	3,000	3,673	N/A	July 1- June 30	SCBOS Report, updated monthly		2.1.2
21	Total percentage of online filings through CALAS (50% by FY17)	25%	N/A	50%	July 1- June 30	SCBOS Report, updated daily; Licensing Database, updated daily	Divide number of online filings by total number of paper and online filings.	2.1.2
22	Percentage of licenses issued within 30 days of receipt of complete application (95% by FY18)	N/A	N/A	95%	By FY18	New licensing system, when fully implemented		2.1.2
23	Number of presentations given	70	104	114	July 1- June 30	Progress report, includes webinars		3.2.1
24	Attendees at consumer presentations	15,000	3,577	3,934	July 1- June 30	Progress report, includes webinar attendees		3.1.1
25	Attendees at business presentations	N/A	N/A	500	July 1- June 31	Progress report, includes webinar attendees		3.1.1
26	Number of calls received through toll-free line	25,000	15,829	25,000	July 1- June 30	Billing Statement, updated monthly		3.1.2
27	Number of educational publications created and released	5	4	5	July 1- June 30	Progress report, updated monthly		3.1.2
28	Number of media requests received	50	65	50	July 1- June 30	Progress report, updated monthly		3.1.3
29	Number of press releases issued	35	25	35	July 1- June 30	Progress report, updated monthly		3.1.3
30	Media interviews completed	N/A	54	50	July 1- June 30	Progress report, updated monthly		3.1.3
31	Percentage of press releases picked up by media outlets	75%	80%	75%	July 1- June 30	Progress report, updated monthly		3.1.3
32	Number of website visitors	110,000	120,542	123,500	July 1- June 30	Progress reports, updated monthly		3.3.2
33	Number of consumer messages submitted through website	1,000	1,405	1,200	July 1- June 30	Progress reports, updated monthly		3.2.2
34	Percentage of new website visitors	70%	70.6%	70%	July 1- June 30	Google Analytics, updated daily		3.2.2
35	Number of new Twitter followers	200	270	200	July 1- June 30	Twitter reports, updated daily		3.2.2
36	Number of new Facebook fans	50	77	50	July 1- June 30	Progress reports, updated monthly		3.2.2

37	Number of YouTube video views	10,000	4,480	10,000	July 1- June 30	YouTube reports, updated daily		3.2.2
38	Percentage of retweets	N/A	129%	100%	July 1- June 30	Twitter reports, updated daily	Total number of retweets divided by total number of tweets sent out by SCDCA.	3.2.2
39	Update computers with DTO approved software	Complete	Complete	N/A	July 1- June 30	DTO, DCA Procurement Records		4.1.1
40	Hours of internal trainings offered per staff member	N/A	21.5	20	July 1- June 30	HR Reports, updated as needed		4.2.1
41	Number of training hours by legal division staff	200	581.25	500	July 1- June 30	Investigator Logs, updated as needed; Accounting records, updated monthly		4.2.1
42	Percentage of investigators certified as limited duty officers	75%	50%	60%	July 1- June 30	Sled reports, updated as needed		4.2.1
43	Number of State Regulator Association memberships maintained by SCDCA	4	4	4	July 1- June 30	Invoices, sporadic		4.2.2
44	Percentage of EPMS evaluations submitted on time	100%	100%	100%	July 1- June 30	HR Reports, updated annually		4.2.3
45	Percentage of employee satisfied with working at DCA	>75%	93%	>75%	July 1- June 30	HR Reports, updated annually		4.1.1 - 4.1.4; 4.2.1 - 4.2.3
46	Employee turnover rate (percentage)	<10%	20%	<10%	July 1- June 30	SCEIS reports, updated daily		4.1.1 - 4.1.4; 4.2.1 - 4.2.3
47	Equal Opportunity Employment Rating	70%	85.2%	70%	July 1- June 30	Human Affairs Commission reports, updated annually		4.1.1 - 4.1.4; 4.2.1 - 4.2.3
48	Software programs updated per DTO specs	Complete	Complete	N/A	July 1 -June 30	DTO		4.1.1
49	Computer systems updated per DTO specs	Complete	Complete	N/A	July 1- June 30	DTO		4.1.2
50	Percentage of InfoSec policies and procedures implemented	100%	55%	100%	July 1- June 30	DCA Policies and Procedures		4.1.3
51	Percentage of CALAS operational (100% by FY18)	100%	20%	100%	Completion by July, 1 2017	Thoughtspan, DCA Legal Division		4.1.4
52	Enclose reception area	Complete	Complete	N/A	July 1- June 30	DCA Procurement Records		4.3.1
53	Install badge pass access system	Complete	Complete	N/A	July 1 -June 30	DCA Procurement Records		4.3.2

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080

Program Template

Program/Title	Purpose	FY 2015-16 Expenditures (Actual)				FY 2016-17 Expenditures (Projected)				Associated Objective(s)
		General	Other	Federal	TOTAL	General	Other	Federal	TOTAL	
I. Administration	Administration - Provides support and planning services to the agency. All support services critical to the operation of the agency are housed in Administration, including procurement, human resources, accounting and information technology. The Administrator position, the officer appointed by the Commission on Consumer Affairs to administer Title 37 and other statutes falling within the Department's authority and otherwise manage the day to day operations of the agency, is located in this Division.	\$ 316,133	\$ 300,650	\$ -	\$ 616,783	\$ 279,007	\$ 445,083	\$ -	\$ 724,090	All
II. Legal	Legal Division- The General Assembly has charged the DCA with advising the Legislature and Governor on consumer issues and state of credit in this State; Administer, interpret and enforce the S.C. Consumer Protection Code and license, register, or otherwise regulate mortgage brokers, pawnbrokers, physical fitness centers, motor clubs, credit counseling organizations, prepaid legal services, athlete agents, the sale of preneed funeral contracts, registered consumer credit grantor, maximum rate filing and motor vehicle disclosure programs.	\$ 267,691	\$ 720,429	\$ -	\$ 988,120	\$ 200,787	\$ 826,011	\$ -	\$ 1,026,798	1.1.1-3, 1.3.2, 1.3.3, 2.1.1-2, 2.2.1, 3.1.1-2, 3.2.1-2, 4.1.1-3, 4.2.3
III. Consumer Services	Consumer Services and Education - Receive and process consumer complaints filed against businesses and provide a voluntary mediation program to resolve the complaint. Educate consumers on current consumer issues to help them become savvy consumers.	\$ 67,862	\$ 319,948	\$ -	\$ 387,810	\$ 61,305	\$ 370,282	\$ -	\$ 431,587	1.2.1-3, 3.1.1-2, 3.2.2, 4.1.1-2, 4.2.1, 4.2.3, 4.3.1
IV. Consumer Advocacy	Advocacy Division - To provide legal representation for the consumer interest in matters involving property and casualty insurance and worker's compensation insurance. The Advocacy Division also provides comments regarding consumer rates to state and federal agencies during the rulemaking/ regulation process.	\$ 217,599	\$ 271,100	\$ -	\$ 488,699	\$ 233,200	\$ -	\$ -	\$ 233,200	1.1.1, 1.1.2, 1.3.1-3, 2.2.1, 3.1.1-2, 3.2.2, 4.1.1-2, 4.2.3
V. Public Information	Public Information - Serves as the main consumer education portal for consumers, business and the media. The Division informs consumers and businesses on their rights and responsibilities in the marketplace through traditional and alternative media distribution, including social media, presentations, media coverage and publications.	\$ 88,474	\$ 5,744	\$ -	\$ 94,218	\$ 84,000	\$ 5,648	\$ -	\$ 89,648	3.1.1-3, 3.2.1-2, 4.1.1-2, 4.2.1, 4.2.3
VI. Identity Theft Unit	Identity Theft Unit - Provides education and outreach to consumers on how to deter, detect, and defend against identity theft. Assists consumers in mitigating instances of identity theft. Provides education to businesses and agencies on complying with state identity theft laws and otherwise enforces such statutes.	\$ 219,884	\$ -	\$ -	\$ 219,884	\$ 221,370	\$ -	\$ -	\$ 221,370	1.1.1-3, 1.2.1-3, 1.3.2, 1.3.3, 2.2.1, 3.1.1-2, 3.2.1-2, 4.1.1-2, 4.2.1, 4.2.3
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Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Associated Program(s)
1	37-1-101 et seq.	State	Statute	Establishes the general purposes and definitions of the South Carolina Consumer Protection Code.	All
2	37-2-101 et seq.	State	Statute	Establishes regulation of consumer credit sales, home solicitation sales and rental-purchase agreements in this state.	Legal, Administration, Public Information
3	37-2-307	State	Statute	Allows charging of closing fees for motor vehicle dealers	Legal, Administration, Public Information
4	37-2-308	State	Statute	Requirements for motor vehicle advertising	Legal, Public Information
5	37-2-309	State	Statute	Requirements for manufactured housing credit disclosures, material terms	Legal, Public Information
6	37-3-101 et seq.	State	Statute	Establishes regulation of consumer loans in this state.	Legal, Administration, Public Information
7	37-3-308	State	Statute	Requirements for manufactured housing credit disclosures, material terms	Legal, Public Information
8	37-3-413	State	Statute	Limitations on short term motor vehicle secured loans	Legal, Public Information
9	37-4-101 et seq.	State	Statute	Establishes regulation of insurance sold in connection with a consumer credit transaction.	Legal
10	37-5-101 et seq.	State	Statute	Establishes basic remedies and penalties for Consumer Protection Code violations.	IDTU, Legal, Public Information, Advocacy

11	37-6-101 et seq.	State	Statute	Establishes the Department of Consumer Affairs its jurisdiction and enforcement mechanisms.	All
12	37-7-101 et seq.	State	Statute	Establishes regulation of Consumer Credit Counseling industry.	Legal, Administration, Public Information
13	37-9-101 et seq.	State	Statute	Establishes the effective date and repealer of the Consumer Protection Code.	All
14	37-10-101 et seq.	State	Statute	Establishes miscellaneous loan provisions, including attorney and insurance preference.	Legal, Administration, Public Information
15	37-11-10 et seq.	State	Statute	Establishes regulation of Continuing Care Retirement Communities.	Legal, Advocacy, Public Information, Administration
16	37-13-10 et seq.	State	Statute	Establishes regulation of subleasing and loan assumption of motor vehicles.	Legal, Public Information
17	37-15-10 et seq.	State	Statute	Establishes parameters for offering of prizes and gifts.	Legal, Public Information
18	37-16-10 et seq.	State	Statute	Establishes regulation of Prepaid Legal Services.	Legal, Administration, Public Information
19	37-17-10 et seq.	State	Statute	Establishes regulation of Discount Medical Plan Organizations	Legal, Advocacy, Public Information, Administration
20	37-20-110 et seq.	State	Statute	Establishes the Consumer Identity Theft Protection Act	Identity Theft Unit (IDTU), Public Information, Legal
21	37-22-110 et seq.	State	Statute	Establishes regulation of mortgage lending industry,	Legal
22	37-23-10 et seq.	State	Statute	Establishes limitations on High Cost Home Loans.	Legal, Public Information
23	37-25-10 et seq.	State	Statute	Establishes limitations on Dispensing of an Ophthalmic Contact Lens or Lenses	Legal, Administration, Public Information
24	37-30-100 et seq.	State	Statute	Provides Framework for offering and sale of guaranteed asset protection waiver	Legal, Administration, Public Information
25	16-17-445	State	Statute	Establishes limitations on Telephone Solicitations	Legal, Public Information

26	16-17-446	State	Statute	Establishes limitations on Telephone Calls Made with Automatically Dialed Announcing Devices	Legal, Public Information
27	32-7-10 et seq	State	Statute	Establishes regulation of Preeed Funeral Contracts	Legal, Administration, Public Information
28	34-36-10 et seq.	State	Statute	Establishes limitations on Loan Brokers	Legal, Administration, Public Information
29	38-73-220 -38-73-260	State	Statute	Provides for Consumer Advocate review of certain insurance rate filings	Advocacy
30	38-73-490	State	Statute	Provides for Consumer Advocate review of workers compensation insurance rate filings	Advocacy
31	38-73-915	State	Statute	Permits Consumer Advocate to intervene in insurance proceedings	Advocacy
32	39-5-310	State	Statute	Prohibits below cost motor fuel pricing	Legal, Public Information
33	39-61-10 et seq.	State	Statute	Establishes regulation of Motor Club Services	Legal, Administration, Public Information
34	40-39-10 et seq.	State	Statute	Establishes regulation of Pawnbrokers	Legal, Administration, Public Information
35	40-58-10 et seq.	State	Statute	Establishes regulation of Mortgage Brokers	Legal, Administration, Public Information
36	40-68-10 et seq	State	Statute	Establishes regulation of Professional Employer Organizations	Legal, Administration, Public Information, Advocacy
37	44-79-10 et seq.	State	Statute	Establishes regulation of Physical Fitness Services	Legal, Administration, Public Information
38	56-28-10 et seq.	State	Statute	Establishes enforcement of Motor Vehicle Express Warranties	Legal
39	58-12-360	State	Statute	Requires DCA's telephone number on cable bills, mediate cable complaints	Consumer Services, Public Information
40	59-102-10 et seq	State	Statute	Establishes regulation of Athlete Agents	Legal, Administration, Public Information

41	1-11-490	State	Statute	Establishes requirements pertaining to agency security breaches.	Identity Theft Unit, Public Information, Legal
42	39-1-90	State	Statute	Establishes requirements pertaining to business security breaches.	Identity Theft Unit (IDTU), Public Information, Legal
43	12-36-210	State	Statute	Requires manufactured home dealers make energy efficiency records available to DCA	Legal
44	29-4-30	State	Statute	Establishes regulation of reverse mortgages, giving DCA complaint intake and enforcement authority	Legal, Administration, Public Information
45	34-39-220	State	Statute	Gives Board of Financial Institutions authority to request enforcement assistance from DCA regarding deferred presentment services	Legal, Administration, Public Information
46	38-13-30	State	Statute	Permits the Department of Insurance to share exam/ investigation findings with the consumer advocate	Advocacy
47	38-55-530	State	Statute	Requires DCA to notify and cooperate with the Department of Insurance Fraud Division	All
48	38-77-110	State	Statute	Requires DCA to notify and cooperate with the Department of Insurance Motor Vehicle Fraud Division and other authorized agencies	All
49	40-59-210	State	Statute	Permits Residential Builders Commission to seek assistance from DCA in securing restraining order or injunctive relief in courts against violators	Legal, Public Information
50	44-7-180	State	Statute	Creates State Health Planning Committee, designating the Consumer Advocate as a member	Advocacy, Administration
51	44-96-60	State	Statute	Creates Solid Waste Advisory Council, designating the Consumer Advocate as a member	Advocacy, Administration
52	46-13-150	State	Statute	Creates Pesticide Advisory Committee, requiring DCA recommend two citizen members to the Governor for appointment	Administration
53	47-4-150	State	Statute	Requires State Livestock-Poultry Health Commission to consult with DCA, among others, when establishing advisory committees.	Administration
54	Regs. 28	State	Regulation	Supplements DCA general provision and regulatory statutes.	All
55	Proviso 80.1	State	Proviso	Authorizes DCA to retain all funds paid in the settlement of cases involving statutes enforced by the department and to use the retained funds to offset enforcement costs.	Legal, Advocacy, Identity Theft Unit, Administration

56	Proviso 80.2	State	Proviso	Authorizes DCA to retain funds paid under Chapter 102, Title 59 (Uniform Athlete Agents Act) for enforcement of the chapter.	Legal, Administration
57	Proviso 80.3	State	Proviso	Authorizes DCA to carry forward unexpended funds appropriated for the expert witness/assistance program.	Administration, Advocacy
58	Proviso 80.4	State	Proviso	Authorizes DCA to retain funds collected under Chapters 2, 3 and 6 of Title 37 (Registered Credit Grantor Notification and Maximum Rate Filing) to cover operational costs and to carry forward such funds	Legal, Administration
59	Proviso 80.5	State	Proviso	Authorizes DCA to retain funds collected under Chapter 61, Title 39 (Motor Clubs); Chapter 39, Title 40 (Pawnbrokers) and Chapter 79, Title 44 (Physical Fitness Facilities) for program implementation.	Legal, Administration
60	Proviso 117.110	State	Proviso	Pertains to state agency data breach notification requirements.	Identity Theft Unit (IDTU), Public Information, Legal
61	15 USC 1601 et seq	Federal	Statute	Truth in Lending Act, establishes requirements for credit disclosures	Legal
62	16 CFR 1026	Federal	Regulation	Regulation Z, implements requirements for Truth in Lending Act	Legal

Agency Name:

Department of Consumer Affairs

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Customer Template

Divisions or Major Programs	Description	Service/Product Provided to Customers	Customer Segments	<i>Specify only for the following Segments: (1) Industry: Name; (2) Professional Organization: Name; (3) Public: Demographics.</i>
All	Millions of South Carolina consumers and those who visit our state	Protection of the marketplace while giving due regard to those businesses acting fairly; representation of the consumer interest before the Legislature and Governor.	General Public	All South Carolinians
Legal	Law enforcement agencies	Partnership opportunities and availability of our expertise to assist in performance of their job functions.	Local Govts.	
Legal	Law enforcement agencies	Partnership opportunities and availability of our expertise to assist in performance of their job functions.	Executive Branch/State Agencies	
Advocacy	Ratepayers	Thorough review of insurance rate filings to ensure the marketplace is fair and balanced.	General Public	Consumers of insurance products
Legal	Regulated and indirectly regulated businesses	Prompt, efficient service and for the agency to utilize a fair and balanced approach in carrying out its legal functions.	Industry	Credit Grantors, Athlete Agents, Continuing Care Retirement Communities, Credit Counseling Discount Medical Plan Organizations, Mortgage Brokers, Motor Vehicle Dealers, Motor Clubs, Pawnbrokers, Physical Fitness Services, Preneed Funeral Providers, Prepaid Legal, Professional Employer Organizations
Public Information & Consumer Services & Education	Schools	Sharing knowledge of consumer rights and responsibilities to create savvy consumers	School Districts	
Public information & Identity Theft Unit	Community groups	Sharing knowledge of consumer rights and responsibilities to create savvy consumers.	General Public	All South Carolinians
Legal & Administration/Consumer Advocate	The legal community	Provide consumer law guidance; act professionally in representing the consumer interest.	General Public	Lawyers litigating matters/ representing consumers related to laws under the Department's jurisdiction
Legal & Administration/Consumer Advocate	Judges	Provide consumer law guidance; act professionally in representing the consumer interest.	Judicial Branch	Judges litigating or hearing matters related to laws under the Department's jurisdiction
Public Information	The media	Prompt, efficient service; compelling content	Industry	Newspapers, television stations, radio broadcasters, etc.
All	Other state and federal agencies	Partnership opportunities to leverage resources in the administration and enforcement of like laws; education partnerships; referral of complaints	Executive Branch/State Agencies	
Legal, Public Information & Administration	National consumer groups	Data sharing to track national trends; educational partnership opportunities.	General Public	Consumer Federation of America, AARP, etc
Legal & Administration/Consumer Advocate	Governor's Office	Constituent services; advise regarding legislation affecting the consumer interest.	Executive Branch/State Agencies	
Legal, Advocacy & Administration/Consumer Advocate	General Assembly	Constituent services; advise regarding legislation affecting the consumer interest.	Legislative Branch	
Legal, Advocacy & Administration/Consumer Advocate	US Congress	Professional, prompt constituent services.	General Public	All South Carolinians

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Partner Template

Name of Partner Entity	Type of Partner Entity	Description of Partnership	Associated Objective(s)
Budget and Control Board/DOA	State Government	Provide training for agency accounting, procurement and human resources staff; assist in troubleshooting within these same areas.	4.2.1, 4.2.3, 4.3.1, 4.3.2
Board of Financial Institutions- Consumer Finance Division	State Government	Work together to ensure compliance with the Consumer Protection Code and other laws.	1.1.1,1.1.2, 1.2.1,2.2.1, 3.1.1-3.1.3
Administrative Law Court	State Government	Hear contested case hearings arising out of laws administered and enforced by DCA.	1.1.1, 1.1.2, 1.3.1
Division of Technology Operations	State Government	Provide network services, desktop support, server management, security services to DCA.	All
Law Enforcement (state & local)	Local Government	Assists in investigation of regulated businesses	1.1.1-1.2.3, 3.1.1
SCDMV/DPS	State Government	Assists in investigation of regulated businesses	1.1.1-1.2.3, 3.1.1
SC Automobile Dealers Association	Professional Association	Receives reports of violations, disseminates industry specific information, education, legislative collaborations	1.1.1-1.2.3, 3.1.1, 2.2.1, 1.3.3
Carolinans Independent Automobile Dealers Association	Professional Association	Receives reports of violations, disseminates industry specific information, education, legislative collaborations	1.1.1-1.2.3, 3.1.1, 2.2.1, 1.3.3
SC.GOV	Private Business Organization	Maintains DCA's online Complaint Database, agency website	1.2.1-3, 1.3.2, 2.2.1, 3.1.1-3
Department of Insurance	State Government	Providing notices and full filings of insurance companies	1.1.1, 1.1.2, 1.3.1, 3.1.1
Actuarial Consultants	Non-Governmental Organization	Review insurance filings for DCA	1.1.1, 1.1.2, 1.3.1
ThoughtSpan	Private Business Organization	Licensing database contractor	1.1.1-3, 2.1.1-2, 4.1.1-3
SCBOS	State Government	Administers online filing for 3 of our regulatory programs	2.1.1-2
Various industries regulated	Private Business Organization	Provide feedback on regulatory structure, joint educational partnerships/ outreach	1.1.1-1.2.3, 3.1.1, 2.2.1, 1.3.3

