

**Letitia James**

New York State Attorney General

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## ***Attorney General James Ends Harmful Labor Practices at Major Independent Title Insurance Agency***

**Kensington Vanguard to Pay \$1 Million for Having Illegal No-Poach Agreements with Competitors**

**AG James has Secured \$9.25 Million from Title Insurance Companies for Illegal No-Poach Agreements**

### **July 12, 2023**

NEW YORK – New York Attorney General Letitia James today announced [an agreement to end anti-worker practices](#) by one of the nation's largest independent title insurance agencies, Kensington Vanguard National Land Services, LLC (Kensington), and its underwriters. An investigation by the Office of the Attorney General (OAG) discovered that Kensington and its title insurance underwriters entered into illegal no-poach agreements where they would not solicit each other's employees, reducing competition and therefore negatively impacting wages and opportunities for workers. As a result of today's agreement, Kensington will terminate any existing no-poach agreements, pay the state \$1 million, and cooperate with OAG's ongoing investigations in the industry. Today's agreement raises the total amount secured by Attorney General James from title insurance companies for illegal no-poach agreements to \$9.25 million.

“Hard work and experience in any career is supposed to help employees grow and achieve better wages and opportunities,” said **Attorney General James**. “However, when companies illegally collude and make no-poach agreements, they hold workers back. No-poach agreements have become a systemic problem in the title insurance industry and that is why my office has been focused on rooting out this unacceptable practice to protect workers. New Yorkers deserve fair pay for their hard work and experience, and their career growth should never be threatened by companies cutting illegal deals with competitors.”

Kensington sells title insurance policies issued by title insurance underwriters. Underwriters also sell title insurance policies directly, in competition with Kensington and other title agencies. Underwriters’ direct agents and independent agencies are competitors in the labor market and should be able to compete for employees on the basis of salaries, benefits, and career opportunities. Kensington’s no-poach policies with its underwriters prevented that from happening. The OAG’s investigation concluded that Kensington entered into no-poach agreements with title insurance underwriters and those agreements effectively reduced career opportunities and wages for workers. Today’s agreement ends Kensington’s no-poach agreements and requires the company to pay \$1 million to the state and cooperate with OAG’s ongoing investigations in the industry.

Today’s agreement continues Attorney General James’ work to stop unlawful no-poach agreements that stifle both competition and careers. Attorney General James has now ended the use of no-poach agreements by four of the five largest commercial underwriters in the United States [Fidelity](#), [Stewart](#), [Amtrust](#), [Old Republic](#), and two of the largest independent title insurance agencies [First Nationwide](#) and Kensington Vanguard today. In March 2019, Attorney General James and a coalition of attorneys general [entered into an agreement with four national fast food franchisors](#) — Dunkin’, Arby’s, Five Guys, and Little Caesars — that ended their use of no-poach agreements.

This matter was handled by Senior Enforcement Counsel Bryan Bloom, Assistant Attorney General Michael Schwartz, and Deputy Bureau Chief Amy McFarlane, under the supervision of Bureau Chief Elinor Hoffmann — all of the Antitrust Bureau. The Antitrust Bureau is a part of the Division for Economic Justice, which is overseen by Chief Deputy Attorney General Chris D’Angelo and First Deputy Attorney General Jennifer Levy.

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