



## INFORMATIONAL MEMORANDUM

OIR-04-019M

ISSUED

November 19, 2004

Florida Office of Insurance Regulation

Kevin McCarty, Commissioner

### To All Property and Casualty Insurers in the State of Florida

#### Clarification of Filing Requirements Related to Emergency Rule 69OER04-19

The purpose of this Informational Memorandum is to provide clarification to insurers for the proper submission of the required Affidavits and, when appropriate, a listing of claims not in compliance.

Emergency Rule 69OER04-19 requires all property and casualty insurers with direct personal lines residential property claims in Florida resulting from Hurricanes Charley, Frances, Ivan, Jeanne, and Tropical Storm Bonnie to expeditiously settle claims and furnish an Affidavit attesting to their compliance with the Emergency Rule.

1. The Affidavit forms are available on the Florida Department of Financial Services website. The link is [http://www.floir.com/Office/HurricaneSeason/2004/Emergency\\_Rules.aspx](http://www.floir.com/Office/HurricaneSeason/2004/Emergency_Rules.aspx). Go to the Emergency Rules section and the Affidavits of Compliance are numbered as follows: 69OER04-19 Part I (Tropical Storm Bonnie, Hurricanes Charley and Frances); 69OER04-19 Part II (Hurricanes Ivan and Jeanne); and 69OER04-19 Part III (Claims for Tropical Storm Bonnie, Hurricanes Charley and Frances Filed After October 21, 2004, and Hurricanes Ivan and Jeanne Claims Filed After November 8, 2004).
2. Affidavits may be submitted in any of the following forms by the appropriate deadlines as stated in the Rule:
  - a. By United States Mail addressed to Chris Biggins, Insurance Analyst II, Office of Insurance Regulation, Bureau of Market Investigations, 200 East Gaines Street, Tallahassee, FL 32399-4210.
  - b. By electronic attachment to email address [Chris.Biggins@fldfs.com](mailto:Chris.Biggins@fldfs.com).
  - c. By facsimile to 443-785-2420.
3. No group Affidavit will be accepted. Submit only one Affidavit per insurer, per part.
4. For those insurers attesting that they did not meet all conditions and requirements of the Emergency Rule, a listing of claims not in compliance as of each reporting date is due to the Office. The listing should be submitted as an Excel spreadsheet to [Chris.Biggins@fldfs.com](mailto:Chris.Biggins@fldfs.com) as part of an ongoing investigation pursuant to Section 624.318, Florida Statutes. The spreadsheet should identify the insurer and contain the following data elements:
  - a. Storm Name
  - b. Insured Last Name
  - c. Insured First Name
  - d. Policy Number
  - e. Claim Number
  - f. Date of Loss
  - g. Claim Report Date
  - h. Date of ALE Payment
  - i. Date of Inspection
  - j. Date of Settlement Offer

For further information, contact Chris Biggins in the Bureau of Market Investigations at (850) 413-5082.