



Office of Insurance Regulation
Company Admissions

**APPLICATION FOR CERTIFICATE OF AUTHORITY CONTINUING CARE
RETIREMENT COMMUNITY**

The Office receives applications electronically. Please submit your application at <http://www.floir.com/iportal>, using the i-Apply link to Online Company Admissions.

This package is designed to assist individuals in preparing the application with all the information required by statute and to facilitate expeditious processing of the application by this Office.

PLEASE NOTE: THE COMPLETED CHECK LIST MUST BE SUBMITTED WITH THE APPLICATION PACKAGE.

The completed application package must be submitted to the Office by utilizing the following link:

<http://www.floir.com/iportal>
and select iApply – Online Company Admissions

If this package requires submission of forms and/or rates, upon receipt of an email notification of acceptance of the application, the Applicant is directed to return to the Industry Portal <http://www.floir.com/iportal> and select “Form & Rate Filing Assembly and Submission” to begin the submission of forms and/or rates.

Any questions concerning this application package may be directed to the Application Coordinator at appcoord@floir.com. For iApply only questions, contact the Application Coordinator at iapply@floir.com

In order for a submission to be considered a complete application, all required information must be included in the filing. Filings that do not include all required information will be disapproved or returned.

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR CERTIFICATE OF AUTHORITY
CONTINUING CARE RETIREMENT COMMUNITY**

**INSTRUCTIONS
SECTION I - APPLICATION FORM AND RELATED FEES**

Section I-1 Application Fees

Applicants must pay an application filing fee of \$75. The fee is due at the time the application is filed. Secure the check to the invoice (included in this package) and send to:

Florida Department of Financial Services
Bureau of Financial Services
PO Box 6100
Tallahassee, Florida 32314-6100

Place a photocopy of the invoice and check in this section.

Section I-2 Fingerprint Processing Fees

Applicants are required to prepay electronically for the processing of the fingerprint cards required in section IV-5. Please see form OIR-C1-938 for instructions. The fingerprint cards are to be submitted with the application filing.

Place a copy of your on-line payment confirmation along with the fingerprint cards in the management section (IV-5).

NOTE: Florida residents have the option of having their fingerprints digitally scanned rather than providing paper fingerprint cards. Please see form OIR-C1-938 for instructions.

NOTE: Individuals who are non-U.S. citizens with no social security number should continue to submit payment of fingerprint fees per instructions in form OIR-C1-903.

Section I-3 Application for Certificate of Authority

Submit this original Application for Certificate of Authority, attested (original signatures) by the President, Partners, Managing General Partner, Association Members or Trustee, etc. and, if applicable, the secretary of the company under corporate seal and notarized. Upon approval, the Office of Insurance Regulation (the Office) will issue a COA to you.

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR CERTIFICATE OF AUTHORITY
CONTINUING CARE RETIREMENT COMMUNITY**

SECTION II - LEGAL

Section II-1 Authorization Letter

Provide a letter of authorization for anyone other than company personnel or the company-sponsoring agent, designating the named individual to represent the applicant.

Section II-2 Articles of Incorporation

If changes or amendments to the original articles of incorporation have occurred since the documents that were filed for your PCOA, provide the revised articles of incorporation with an original certification by the public official with whom the originals are on file in the state of domicile.

Section II-3 Company Bylaws

If changes or amendments to the original bylaws have occurred since the documents that were filed for your PCOA, provide certified bylaws as revised, if applicable, signed and dated by the secretary of the company under corporate seal. Provide copies of the Board minutes when approval of the amendment was given.

Section II-4 Certificate of Status from Florida Secretary of State

Provide an original Certificate of Status issued by the Florida Secretary of State, if applicable, demonstrating that the company remains in good standing.

Section II-5 Fictitious Name Filing

If a change or amendment to the fictitious name has occurred since the documents that were filed for your PCOA, provide documentation of your compliance with Section 865.09, FS, dealing with fictitious names. Please provide the original.

Section II-6 Partnership Agreements

If changes or amendments to the partnership agreement have occurred since the documents that were filed for your PCOA, provide a certified partnership agreement as revised, if applicable, signed and dated by the managing general partner. General partners or managing general partners who submitted organizational documents must submit any changes or amendments similarly. Please provide an original.

Section II-7 Parent Companies and Controlling Partners

If changes or amendments to the organizational documents have occurred since the documents that were filed for your PCOA, provide complete organizational documents required in Sections II-3 through II-7, for all entities controlling the applicant upward to the ultimate controlling entity of each.

Section II-8 Association Membership, or Trust Agreements

If changes or amendments to the original documents have occurred since those that were filed for your PCOA, provide a certified original association membership agreement, trust agreement, or other legal entity, signed and dated by the appropriate representative.

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR CERTIFICATE OF AUTHORITY
CONTINUING CARE RETIREMENT COMMUNITY**

SECTION III - FINANCIAL

Section III-1 Plan of Operations

Submit a general summary of the plan of operations from receipt of the COA through stable occupancy of facility. Review the general information attached as exhibit III-1.

Section III-2 Organizational Chart

Provide an schematic external organizational chart disclosing the applicant's relationship with any other entities, including the ultimate controlling company or controlling person. Label all appropriate ownership percentages.

Section III-3 Feasibility Study

Attach a copy of the market and financial feasibility study prepared according to the standards and including the independent evaluation and opinion required in Section 651.023(1)(b), FS.

Section III-4 Project Financing

Submit proof that commitments have been secured for both construction financing and long-term financing or a documented plan acceptable to the Office has been adopted by the applicant for long-term financing and attach an amortization schedule which evidences the terms of the financing and the repayment schedule. Submit proof all lender's conditions are satisfied to activate the commitment to disburse funds other than approval of this application, completion of construction or purchase of realty or building closing. If bonds are to be issued in connection with the project, submit the official statement used in connection with the proposed bond issue, a copy of the bond indenture, and a sample form of the bond. Submit a "Sources and Uses of Funds Statement" which discloses all sources and all uses of funds to be used to develop the project. The statement should reflect that the aggregate amount of entrance fees received by or pledged to the applicant, plus anticipated proceeds from any long-term financing commitment, plus funds from all other sources in the actual possession of the applicant, equal to not less than 100 percent of the aggregate cost of constructing or purchasing, equipping, and furnishing the facility plus 100 percent of the anticipated startup losses of the facility. Submit copies of all proposed, drafted or executed financial agreements. Upon final execution, copies of any such documents must be sent to the Office within 30 days.

Section III-5 Advertising

Submit a copy of any advertisement or other written, visual or electronic material proposed to be used or in use in the solicitation of residents that has not already been submitted and approved by the Office.

Section III-6 Contracts, Leases, Agreements

Submit a copy of any material contract not submitted to date entered into or to be entered into by the applicant. For example, a management agreement, lease, development agreement, etc. Identify and explain any new arrangements or material amendments since receipt of your PCOA for furnishing the following goods and services. Explain the relationship, if any, to the applicant. If the party furnishing such services is other than the applicant, attach a copy of the contract or agreement, or other documents which evidences the arrangement. State whether or not the contract or arrangement is the result of "arms length" negotiations, a bid, or, if otherwise explain: a. Shelter; b. Food; c. Health Care; d. Management; e. Construction; f. Construction financing; g. Permanent financing; h. Land; and i. Marketing.

Section III-7 Financial Statements

Attach complete audited financial statements for the applicant, prepared by an independent certified public accountant in accordance with generally accepted accounting principles, as of the date the applicant commenced business operations or for the fiscal year that ended immediately preceding the date of application, whichever is later. Submit copies of the most recent audited financial statements for any controlling parent company. Also include the applicant's and any such controlling parent company's unaudited financial statements for the most recent quarter ended subsequent to the date of the last audit and attested to by the Chief Financial Officer. (The Office shall request such other reasonable data and financial information to assist in determining the financial viability of the applicant and the management capabilities of its managers and owners based on its review of the contents of this application response pursuant to Chapter 651. FS.)

Section III-8 50 Percent Of Units Reserved

Submit proof that 50 percent of the units for which the provider is charging an entrance fee are reserved. You may submit this COA application upon being able to prove that at least 30 percent or more of the units to be constructed are reserved. However, under no circumstances will a COA be issued until all requirements of this Chapter have been met and proof that 50 percent of the units to be constructed are reserved. (Proof shall consist of an executed reservation agreement which conforms with Section 651.023(2)(b), FS, and a copy of the written receipt issued by the provider to the resident which meets the requirements of Section 651.033(3)(b), FS.)

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR CERTIFICATE OF AUTHORITY
CONTINUING CARE RETIREMENT COMMUNITY**

SECTION IV - MANAGEMENT

ANY INDIVIDUALS NOT INCLUDED IN THE PROVISIONAL CERTIFICATE OF AUTHORITY APPLICATION MUST PROVIDE ALL OF THE INFORMATION REQUIRED. ALL NAMES BELOW MUST INCLUDE FIRST, MIDDLE AND LAST NAME (NO ABBREVIATIONS).

Section IV-1 Management Information

Provide the full name of all company incorporators, officers, directors, shareholders (owning 10% or more of the outstanding stock of the company), partners, proprietor, management company principals, association members and/or trustees with their respective titles and ownership percentages. Please use the attached Management Information Form. If any shareholder with 10% or more of the stock is not an individual, then the same information should be provided for all principals up through the ultimate controlling person.

Section IV-2 Biographical Affidavits as to All Company Incorporators, Officers, Directors, Shareholders, Partners, Proprietor, Management Company Principals, Association Members and Trustees

Provide a Biographical Affidavit (Form OIR-C1-1423) for each officer, director, and shareholder listed in Section IV-1 except for those companies in the organizational structure between the immediate parent and the ultimate parent. All questions must be answered. If, however, the Biographical Affidavits are currently on file and are not more than two years old, no submission is necessary.

The requirement for the affiant's social security number as part of the Biographical Affidavit is mandatory. However, Pursuant to Sections 119.071(5), FS, social security numbers collected by an agency are confidential and exempt from section 119.07(1), FS, and Section 24(a), Art. 1 of the State Constitution and must be segregated on a separate page. Therefore, instead of including the SSN on page 6 of the NAIC form, please include the affiant's name and social security number on a separate page and attach it to the Biographical Affidavit. Also, please stamp CONFIDENTIAL at the top and bottom of the separate page.

Section 119.071(5), FS, gives authority for an agency to collect social security numbers if imperative for the performance of that agency's duties and responsibilities as prescribed by law. Limited collection of social security numbers is imperative for the Office of Insurance Regulation. The duties of the Office of Insurance Regulation in background investigation are extensive in order to insure that the owners, management, officers, and directors of any insurer are competent and trustworthy, possess financial standing and business experience, and have not been found guilty of, or not pleaded guilty or nolo contendere to, any felony or crime punishable by imprisonment of one year.

Section IV-3 Background Investigative Report

An Investigative Background Report must be provided for each person listed in Section IV-1 above except for those companies in the organizational structure between the immediate parent and the ultimate parent. Background reports must be submitted by the selected background investigator vendor directly to the Office prior to or contemporaneously with the submission of the application filing. Please refer to form OIR-C1-905 for instructions.

Section IV-4 Fingerprint Cards

Fingerprint cards must be completed for each person listed in Section IV-1. The cards will be furnished by the Office upon request. **No cards other than those furnished by the Office will be accepted.** The cards must be completed at a law enforcement agency and returned to this Office for processing. Please refer to form OIR-C1-938 for instructions.

Due to the length of time required by law enforcement agencies to process fingerprint cards, it is suggested that the cards be ordered immediately so they may be submitted before or with the application.

Please place the completed fingerprint cards in this section.

Note: Florida residents have the option of having their fingerprints digitally scanned rather than providing paper fingerprint cards and fees as noted above. Please refer to form OIR-C1-938 for instructions.

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR PROVISIONAL CERTIFICATE OF AUTHORITY
CONTINUING CARE RETIREMENT COMMUNITY**

SECTION V - FORMS

Section V-1 Escrow Agreements

Submit a list of all previously executed escrow agreements such as the entrance fee escrow agreement, the seven-day escrow agreement and minimum liquid reserve escrow agreements. Include the account numbers established pursuant to those agreements and document the balances, if any, in each account. Submit drafts of any escrow agreements needed or required at this time but as yet not executed. Escrow agreements must comply with appropriate Sections 651.023, 651.033, 651.035, FS, and Rule 69O-193.023, Florida Administrative Code (FAC).

Section V-2 Reservation and Residency Contracts

Submit a copy of the Continuing Care residency contract and reservation contract, to be entered into between the provider and the resident for Office review and approval. Document any previously approved contracts. The agreements must meet the minimum requirements of Sections 651.055, 651.061, 651.022(2)(d), FS, and Rule 69O-193.020, FAC.

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR CERTIFICATE OF AUTHORITY
CONTINUING CARE RETIREMENT COMMUNITY**

**CHECK LIST
SECTION I - APPLICATION FORM AND RELATED FEES**

Company Name: _____

<u>Item #</u>	<u>Completion Check List</u>
1. Application fees paid.....	[]
(a) Copy of invoice included.....	[]
(b) Copy of check.....	[]
2. Fingerprint fees paid electronically	[]
(a) Copy of on-line payment confirmation.....	[]
Or, if applicable	
(b) Copy of Form OIR-C1-903 (Invoice) included.....	[]
(c) Copy of check included.....	[]
(d) Originals mailed to Bureau of Financial Services.....	[]
3. Completed Application for Certificate of Authority	[]
(a) Attested under corporate seal of company and notarized	[]
(b) Signed by (original signatures)	[]
(1) President or chief executive officer.....	[]
(2) Secretary	[]
(3) Partners	[]
(4) General Partners	[]
(5) Managing General Partner	[]
(6) Association Members	[]
(7) Trustee	[]
(8) Proprietor or Other (Explain)	[]

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR CERTIFICATE OF AUTHORITY
CONTINUING CARE RETIREMENT COMMUNITY**

SECTION II - LEGAL

Company Name: _____

<u>Item #</u>	<u>Completion Check List</u>
1. Authorization letter.....	[]
2. Articles of Incorporation if changed	[]
(a) Original	[]
(b) Original certification by the public official with whom the originals are on file in the state of domicile (if foreign)	[]
(c) Board minutes recording approval of amendments	[]
3. Company bylaws if changed	[]
(a) Original	[]
(b) Under corporate seal of company	[]
(c) Board minutes recording approval of amendments	[]
(c) Signed and dated by secretary	[]
4. Original certificate of status issued by the Florida Secretary of State evidencing registration as a foreign or domestic corporation	[]
(a) Original	[]
5. Fictitious Name Certificate if changed	[]
(a) Original	[]
6. Partnership agreements if changed	[]
(a) Original	[]
(b) Certified and signed by general partners, managing general partner.....	[]

- 7. Parent companies and controlling partners if changed []
 - (a) Appropriated organizational documents (See Sections II-3 through II-7)..... []
 - (b) Originals []
- 8. Association membership or trust agreements if changed []
 - (a) Association agreement original []
 - (b) Trust agreement original []
 - (c) Amendments to agreements []

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR CERTIFICATE OF AUTHORITY
CONTINUING CARE RETIREMENT COMMUNITY**

SECTION III – FINANCIAL

Company Name: _____

<u>Item #</u>	<u>Completion Check List</u>
1. Plan of Operations	[]
2. Organizational chart	[]
3. Feasibility Study	[]
(a) Statutorily required opinion	[]
4. Project financing	[]
(a) Proof of financing commitments	[]
(1) Construction financing	[]
(2) Long-term financing	[]
(b) Amortization schedule	[]
(c) Proof of commitment for disbursement of funds	[]
(d) Bond Issue	[]
(1) Official statement	[]
(2) Indenture	[]
(3) Sample bond	[]
(e) Sources and Uses Statement	[]
(f) All proposed, drafted and executed financing agreements	[]
5. All unsubmitted or proposed advertising	[]
6. Contracts, leases, agreements	[]
(a) Copies of previously unfurnished contracts (designating bid or non-bid).....	[]
(b) Amendments to previously submitted agreements	[]
(c) Explanation of any affiliated or close handed agreements	[]

- 7. Financial Statements []
 - (a) Commencement of operations audited financial statements []
 - (b) Most recent audited financial statements []
 - (1) Licensee []
 - (2) Parent or controlling entity (ies) []
 - (c) Most recent unaudited quarterly financial statements []
 - (1) Licensee []
 - (2) Parent or controlling entity (ies) []
 - (d) Attestation of Chief Financial Officer to 7. (c), above []
- 8. Proof of 50% Reservations []
 - (a) Application submitted with:
 - (1) 30 % or more reserved but less than 50% []
 - (2) 50% or more reserved []
 - (b) Reservation agreement copy []
 - (c) Receipt copy []

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR CERTIFICATE OF AUTHORITY
CONTINUING CARE RETIREMENT COMMUNITY**

SECTION IV – MANAGEMENT

Company Name: _____

Completion

Item #

Check List

1. Listing of all proposed company incorporators, officers, directors, mgt. co. principals, shareholders, partners, association members and trustee (official form)..... []

2. Biographical Statement and Affidavits by incorporators, officers, directors, mgt. company principals, shareholders, partners, association members and trustee (official form)... []

As to each biographical:

(a) All information completed..... []

(b) Contains original signature..... []

(c) Notarized (original)..... []

(d) Original []

(e) Provide Social Security Number on separate page..... []

3. Investigative Background Report for each individual listed in Section IV-1 []

4. Two fingerprint cards enclosed for each person listed in Section IV-1..... []

As to each fingerprint card:

(a) Contains original signature of each respective officer..... []

(b) Card obtained from Office of Insurance Regulation..... []

(c) All information completed (DOB, citizenship, vital statistics)..... []

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR CERTIFICATE OF AUTHORITY
CONTINUING CARE RETIREMENT COMMUNITY**

SECTION V - FORMS

- 1. Escrow agreements..... []
 - (a) Entrance fee escrow agreement..... []
 - (b) Seven-day escrow agreement..... []
 - (c) Minimum liquid reserve escrow agreements..... []
 - (1) Debt service reserve..... []
 - (2) Operating reserve..... []
 - (3) Renewal and replacement reserve..... []
 - (d) List of account numbers..... []
 - (e) Account statement (balance confirmation)..... []
- 2. Reservation and residency contract..... []
 - (a) Reservation contract..... []
 - (b) Residency contract..... []
 - (c) Documentation of Office prior approval of agreements in use..... []

THE COMPLETED CHECKLIST MUST BE RETURNED WITH THE APPLICATION PACKAGE.

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION**

CHECKLIST VERIFICATION

The undersigned says that he/she is a senior officer having personal knowledge of the application submitted to the Florida Office of Insurance Regulation in connection with licensure sought by

_____,
(Entity Name)

that he/she has read said application, that he/she knows the contents thereof and verifies that the items indicated in the application checklist have been submitted with the application, that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the applicant on behalf which the person acted, executed the instrument.

I understand that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duties is guilty of a misdemeanor of the second degree, pursuant to Section 837.06, Florida Statutes.

Dated _____

(Give full and exact name of Applicant)

Signature of President, Secretary, or Treasurer

Printed Name

Printed Title

INVOICE

**DEPARTMENT OF FIANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
CONTINUING CARE RETIREMENT COMMUNITY
APPLICATION FOR CERTIFICATE OF AUTHORITY**

NAME OF COMPANY: _____

FEIN: _____

ADDRESS: _____

CITY, STATE & ZIP CODE: _____

PHONE NUMBER: (____) _____ - _____

MAILING ADDRESS (IF DIFFERENT FROM STREET ADDRESS)

_____ (CITY) (STATE) (ZIP CODE)

Type of Entity: Stock corporation, non-profit corporation, general partnership, limited partnership, proprietorship, association, or trust.

1. Make check payable to the Office Of Insurance Regulation and mail check and invoice only to the Office Of Insurance Regulation, Bureau of Financial Services, Post Office Box 6100, Tallahassee, Florida 32314-6100.
2. Include a copy of the check and the invoice in Section I-1 of your application. The completed application package should be submitted to the Office Of Insurance Regulation, Applications Coordination Section, 200 E. Gaines Street, Larson Building, Tallahassee, Florida 32399-0332.

	B/T	TY/CL	F/T	AMOUNT
Filing Fee	C	12/21	F	<u>\$75.00</u>
			Total	\$75.00

FACILITY FILE NUMBER ASSIGNED: _____ .

DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION

APPLICATION FOR CERTIFICATE OF AUTHORITY
TO PROVIDE CONTINUING CARE IN THE STATE OF FLORIDA

_____, 20_____
TO THE DIRECTOR OF INSURANCE REGULATION OF THE STATE OF FLORIDA,
TALLAHASSEE, FLORIDA

SIR:

The _____
(Give name of company, partnership, proprietorship, trust or association in full)

Type of Entity: Stock corporation, non-profit corporation, general partnership, limited partnership, proprietorship, association, or trust. _____

Federal Employer's Identification Number _____

of _____
(Home Office Address) (City) (State) (Zip)

Phone Number: () _____ - _____ Fax: () _____ - _____

E-Mail Address: _____

through its duly authorized officers, hereby applies for license authorizing and empowering the Company, Partnership, Trust, or Association aforesaid to transact continuing care in the state of Florida, under the laws thereof.

ATTESTATION

I do solemnly attest that I am familiar with Chapter 651, Florida Statutes, relating to Continuing Care Contracts, and that all the responses, information, exhibits and documentary evidence submitted are true and correct to the best of my knowledge, information and belief.

By: _____
President, Managing General Partner, Partner, Trustee, etc.

(Corporate Seal, if applicable)

Attest: _____
Secretary

State of _____

County of _____

Sworn to and subscribed before me this
_____ day of _____, _____

(Notary Seal)

Notary Public

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
CONTINUING CARE RETIREMENT COMMUNITY
APPLICATION FOR CERTIFICATE OF AUTHORITY**

**EXHIBIT III-1
GENERAL INSTRUCTIONS**

I. GOVERNING LAW AND RULES: Continuing Care Providers are regulated pursuant to Chapter 651, FS, Rule 69O-193 of the FAC, and various provisions of the Florida Insurance Code which are incorporated by reference in Chapter 651, FS.

II. FORMS: A. All forms required to be submitted to the Office are contained in Office Rule 69O-193.065, FAC. No other forms will be accepted by the Office. B. When completing any Office form, if the space provided is insufficient for a full and complete response and additional space is necessary, attach a separate sheet, or provide the necessary documentation, cross-referenced to the specific item or question asked.

III. APPLICATIONS: A. You were assigned a facility file number when your application for a PCOA was approved. This file number remains with you as long as you are an applicant or a Certificate holder. All correspondence with the Office must reference this facility file number. B. Providers with more than one facility in this state must reference the individual facility file number assigned to a specific facility when corresponding with the Office about that facility.

IV. CERTIFICATIONS OR ATTESTATIONS: When certifications or attestations are referenced in the applications, they generally will have the following meanings: A. In connection with organizational documents, certification must be from the Florida Secretary of State or the equivalent public official from the State of Domicile, if different than Florida. Where corporate bylaws etc. are required, certification by the Corporate Secretary or equivalent, as to the truth and authenticity of the document is generally sufficient. B. Where audited financial statements or independent feasibility studies are required, the signed opinion of the preparer is generally sufficient. C. All other documents must be attested to by persons authorized by the charter or agreement of the applicant to make such affirmations. D. Where signatures are required, only an original manual signature is acceptable. Facsimiles are not acceptable and applications or reports so signed will be returned to you.

V. CONTRACTS, DOCUMENTS OR AGREEMENTS: A. All contracts, documents, or agreements, etc., required by Chapter 651, FS, or any rule promulgated pursuant thereto must be filed with (in duplicate with this application) and approved by the Office prior to its use in this state. Any document received must have on the first page a unique identifier or it will be returned as unacceptable for filing. For consistency, we recommend you utilize the following abbreviations as unique identifiers: RC - Residency Contract; RESV C - Reservation Contract; EA - Escrow Agreement; DSR - Debt Service Reserve; OR - Operating Reserve; RRR or R3 - Renewal and Replacement Reserve; Br Ad - Broadcast Advertisement; and Pr Ad - Printed Advertisement. An example is as follows: A residency contract for Woodland Hills Retirement Center - 88999, who holds a COA - 88999RC07/19/97. No. 88999 identifies the submitter as Woodland Hills Retirement Center. RC identifies the document as a residency contract, and 07/19/97 identifies the date the document was drafted and submitted for approval. Any document used in the normal course of business such as advertising, escrow agreements, reservation contracts, residency contracts, pamphlets, etc., must contain the unique identifier. B. Each material change, addendum, amendment or alteration of any service or information in a previously approved form constitutes a new form and must be filed with and approved by the Office prior to its use. New forms as outlined above and submitted for approval should be accompanied by a copy containing the changes, addendum, amendment or alteration underlined in red or "redlined."

VI. ADVERTISING: All prospective advertising was submitted and approved by the Office prior to issuance and while holding the PCOA unless instructed otherwise. After issuance of the COA, the advertising is not required to be submitted approval. The provider will remain responsible, however, for its advertising's contents and use pursuant to Section 651.095, FS, and Rules 69O-193.038, 69O-193.040 and 69O-193.043, FAC, and all rules promulgated thereunder and for maintaining its file. All advertising must be maintained on file for three years.

VII. FEASIBILITY STUDIES - PHASED DEVELOPMENTS: A. Each applicant for a PCOA must submitted a feasibility study that meets the requirements of Section 651.022(3), FS. Each applicant for COA must submit a feasibility study that meets the requirements of Section 651.023(1)(b), FS. B. If a phased development is employed in the construction of the facility, each phase must stand on its own merits. The feasibility study must clearly demonstrate that the phase for which you are seeking a PCOA or a COA, as well as the overall project, is feasible when completed. Any feasibility study failing to do so, will cause the application to be unacceptable.

VIII. REQUIRED REPORT FILING: A. Each "Provider" holding a PCOA must submit verification of compliance with their projections for unit sales per month within 25 days from each month's end. B. Each "Provider" holding a COA must submit the following documents and information on or before May 1 of each year or within 120 days of the end of the designated fiscal year and for the preceding year or portion thereof, regardless of whether the facility is operational or not: 1. A minimum liquid reserve calculation, form OIR-A3-477. 2. An annual report, form OIR-A3-470. The annual report must be completed and returned to this office together with a separately bound audited financial statements prepared in accordance with generally accepted accounting principles by an Independent Certified Public Accountant. 3. Where a "Provider" owns or operates more than one facility, a consolidated financial statement is acceptable for the entire corporate entity provided complete supplemental schedules are included for each licensed facility in this state. 4. If the "Provider" owns or operates more than one facility in this state and files consolidated audited financial statements for the entire corporate entity, they must also file a separate statement of operations for each facility as supplemental schedules to the audited financial statements. If the provider has operations that are not Florida certificated facilities, they must also file a separate balance sheets, statement of operations, changes in equity, and cash flows for each Florida facility as supplemental schedules to the audited financial statements. C. Unless otherwise specified by the Office, each certificate holder must submit periodic sales and financial reports, form OIR-A3-974, quarterly and within 45 days of the end of the designated period. D. All financial reports must be prepared on a calendar year basis except as otherwise provided in Section 651.026(5), FS. E. Each quarter, escrow statements from the escrow agent indicating the amount of any disbursements from or deposits to the various escrow accounts required by Chapter 651, FS, must be submitted to the Office pursuant to applicable statutes. Escrow statements that details how the funds in escrow have been invested must be confirmed by the provider that all funds investment in escrow meets the requirements of PART II of Chapter 625, FS.

IX. ACQUISITIONS AND MERGERS: PCOA and COA licenses are non-transferable. In the event of an acquisition, merger or change in control, the acquiring entity must file an application under Section 628.4615, FS. Contact the Applications Coordination Section for an application form.

- X. PROCESSING AND REVIEW: The Office adheres to the requirements of Chapter 651, FS, and all rules promulgated pursuant thereto. A. When fees are required in connection with an application, all checks should be made payable to: "Office of Insurance Regulation".
- B. Questions or inquiries may be directed to:

Office Of Insurance Regulation
Bureau of Specialty Insurers
200 East Gaines Street, Larson Building
Tallahassee, Florida 32399-0331
(850) 413-3144

Applications will normally be processed within thirty (30) days from the date of receipt by the Applications Coordination Section.

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
APPLICATION FOR CERTIFICATE OF AUTHORITY TO PROVIDE
CONTINUING CARE IN THE STATE OF FLORIDA**

**EXHIBIT III-3
INTERROGATORIES**

1. The applicant is: _____
(Name)

(Address)

(City, State, Zip Code)

Phone Number: () _____ Fax Number: () _____

E-Mail Address: _____

(Federal Employers Identification Number)

2. The contact person for the applicant is:

(Name)

(Address)

(City, State, Zip Code)

Phone Number: () _____ Fax Number: () _____

E-Mail Address: _____

Please indicate whether or not you wish to have clarifications and communications regarding this application sent to you by internet and if so, what email address they should be sent to:

Yes No _____
(Email Address)

3. The facility file number is: _____

4. A. The facility is located or will be located in _____
(City and County)

B. and will be known as _____

5. The facility obtained its PCOA on: _____, 20_____.
6. Has any of the following information required by Section 651.022(2), FS, changed since obtaining a PCOA? If "yes", explain, document, and state whether or not in management's opinion the change is material:
- (a) The organizational structure of the provider. (See Section I-3) _____ yes; _____ no
- (b) The names, residence and business addresses of:
- (1) The proprietor, if the applicant or provider is an individual. _____ yes; _____ no
- (2) Any partner if the applicant is a partnership having fewer than 50 partners together with the business name and address of the partnership. _____ yes; _____ no
- (3) The principal partners if the applicant is a partnership having 50 or more partners together with the business name and business address of the partnership. _____ yes; _____ no
- (4) The corporation and each officer and director thereof, if the applicant or provider is a corporation. _____ yes; _____ no
- (5) Any trustee and officer, if the applicant or provider is a trust. _____ yes; _____ no
- (6) The manager, whether an individual, corporation, or partnership, (including the Administrator). _____ yes; _____ no
- (7) Any shareholder holding at least a 10-percent interest in the operations of the facility in which the care is to be offered or of any entity controlling the applicant. _____ yes; _____ no
- (8) Any person whose name is required to be provided in the application and who owns any interest in or receives any remuneration from, either directly or indirectly, any professional service firm, association, trust, partnership, or corporation providing goods, leases, or services to the facility for which the application is made, with a real or anticipated value of \$500 or more, and the name and address of the professional service firm, association, trust, partnership, or corporation in which such interest is held. (If "yes", describe such goods, leases, or services, the probable cost to the facility or provider and describe why such goods, leases, or services should not be purchased from an independent entity.) _____ yes; _____ no
- (9) Any person, corporation, partnership, association, or trust owning land or property leased to the facility. _____ yes; _____ no
- (10) Any affiliated parent or subsidiary corporation or partnership. _____ yes; _____ no
7. Submit complete biographical information on the Office's form (included in this package) for any new person named in 4.(b) above, who did not previously submitted biographical information for the issuance of the PCOA. See Sections IV-2 through IV-5, explaining each biographical form required to be completed. See Section I-2 for fingerprint instructions.

8. Provide the name, address, telephone number, experience and credentials of the independent consultant or consultants who prepared the independent feasibility study and offered the required opinion on the independent feasibility study or on any part of the independent feasibility study:

9. Furnish the page number from the independent feasibility study where the following information can be found regarding the proposed facility:

- a. A description. pg _____
- b. The location. pg _____
- c. The size. pg _____
- d. The anticipated completion date. pg _____
- e. The proposed construction program. pg _____
- f. The primary market area. pg _____
- g. The secondary market area. pg _____
- h. Unit sales per month. pg _____
- i. Projected revenue & expense statements. pg _____
- j. Marketing expenses. pg _____
- k. Staffing requirements. pg _____
- l. Cost of property, plant & equipment. pg _____
- m. Projected balance sheet. pg _____
- n. Projected cash flow statements. pg _____
- o. Inflation factors. pg _____
- p. Estimate of funds required to cover start-up losses. pg _____
- q. Project costs. pg _____
- r. Marketing projections. pg _____
- s. Resident fees & charges. pg _____
- t. Competition. pg _____
- u. Contract provisions. pg _____

- v. Breakeven point. pg _____
- w. The opinion expressed on the overall study by the independent feasibility consultant. pg _____
- x. An individual actuary's opinion in the study. pg _____
- y. An individual CPA's opinion in the study. pg _____
- z. The assumptions used in the study, if any. pg _____
- aa. The marketing results to date. pg _____
- bb. Other factors which may affect the feasibility of operating the facility. pg _____

10. State whether or not there have been any material changes in the proposed health care delivery system since obtaining the PCOA. If "yes" explain and document. _____ yes; _____ no

**DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF INSURANCE REGULATION
MANAGEMENT INFORMATION FORM
COMPLETE LISTING OF INCORPORATORS, OFFICERS,
DIRECTORS, SHAREHOLDERS (10% OR MORE), PARTNERS, PROPRIETOR,
MANAGEMENT COMPANY PRINCIPALS, ASSOCIATION MEMBERS, AND TRUSTEES**

For All Individuals Listed Please Provide The Following Information: Name / Company(ies) / Title(s) /
Residence / Bus. Address / and Ownership Percentage (if appropriate)

INCORPORATORS / OFFICERS / DIRECTORS / SHAREHOLDERS

PARTNERS / PROPRIETOR / MANAGEMENT COMPANY PRINCIPALS

ASSOCIATION MEMBERS / TRUSTEES

CERTIFICATION BY PREPARER

Signature, Position Of Preparer and Date (See Section IV-1 For Details)



Office of Insurance Regulation
Company Admissions

INSTRUCTIONS FOR FURNISHING BACKGROUND INVESTIGATIVE REPORTS

1. A background investigative report must be completed for each individual as indicated in the instructions in the application package.
2. Please refer to the NAIC website at http://www.naic.org/documents/industry_ucaa_third_party.pdf "Third Party Vendors for Background Reports", for specific information regarding background investigation vendors.
3. The applicant is responsible for paying for the reports and for handling billing arrangements with the selected vendor.
4. Applicants are required to ensure that the selected vendor will transmit investigative reports electronically to the Florida Office of Insurance Regulation ("Office") to this e-mail address: bkgrnd-inv@flor.com in Microsoft Word format, with appropriate reference to the applicant in the subject of each transmittal e-mail. Reports should be submitted prior to or contemporaneously with the submission of each application filing, with the exception of acquisition filings.
6. Applicants must include evidence indicating that background reports have been ordered, including proof of payment, as a component in the online submission via iApply.
7. Any questions regarding this process may be directed to the Office at appcoord@flor.com



Office of Insurance Regulation
Company Admissions

FINGERPRINT PAYMENT AND SUBMISSION PROCEDURE

LiveScan (available to Florida Residents):

Applicants must pay online for processing of electronic fingerprints and make appointment for electronic fingerprinting. To begin the process, access MorphoTrustUSA

- Select English or Spanish to continue
- Enter First Name and Last Name
- Select "Continue"
- Enter Zip Code to determine closest fingerprint location or Choose "Region" and select "Go"
- Schedule Appointment
- Enter Applicant Information and select "Send Information"
- Verify and Select "Go"
- Select "Method of Payment" and "Send Payment Information"
- Select "Continue to US Bank E-Pay"
- Retain copy of payment confirmation

Paper Card* (available to Florida Residents and Non-Residents):

Applicants must pay online for processing fingerprint cards. To begin the process, access MorphoTrustUSA

- Select English or Spanish to continue
- Enter First Name and Last Name and select "Go"
- Select "Non-Resident Card Submission" (Non-Residents and Florida Residents not utilizing LiveScan)
- Select "No Cards"
- Enter Applicant Information and select "Send Information". If Applicant does not have a Social Security Number, enter "123-12-1234" in the required SSN field
- Verify and Select "Go"
- Select "Method of Payment" and "Send Payment Information"
- Select "Continue to US Bank E-Pay"
- Retain copy of payment confirmation
- Mail completed cards with a cover letter to: Florida Office of Insurance Regulation
Company Admissions
200 East Gaines Street
Tallahassee, Florida 32399-0332

Applicants may contact MorphoTrust USA's toll free registration center at 1-800-528-1358 regarding payment and/or appointment issues.

*Applicants must use fingerprint cards provided by the Office. Applicants must provide **two** completed cards per person. Blank fingerprint cards may be requested by emailing appcoord@flor.com or calling 850-413-2575.

Payment confirmations will be a required component in the electronic application submitted via iApply.

Questions may be emailed to appcoord@flor.com.

CONFIDENTIAL

Pursuant to sections 119.071(5), Florida Statutes, social security numbers collected by an agency are confidential and exempt from section 119.07, Florida Statutes, and section 24(a), Art. I of the State Constitution. The requirement must be relevant to the purpose for which collected and must be clearly documented. The social security numbers must be segregated on a separate page from the rest of the record.

Applicant's Name: _____

Applicant's Social Security Number: _____

The requirement for the applicant's social security is mandatory.

Section 119.071(5), Florida Statutes, gives authority for an agency to collect social security numbers if imperative for the performance of that agency's duties and responsibilities as prescribed by law. Limited collection of social security numbers is imperative for the Office of Insurance Regulation. The duties of the Office of Insurance Regulation in background investigation are extensive in order to insure that the owners, management, officers, and directors of any insurer are competent and trustworthy, possess financial standing and business experience, and have not been found guilty of, or not pleaded guilty or nolo contendere to, any felony or crime punishable by imprisonment of one year. In establishing these qualifications and the Office of Insurance Regulation's responsibility to ensure that individuals meet these qualifications, the legislature recognized that owners, officers, and directors of an insurance company are in a position to cause great harm to public should they be untrustworthy or have a criminal background. These individuals control vast amount of funds that belong to policyholders. To meet the legislative intent that these people are qualified to be trusted, having the identifying social security number is essential for the Office of Insurance Regulation to adequately perform the background investigative duty. There are many individuals with the same name, without this identifying number it would be difficult if not impossible to be reasonably sure that the correct individuals are identified and verify they meet the statutorily required conditions.

CONFIDENTIAL

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

BIOGRAPHICAL AFFIDAVIT

To the extent permitted by law, this affidavit will be kept confidential by the state insurance regulatory authority.

(Print or Type)

Full name, address and telephone number of the present or proposed entity under which this biographical statement is being required (Do Not Use Group Names). _____

In connection with the above-named entity, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any question fully.) IF ANSWER IS "NO" OR "NONE," SO STATE.

1. Affiant's Full Name (Initials Not Acceptable): First: _____ Middle: _____ Last: _____

2. a. Are you a citizen of the United States?

Yes No

b. Are you a citizen of any other country?

Yes No

If yes, what country? _____

3. Affiant's occupation or profession: _____

4. Affiant's business address: _____

Business telephone: _____

Business Email: _____

5. Education and training:

<u>College/University</u>	<u>City/State</u>	<u>Dates Attended (MM/YY)</u>	<u>Degree Obtained</u>
_____	_____	_____	_____

<u>Graduate Studies</u>	<u>College/University</u>	<u>City/State</u>	<u>Dates Attended (MM/YY)</u>	<u>Degree Obtained</u>
_____	_____	_____	_____	_____

<u>Other Training: Name</u>	<u>City/State</u>	<u>Dates Attended (MM/YY)</u>	<u>Degree/Certification Obtained</u>
_____	_____	_____	_____

Note: If affiant attended a foreign school, please provide full address and telephone number of the college/university. If applicable, provide the foreign student Identification Number in the space provided in the Biographical Affidavit Supplemental Information.

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

6. List of memberships in professional societies and associations:

<u>Name of Society/Association</u>	<u>Contact Name</u>	<u>Address of Society/Association</u>	<u>Telephone Number of Society/Association</u>

7. Present or proposed position with the Applicant Company: _____

8. List complete employment record for the past twenty (20) years, whether compensated or otherwise (up to and including present jobs, positions, partnerships, owner of an entity, administrator, manager, operator, directorates or officerships). Please list the most recent first. Attach additional pages if the space provided is insufficient. It is only necessary to provide telephone numbers and supervisory information for the past ten (10) years.

Beginning/Ending Dates (MM/YY): _____ - _____ Employer's Name: _____

Address: _____ City: _____ State/Province: _____

Country: _____ Postal Code: _____ Phone: _____ Offices/Positions Held: _____

Type of Business: _____ Supervisor/Contact: _____

Beginning/Ending Dates (MM/YY): _____ - _____ Employer's Name: _____

Address: _____ City: _____ State/Province: _____

Country: _____ Postal Code: _____ Phone: _____ Offices/Positions Held: _____

Type of Business: _____ Supervisor/Contact: _____

Beginning/Ending Dates (MM/YY): _____ - _____ Employer's Name: _____

Address: _____ City: _____ State/Province: _____

Country: _____ Postal Code: _____ Phone: _____ Offices/Positions Held: _____

Type of Business: _____ Supervisor/Contact: _____

Beginning/Ending Dates (MM/YY): _____ - _____ Employer's Name: _____

Address: _____ City: _____ State/Province: _____

Country: _____ Postal Code: _____ Phone: _____ Offices/Positions Held: _____

Type of Business: _____ Supervisor/Contact: _____

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

9. a. Have you ever been in a position which required a fidelity bond?

Yes No

If any claims were made on the bond, give details: _____

b. Have you ever been denied an individual or position schedule fidelity bond, or had a bond canceled or revoked?

Yes No

If yes, give details: _____

10. List any professional, occupational and vocational licenses (including licenses to sell securities) issued by any public or governmental licensing agency or regulatory authority or licensing authority that you presently hold or have held in the past. For any non-insurance regulatory issuer, identify and provide the name, address and telephone number of the licensing authority or regulatory body having jurisdiction over the license (s) issued. If your professional license number is your Social Security Number (SSN) or embeds your SSN or any sequence of more than five numbers that are reasonably identifiable as your SSN, then write SSN for that portion of the professional license number that is represented by your SSN. (For example, "SSN", "12-SSN-345" or "1234-SSN" (last 6 digits)). Attach additional pages if the space provided is insufficient.

Organization/Issuer of License: _____ Address: _____

City: _____ State/Province: _____ Country: _____ Postal Code: _____

License Type: _____ License #: _____ Date Issued (MM/YY): _____

Date Expired (MM/YY): _____ Reason for Termination: _____

Non-Insurance Regulatory Phone Number (if known): _____

Organization/Issuer of License: _____ Address: _____

City: _____ State/Province: _____ Country: _____ Postal Code: _____

License Type: _____ License #: _____ Date Issued (MM/YY): _____

Date Expired (MM/YY): _____ Reason for Termination: _____

Non-Insurance Regulatory Phone Number (if known): _____

11. In responding to the following, if the record has been sealed or expunged, and the affiant has personally verified that the record was sealed or expunged, an affiant may respond "no" to the question. Have you ever:

a. Been refused an occupational, professional, or vocational license or permit by any regulatory authority, or any public administrative, or governmental licensing agency?

Yes No

b. Had any occupational, professional, or vocational license or permit you hold or have held, been subject to any judicial, administrative, regulatory, or disciplinary action?

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

Yes No

- c. Been placed on probation or had a fine levied against you or your occupational, professional, or vocational license or permit in any judicial, administrative, regulatory, or disciplinary action?

Yes No

- d. Been charged with, or indicted for, any criminal offense(s) other than civil traffic offenses?

Yes No

- e. Pled guilty, or nolo contendere, or been convicted of, any criminal offense(s) other than civil traffic offenses?

Yes No

- f. Had adjudication of guilt withheld, had a sentence imposed or suspended, had pronouncement of a sentence suspended, or been pardoned, fined, or placed on probation, for any criminal offense(s) other than civil traffic offenses?

Yes No

- g. Been subject to a cease and desist letter or order, or enjoined, either temporarily or permanently, in any judicial, administrative, regulatory, or disciplinary action, from violating any federal, state law or law of another country regulating the business of insurance, securities or banking, or from carrying out any particular practice or practices in the course of the business of insurance, securities or banking?

Yes No

- h. Been, within the last ten (10) years, a party to any civil action involving dishonesty, breach of trust, or a financial dispute?

Yes No

- i. Had a finding made by the Comptroller of any state or the Federal Government that you have violated any provisions of small loan laws, banking or trust company laws, or credit union laws, or that you have violated any rule or regulation lawfully made by the Comptroller of any state or the Federal Government?

Yes No

- j. Had a lien or foreclosure action filed against you or any entity while you were associated with that entity?

Yes No

If the response to any question above is yes, please provide details including dates, locations, disposition, etc. Attach a copy of the complaint and filed adjudication or settlement as appropriate.

12. List any entity subject to regulation by an insurance regulatory authority that you control directly or indirectly. The term "control" (including the terms "controlling," "controlled by" and "under common control with") means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or non-management services, or otherwise, unless the power is the result of an official position with or corporate office held by the person. Control shall be presumed to exist if any person, directly or indirectly, owns, controls,

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

holds with the power to vote, or holds proxies representing, ten percent (10%) or more of the voting securities of any other person. _____

If any of the stock is pledged or hypothecated in any way, give details. _____

13. Do [Will] you or members of your immediate family individually or cumulatively subscribe to or own, beneficially or of record, 10% or more of the outstanding shares of stock of any entity subject to regulation by an insurance regulatory authority, or its affiliates? An "affiliate" of, or person "affiliated" with, a specific person, is a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

Yes No

If yes, please identify the company or companies in which the cumulative stock holdings represent 10% or more of the outstanding voting securities.

If any of the shares of stock are pledged or hypothecated in any way, give details.

14. Have you ever been adjudged a bankrupt?

Yes No

If yes, provide details: _____

15. To your knowledge has any company or entity for which you were an officer or director, trustee, investment committee member, key management employee or controlling stockholder, had any of the following events occur while you served in such capacity?

- a. Been refused a permit, license, or certificate of authority by any regulatory authority, or governmental-licensing agency?

Yes No

- b. Had its permit, license, or certificate of authority suspended, revoked, canceled, non-renewed, or subjected to any judicial, administrative, regulatory, or disciplinary action (including rehabilitation, liquidation, receivership, conservatorship, federal bankruptcy proceeding, state insolvency, supervision or any other similar proceeding)?

Yes No

- c. Been placed on probation or had a fine levied against it or against its permit, license, or certificate of authority in any civil, criminal, administrative, regulatory, or disciplinary action?

Yes No

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

If the answer to any of the above is yes, please indicate and give details. When responding to questions (b) and (c), affiant should also include any events within twelve (12) months after his or her departure from the entity. _____

Note: If an affiant has any doubt about the accuracy of an answer, the question should be answered in the positive and an explanation provided.

Dated and signed this _____ day of _____, 20____ at _____. I hereby certify under penalty of perjury that I am acting on my own behalf and that the foregoing statements are true and correct to the best of my knowledge and belief.

(Signature of Affiant)

State of: _____ County of: _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____ by _____, and:

- who is personally known to me, or
- who produced the following identification: _____.

[SEAL]

Notary Public

Printed Notary Name

My Commission Expires

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

**BIOGRAPHICAL AFFIDAVIT
Supplemental Personal Information**

(Print or Type)

To the extent permitted by law, this affidavit will be kept confidential by the state insurance regulatory authority.

Full name, address, and telephone number of the present or proposed entity under which this biographical statement is being required (Do Not Use Group Names).

1. Affiant's Full Name (Initials Not Acceptable): First:_____ Middle:_____ Last:_____ IF ANSWER IS "NONE," SO STATE.

2. Have you ever used any other name, including first, middle or last name, nickname, maiden name or aliases?

Yes No

If yes, give the reason if any, if none indicate such, and provide the full name(s) and date(s) used.

<u>Beginning/Ending Date(s) Used (MM/YY)</u>	<u>Name(s) Specify: First, Middle or Last Name</u>	<u>Reason (If none, indicate such)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Note: Dates provided in response to this question may be approximate. Parties using this form understand that there could be an overlap of dates when transitioning from one name to another.

3. Affiant's Social Security Number: _____

4. Government Identification Number if not a U.S. Citizen: _____

5. Foreign Student ID# (if applicable) : _____

6. Date of Birth: (MM/DD/YY) : _____ Place of Birth, City: _____
State/Province: _____ Country: _____

7. Name of Affiant's Spouse (if applicable) : _____

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

8. List your residences for the last ten (10) years starting with your current address, giving:

<u>Beginning/Ending Dates (MM/YY)</u>	<u>Address</u>	<u>City</u>	<u>State/ Province</u>	<u>Country</u>	<u>Postal Code</u>

Note: Dates provided in response to this question may be approximate, except for current address. Parties using this form understand that there could be an overlap of dates when transitioning from one address to another.

Dated and signed this ____ day of _____, 20____ at _____. I hereby certify under penalty of perjury that I am acting on my own behalf and that the foregoing statements are true and correct to the best of my knowledge and belief.

(Signature of Affiant)

State of: _____ County of: _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____ by _____, and:

- who is personally known to me, or
- who produced the following identification: _____

[SEAL]

Notary Public

Printed Notary Name

My Commission Expires

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

DISCLOSURE AND AUTHORIZATION CONCERNING BACKGROUND REPORTS

(All states except California, Minnesota and Oklahoma)

This Disclosure and Authorization is provided to you in connection with pending or future application(s) of _____ [company name] (“Company”) for licensure or a permit to organize (“Application”) with a department of insurance in one or more states within the United States. Company desires to procure a consumer or investigative consumer report (or both) (“Background Reports”) regarding your background for review by a department of insurance in any state where Company pursues an Application during the term of your functioning as, or seeking to function as, an officer, member of the board of directors or other management representative (“Affiant”) of Company or of any business entities affiliated with Company (“Term of Affiliation”) for which a Background Report is required by a department of insurance reviewing any Application. Background Reports requested pursuant to your authorization below may contain information bearing on your character, general reputation, personal characteristics, mode of living and credit standing. The purpose of such Background Reports will be to evaluate the Application and your background as it pertains thereto. To the extent required by law, the Background Reports procured under this Disclosure and Authorization will be maintained as confidential.

You may obtain copies of any Background Reports about you from the consumer reporting agency (“CRA”) that produces them. You may also request more information about the nature and scope of such reports by submitting a written request to Company. To obtain contact information regarding CRA or to submit a written request for more information, contact _____ [company’s designated person, position, or department, address and phone].

Attached for your information is a “Summary of Your Rights Under the Fair Credit Reporting Act.”

AUTHORIZATION: I am currently an Affiant of Company as defined above. I have read and understand the above Disclosure and by my signature below, I consent to the release of Background Reports to a department of insurance in any state where Company files or intends to file an Application, and to the Company, for purposes of investigating and reviewing such Application and my status as an Affiant. I authorize all third parties who are asked to provide information concerning me to cooperate fully by providing the requested information to CRA retained by Company for purposes of the foregoing Background Reports, except records that have been erased or expunged in accordance with law.

I understand that I may revoke this Authorization at any time by delivering a written revocation to Company and that Company will, in that event, forward such revocation promptly to any CRA that either prepared or is preparing Background Reports under this Disclosure and Authorization. This Authorization shall remain in full force and effect until the earlier of (i) the expiration of the Term of Affiliation, (ii) written revocation as described above, or (iii) twelve (12) months following the date of my signature below.

A true copy of this Disclosure and Authorization shall be valid and have the same force and effect as the signed original.

(Printed Full Name and Residence Address)

(Signature)

(Date)

State of: _____ County of: _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____ by _____, and:

- who is personally known to me, or
- who produced the following identification: _____

[SEAL]

Notary Public

Printed Notary Name

My Commission Expires

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

DISCLOSURE AND AUTHORIZATION CONCERNING BACKGROUND REPORTS
(Minnesota and Oklahoma)

This Disclosure and Authorization is provided to you in connection with pending or future application(s) of _____ **[company name]** (“Company”) for licensure or a permit to organize (“Application”) with a department of insurance in one or more states within the United States. Company desires to procure a consumer or investigative consumer report (or both) (“Background Reports”) regarding your background for review by a department of insurance in any state where Company pursues an Application during the term of your functioning as, or seeking to function as, an officer, member of the board of directors or other management representative (“Affiant”) of Company or of any business entities affiliated with Company (“Term of Affiliation”) for which a Background Report is required by a department of insurance reviewing any Application. Background Reports requested pursuant to your authorization below may contain information bearing on your character, general reputation, personal characteristics, mode of living and credit standing. The purpose of such Background Reports will be to evaluate the Application and your background as it pertains thereto. To the extent required by law, the Background Reports procured under this Disclosure and Authorization will be maintained as confidential.

You may request more information about the nature and scope of Background Reports produced by any consumer reporting agency (“CRA”) by submitting a written request to Company. You should submit any such written request for more information, to _____ **[company’s designated person, position, or department, address and phone]**.

Attached for your information is a “Summary of Your Rights Under the Fair Credit Reporting Act.” You will be provided with a copy of any Background Report procured by Company if you check the box below.

By checking this box, I request a copy of any Background Report from any CRA retained by Company, at no extra charge.

AUTHORIZATION: I am currently an Affiant of Company as defined above. I have read and understand the above Disclosure and by my signature below, I consent to the release of Background Reports to a department of insurance in any state where Company files or intends to file an Application, and to the Company, for purposes of investigating and reviewing such Application and my status as an Affiant. I authorize all third parties who are asked to provide information concerning me to cooperate fully by providing the requested information to CRA retained by Company for purposes of the foregoing Background Reports, except records that have been erased or expunged in accordance with law.

I understand that I may revoke this Authorization at any time by delivering a written revocation to Company and that Company will, in that event, forward such revocation promptly to any CRA that either prepared or is preparing Background Reports under this Disclosure and Authorization. This Authorization shall remain in full force and effect until the earlier of (i) the expiration of the Term of Affiliation, (ii) written revocation as described above, or (iii) twelve (12) months following the date of my signature below.

A true copy of this Disclosure and Authorization shall be valid and have the same force and effect as the signed original.

(Printed Full Name and Residence Address)

(Signature)

(Date)

State of: _____ County of: _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____, and:

- who is personally known to me, or
- who produced the following identification: _____

[SEAL]

Notary Public

Printed Notary Name

My Commission Expires

Applicant Company Name : _____

NAIC No. _____

FEIN: _____

DISCLOSURE AND AUTHORIZATION CONCERNING BACKGROUND REPORTS
(California)

This Disclosure and Authorization is provided to you in connection with a pending application of _____ [company name] (“Company”) for licensure or a permit to organize (“Application”) with a department of insurance in one or more states within the United States. Company desires to procure a consumer or investigative consumer report (or both) (“Background Reports”) regarding your background for review by any department of insurance in such states where Company is currently pursuing an Application, because you are either functioning as, or are seeking to function as, an officer, member of the board of directors or other management representative (“Affiant”) of Company or of any business entities affiliated with Company (“Term of Affiliation”) for which a Background Report is required by a department of insurance reviewing any Application. Background Reports will be obtained through _____ [name of CRA, address] (“CRA”). Background Reports requested pursuant to your authorization below may contain information bearing on your character, general reputation, personal characteristics, mode of living and credit standing. The purpose of such Background Reports will be to evaluate the Application and your background as it pertains thereto. To the extent required by law, the Background Reports procured under this Disclosure and Authorization will be maintained as confidential.

You may request more information about the nature and scope of Background Reports produced by any consumer reporting agency (“CRA”) by submitting a written request to Company. You should submit any such written request for more information, to _____ [company’s designated person, position, or department, address and phone].

Attached for your information is a “Summary of Your Rights Under the Fair Credit Reporting Act.” You will be provided with a copy of any Background Report procured by Company if you check the box below.

- By checking this box, I request a copy of any Background Report from any CRA retained by Company, at no extra charge.

Under section 1786.22 of the California Civil Code, you may view the file maintained on you by the CRA listed above. You may also obtain a copy of this file, upon submitting proper identification and paying the costs of duplication services, by appearing at the CRA in person or by mail; you may also receive a summary of the file by telephone. The CRA is required to have personnel available to explain your file to you and the CRA must explain to you any coded information appearing in your file. If you appear in person, you may be accompanied by one other person of your choosing, provided that person furnishes proper identification.

AUTHORIZATION: I am currently an Affiant of Company as defined above. I have read and understand the above Disclosure and by my signature below, I consent to the release of Background Reports to a department of insurance in any state where Company files or intends to file an Application, and to the Company, for purposes of investigating and reviewing such Application and my status as an Affiant. I authorize all third parties who are asked to provide information concerning me to cooperate fully by providing the requested information to CRA retained by Company for purposes of the foregoing Background Reports, except records that have been erased or expunged in accordance with law.

I understand that I may revoke this Authorization at any time by delivering a written revocation to Company and that Company will, in that event, forward such revocation promptly to any CRA that either prepared or is preparing Background Reports under this Disclosure and Authorization. In no event, however, will this authorization remain in effect beyond twelve (12) months following the date of my signature below.

A true copy of this Disclosure and Authorization shall be valid and have the same force and effect as the signed original.

(Printed Full Name and Residence Address)

(Signature)

(Date)

State of: _____ County of _____

The foregoing instrument was acknowledged before me this ___ day of _____, 20 by _____, and:

- who is personally known to me, or
- who produced the following identification: _____

[SEAL]

Notary Public

Printed Notary Name

My Commission Expires