

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of Unlicensed Activity of:

**COMPLETE CARE HOME
WARRANTY LLC FKA CREDIT
RECOVERY USA LLC**

Respondent.

No. 22A- 027 -INS

ORDER TO CEASE AND DESIST

The Arizona Department of Insurance and Financial Institutions (“Department”) received evidence that **Complete Care Home Warranty LLC fka Credit Recovery USA LLC (“CCHW” or “Respondent”)** has unlawfully offered or issued service contract(s) and engaged in unfair trade practices in the state of Arizona. Accordingly, the Director of the Department (“Director”) makes the following Findings of Fact and Conclusions of Law and enters the following Order pursuant to A.R.S. § 20-1095.09(B).

FINDINGS OF FACT

1. Respondent is a limited liability company domiciled in the state of New York.
2. Respondent is not registered with the Arizona Corporation Commission.
3. At all material times, Respondent did not hold a service company permit or any other license allowing it to conduct service company business.
4. On or about November 15, 2021, the Department received a complaint from an Arizona licensed service company alleging that Respondent is “operating without a license [issued] by the [Department]of Insurance.”

1 5. On or about February 17, 2022, the Department received a second complaint
2 against Respondent from an Arizona consumer (“Consumer”) alleging that the “[p]olicy
3 sale was induced, misrepresented and . . . [Respondent] is not authorized to do business in
4 the state of Arizona.”

5 6. The Department commenced an investigation into the matter. The
6 Department’s investigation determined the following:

7 a) On or about February 6, 2022, Consumer, with intent to purchase a
8 homeowner insurance policy, instead purchased a five-year CCHW home warranty.
9 The Terms of Service Agreement executed between CCHW and Consumer contained
10 a cancellation provision stating “[y]ou may cancel this Agreement within the first
11 thirty (30) days of the order date for a full refund of the paid contract fees, less any
12 service cost incurred by us.”

13 7. On or about February 8, 2022, Consumer discovered the error and
14 immediately contacted Respondent to cancel the Agreement and obtain a refund.

15 8. On or about February 17, 2022, Respondent sent an email to Consumer
16 notifying her that her home warranty policy was canceled.

17 9. On or about February 23, 2022, Respondent, by email, requested that
18 Consumer sign a Release Agreement as a condition for the purchase price payment refund.
19 The Release Agreement contained a provision stating that Consumer “agrees to refrain from
20 any and all negative reviews and complaints, including but not limited to . . . Attorney
21 General, Consumer Affairs, and other alike.” Consumer signed and returned the Release
22 Agreement back to Respondent on the same date. Consumer received the refund.

1 10. Respondent’s website <https://completecarehomewarranty.com>¹ specifically
2 lists the states in which Respondent offers service contracts. Arizona is not listed as a state
3 where Respondent offers service contracts.

4 **CONCLUSIONS OF LAW**

5 11. The Director has jurisdiction over this matter.

6 12. Respondent’s conduct, as outlined above, constitutes a violation of any
7 provision of Title 20 or any rule, subpoena or order of the Director. A.R.S. § 20-295(A)(2).

8 13. Respondent’s conduct, as alleged above, constitutes offering and issuing
9 service contracts without a permit. A.R.S. § 20-1095.01(A).

10 14. Respondent is not exempt from the permit requirements. A.R.S. § 20-
11 1095.02(A).

12 15. Respondent’s conduct, as outlined above, constitutes making a misleading
13 statement in connection with a service contract sale. A.R.S. § 20-1095.09(A)(1).

14 16. Grounds exist for the Director to order Respondent to cease and desist from
15 engaging in service company activities in Arizona. A.R.S. § 20-1095.09(B).

16 **ORDER**

17 IT IS HEREBY ORDERED THAT:

18 1. Respondent shall immediately cease and desist from offering to sell,
19 advertising and marketing or issuing service contracts in Arizona without a permit.

20 2. This Order shall become effective immediately and shall remain in full force
21 and effect until otherwise stayed, modified, vacated or set aside.

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¹ Last visited May 19, 2022.

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NOTICE OF OPPORTUNITY FOR HEARING

Pursuant to Title 20 of the Arizona Revised Statutes, Respondent is hereby notified that it may request a hearing pursuant to A.R.S. § 20-161 to contest the order to cease and desist. Such a request must be in writing and received at the following address within thirty (30) days from the date hereof:

Arizona Department of Insurance and Financial Institutions
Attn: Gio Espinosa, Regulatory Legal Affairs Officer
100 North 15th Avenue, Suite 261
Phoenix, Arizona 85007-2630

Upon receipt of a timely written request for hearing, the Department will issue an order setting the time and place of the hearing.

Effective this **25th** day of **May**, 2022.



Evan G. Daniels, Director
Arizona Department of Insurance and
Financial Institutions

1 **ORIGINAL** of the foregoing filed
2 this **26th** day of **May**, 2022, in the office of:

3 Evan G. Daniels, Director
4 Arizona Department of Insurance and Financial Institutions
5 Attn: Ana Starcevic
6 100 North 15th Avenue, Suite 261
7 Phoenix, AZ 85007-2630

8 **COPY** of the foregoing mailed by Certified Mail,
9 Delivery Receipt requested, the same date to:

10 Complete Care Home Warranty LLC
11 43 W. 33rd Street
12 New York, NY 10001
13 Respondent 9489 0090 0027 6351 1237 53

14 Complete Care Home Warranty LLC
15 C/O The LLC
16 1908 Coney Island Avenue
17 Brooklyn, NY 11230
18 Statutory Agent 9489 0090 0027 6351 1237 39

19 **COPY** of the foregoing delivered/mailed same date, to:

20 Deian Ousounov, Assistant Director
21 Gio Espinosa, Regulatory Legal Affairs Officer
22 Ana Starcevic, Paralegal Project Specialist
23 Catherine O'Neil, Consumer Legal Affairs Officer
24 Steven Fromholtz, Licensing Manager
25 Linda Lutz, Legal Assistant
26 Wendy Greenwood, Investigation Supervisor
27 Arizona Department of Insurance and Financial Institutions
28 100 North 15th Avenue, Suite 261
29 Phoenix, Arizona 85007-2630

30 Complete Care Home Warranty LLC
31 admin@completecarehomewarranty.com
32 Respondent

33 *Ana Starcevic* for

34 _____
35 Francine Juarez