

**STATE OF NEW HAMPSHIRE  
INSURANCE DEPARTMENT**

**In Re: 4EverHome, LLC  
Docket No.: Ins. No. 24-066-EP**

**CONSENT ORDER**

This Consent Order is made between the New Hampshire Insurance Department (“NHID”) and 4EverHome, LLC (“Respondent”), the terms of which are as follows:

**FINDINGS OF FACT**

1. Respondent is an Arizona company with an address of 7150 E Camelback Rd, Suite 444, Scottsdale, AZ 85251. It markets and sells consumer guaranty contracts (service contracts) on homes.
2. Respondent markets the products it sells through direct mailers to NH residents.
3. Many of the mailers Respondent sent into NH do not include any information about the seller or obligor, instead using general terms such as “Home Warranty Department” leaving the consumer without the information necessary to identify the specific seller or obligor.
4. Said mailers often include language stating that a consumer’s “home warranty... may be expiring or may have already expired” even when the recipient has never had a home warranty on the property.
5. The mailers often include language such as “IMMEDIATE RESPONSE TO THIS NOTICE REQUESTED” and that the mailing is a “FINAL NOTICE.”
6. Other mailers include a portion that mimics the appearance of a check and is labeled as a “Registration Fee Voucher.”

7. 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 including deceptive and misleading language in mailers to NH residents relating to Home Warranty Products that create a false sense of urgency and importance.
- c. Respondent violated NH RSA 415-C:7(I)(b) by omitting information about the third-party seller and obligor on mailers sent to NH residents relating to Home Warranty Products.
- 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 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 all marketing materials are compliant with NH RSA 415-C by

among other things, not including language or Registration Vouchers as identified in ¶ 3 through ¶ 6 above; and

- ii. An administrative penalty of \$25,000 with all \$25,000 of that suspended for a period of two years. The suspended \$25,000 only becomes due should the New Hampshire Insurance Department find that Respondent violated a New Hampshire Insurance Law or Rule within two 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 \$25,000 penalty.
- 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 Respondent 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: 10/30/24

  
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David J. Bettencourt, Commissioner

Date: 10/24/24

  
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4EverHome, LLC,  
Authorized Representative, Respondent