

# MARKET BULLETIN

<b>From</b>	Director, Worldwide Markets (extn 6677)
<b>Date</b>	1 February 2006
<b>Reference</b>	Y3737
<b>Subject</b>	<b>Mississippi: Hurricane Katrina. Bulletins issued by the Mississippi Department of Insurance.</b> <b>(1) Bulletin 2005-13 (as amended), Extension of Coverage for Damaged Property due to Hurricane Katrina.</b> <b>(2) Bulletin 2006-1, Notice of Claim and/or Proof of Loss Statements (following the repeal of Bulletin 2005-11)</b>
<b>Subject areas</b>	Personal and commercial property insurance from the US state of Mississippi affected by Hurricane Katrina
<b>Attachments</b>	None
<b>Action points</b>	<b>Managing agents and Lloyd's brokers to note and comply with the provisions of the Insurance Bulletins</b>
<b>Deadlines</b>	<b>These requirements apply immediately</b>

## Purpose of bulletin

The purpose of this bulletin is to inform the market of the provisions of the Mississippi Department of Insurance ("the Department") Bulletins 2005-13 (as amended) and 2006-1, which are now in force. The Bulletins are addressed to all insurance companies and eligible non-admitted insurers/surplus lines insurers doing business in Mississippi.

## Bulletin No. 2005-13 (as amended)

The purpose of this Department bulletin is to apply the extension of coverage protection originally adopted under Bulletin No. 2005-13 (issued 26 October, 2005) to commercial property insurance. [The Insurance Bulletin can be found via this link](#). The original Bulletin 2005-13, applies to all personal and commercial residential property insurance policies covering structures in Mississippi damaged as the result of Hurricane Katrina, for which a

damage claim has been filed and a loss is payable or has been paid, if repairs attributable to such damage have not been completed. Pursuant to Bulletin 2005-13, no insurance company shall cancel or non-renew a personal or commercial residential property insurance policy covering a dwelling or residential property located in the state of Mississippi, damaged as a result of Hurricane Katrina, for a period of 60 days after the dwelling or residential property has been repaired. Lloyd's market bulletin Y3674, dated 16 November, 2005 details the requirements under Bulletin 2005-13 and can be found at: [Lloyd's market bulletin Y3674](#).

Bulletin 2005-13 (as amended), issued 27 January, 2006, extends the coverage protection adopted under Bulletin 2005-13 to commercial property insurance policies.

If a non-renewal or cancellation notice has been issued to a policyholder but has not taken effect, said cancellation or non-renewal shall be subject to the provisions of Bulletin 2005-13 (as amended).

Other than the change in applicability, the requirements of Bulletin 2005-13 (as amended), are unchanged from those originally adopted under Bulletin 2005-13.

### **Bulletin No. 2006-1**

The purpose of this Department bulletin is to clarify the Department's position in respect of "Notice of Claim" filings and "Proof of Loss" statements and to set forth new requirements. [The Insurance Bulletin can be found via this link](#). The Department has repealed Bulletin 2005-11, issued 24 October, 2005 (the requirements of Bulletin 2005-11 are detailed in Lloyd's market bulletin Y3651, issued 27 October, 2005) and issued Bulletin 2006-1 which applies to all personal and commercial property insurance policies covering structures in Mississippi damaged as the result of Hurricane Katrina.

Insurers are directed, where the filing of a proof of loss statement has not been waived by the insurer, to request in writing to the policyholder that a proof of loss statement be submitted and provide the policyholder with a Proof of Loss form. This written request shall be made even if the terms of the insurance policy do not require the insurer to make a written request.

If a policyholder fails to submit a requested proof of loss statement to their insurer by the date specified by their insurer, said failure to submit shall not bar the policyholder's recovery under the terms of the policy (a policyholder should, however, be aware that this may delay the processing of their claim). The Department instructs insurers to work with policyholders to establish reasonable timeframes for the submission of proof of loss statements.

If a policyholder fails to submit a Notice of Claim filing to their insurer by the date specified by their insurer, said failure to submit shall not bar the claim (although it may substantially delay the processing of the claim).

Managing agents should ensure that they, and the coverholders acting on their behalf, comply with these requirements.

## Further information

If you have any queries about this market bulletin, please contact Lloyd's Worldwide Market Services:

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

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Director,  
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