EMPLOYEE ASSISTANCE PROGRAM

SUMMARY PLAN DESCRIPTION
for EMPLOYEES of HOMESERVICES of AMERICA, Inc.
SUMMARY of BENEFITS AND COVERAGE

The Employee Assistance Program (“EAP”) Service offered by Health Advocate to HomeServices of America, Inc., (hereinafter “Client”) will provide its Services to Client’s eligible employees and their dependents (collectively “EAP Members”). The Health Advocate EAP Service includes the following features at no cost to the EAP Members:

1. **The Health Advocate Basic EAP Service:**
   a. A 24-hour Emergency Hot Line;
   b. Unlimited Telephonic Critical Incident Stress Debriefing Support;
   c. Professional telephone evaluation for the nature and scope of employee personal problems, and referral, if needed, to appropriate professional counseling or other necessary care; this referral, which is offered by Health Advocate, may or may not be utilized by the EAP Member;
   d. In Person Sessions (“Sessions”) assessment and short-term problem resolution by network of qualified EAP consultants. The number of Sessions is up to 3 per issue.
   e. Case management for in-patient and out-patient treatment; and
   f. Unlimited Telephonic Manager Consultations and mandatory referrals.

2. **Access to Health Advocate Telephonic and Web Based Support for Work/Life Services:**
   a. Childcare: Child Care Centers, Family Child Care Homes, Nanny Agencies, Summer Camps, Babysitter Tips, Community Resources;
   b. Eldercare: Nursing Homes, Assisted-Living Facilities, Independent Living Facilities, Home Healthcare, Hospice, Respite Care, Geriatric Care Managers, Senior Centers, Adult Day Care Centers, Community Services and Resources;
   c. Legal: Family Law Issues, Real Estate, Criminal Matters, Estate Planning, Motor Vehicle, Elder Law;
   d. Financial: Debt Management, Budgeting, College Funding, Retirement Strategies, Life Insurance Needs; and
   e. Unlimited Telephonic and Web Based Consultation.
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SUMMARY PLAN DESCRIPTION

This summary describes the provisions of the Employee Assistance Plan (“Plan” or “EAP” or “Employee Assistance Program”) which has been adopted to benefit employees of HomeServices of America, Inc. (“Company”).

This summary generally describes the Plan as in effect on January 1, 2016, and every effort has been made to make this summary as correct and complete as possible. However, the Plan’s legal documents govern the operation of the Plan and all rights to benefits. The full Plan document is the authority for all decisions concerning benefits and other Plan matters. Accordingly, if questions arise, or if a provision of this summary is inconsistent with the formal text of the Plan, all decisions will be based on the formal text of the Plan, which will control in all instances. As the Plan Administrator has the exclusive authority to interpret the Plan and make all determinations thereunder including determinations regarding eligibility, payment of benefits, and subsequent amendments to the Plan not included in this Summary Plan Description.

This summary is intended to provide information and to answer most of the questions you have concerning your EAP. We urge you to read this summary carefully and keep it with your important personal papers.

If you have any questions concerning the Plan, or would like to examine the Plan (which determines your rights), please contact your Human Resources Department.
HOW THE PLAN WORKS

The Company pays the full cost of providing benefits under the Plan. You do not have to pay anything to participate.

The purpose of the EAP is to give you and your immediate family members an opportunity to discuss your work, personal or family problems with a professional counselor. The EAP offers assessment, short-term counseling, referral and case management services. Benefits are provided through Health Advocate, Inc. (“HA”).

Your EAP counselor will help you assess your problem and develop a plan of action. Services may include short-term counseling with an EAP counselor. In some cases, you may need to be referred to an individual or organization in the community for longer-term or specialized treatment. Most people find that the services provided are helpful, but occasionally a person’s situation may get worse. If you have concerns about the risks associated with counseling, please discuss your concerns with your EAP counselor.

If a referral is made outside of HA, the financial responsibility for payment to the referral source is yours. Your medical benefits may cover some of the cost of the services provided by the outside referral source. Your EAP counselor will have a broad outline of the Company’s health plan.

1. The information that you give to your EAP counselor is private and confidential. HA generally will not release information to anyone outside HA (including the Plan and the Company) without your written permission. HA may be required or permitted to release information to third parties (not including the Plan or the Company) without your permission. The circumstances governing these releases of information are described in the HA Notice of Privacy Practices (“Notice”). Your EAP counselor is required to give you a copy of this Notice when you utilize any of the benefits of the Plan. The Notice can also be found on the HA website at www.healthadvocate.com

If at any time you have concerns about the service or you are dissatisfied with an outside referral, you are encouraged to discuss the matter immediately with any of the EAP counselors. If you think that HA has not handled your information in accordance with the Notice, notify HA’s privacy official at Health Advocate, Inc., 3043 Walton Road, Plymouth Meeting, PA 19462 or by calling (866) 695-8622 and asking to speak with HA’s privacy official.
PLAN PARTICIPATION

All employees are eligible to participate.
**BENEFITS**

The Company recognizes that a wide range of behavioral/health problems can affect an employee’s job performance. Examples of such behavioral/health problems include: alcoholism, other drug dependencies, marital or family distress, emotional instability, financial or legal problems. These problems can result in deterioration of job performance.

In many instances, the employee will overcome such behavioral/health problems independently, and the effect on job performance will be negligible. In other instances, normal supervisory assistance will serve either as motivation or guidance by which such problems can be resolved, so the employee’s job performance will return to an acceptable level. In some cases, however, neither the efforts of the employer nor supervisor have the desired effect on resolving the employee’s problems, and unsatisfactory performance persists over a period of time.

The purpose of the Plan is to help the employee to overcome his/her problem and to restore that employee to acceptable job performance. The program is designed to identify the problem at the earliest possible stage, motivate the employee to seek help, and to direct the employee to the appropriate assistance. The Company believes it is in the best interest of the employee, the employee’s family, and the organization to provide an employee service that deals with such persistent problems.

You can request help for the following problems:

1. Behavioral/health problems that affect work performance and attendance.

2. Behavioral/health problems requiring assistance include alcoholism, other drug dependencies, marital and family distress, mental illness, emotional, financial, or legal problems.

3. The purpose of the EAP is to assure employees that if such behavioral/health problems are the cause of unsatisfactory job performance they will receive an offer of assistance to help resolve such problems in an effective and confidential manner.

4. No employee will have his/her job security or promotional opportunities jeopardized for participating in the Plan.

5. Confidentiality of your information is essential and will be maintained by HA, subject to the terms of the Notice. Neither the Plan nor the Company will receive any information about you or your use of EAP benefits unless it is required by law and explained in the Notice.

6. Employees are encouraged to use the EAP voluntarily when they need professional help or guidance.

7. Since employee work performance can be affected by the problems of an employee’s spouse or other dependents, the program is available to the families of our employees as well.
(8) Implementation of this policy will not require, or result in, any special regulations, privileges, or exemptions from the standard administrative practices applicable to job performance.

All full and part-time employees are eligible to participate in the EAP. The Plan’s benefits are also available to your spouse and your children who live with you or who are at college. There is no cost to employees and dependent family members for the initial evaluation, counseling and referral services offered by the EAP.

Procedures

Any employee of the Company may use the EAP on a self-referral basis by contacting Health Advocate 1-866-799-2728.
SITUATIONS AFFECTING PLAN BENEFITS

Some situations could affect Plan benefits. Those situations are summarized here.

**Notice of Address**
If you or your beneficiary does not keep your most recent address on file with your Human Resources Department and the Human Resources Department cannot locate you, benefits may be delayed. Accordingly, you need to keep the Human Resources Department apprised of your current address.

**Right to Employment**
The Plan and this SPD will not be construed to give you any right to be retained in the Company’s employ nor any right or claim to a benefit unless the right to such benefit is in accordance with the Plan’s terms.
BASIC ADMINISTRATIVE INFORMATION

The EAP Plan’s sponsor, administrator, trustee, and other administrative information is included in this section.

EAP Plan Sponsor
The plan sponsor is HomeServices of America, Inc. The plan sponsor’s address is:

333 South 7th Street
Floor 27
Minneapolis, MN 55402-2412

The Company’s employer identification number is 41-1945806, and the Plan number is 501.

Plan Administrator
The Plan is administered by MEC Pension and Employee Benefits Plans Administrative Committee. Their address is:

666 Grand Avenue
PO Box 657
Des Moines, IA 50306-0657

Plan Trustee
Because the Plan holds no assets, there is no trust fund for the Plan.

Agent for Service of Legal Process
Legal process for the Plan should be directed to:

HomeServices of America
333 South 7th Street
Floor 27
Minneapolis, MN 55402-2412

Legal process can also be served on the Plan Administrator at the address shown above.

Bargaining Agreement
The Plan is not maintained pursuant to any collective bargaining agreement.

Plan Year
The Plan Year is the calendar year, January 1 through December 31.
PLAN AMENDMENT AND TERMINATION

The Company may amend or terminate the Plan at any time.
ADMINISTRATION

The Plan is administered by the Administrator. The administrative duties of the Administrator include interpreting the Plan, prescribing application procedures, determining right to and amount of benefits, authorizing benefit payments, and gathering of information necessary for administration of the Plan. Appropriate forms available for processing claims can be obtained from the Administrator.
ERISA RIGHTS

ERISA Rights

As a Participant in the Plan you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (“ERISA”). ERISA provides that all Plan Participants shall be entitled to:

(i) examine, without charge, at the Administrator’s office all Plan documents, insurance contracts and copies of all documents filed by the Plan with the U.S. Department of Labor, such as detailed annual reports and this SPD;
(ii) obtain copies of all Plan documents and other Plan information upon written request to the Administrator, who may make a reasonable charge for the copies;
(iii) receive a summary of the Plan’s annual financial report. The Administrator is required by law to annually furnish each Participant with a copy of this summary annual report.

In addition to creating rights for Plan Participants, ERISA imposes duties upon the people who are responsible for the operation of the Plan. These people, called “fiduciaries” of the Plan, have a duty to act prudently and in the interest of you and other Plan Participants and beneficiaries. No one, including the Company or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a Plan benefit or exercising your rights under ERISA.

If your claim for a benefit is denied or ignored, in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain time schedules.

Under ERISA, there are steps you can take to enforce these rights. For instance, if you request a copy of Plan documents or the latest annual report from the Plan and do not receive them within 30 days, you may file suit in a federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay you up to $110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Plan Administrator. If you have a claim for benefits that is denied or ignored, in whole or in part, you may file suit in a state or federal court. In addition, if you disagree with the Plan’s decision or lack thereof concerning the qualified status of a domestic relations order, you may file suit in federal court. If it should happen that Plan fiduciaries misuse the Plan’s money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in a federal court. The court will decide who should pay court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous.

If you have any questions about the Plan, you should contact the Plan Administrator. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the Plan Administrator, you should contact the nearest office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory or the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration.