

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

**FILED**

FEB 17 2016

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. )  
JOHN D. DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
UNIVERSAL HOME SERVICES, INC., )  
UNIVERSAL ADMINISTRATORS SERVICES, )  
INC., JACK WAINWRIGHT, and SEPTIC )  
MAXX )  
Respondents. )

Case No. 16-0141-UNI

**ORDER TO CEASE AND DESIST**

Pursuant to 36 O.S. § 6755(B), the Oklahoma Insurance Commissioner orders Respondents Universal Home Services, Inc., Universal Administrators Services, Inc., Jack Wainwright, Septic Maxx and their officers, directors, trustees, employees, agents and affiliates to immediately cease and desist from conducting unauthorized service warranty activity in the State of Oklahoma.

**RESPONDENTS AND SERVICE**

1. Universal Home Services, Inc. is located at 13030 Eastgate Parkway, Suite 102, Louisville, Kentucky 40223. Universal Home Services, Inc. is an unregistered and unauthorized service contract provider in the State of Oklahoma.
2. Universal Administrators Services, Inc. is located at 13030 Eastgate Parkway, Suite 101, Louisville, Kentucky 40223. Universal Administrators Services, Inc. administers service contracts on behalf of Universal Home Services, Inc.
3. Jack Wainwright owns and controls both Universal Home Services, Inc. and

Universal Administrators Services, Inc. located at 13030 Eastgate Parkway, Louisville, Kentucky 40223.

4. Septic Maxx is located at 4733 W. Atlantic Ave., Suite 7, Del Ray Beach, Florida 33445. Septic Maxx markets Universal Home Services, Inc. service warranties.

### **JURISDICTION**

The Insurance Commissioner has jurisdiction over this matter pursuant to the Oklahoma Constitution Article 6 § 22; the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., the Unauthorized Insurance Business Act, 36 O.S. §§ 6103.1 et seq., and, specifically, the Oklahoma Home Service Contract Act, pursuant to 36 O.S. §§ 6750 et seq., which states the Oklahoma Insurance Commissioner may take action which is necessary or appropriate to protect service contract holders in the State of Oklahoma.

### **FINDINGS OF FACT**

1. Mary Lou Martin, a senior resident of Cherokee, Oklahoma, purchased two service warranties from Universal Home Services, Inc. through Septic Maxx, a company that services her septic sewer system and markets service warranty companies. Septic Maxx had sent a brochure in the mail to Ms. Martin advertising insurance on various home appliances. Ms. Martin called Septic Maxx and requested two types of coverage. One contract covered service for her “septic protection “and the other contract covered service for “homeowner protection”. She never received a copy of either contract but faithfully paid monthly premiums via auto drafts from her credit card to Septic Maxx for the service warranty coverages until a recent claim dispute.

2. Ms. Martin filed a claim to pay for servicing her air conditioner. The claim was rejected by Universal’s administrator, Universal Administrators Services, Inc. purportedly

because Ms. Martin had failed to perform regular maintenance on her air conditioning system.

3. Ms. Martin attempted to cancel both contracts but Septic Maxx continued to draft the premiums from her credit card even after she sent her cancellation request in writing. She finally contacted her credit card company to cancel her credit card and issue her a new one to stop the automatic drafts from Septic Maxx. Septic Maxx then contacted her about the credit card and asked her to send them a check instead.

4. Ms. Martin disputed Universal's assertions that she did not perform regular maintenance on her air conditioner and made a complaint to the Oklahoma Insurance Department. A review of Department records revealed that Universal Home Services, Inc. was not registered with the Oklahoma Insurance Department as a service warranty provider.

5. A proper registration is de facto a license to conduct business in Oklahoma. Universal Home Services, Inc. is unauthorized to conduct service warranty business in the state of Oklahoma.

#### **VIOLATIONS OF LAW**

Universal Home Services, Inc. is in violation of 36 O.S. § 6753(B) in failing to properly register with the Oklahoma Insurance Department. The Commissioner may take action to enforce the Oklahoma Home Service Contract Act against unauthorized activities pursuant to 36 O.S. § 6755(B).

**IT IS THEREFORE ORDERED** that Respondents and any agents, affiliates, employees, and/or other representatives, both current and successor, whether named or unnamed herein, shall **CEASE & DESIST** from all activities related to doing service warranty business in this state, including:

(1) Engaging in or transacting the unauthorized business of insurance or acting as an unregistered service contract provider in the State of Oklahoma;

(2) Seeking, pursuing and obtaining any insurance or service contract business in the State of Oklahoma;

(3) Soliciting Oklahoma residents to sell any insurance or service contract issued or to be issued by an unauthorized insurer or unregistered service contract provider;

(4) Soliciting Oklahoma residents to induce them with misrepresentations to purchase any insurance or service contract.

**IT IS FURTHER ORDERED** that this Order is effective immediately and shall continue in full force and effect until further order of the Commissioner. This Order is binding on Respondents, their agents, affiliates, employees and/or other representatives, both current and successor, whether named or unnamed herein.

**IT IS FURTHER ORDERED** that notwithstanding any of the above orders to the contrary, Respondents shall pay all valid claims that arise pursuant to coverage purportedly provided under service warranty contracts provided herein.

Pursuant to 36 O.S. § 6755(B)(1), any person aggrieved by this Order has the right to request a hearing before the Commissioner, or his duly appointed representative, to show cause why this Order should not be affirmed. The hearing request shall be filed within twenty (20) days of the date of this Order. Such request for hearing, if desired, shall be made in writing addressed to Julie Meaders, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> Street, Suite 100, Oklahoma City, Oklahoma 73112. If a hearing is requested, this Order shall be suspended from the original effective date until completion of the hearing and final decision of the Commissioner. Any such hearing shall be conducted in accordance with the

Administrative Procedures Act, 75 O.S. §§ 250 et seq., the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., and 365:1-7-1 et seq.



A handwritten signature in black ink, which appears to read "James A. Mills". The signature is written in a cursive, flowing style.

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**JAMES MILLS**  
**CHIEF OF STAFF**

**CERTIFICATE OF MAILING**

I, Julie Meaders, hereby certify that a true and correct copy of the above and foregoing Order to Cease and Desist was mailed postage prepaid with return receipt requested on this 17<sup>th</sup> day of February, 2016 to:

Jack Wainwright  
Universal Home Services, Inc.  
Universal Administrators Services, Inc.  
13030 Eastgate Parkway, Suite 101  
Louisville, KY 40223

Certified Mail No.  
7015 0640 0002 7406 6330

Septic Maxx  
4733 W. Atlantic Ave.  
Suite 7  
Del Ray Beach, FL 33445

Certified Mail No.  
7015 0640 0002 7406 6347

and a copy was sent to:

Anti-Fraud Division

Financial Division

  
Julie Meaders  
Julie Meaders

7015 0640 0002 7406 6347

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE



Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

Total Postage and Fees \$ \_\_\_\_\_

Sent To **Septic Maxx**  
 4733 W. Atlantic Ave., Suite 7  
 Del Ray Beach, FL 33445  
 rlg/16-0141-UNI(JAM)/C&D

Street and Apt. No., or PO Box

City, State, ZIP+4®

PS Form 3800, April 2015 PS

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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.

1. Article Addressed to:

Septic Maxx  
 4733 W. Atlantic Ave., Suite 7  
 Del Ray Beach, FL 33445  
 rlg/16-0141-UNI(JAM)/C&D



9590 9403 0272 5155 0718 84

2. Article Number (Transfer from service label)

7015 0640 0002 7406 6347

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent  Addressee

X

B. Received by (Printed Name) RECEIVED

C. Date of Delivery 2/20/16

D. Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

FEB 23 2016

Legal Division

3. Service Type

Adult Signature  Priority Mail Express®

Adult Signature Restricted Delivery  Registered Mail™

Certified Mail®  Registered Mail Restricted Delivery

Certified Mail Restricted Delivery  Return Receipt for Merchandise

Collect on Delivery  Signature Confirmation™

Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery

Insured Mail

Insured Mail Restricted Delivery (over \$500)

U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**



Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

Total Postage and Fees \$ \_\_\_\_\_

Sent To \_\_\_\_\_

Street and Apt. No., or PO Box \_\_\_\_\_

City, State, ZIP+4® \_\_\_\_\_

PS Form 3800, April 2015 PS

Universal Home Services, Inc.  
 Universal Administrators Services, Inc.  
 ATTN: Jack Wainwright  
 13030 Eastgate Parkway, Suite 101  
 Louisville, KY 40223  
 rlg/16-0141-UNI(JAM)/C&D

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**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee

*Jack Wainwright*

B. Received by (Printed Name) C. Date of Delivery

JACK WAINWRIGHT 3-3-16

1. Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

OKLAHOMA INSURANCE DEPARTMENT  
 MAR 08 2016  
 Legal Division

3. Service Type

Adult Signature  Priority Mail Express®

Adult Signature Restricted Delivery  Registered Mail™

Certified Mail®  Registered Mail Restricted Delivery

Certified Mail Restricted Delivery  Return Receipt for Merchandise

Collect on Delivery  Signature Confirmation™

Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery

Insured Mail  Insured Mail Restricted Delivery (over \$500)

2. Article Number (Transfer from service label)

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