

**NHSCA Monthly Conference Call**  
**Thursday, April 2, 2020 at 2:30 pm CST**

**2-10 Home Buyers Warranty:** Jacqui Crocket, Lindsey Iten  
**America's Preferred Home Warranty:** Rodney Martin, Phil West  
**American Home Shield Companies:** Tom Courtney, Mark Courtney  
**American Water Resources/Pivotal HS:** Pat Wodack  
**Cinch Home Services:** John Walsh  
**Fidelity:** Lorna Mello, Adrienne Giacalone  
**First American Home Warranty:** Jeff Powell, Zach Zaharek  
**HomeGuard Home Warranty:** Robert Hessling  
**HomeServe USA:** Scott Paris, Chad Forbush  
**Home Warranty of America:** Michael Longoria  
**Old Republic Home Protection:** Gwen Gallagher, Chris Wasson

**NHSCA Staff:** Art Chartrand, Joy Moore  
**Guest:** Daniel Romm, David Childers, Kutak Rock  
Mike Belote, California Advocates

**Roll call was taken.**

**Arizona Legislation– Daniel Romm/Childers**

Childers reported the legislature was to reconvene by April 13 but they may simply adjourn for the rest of the year. Revenue is bleak and they are going to have to adjust the budget. Childers and Romm reported no one yet knows if they will review other bills that are not related to the budget. SB 2403 remains technically alive and was ready to cross the finish line. All we yet needed was a rather pro forma Senate and House floor vote. They will monitor and stand by.

**California – Belote**

Belote indicated the entire California state system is shut down for the month of April. The California Stay at Home order runs thru April. Belote indicated it would likely be the end of May before the legislature reconvenes. The Governor is issuing executive orders every day. When legislation comes back it will be dedicated to COVID and budget. Belote will send to Chartrand the CA COVID updates to post on the NHSCA website. Chartrand welcomes any updates and actual active links are easiest to update the NHSCA webpage.

**Nevada**

Chartrand will send out the current draft to members following the call. He asked members to review the draft and continue sending comments to him. Chartrand indicated there is time to refine the language over the next few months. Argentum Partners is currently on temporary suspension with the option to retain again in September 2020.

## **Utah**

HB 37 passed. It appears to have affected us little other than requiring a disclosure of procedure for prior approval when making a claim. Chartrand will send a copy to members via email by tomorrow.

## **Sales Tax Utah**

Chartrand noted members are likely needing to be collecting tax on the personal property portion of the contract, as per long time NHSCA advisory. Some members reported they are collecting and remitting, some are not, and some are collecting on the entire contract price. We cannot provide individual tax advice but suggest members review their practice. We have no official definitive opinion from the Utah Sales Tax commission. NHSCA could authorize Chartrand to seek one. Martin noted his company was currently seeking an opinion and would assist in getting answers and will keep members advised.

## **Industry Advisory Exploratory Group - Martin**

Martin reported that his group continues to explore how an Industry Advisory Group would be defined and function. They held a conference call yesterday that included Randy Whitehead with NSA, Jose Hernandez and John Sessions with Encompass part suppliers and the NHSCA exploratory committee members. Martin feels the interest of the suppliers is partly altruistic. There are over one hundred home warranty companies in USA. How do we become more widely known and get the message out to all the potential home warranty companies and other stakeholders in our industry? This would be another way to be the "voice" for the service contract industry. Plans are to discuss in length at the annual meeting in Boothbay in June. Encompass has put together an agenda with their ideas. Jacqui Crockett agreed to join the exploratory committee. A follow-up call is set for May 6. Chartrand urged the effort continue and bring this group to a functioning level. The NHSCA retains complete control and veto over any recommendations such group would put forth. A revised draft of membership, operation, mission and function is being re-written and will be exposed to all members before any vote to formally adopt.

## **Accreditation**

Chartrand will let Richard Adams with NHG know the status of his accreditation since he resigned his membership. Martin pointed out the rules require membership in good standing to retain accreditation. We will advise him accordingly.

Chartrand noted all members have applied to be accredited. The original deadline was May 1. Chartrand proposed to extend to September 1, 2020. A motion by Longoria and second by Iten to extend deadline to September 1 passed unanimously.

### **COVID-19**

Chartrand has been collecting links from various state department executive orders regarding the COVID updates and posting on the NHSCA website since our last call. This is largely dependent upon member submittals and that only active weblinks will be posted. Mello noted some counties in Northern California are requiring companies to post social distancing requirements. All members seemed cognizant and have been posting at their offices. If any member gets any communication from one of the insurance companies indicating home warranties companies specifically need to comply, send to staff for posting to the NHSCA website. Courtney noted he had received a clarification from NY DFS that a recent order to provide regular COVID updates by licensed entities exempted home warranty. We will post an update when obtained to the COVID-19 page.

### **National Meeting Update**

Chartrand reminded members we have until early May to cancel the meeting in terms of further financial commitments. Staff will experiment with some video conferencing software and may use for the next monthly call in preparation of having the annual meeting remotely. If any members have any suggested platforms, let Chartrand know.

### **History on “power surge or interruption” language.**

One member had inquired whether the term “interruption” in the standard surge exception had any history or particular purpose. No one indicated any history or knowledge. Chartrand suggested the wording came from so long ago but had never heard it discussed or suggested it had any specific meaning other than perhaps power can surge or stop suddenly and both could cause damage.

### **Freedom Home Warranty**

A number of members have brought up the demise of this company from Ogden, Utah. If NHSCA needs to do anything, let Chartrand know. He will post a note to Twitter to advise former customers they might seek a replacement contract from a member of the NHSCA.

### **Personal Note**

Sharron Harrison with Nations (now in the HomeServe USA Group) is retiring May 1. Chartrand noted Sharon’s long contribution and support for the NHSCA and all members wished her the very best. Chad Forbush with HomeService USA will be setting up a Webx/Zoom retirement party. A notice will be forthcoming in the near future.

### **Post Note**

The year-end market data summary has been delayed. We are waiting for one more member company to submit their data.

The next regular call will be May 7 at 2:30 PM CDT.  
The call concluded at 3:30 PM CDT.