

**STATE OF NEW HAMPSHIRE  
INSURANCE DEPARTMENT**

**In Re: Harbor Homes Warranty, LLC  
Docket No.: Ins. No. 24-004-EP**

**CONSENT ORDER**

This Consent Order is made between the New Hampshire Insurance Department (“NHID”) and Harbor Homes Warranty, LLC (“Respondent”), the terms of which are as follows:

**FINDINGS OF FACT**

1. Respondent is a California based company with an address of 300 S Harbor Blvd, Ste 1000, Anaheim, CA. It markets consumer guaranty contracts (extended warranties) via direct mail to consumers.
2. In 2023, Respondent issued over 12,000 mailers to NH residents.
3. Those mailers included language that a consumer’s home warranty “may be expiring or have already expired” even though in many instances, the consumer had no home warranty.
4. Those mailers also included language to create a false sense of urgency, including that a consumer should call within 21 days to “avoid any unnecessary delays in your coverage”, that the warranty “may be expiring or may have already expired” and that the consumer “may have a home warranty policy that could expire SOON.”
5. Respondent has been cooperative throughout the underlying investigation by the NHID.

**CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact and the applicable provisions of law, the NHID concludes and finds the following Conclusions of Law:

- a. Respondent is subject to the jurisdiction of the NHID.
- b. Respondent violated NH RSA 415-C:7(I)(a) by issuing mailers which included states that were false or misleading.
- c. Respondent violated NH RSA 415-C:7(I)(b) by misleading through "the omission of a material statement that under the circumstances should have been made in order to make the statements that were made not misleading."
- d. Each identified violation could result in a penalty not to exceed \$1,000.

### **ORDER**

WHEREFORE, the NHID orders and Respondent consents to the following:

- a. The Respondent waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order shall have the full force and effect of an Order fully entered in accordance with the adjudicatory procedure provided for in NH RSA Chapter 541-A and Ins Part 200.
- b. For the purposes of resolving this matter without a formal administrative hearing, Respondent agrees to the following:
  - i. To adopt such policies and procedures as are necessary and appropriate to ensure that marketing materials it creates and/or issues for use in New Hampshire are compliant with New Hampshire law by among other things, not including language as identified in ¶ 3 and ¶ 4 above.
  - ii. An administrative penalty of \$12,000 with all \$12,000 of that suspended for a period of three years. The suspended \$12,000 only becomes due should the New Hampshire Insurance Department find that Respondents violated a New Hampshire Insurance Law or Rule within 3 years of the execution of this Order.

- c. In the event that Respondent fails to meet any of the terms set forth in this section, the NHID may institute further administrative proceedings under the authority of RSA 400-A:15, III, RSA 415-C:10, or any other applicable law, including the imposition of the suspended \$12,000 fine.
- d. By entering into this Consent Order, the NHID and the Respondent intend to fully resolve all issues relating to the above-mentioned matters. This Consent Order shall be deemed a complete settlement and full and final resolution and is in lieu of any other action(s) that has and could have been brought by the NHID relating to these matters. Provided however, notwithstanding the foregoing, the NHID may take any and all appropriate actions should the Respondents violate any provision of the State's insurance laws in the future.
- e. This Consent Order shall be fully enforceable in any Superior Court in the State of New Hampshire, and any actions to enforce this Consent Order shall be governed by the laws of the State of New Hampshire.
- f. This Consent Order is considered a public regulatory action and will be reported to the National Association of Insurance Commissioners.

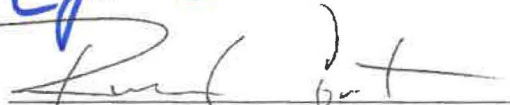
**IT IS SO ORDERED.**

**NEW HAMPSHIRE INSURANCE DEPARTMENT**

Date: 2/27/24

  
David J. Bettencourt, Commissioner

Date: 2/20/24

  
Harbor Homes Warranty, LLC,  
Authorized Representative, Respondent