

# CONNECTICUT INSURANCE DEPARTMENT

## PERSONAL LINES HOMEOWNERS FORMS FILING COMPLIANCE QUESTIONNAIRE

<b>COMPANY</b>		<b>Co. File No.</b>		
<b>TYPE OF INSURANCE</b>				
<p><b>Instructions: All applicable items must be answered. Responses in the shaded area indicate non-compliance with applicable Connecticut rules and regulations including Connecticut General Statutes (“CGS”) §38a-307. Form, page and paragraph references that bring the submission into compliance must be included (enter NA in this column if the item is not applicable to the filing). If the company provides a response in the shaded column and/or fails to complete all items, the filing will be rejected and returned without further review.</b></p>				
				Form/Page/Para Reference
<b>I.</b>	<b>GENERAL INFORMATION</b>			
<b>II.</b>	<b>COVERAGES</b>			
	Do all of the policy forms comply with Connecticut Standard Fire policy provisions in CGS §38a-307* and §38a-308*?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	Do any the policy provisions and/or endorsements provide for the use of functional replacement cost valuation? Functional Replacement Cost valuation does not comply with the Connecticut Standard Fire Policy. [See CGS §38a-307]*		YES <input type="checkbox"/> NO <input type="checkbox"/>	/ /
	Do the policy provisions and endorsements provide for replacement with like kind and quality on dwellings? [CGS §38a-307]*	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	Is the policy term clearly defined with an effective date and expiration date? A continuous policy term conflicts with the statutes. Policy expiration is necessary to afford the required cancellation and non-renewal provisions.	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	Does the definition of Insured comply with Connecticut law? [Per Public Act 05-10 Sections 14 and 15]*	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	Does the policy include a terrorism exclusion? Terrorism exclusions are not permitted for personal lines refer to current Department Bulletin PC 64*.		YES <input type="checkbox"/> NO <input type="checkbox"/>	/ /
	Do the Mold exclusions comply with published Department Mold guidelines*?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	1. Does the policy exclude or limit coverage for loss arising out of mold or remediation in which the proximate cause of loss is the peril of fire or lightning?		YES <input type="checkbox"/> NO <input type="checkbox"/>	/ /
	2. Does the policy provide sub-limits for mold loss of at least the following? <ul style="list-style-type: none"> <li>• Section I -minimum \$10,000</li> <li>• Section II -minimum \$50,000</li> </ul>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	3. Do the mold provisions provide coverage for loss caused by a peril other than fire and lightning?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	4. Does the policy include an additional deductible for mold loss?		YES <input type="checkbox"/> NO <input type="checkbox"/>	/ /
	5. Does the definition of “mold” comply with the published Department guidelines*?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	6. Does the definition of “mold” include bacteria? The policy provisions must include coverage for bacteria as outlined under (1) and (2) above.	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	7. Does the policy unreasonably restrict the time period for reporting a mold claim? Policy language that requires a loss due to mold to be reported during the policy period in which the original covered loss		YES <input type="checkbox"/> NO <input type="checkbox"/>	/ /

\* See <http://www.ct.gov/cid>

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	occurs is not acceptable.			
	<p>Does the Intentional Acts clause protect the interests of an innocent co-insured? The wording of this clause must not preclude the interests of innocent co-insureds. See acceptable wording below: We do not provide coverage for the insured who commits or directs an act with the intent to cause a loss.</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	<p>Has the Concealment or Fraud clause been revised to comply with CGS 38a-307? The wording of this clause must not preclude the interests of an innocent co-insured. The element of intent must apply to each of the reason subsections. This element is important to differentiate when the company could invoke the concealment clause, which precludes coverage or voids the policy, from when the company could invoke the cancellation clause, which terminates the policy prospectively. See sample wording: The entire policy will be void with respect to the insured who, whether before or after a loss, has intentionally: a. Concealed or misrepresented any material fact or circumstance; b. Engaged in fraudulent conduct; or c. Made material false statements; relating to this insurance.</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	<p>Do the policy forms include an intra-family suit exclusion? There is no prohibition of intra-family suit in Connecticut and the Department does not accept the exclusion of this exposure in contracts providing coverage for personal liability.</p>		YES <input type="checkbox"/>	NO <input type="checkbox"/> / /

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	<p>Does the Appraisal Condition clause include “competent and disinterested” language and the requirement for 20 day notification per CGS 38a-307? See Sample Wording: In case the insured and this Company shall fail to agree as to the actual cash value or the amount of loss, then, on the written demand of either, each shall select a <b>competent and disinterested</b> appraiser and notify the other of the appraiser selected <b>within twenty days</b> of such demand. The appraisers shall first select a <b>competent and disinterested</b> umpire; and failing for fifteen days to agree upon such umpire, then, on request of the insured or this Company, such umpire shall be selected by a judge of a court of record in this state in which the property covered is located. The appraisers shall then appraise the loss, stating separately actual cash value and loss to each item; and, failing to agree, shall submit their differences, only, to the umpire. An award in writing, so itemized, of any two when filed with this Company shall determine the amount of actual cash value and loss. Each appraiser shall be paid by the party selecting him and the expenses of appraisal and umpire shall be paid by the parties equally.</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>		/ /
<b>III.</b>	<b>CANCELLATION PROVISIONS [Refer to Bulletin PC-66*]</b>				
	<p>Do the cancellation provisions include a provision providing 10 days notice for non-pay cancellations? Connecticut requires 10 days notification from date cancellation</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>		/ /
	<p>For cancellations other than non-pay and not a renewal, do the cancellation provisions provide for 30 days notification prior to date cancellation takes effect?</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>		/ /

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	If the policy has been in effect for 60 days or more or at any time if it is a renewal, are the following reasons included in the cancellation provisions? a. A material misrepresentation of fact which if known to us would have caused us not to issue the policy; or b. The risk has changed substantially since the policy was issued.	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	Does the language state that the cancellation notification to the insured will be at least 30 days prior to the date cancellation takes effect?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	Does the language state that the notice will be sent in writing and that the specific reason for cancellation will be clearly stated on the notice?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	Does the language state that upon cancellation, the premium for the period from the date of cancellation to the expiration date will be refunded pro rata to the insured?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	Does the language state that if the return premium is not refunded with the notice of cancellation or when this policy is returned to us, it will be refunded within a reasonable time after the date cancellation takes effect?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
<b>IV.</b>	<b>NONRENEWAL PROVISIONS CGS 38a-323</b>			
	Does the nonrenewal language include a notification period of 60 days prior to the expiration of the policy?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	Does the nonrenewal language state that the notice must be sent in writing and must include the specific reason for nonrenewal on the notice? (See PC-66 for mailing requirements)	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
<b>V.</b>	<b>REFERENCE FILINGS (ME-TOO FILINGS)</b>			
	Does the filing include the Department or company reference numbers for the previously approved filings that are being referenced in this filing?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
	Did the company provide the Department with an explanation of the impact of the reference filing on existing business? Specifically, if the reference filing is being made in a new writing company, the company must specify where new business will be written and how existing renewals will be handled in the future.	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /
<b>VI.</b>	<b>MISC FILING REQUIREMENTS (All filings must be submitted with the following)</b>			
	Does the filing include either a ‘detailed’ description or ‘detailed’ cover letter explaining purpose and/or changes?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	/ /

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Does the filing include side-by-side comparisons for the revisions	YES <input type="checkbox"/>	NO <input type="checkbox"/>		/ /
Is the company licensed for this type of insurance in the state of Connecticut?	YES <input type="checkbox"/>	NO <input type="checkbox"/>		/ /
Have the appropriate filing fees been included with the filing?	YES <input type="checkbox"/>	NO <input type="checkbox"/>		/ /

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