

FROM: Director, Worldwide Markets EXTN: 6677
DATE: 20 December 2004 REF: Y3464
SUBJECT: **FLORIDA OFFICE OF INSURANCE REGULATION: FURTHER ACTION
TO ENSURE CONTINUED COMPLIANCE WITH CLAIMS
REQUIREMENTS**
SUBJECT AREA(S): Claims adjustment procedures following Florida Hurricanes – Affidavit Part III
ATTACHMENTS: Appendix A – Market Bulletins relating to Emergency Rule 690ER-04-19
Appendix B – Affidavit Part III

ACTION POINTS: **Urgent – Underwriters and Managing Agents to note**
DEADLINE(S): **See below**

1. Purpose of bulletin

To remind managing agents of imminent deadlines for specified actions in relation to claims, the submission of Part III Affidavits and the provision of lists of claims relating to recent Florida hurricanes.

2. Requirements

Details of Emergency Rule 600ER04-19 – Claims Adjustment Requirements are detailed in previous market bulletins – See Appendix A for a list of these bulletins.

In respect of the filing of affidavits, Part I and Part II would have been filed by 29 November and 8 December respectively, with listings of claims not in compliance provided by 7 December and 15 December.

The Part III affidavit is required to be filed on the following dates:

“As to any claim resulting from Tropical Storm Bonnie, Hurricane Charley, or Hurricane Frances, and filed after October 21, 2004, or any claim resulting from Hurricane Ivan or Hurricane Jeanne filed after November 8, 2004, Part III of the form shall be filed and received by the Office, filed on or before **January 1, 2005, and the first day of each month thereafter.**” (Emphasis added).

The Florida Office of Insurance Regulation has not yet advised the date in 2005 when filing of affidavits will cease. As soon as we are made aware we will inform the market accordingly.

3. Further information

If you have any queries about this bulletin please contact:

Lloyd's Worldwide Market Services
Gallery 1, Box 190b
Tel: 020 7327 6677
Email: market.services@lloyds.com

This bulletin has been sent to active underwriters and the compliance officers of managing agents and to Lloyd's brokers.

Julian James
Director
Worldwide Markets

Appendix A

Previous market bulletins relating to Emergency Rule 690ER-04-19

- **11 November 2004, Y3424**
Florida Office of Insurance Regulation – emergency rules covering mediation, claims adjustment and additional hurricane reporting.
- **18 November 2004, Y3429**
 1. Florida Office of Insurance Regulation – Emergency rule 69OER04-19 – claims adjustment requirements.
 2. Florida Department of Financial Services – Emergency rule 69BER04-20 – alternative procedures for resolution of disputed personal lines residential insurance claims arising from hurricane and tropical storm damage.
- **25 November 2004, Y3433**
Florida Office of Insurance Regulation - Emergency rule 69OER04-19 – claims adjustment requirements – guidance on submission of affidavits.
- **6 December 2004, Y3446**
Florida Office of Insurance Regulation: action to ensure continued compliance with claims requirements.

Appendix B

AFFIDAVIT OF COMPLIANCE WITH
EMERGENCY RULE 69OER04-19
PART III

Claims for Tropical Storm Bonnie, Hurricanes Charley and Frances Filed After October 21, 2004 and
Hurricanes Ivan and Jeanne Filed After November 8, 2004

[STATE OF _____

COUNTY OF _____]*

BEFORE ME, the undersigned authority, personally appeared _____,
who, being duly sworn, deposes and says:

1. My name is _____. I am the duly authorised representative of
_____ a Lloyd's [managing agent] [coverholder]*

2. I have personal knowledge of insurer's compliance with Emergency Rule 69OER04-19, and
the conditions and requirements of said rule.

3. I hereby attest (or attest based upon my best knowledge, based upon the best knowledge
available, after a reasonable and thorough investigation) that as of _____ (Initial
the following paragraph that applies):

_____ All personal lines residential property claims related to Hurricanes Charley,
Frances, Ivan, Jeanne and Tropical Storm Bonnie in Florida reported to
Lloyd's on or before _____, meet all
conditions and requirements of Emergency Rule 69OER04-19.

_____ All personal lines residential property claims related to Hurricanes
Charley, Frances, Ivan, Jeanne and Tropical Storm Bonnie damage in Florida
reported to Lloyd's on or before _____, did not
meet all conditions and requirements of Emergency Rule 69OER04-19.
A listing of each claim not in compliance as of that date will be provided to the
Office of Insurance Regulation within 15 days.

_____ No personal lines residential property claims related to Hurricanes
Charley, Frances, Ivan, Jeanne and Tropical Storm Bonnie damage in Florida
were reported to Lloyd's as of _____.

FURTHER AFFIANT SAYETH NAUGHT.

[Sworn to and subscribed before me
The undersigned authority this _____
Day of _____, 2004

[Sworn at

Before me

NOTARY PUBLIC
STATE OF _____

A solicitor of the Supreme Court of
England and Wales]*

My commission Expires:]*

* Delete as appropriate