



CHARLES D. BAKER  
GOVERNOR

KARYN E. POLITO  
LIEUTENANT GOVERNOR

**COMMONWEALTH OF MASSACHUSETTS**  
**Office of Consumer Affairs and Business Regulation**  
**DIVISION OF INSURANCE**

1000 Washington Street • Suite 810 • Boston, MA 02118-6200  
(617) 521-7794 • FAX (617) 521-7475  
<http://www.mass.gov/doi>



MIKE KENNEALY  
SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

EDWARD PALLESCHI  
UNDERSECRETARY

GARY ANDERSON  
COMMISSIONER OF INSURANCE

March 22, 2021

via email

Les Kramsky, Esq.  
General Counsel  
Total Home Protection  
300 McGaw Drive  
Edison, NJ 08837

Re: THPMA, Inc. dba Total Home Protection  
SIU Investigation No. 9901

Dear Attorney Kramsky:

I represent the Massachusetts Division of Insurance (“Division”) with regard to the above-captioned investigation. The Division has investigated Total Home Protection (“THPMA”) conducting business as a service contract provider in Massachusetts prior to being registered and licensed.

According to Division licensing records, THPMA was licensed and approved as a service contract provider by the Division on Feb. 19, 2021. THPMA has conducted business within the Commonwealth of Massachusetts including, but not limited to, solicitation and sales of service contracts since at least Feb. 2017.

The Division alleges that THPMA wrote, placed, renewed and/or negotiated more than 50 contracts from Feb. 2017 to Feb. 19, 2021. The Division alleges that THPMA committed more than 50 violations of M.G.L. c. 175, § 149N by acting as service contract provider without being licensed. The penalty for each and every violation of M.G.L. c. 175, § 149N is a fine of not more than \$500.

The Division proposes to resolve this matter through a settlement if THPMA agrees to waive its right to a hearing in this matter, agrees to cease and desist from the above-alleged conduct and pays a fine of \$5,000. This will be a reportable administrative action. If THPMA chooses to accept the Division’s offer, please sign this settlement letter where provided below and return it to my attention, together with a check made payable to the Commonwealth of Massachusetts, no later than April 12, 2021.

Although this correspondence does not constitute the required statutory notice of a public hearing, if this matter is not resolved by April 12, 2021, the Division intends to file an Order to Show Cause and will notify you of the hearing date.

Thank you for your prompt attention to this matter. Should you have any questions or wish to discuss the matter further, I may be reached at (617) 521-7389- voicemail only.

Sincerely,

Robert J. Kelly, Esq.  
Counsel to the Commissioner

SIGNED: THPMA, Inc.  
by:



---

DATE:

4/6/2021