



## CONSUMER ALERT

### **Don't Be Fooled by the Comcast Xfinity Home Spin**

*Let the Facts Speak for Themselves*

In 2012 Comcast began selling its Xfinity Home security system in Massachusetts without earning the required licenses, without seeking proper permits and safety inspections for its work, and without making sure all of the people installing or servicing that system had cleared a CORI criminal background check and received a Certificate of Clearance from the state Public Safety Department—all of which are required by state law and regulations.

The Massachusetts System Contractors Association, which is the educational and advocacy organization for the state's life-safety systems industry, supports the local and state officials who are trying to make Comcast play by the rules.

To help clarify this issue, we offer the following excerpts from the state security systems law, and from the Massachusetts Board of Electricians' Appeals Decision of December 31, 2012 that ruled Comcast was violating the law by disregarding the safeguards in place to insure that life-safety systems are properly designed, installed and maintained.

***The law:*** Security system contractor and technician licenses were created by law in 1987. Chapter 764 of Acts of 1987 changed MGL c141 adding C and D (system contractor and system technician) licenses and the definition of a security system as follows: “an inherently power limited system of wires, conduits, apparatus, devices, fixtures, or other appliances installed and interconnected electrically or electronically to permit access control, proprietary signaling, surveillance and the detection of burglary, intrusion, holdup, or other conditions requiring a response or the transmission of signals or audible alarms.”

Also from the amended c 141 in 1987: “No person, firm or corporation shall enter into, engage in, or work at the business or occupation of installing wires, conduits, apparatus, devices, fixtures, or other appliances for carrying or using electricity for light, heat, power, fire warning or security system purposes, unless such person, firm or corporation shall be licensed by the state examiners of electricians in accordance with this chapter and, with respect to security systems, unless such person, firm or corporation shall also be licensed by the commissioner of public safety in accordance with the provisions of sections fifty-seven to sixty-one, inclusive, of chapter one hundred and forty-seven.”

### ***From the board's decision:***

“Comcast first argues that its product is not a security system for purposes of the statute at issue. Secondly, Comcast argues that even if its product was a security system, the law does not require a license for its installation. After a full hearing and careful review of the evidence, the Board rejects Comcast’s arguments and finds that the installation of Xfinity Home Systems requires licenses, permits, and inspections as originally argued by the local inspectors.”

***On the importance of licensure:*** “During the hearing, Comcast repeatedly suggested that licensing and permitting were not necessary for security systems. The Board strongly disagrees... As licensees, security technicians have access to consumer homes, handle sensitive computer data such as passwords and user names, and have specific knowledge as to the specific surveillance systems that are being installed. In the wrong hands, such information would pose a serious danger to the public’s welfare, thus the importance of licensure cannot be understated.”

***On the importance of safety inspections:*** “Further, licensure ensures that installers of security systems have an understanding of how the system works and ensures that they have sufficient knowledge to ensure that when a consumer hires someone to install such a system, the system will be installed properly. The Board notes that an incorrectly installed security system could lead to severe consequences, thus the Board sees no public policy reason to overturn the reasonable protections provided by safety inspections.”

***On the definition of a security system:*** “As a threshold matter, Comcast argues that its product, Xfinity Home System is not a security system for purposes of MGL c 141 because it is essentially a series of independent devices which communicate wirelessly. The actual definition, however, is not so limited. Specifically, a security (as noted above) is defined as an inherently power limited system of wires, conduits, apparatus, devices, fixtures, or other appliances installed and interconnected electrically or electronically to permit access control, proprietary signaling, surveillance and the detection of burglary, intrusion, holdup, or other conditions requiring a response or the transmission of signals or audible alarms.”

“In reviewing this statute, the Board finds that Comcast’s product, by nature of being wireless, may not be interconnected electrically, however it is interconnected electronically. Here the board relies on one of Comcast’s own witnesses who stated the wireless components utilize electronics to operate. Therefore, the Board finds that Comcast’s Xfinity Home System is a series of devices which are interconnected electronically and meet all other aspects of the definition of a security system.”

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