

NHSCA Monthly Update
Thursday, May 5, 2022, at 3:00 pm CST

2-10: Jacqui Crockett

AFC Home Club: Randy Reis

American Home Protect: Ashley Altick

America's Preferred Home Warranty: Phil West, Brendan Morgan

Choice Home Warranty: Jim Mostofi, Brian Tretter

Fidelity: Lorna Mello

First American Home Warranty: Andy Hand, Zach Zaharek

Guard Home Warranty: Sergey Spisovskiy, Mikhail Koval

HWA: Heather Cone

Old Republic Home Protection: Jim Mullery, Frank Caballero

NHSCA Staff: Pierce Haley, NHSCA Executive Director
Joy Moore, NHSCA Administrative Staff
Travis Moore, NHSCA Sr. Legislative & Regulatory Counsel

Advisory Council: Randy Whitehead, NSA

Roll call was taken and there was a quorum present.

NJ A1559/5902

A hearing has been scheduled for Monday, May 9th. The Division of Consumer Affairs has circulated revised language. T. Moore sent to all members a copy via email today. He encouraged all members to read the new language carefully and provide comments to him prior to the hearing on Monday. T. Moore noted we are working with our lobbyist to push for additional language changes. We are still not satisfied with the disclosure requirement when using the word "warranty". Haley noted AIG, SCIC & NHSCA all have lobbyist on the ground addressing the issue.

GA-GAC33-7-6(3)E

T. Moore informed members the GA DOI recently denied a bond approval due to preexisting condition language in the contract form. It is the opinion of T. Moore that it is apparently an overreach as it pertains to the statutory rules. Tretter with Choice HW noted they filed a contract that has not been approved and West with APHW noted he was told by the GA DOI that they will be reviewing service contracts for compliance with insurance exemptions and will treat anything not strictly compliant as insurance. Moore requested members let him know if anyone runs in to an issue. The NHSCA does not want to create a situation when there isn't any therefore no action will be taken at this time.

TN HB2114

T. Moore continues to reach out to the sponsor to get more information on this recent bill that was passed. The language is a bit odd. It adds language to the TCPA prohibiting advertising of a home warranty to consumers without explicitly stating in writing what items will be covered and fully paid for by the home warranty.

Arizona – R20-6-407

T. Moore informed members a public hearing has been set for June 14 @ 10:00 a.m.

Utah HB31

Auto renewal bill. The bill amends the insurance code where it requires disclosures for service Contracts Effective 5/3/2022.

MI HB5933

Auto renewal law added to the Consumer Protection Act requiring disclosure of cancellation method. Introduced in March 2022 and assigned to committee, but no action has been taken.

PA HB2511

Auto renewal law added to the Unfair Trade Practices and Consumer Protection Act. Introduced and referred to committee April 2022 with no further action.

Other States (*see Regulatory Update from T. Moore*)

Home Warranty Conference 2022

Whitehead noted we now have close to 50 registrants confirmed for the conference. Hand thanked Encompass for all the assistance they have provided us in getting our first annual conference off the ground. A special thanks to Kristin Hurst. Hand also noted there have been several inquiries regarding membership and that is a positive sign for the future of the association. Whitehead reminded members that sponsors can sign up at homewarrantyconference.com by credit card now.

Market data

Haley reminded members to get their market data collection reports in so the Q1 2022 summary can be prepared and distributed to participating members. It continues to be a struggle to get members to submit report in a timely fashion. We now have staff that can get the final summary prepared quickly once all reports are in.

SCIC Update

SCIC has hired Tom Keepers as the new Executive Director. T. Moore and Haley have been in contact with Tom and have begun to establish a healthy relationship. Arron Lunt with Meenan, PA is attending the conference in Santa Fe and Keeper has been invited. Lunt will be presenting at the conference along with T. Moore covering relevant regulatory and legislative issues.

Call adjourned at 3:40 pm. The next regularly scheduled meeting will in person in Santa Fe, New Mexico.