

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

FILED

FEB 14 2014

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, *ex rel.*)
 JOHN D. DOAK, Insurance Commissioner,)
)
 Petitioner,)
)
 v.)
)
 AMERICAN HOME SHIELD OF)
 OKLAHOMA,)
 a licensed service warranty association,)
 # 10009367,)
)
 Applicant.)

Case No. 14-0061-TRN

**ORDER ALLOWING TRANSFER OF LICENSURE UPON APPLICANT MEETING
CERTAIN CONDITIONS**

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, and makes the following findings of fact, conclusions of law and orders relating to the request of American Home Shield of Oklahoma, Inc., a licensed service warranty association under the Service Warranty Act, to transfer its license under the Oklahoma Home Service Contract Act.

JURISDICTION

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and, as such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq. and the Oklahoma Service Warranty Act, 15 O.S. 141.1 et seq.
2. American Home Shield of Oklahoma, Inc. (“Applicant”) is a licensed service warranty association in the State of Oklahoma holding license number 862611. Applicant is domiciled in the state of Tennessee and has a statutory home office address of 889 Ridge Lake Boulevard, Memphis, TN 38120.

FINDINGS OF FACT

1. Applicant is currently licensed under the Service Warranty Act as a home service warranty association in the State of Oklahoma holding license number 862611. Applicant is domiciled in the state of Tennessee and has a statutory home office address of 889 Ridge Lake Boulevard, Memphis, TN 38120.
2. Applicant made a request to transfer its home service warranty licensure under the Service Warranty Act to licensure under the Oklahoma Home Service Contract Act, enacted in 2012, as a home service contract provider. The purpose of the Oklahoma Home Service Contract Act is to create an independent legal framework within which home service contracts are defined, may be sold and regulated in this State.
3. Proper registration under the Oklahoma Home Service Contract Act exempts applicability under the Service Warranty Act, which may regulate extended warranty, retail automobile and agreements not defined in the Oklahoma Home Service Contract Act.
4. Applicant proposed to surrender its Service Warranty license and transfer all business conducted in Oklahoma to a new Oklahoma Home Service Contract license. Applicant submitted the annual registration renewal application and fee for the Service Warranty license at the Department's request, so that during the transfer process it would remain fully licensed under the Service Warranty Act until November 1, 2014. Applicant may surrender said license upon approval and issuance of the new license.
5. Applicant, through Vice-President and Division General Counsel Thomas E. Courtney, stated that all contracts sold under the old service warranty license would remain the same, without any change, and would continue to be honored after transfer to the new home service contract provider license. Respondent further stated that no contract holder would be affected in

any way by the move to the new home service contract provider license.

6. Applicant submitted the proper application and fee for the new license pursuant to 36 O.S. 6753(B) on November 27, 2013, and the application was subsequently approved on February 3, 2014, subject to this Order.

CONCLUSIONS OF LAW

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and as such is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq. and the Service Warranty Act, 15 O.S. 141.1 The Insurance Commissioner has the authority take action which is necessary or appropriate to enforce both Acts' provisions to protect service contract holders in this state.

2. The Insurance Commissioner approves Respondent's transfer of licensure from the Service Warranty Act to the Oklahoma Home Service Contract Act if Applicant, now and in the future, meets the following conditions:

- a) **all contracts sold under the old service warranty license will remain the same, without any change, and will continue to be honored after transfer to the new home service contract provider license;**
- b) **no contract holder will be affected in any way by the move to the new home service contract provider license.**

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that the Applicant's new license is approved. **IT IS FURTHER ORDERED** that Respondent shall transfer and continue to pay any and all valid claims contracts issued under its new license. **IT IS FURTHER ORDERED** that Respondent shall immediately cease selling new contracts, renewing or extending current contracts under its old license in the State of

Oklahoma and that all future contracts, renewals or extensions of contracts shall be under the new home warranty license.

WITNESS MY HAND and Official Seal this 14th day of February, 2014.



PAUL WILKENING
First Deputy Insurance Commissioner
Oklahoma Insurance Department

CERTIFICATE OF MAILING

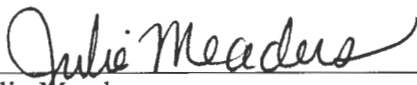
I, Julie Meaders, hereby certify that a true and correct copy of the above and foregoing Order Allowing Transfer of Licensure upon Applicant Meeting Certain Conditions was mailed postage prepaid with return receipt requested on this 14th day of February, 2014 to:

American Home Shield of Oklahoma
889 Ridge Lake Blvd.
Memphis, TN 38120

Certified Mail No.
7001 0320 0004 4249 5258

and that a copy was delivered to:

Lauren Bouse
Financial Division



Julie Meaders
Deputy General Counsel

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To: American Home Shield of Oklahoma
 889 Ridge Lake Blvd.
 Memphis, TN 38120
 rlg/14-0061-TRN/Ord. Allow Lic. Trm.

Street, Apt. No.;
 or PO Box No.
 City, State, ZIP+4

PS Form 3800, January 2001



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature x <i>R. Fitz</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> American Home Shield of Oklahoma 889 Ridge Lake Blvd. Memphis, TN 38120 rlg/14-0061-TRN/Ord. Allow Lic. Trm. </div>		B. Received by (Printed Name) <i>R. Fitz</i>	
RECEIVED OKLAHOMA INSURANCE DEPARTMENT Legal Division FEB 25 2014		C. Date of Delivery 2-19-14	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes or delivery address below: <input type="checkbox"/> No		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, February 2004		Domestic Return Receipt	

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