

BRIAN SANDOVAL
Governor

STATE OF NEVADA

C.J. MANTHE
Director

BARBARA D. RICHARDSON
Commissioner



DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INSURANCE

1818 East College Pkwy., Suite 103
Carson City, Nevada 89706
(775) 687-0700 • Fax (775) 687-0787
Website: doi.nv.gov
E-mail: insinfo@doi.nv.gov

October 31, 2017

TOTAL HOMESHIELD;
TOTAL HOME PROTECTION
325 Chestnut St., Suite 800
Philadelphia, PA 19106

SENT VIA CERTIFIED MAIL
7017 1070 0000 8962 8015

Re: Order to Cease and Desist the Solicitation and Sale of Service Contracts in Nevada
Cause No. 17.0510

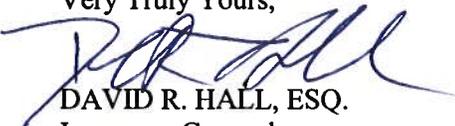
To Whom It May Concern:

Total Homeshield/Total Home Protection ("Total") has solicited the sale of service contracts in the State of Nevada through the use of the United States Postal Service and the internet. It is unlawful for an entity to sell or offer for sale service contracts in Nevada without first being registered with the Nevada Division of Insurance. NRS 690C.150. If Total wishes to do business in Nevada it must submit an application for registration within 45 days of the date of this letter. In the meantime, Total must immediately cease soliciting and selling service contracts in Nevada pursuant to the enclosed Cease and Desist Order issued by the Nevada Commissioner of Insurance.

Total's application for registration is not a substitute for the other requirements listed in the enclosed order. Total must still submit a complete list, including names and contact information, of those Nevadans who have purchased a service contract, and provide an immediate disclaimer on its website, social media accounts and other marketing materials, announcing that Total's service contracts are not available in Nevada.

Please note that compliance with the directives in this letter and the Order to Cease and Desist do not guarantee that Total will receive a certificate of registration after applying for the same. Additionally, having solicited and sold service contracts in Nevada without proper registration will subject Total to administrative penalties and fines.

Very Truly Yours,


DAVID R. HALL, ESQ.
Insurance Counsel

Enclosure

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INSURANCE



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2
3
4 IN THE MATTER OF

CAUSE NO. 17.0510

5 **TOTAL HOMESHIELD; TOTAL HOME**
6 **PROTECTION**

7 **Respondents.**

8 **ORDER TO CEASE AND DESIST**

9 The State of Nevada, Department of Business and Industry, Division of Insurance
10 (“Division”) sends greetings to:

11 TOTAL HOME PROTECTION and
12 TOTAL HOMESHIELD
13 325 Chestnut St., Suite 800
14 Philadelphia, PA 19106
15 www.totalhomeprotection.com

16 It is unlawful for corporations and/or persons to provide, issue, sell, or offer for sale,
17 service contracts within the State of Nevada without first obtaining a proper certificate of
18 registration from the Division pursuant to Chapter 690C of the Nevada Revised Statutes
19 (“NRS”). NRS 690C.150. The Commissioner of Insurance (“Commissioner”) has exclusive
20 jurisdiction to regulate, enforce or effect full compliance with regard to the insurance code of
21 the State of Nevada, including NRS Chapter 690C. NRS 679B.120 and NRS 679B.130.

22 The Division has received and verified, credible information that TOTAL HOME
23 PROTECTION and TOTAL HOMESHIELD (“TOTAL”) has provided, issued, sold, or offered
24 for sale, service contracts within the State of Nevada through the use of email and the website
25 www.totalhomeprotection.com without first obtaining a proper certificate of registration
26 pursuant to NRS 690C.150. See Exhibits A and B.

27 WHEREAS, TOTAL’s conduct is injurious to the rights and interests of the public or
28 policyholders in Nevada, and emergency action is imperatively required.

WHEREAS, TOTAL may request a hearing regarding the instant Order in accordance
with the provisions of NRS 679B.310.

1 NOW, THEREFORE, PURSUANT TO NRS 679B.120 and 679B.140, TOTAL IS
2 HEREBY ORDERED TO IMMEDIATELY CEASE AND DESIST FROM PROVIDING,
3 ISSUING, SELLING, OR OFFERING FOR SALE, SERVICE CONTRACTS WITHIN THE
4 STATE OF NEVADA.

5 IT IS FURTHER HEREBY ORDERED THAT TOTAL SHALL, within fifteen (15)
6 days of receipt of this order, furnish to the Division a complete listing, including contact
7 information, of all Nevada residents who have purchased any service contract, insurance or
8 insurance-related product from TOTAL.

9 IT IS FURTHER HEREBY ORDERED THAT TOTAL SHALL ADMINISTER the
10 service contracts existing in the State of Nevada and pay all legitimate claims now owing, and
11 shall work with the Division to resolve any existing or future consumer complaints.

12 IT IS FURTHER HEREBY ORDERED THAT TOTAL SHALL immediately provide a
13 disclaimer and/or disclosure on its internet website, marketing materials, written
14 communications and through oral communication, indicating that its service contracts and any
15 other services are not available to persons or entities in the State of Nevada.

16 FURTHER, TOTAL IS HEREBY NOTIFIED that the Commissioner may, after notice
17 and opportunity to be heard, impose all of the following administrative fines:

- 18 • NRS 690C.120(1)(b), NRS 679B.185(1), fines of \$10,000 for each act or
19 violation;
- 20 • NRS 690C.330, fines of \$10,000 for similar violations;
- 21 • NRS 690C.120(1)(f), NRS 686A.030, NRS 686A.183(1)(a), fines of \$5,000 per
22 violation;
- 23 • NRS 690C.120(1)(f), NRS 686A.040, NRS 686A.183(1)(a), fines of \$5,000 per
24 violation.

25 FURTHER, TOTAL IS HEREBY NOTIFIED that if TOTAL has information that will
26 alter this Cease and Desist Order, or if it has any questions regarding this matter, it may contact
27 David Hall, Insurance Counsel, at 1818 East College Pkwy., Suite 103, Carson City, Nevada
28 89706; by telephone, (775) 687-0708; or by email, dhall@doi.nv.gov.

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IT IS SO ORDERED this 31st day of October, 2017.



BARBARA D. RICHARDSON
Commissioner of Insurance

Dave Erickson

From: REDACTED by NV DOI
Sent: Friday, March 03, 2017 9:15 AM
To: Dave Erickson
Subject: Fw: Eliminate Home Repair Bills with a Home Warranty \$50 Off

REDACTED by NV DOI

From: Appliance.Coverage <nicelook56@applehit.net>
Sent: Friday, March 3, 2017 8:40 AM
To: REDACTED by NV DOI
Subject: Eliminate Home Repair Bills with a Home Warranty \$50 Off

Eliminate Home Repair Bills with a Home Warranty \$50 Off

TOTAL HOMESHIELD
Home Protection

CONSUMER AFFAIRS ACCREDITED **5**★ Rating

EXCLUSIVE ONLINE SALE
\$50 OFF + 1ST MONTH FREE

HOME WARRANTY

Never Pay For Unexpected Home Repairs Again!

GET STARTED NOW ▶

The advertisement features a black and white photograph of a smiling family (a man, a woman, and a young girl) sitting together. To the right of the photo is a dark vertical banner with white text. At the top left of the banner is the Total HomeShield logo. At the top right is a shield-shaped badge with 'CONSUMER AFFAIRS ACCREDITED' and a '5★ Rating'. The main text on the banner reads 'EXCLUSIVE ONLINE SALE \$50 OFF + 1ST MONTH FREE' in large, bold letters. Below that is a circular badge with 'HOME WARRANTY'. The bottom section of the banner says 'Never Pay For Unexpected Home Repairs Again!' and ends with a 'GET STARTED NOW' button with a right-pointing arrow.

All Your Home's Major Appliances Are Covered

All Your Home's Major Appliances Are Covered

Air Conditioning
Heating System
Electrical System
Plumbing System
Water Heater
Ceiling Fans

Oven
Stove
Cook Top
Microwave
Dishwasher
Ductwork

Refrigerator
Clothes Washer
Clothes Dryer
Garbage Disposal
Plumbing Stoppages
Garage Door Opener

Terms & Conditions Apply

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325 Chestnut Street, Suite 800
Philadelphia, PA 19106

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or write to us at
14781 Memorial Drive, Office #938,
Houston, TX, 77079.

mail drop

SHIELD YOUR INVESTMENT

Home Warranty Protection

FREE QUOTE
Plans as low as \$1 per day!

First Name
Email Address
Home Phone
GET YOUR FREE QUOTE

1 MONTH FREE!
*with purchase of any single payment plan

LIMITED TIME OFFER