

**STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE**

IN RE:

Ownershield, Inc.
Maine Registration No. SPF228612
NAIC Entity No. 15632555

Docket No. INS-19-226

**CONSENT AGREEMENT
AND ORDER**

Ownershield, Inc. (“Ownershield”), the Superintendent of the Maine Bureau of Insurance (the “Superintendent”), and the Office of the Maine Attorney General (the “Attorney General”) hereby enter into this Consent Agreement (“Agreement”) pursuant to 10 M.R.S. § 8003(5)(B) to resolve, without resort to an adjudicatory proceeding, violations of the Maine Insurance Code.

STATUTORY AUTHORITY

1. Under 10 M.R.S. § 8003(5)(A-1) and 24-A M.R.S. § § 12-A and 7109, the Superintendent may issue a warning, censure or reprimand to a registrant; may suspend, revoke or refuse to renew a registration; may impose conditions of probation on a registrant; may impose a civil penalty upon a registrant; or may take any combination of such actions in response to the registrant’s violation of any applicable insurance laws, rules, conditions of registration, or lawful orders of the Superintendent.
2. Pursuant to 10 M.R.S. § 8003(5)(B), the Superintendent may resolve an investigation without further proceedings by entering into a consent agreement with a registrant and with the consent of the Attorney General.

STATEMENT OF FACTS

3. The Superintendent is the State official charged with administering and enforcing Maine's insurance laws and regulations, and the Bureau of Insurance (“the Bureau”) is the administrative agency with such jurisdiction.
4. The Superintendent has jurisdiction over this matter pursuant to the powers set forth in the Insurance Code generally, as well as the specific provisions of 24-A M.R.S. §§ 12-A, 211, 7109 and 10 M.R.S. § 8003.

5. Ownershield has been registered in Maine as a service contract provider since February 3, 2014 and it is domiciled in Texas.
6. Ownershield has renewed its registration to provide service contracts in Maine each year since 2014 and filed a total of five (5) renewal forms with the Bureau.
7. The initial registration form and the renewal form both include a section, Section 13 and Section 15, respectively, where a service provider must “identify each administrator (must be Maine registered) that the Applicant has designated to be responsible for administration of its Maine service contracts.”
8. Ownershield responded “Self” in Section 13 of its initial registration form and in Section 15 of its renewal forms to indicate that it would be administering its own contracts.
9. In March of 2018, the Bureau received a complaint regarding a vehicle service agreement marketed as Omega Auto Care. The Maine consumer purchased this service contract on January 12, 2017. The contract identified “Ensurity, Inc.” as the administrator and a “Special State Disclosures” page identified Ownershield as the service contract provider for Maine residents.
10. Ensurity, Inc. was not registered as a service contract administrator in Maine until April 18, 2019.
11. The Bureau subsequently obtained a copy of an April 24, 2013, claim services agreement between Ownershield and Ensurity, Inc., Ensurity Administrative Services, Inc. and EGV Companies, Inc. (collectively “Ensurity”) wherein Ownershield agreed to act as the service contract provider for contracts administered by Ensurity.
12. The Bureau confirmed that Ownershield had been listed as the service contract provider on 561 contracts administered by Ensurity since September 3, 2014. While 219 of those contracts were still active as of June 7, 2019, Ownershield’s obligations under the active contracts in Maine were transferred to another service contract provider as of August 3, 2017.
13. Ownershield did not identify Ensurity or any other administrator on the registration or renewal forms it filed with the Bureau from January of 2014 through October of 2016.
14. Ownershield has stated that the omission was unintentional. Ownershield does administer its own service contracts and did not believe it had to list administrators for those situations where an administrator had asked Ownershield to act as the service contract provider on a particular contract.

VIOLATIONS OF LAW

15. 24-A M.R.S. § 7103(4) states in relevant part that “[a] provider or administrator of service contracts issued, sold or offered for sale in this State shall apply for registration

with the superintendent on a form prescribed by the superintendent...The registration must be updated by written notification to the superintendent if changes occur in the registration on file.”

16. As set forth in paragraphs 5 through 14, Ownershield violated § 7103(4) by failing to identify Ensurity as an administrator on its initial registration form or on the five (5) renewal forms it filed with the Bureau.

COVENANTS

17. Ownershield agrees to the Statement of Facts and Violations of Law stated above and agrees that such actions make it subject to disciplinary action.
18. Ownershield accepts as disciplinary action the imposition of a civil penalty in the amount of four hundred dollars (\$400). No later than sixty (60) days after executing this Agreement, Ownershield will remit to the Maine Bureau of Insurance a company check in the amount of four hundred dollars (\$400) payable to the Treasurer of the State of Maine.
19. Ownershield agrees to immediately file an updated registration form with the Bureau listing all administrators that are currently administering its service contracts.
20. Ownershield further agrees to ensure that each renewal form filed after the effective date of this Agreement will contain all required information and that it will provide timely written notice to the Superintendent of any changes to the information on its filed forms.
21. The parties to this Agreement understand that nothing herein shall affect any right or interest which any person not a party to this Agreement may possess.
22. This Agreement is not subject to appeal. Ownershield waives any right it might have to appeal any matter that is a subject of this Agreement.
23. This Agreement constitutes an Order of the Superintendent. A violation of its terms is enforceable by the Superintendent pursuant to 24-A M.R.S. §§ 12-A, 211 and 7109.
24. This Agreement is also enforceable by an action in Maine Superior Court pursuant to 24-A M.R.S. § 214, 10 M.R.S. § 8003(5)(B), and 14 M.R.S. § 3138.
25. The effective date of this Agreement is the date of the Superintendent’s signature.
26. This Agreement may be modified only by a written agreement executed by all of the parties hereto. Any decision to modify, continue or terminate any provision of this Agreement rests in the discretion of the Superintendent and the Attorney General.
27. This Agreement is a public record subject to the provisions of the Maine Freedom of Access Act. It will be available for public inspection and copying as provided for by 1


M.R.S. § 408-A, and it will be reported to the National Association of Insurance Commissioners' (NAIC) Regulatory Information Retrieval System (RIRS) database.

28. By the duly-authorized signature of its representative on this Agreement, Ownershield warrants that it has consulted with counsel before signing the Agreement or has knowingly and voluntarily decided to proceed in this matter without consulting counsel, that it understands this Agreement, and that it enters into the Agreement voluntarily and without coercion of any kind from any person.
29. In return for Ownershield's execution of and compliance with the terms of this Agreement, the Superintendent and the Attorney General agree to forego pursuing further disciplinary measures or other civil or administrative sanctions arising under the Maine Insurance Code for the specific conduct described in this Agreement, other than those sanctions agreed to herein. However, should Ownershield fail to comply with or violate this Agreement, it may be subject to any available remedy under the law for such a failure or violation.

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OWNERSHIELD, INC.

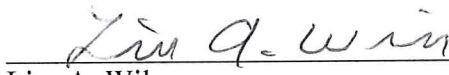
Dated: 11/20, 2019



Name: PETER MASI
Title: CEO/PRESIDENT

FOR THE OFFICE OF THE ATTORNEY GENERAL


Dated: 11/18, 2019



Lisa A. Wilson
Assistant Attorney General

THE SUPERINTENDENT OF THE MAINE BUREAU OF INSURANCE

Dated: 11/20, 2019



Eric A. Cioppa
Superintendent