



Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowners Disclosure Notice Template

Deutsch, Andrew D. <ADeutsch@onebeacon.com>

Tue, Oct 4, 2016 at 12:32 PM

To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

Dear Mr. Cavey,

I have a suggested change to the notice template that was sent out today. On the second page, in the section titled "Increased Hazard," I think the first word should be changed from "You" to "Your insurance policy" since the discussion refers to the policy being cancelled or non-renewed (as opposed to the person).

Thanks,

Andrew

Andrew D. Deutsch Sr. Counsel | **OneBeacon Insurance Group**

605 Highway 169 N | Suite 800 | Plymouth, MN 55441

tel: [952.852.2485](tel:952.852.2485) | cell: [952.212.9239](tel:952.212.9239) | adeutsch@onebeacon.com

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Thank you.



HomeownersDisclosureNotice.pdf

240K



Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowners Disclosure Notice Template

Junod, Brian A. <bjunod@contributionship.com>

Tue, Oct 4, 2016 at 12:30 PM

To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

Good afternoon Nick,

I just reviewed the new template and have 2 comments/questions:

1. I might suggest the Deductible piece be a little more explicit. When it comes to claim time, there will always be those who'll claim they were unaware they had a deductible. The way this is worded might lead some to think "if you have questions about deductibles" is merely educational, as opposed to what it really means to them, which is cash coming out of their pocket:
 - a. All policies include a deductible. The deductible is the amount you must pay on a covered loss. Some policies may include separate deductibles for perils such as hurricanes, named storms, wind or hail. Contact your producer or your insurance company if you have questions about deductibles how much you will be required to pay in the event of a covered loss.

2. The email mentions that one goal was to "see which disclosures could be consolidated into one form". Which of the notices might be going away? Page 2 of the new notice still references the Anti-Concurrent Causation, Summary of Coverage, and Optional Coverage notices, so they need to remain in place. Have any decisions been made about the others (45 day UW notice, offer of water backup, statement regarding flood insurance, limitation on number of claims made notice, or windstorm mitigation discount)?

Brian Junod

Underwriting and Product Manager

The Philadelphia Contributionship

210 South Fourth Street, Philadelphia, PA 19106

267-765-4552 (P) | 267-765-4652 (F)

bjunod@contributionship.com | www.contributionship.com





Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

FW: Homeowners Disclosure Notice Template

Steve Hankoff <steve@hankoffinsurance.com>
To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

Tue, Oct 4, 2016 at 4:22 PM

Nick,

I think this is great! Maybe a line item about Earthquake would be a good addition as well.

Thank you.

Steve



McDonogh Crossroads
20 Crossroads Drive
Suite 215
Owings Mills, MD 21117

(410) 363-0661

(410) 363-0685 Fax

steve@hankoffinsurance.com

www.hankoffinsurance.com

Steven A. Hankoff, CIC
President

From: Maryland Insurance Administration [mailto:MDInsuranceAdmin@public.govdelivery.com]
Sent: Tuesday, October 04, 2016 11:53 AM
To: Steve Hankoff
Subject: Homeowners Disclosure Notice Template

Date: October 3, 2016

To: All Consumers who have purchased a Homeowners Insurance Policy, All Property & Casualty Insurers, All Licensed Property & Casualty Insurance Producers

Re: Homeowners Disclosure Notice Template

We have been asked by the General Assembly to draft a homeowners disclosure to help Marylanders better understand some of the things that are covered and not covered under their homeowners insurance policies. This disclosure is an attempt to provide this information in an easy-to-understand format for Marylanders.

During this past summer, Commissioner Redmer convened a workgroup of interested parties including insurance company representatives, industry association representatives, producer association representatives, People's Insurance Counsel members and staff from the MIA to review the current mandated homeowners disclosures and see which disclosures could be consolidated into one form.

Please review the [form](#) and provide us your feedback. A copy of the Workgroup's draft proposed Homeowners Disclosure Template is attached for public comment. Public comment on this proposed form will be collected up until October 28. All comments should be submitted in writing to Nick Cavey, Assistant Director of Government Relations and External Affairs, at nick.cavey@maryland.gov or 410-468-2173. Substantive questions concerning this form should be addressed to Nancy Egan, Director of Government Relations and External Affairs, at nancy.egan@maryland.gov or 410-468-2488.

We look forward to your feedback on this matter.

Nancy J. Egan
Director of Government Relations & External
Affairs.

- [HomeownersDisclosureNotice.pdf](#)



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240K



Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowner Disclosure form

Cathy Carpenter <cathy.carpenter.ll4s@statefarm.com>
To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

Tue, Oct 4, 2016 at 11:59 AM

I have reviewed and like what I see. However, what about mold and mildew or surface or sub surface water?

Cathy L. Carpenter
Agent



<http://www.facebook.com/Cathy Carpenter State Farm Agent>



How much life insurance do I need?

<https://www.statefarm.com/insurance/life/resources/life-needs-calculator>



Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowners Disclosure Notice

Neal Bobys <nbobys@gmail.com>
To: nick.cavey@maryland.gov

Tue, Oct 4, 2016 at 1:05 PM

Nick,

This looks like a good start, and since there are so many variables by company and by policy, it may be all that you can do on an across-the-board basis.

I personally find it lacking in substance and it really does little to clear up the many questions that a homeowner would have. For instance, when is rain or wind damage covered? What types of rain or wind damage are covered? What is covered when a tree that is on my property falls and damages my property or the property of others? What is covered if the tree that falls is one that was planted by the State or County on their easement to my property? Etc.

A much longer document would be my preference with an explanation in plain layman's English of all of the legal mumbo jumbo that actual policies have.

I certainly think that the effort is well-placed, but the resulting document leaves me still in the dark about what is covered and what is not covered.

Neal B. Bobys
10701 Lady Slipper Terrace
Rockville, MD 20852-3403

(301) 984-7037 Direct
(301) 213-3303 Cell



Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowners Disclosure Notice Template

Pamela Dodge <pdodge@rcmd.com>

Tue, Oct 4, 2016 at 12:55 PM

To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

I like the new format. It beats that 13 individual notices by a landslide. The only issue I see is the use of the term "producer". I think it would be better to use the term agent. Client's do not usually use the term producer or broker but they do use the term agent. In many cases the client thinks of the agent and insurance company as one in the same.

Thank you for your hard work!

Pamela Dodge, CIC, CISR, CPIA



555 Fairmount Ave.

Baltimore, MD 21286

Phone [410 512 4609](tel:4105124609)

Toll-Free [800 346 4075](tel:8003464075) ext. 1609

Fax [443 921 2594](tel:4439212594)

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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowners Notice

Ross Miller <rmiller@hanoverfire.com>

Tue, Oct 4, 2016 at 2:38 PM

To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

Dear Mr. Cavey

While we do not market homeowners policies in Maryland, we do market and sell Dwelling Fire policies (written on form DP-1) in Maryland. Will this notice be mandatory for use with dwelling fire policies? Thank you.

Regards,

Ross D. Miller
President

Hanover Fire and Casualty Insurance Company

295 S. Gulph Road

King of Prussia, PA 19406

T: (800) 919-FIRE (3473)

F: (610) 940-1917





Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

(no subject)

Tony "G" Giangiardano <tony@aaginsurance.com>
To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

Tue, Oct 4, 2016 at 3:57 PM

Deductible should include that they can be either a flat amount or Percentage of your dwelling it seems that people get confused over this. Some carriers have instituted a percent deductible on policies any consumers do not know there is a difference.

-
-
-
-

Tony "G" Giangiardano, Principal

Senior Insurance Agent



AAG Insurance

438 S Main St

Bel Air, MD 21014

410-569-5800 Office

www.aaginsurance.com



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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

FW: Homeowners Disclosure Notice Template

Vicki Gates <vgates@integrated-usa.com>

Tue, Oct 4, 2016 at 4:37 PM

To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

In regards to water and sewer back up, there are carriers that do not offer policy limits and therefore we cannot offer that to our customer.

Best,

Vicki Gates, CISR

Personal Lines Department Manager

Integrated Insurance Solutions, Inc.

Phone: 703-962-6827

Cell:301-252-1882

Fax: 301-829-4007

262 West Patrick Street

Frederick, MD 21701

Corporate Office:

44675 Cape Court, Suite 100

Ashburn, VA 20147

Website: www.integrated-usa.com

Email: vgates@integrated-usa.com



Facebook:

<https://www.facebook.com/Integrated-Insurance-Solutions-1699726600262882/?fref=ts>

LinkedIn:

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From: Maryland Insurance Administration [mailto:MDInsuranceAdmin@public.govdelivery.com]

Sent: Tuesday, October 04, 2016 11:53 AM

To: Vicki Gates <vgates@integrated-usa.com>

Subject: Homeowners Disclosure Notice Template

Date: October 3, 2016

To: All Consumers who have purchased a Homeowners Insurance Policy, All Property & Casualty Insurers, All Licensed Property & Casualty Insurance Producers

Re: Homeowners Disclosure Notice Template

We have been asked by the General Assembly to draft a homeowners disclosure to help Marylanders better understand some of the things that are covered and not covered under their homeowners insurance policies. This disclosure is an attempt to provide this information in an easy-to-understand format for Marylanders.

During this past summer, Commissioner Redmer convened a workgroup of interested parties including insurance company representatives, industry association representatives, producer association representatives, People's Insurance Counsel members and staff from the MIA to review the current mandated homeowners disclosures and see which disclosures could be consolidated into one form.

Please review the [form](#) and provide us your feedback. A copy of the Workgroup's draft proposed Homeowners Disclosure Template is attached for public comment. Public comment on this proposed form will be collected up until October 28. All comments should be submitted in writing to Nick Cavey, Assistant Director of Government Relations and External Affairs, at nick.cavey@maryland.gov or 410-468-2173. Substantive questions concerning this form should be addressed to Nancy Egan, Director of Government Relations and External Affairs, at nancy.egan@maryland.gov or 410-468-2488.

We look forward to your feedback on this matter.

Nancy J. Egan
Director of Government Relations & External Affairs.

- [HomeownersDisclosureNotice.pdf](#)



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[HomeownersDisclosureNotice.pdf](#)

10/5/2016

Maryland.gov Mail - FW: Homeowners Disclosure Notice Template

 240K



Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowners Disclosure Notice Template

Connie Phillips <cpu@insurance-financial.net>
To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

Wed, Oct 5, 2016 at 10:27 AM

I think it is a great form. However, this should be sent out by the carrier, and not the agent. Please remove this required for the agents

MANY BLESSINGS,

Connie

Connie Phillips Insurance, Inc.

(301) 662-5717 – Frederick Office

(757) 761-7757 – Tidewater Office

(888) 439-0479 – Toll Free

(301) 662-0556 – Fax

Please Visit Us at www.insurance-financial.net

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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

comments

Doug Waire <doug.waire.iqar@statefarm.com>

Wed, Oct 5, 2016 at 9:11 AM

To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

Hi Nick.

I received the mass email about the homeowners information sheet. It is good information for consumers. If I could make a small suggestion I think that under the back up of sewer or drain section you might want to explain the coverage a bit more by including that damage resulting from water rising through sump pumps is a part of this. I would also suggest adding that this is an optional coverage and that it is NOT automatically included on policies. The wording that states insurers are required to offer it might make the general public think that it is included in their policy.

Thank you for soliciting agent/producer comments.

Sincerely,

Doug Waire, Agent
State Farm Insurance
[\(410\)282-7171](tel:4102827171)



Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Maryland Homeowners Disclosure Template Feedback

Wayne Shoemaker <wayne.shoemaker.qdmc@statefarm.com>

Wed, Oct 5, 2016 at 2:41 PM

To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

Cc: Wayne Shoemaker <wayne.shoemaker.qdmc@statefarm.com>

As a Property/Casualty insurance agent in Maryland for nearly 38 years there are three areas that I receive many questions and customer confusion which I believe should be considered for inclusion in the disclosure:

- Wear, tear, marring, scratching, deterioration, inherent vice, latent defect or mechanical breakdown – these items are typically a maintenance or warranty issue, not an insurance claim.
- Continuous or repeated seepage or leakage of water or steam which occurs over a period of time – rotting, deterioration, or damage from water leakages or seepage is not covered.
- Earth movement – the standard homeowners policy does not cover earthquakes, mudslides, or sinkholes.

Thank you for the opportunity to provide this feedback. WAYNE

Wayne Shoemaker, Agent



Shoemaker Insurance & Financial Services, Inc.

CASL, ChFC, CLU, LUTCF NMLS# 195624

205 Steeple Chase Dr. Ste. 305

Prince Frederick, MD 20678

TF: 877-678-7968 Fax 410.535.5949

WayneShoemaker.com

<https://www.facebook.com/wayneshoemakerstatefarmagent>

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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Re: Home owner disclosure

Nancy Egan -MDInsurance- <nancy.egan@maryland.gov>
To: Nick Cavey <nick.cavey@maryland.gov>

Wed, Oct 5, 2016 at 10:55 AM

Nancy J. Egan, Esq.
Director of Government Relations & External Affairs
Office of the Commissioner
Maryland Insurance Administration
200 St. Paul Place
Baltimore Md 21202
New e-mail address: nancy.egan@maryland.gov
410-468-2488 Fax: 410-468-2020
Cell: 443-604-9599
www.insurance.maryland.gov

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----- Forwarded message -----
From: **Tyler Murr** <tmurr@insurewithliberty.com>
Date: Wed, Oct 5, 2016 at 9:43 AM
Subject: Home owner disclosure
To: nancy.egan@maryland.gov

I like this disclosure and would like to have it included in all homeowners policy documents. I think this is easy to understand and will either make a customer call their agent for more questions or answer the questions just by reading it. Either way it will help simplify coverage for customers and that helps all of us.

Tyler T. Murr

President

Liberty Preferred Insurance Group, LLC

2028 Liberty Rd #200

Eldersburg MD 21784

877-242-2220 Phone

443-283-4164 Fax

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10/5/2016

Maryland.gov Mail - Re: Home owner disclosure

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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Fwd: Homeowners Disclosure Notice Template

Nancy Egan -MDInsurance- <nancy.egan@maryland.gov>
To: "Shropshire, Wayne" <wayne.shropshire@nfp.com>
Cc: Nick Cavey <nick.cavey@maryland.gov>

Wed, Oct 5, 2016 at 11:12 AM

Thanks Wayne for the additional feedback.

Nancy J. Egan, Esq.
Director of Government Relations & External Affairs
Office of the Commissioner
Maryland Insurance Administration
200 St. Paul Place
Baltimore Md 21202
New e-mail address: nancy.egan@maryland.gov
410-468-2488 Fax: 410-468-2020
Cell: 443-604-9599
www.insurance.maryland.gov

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On Wed, Oct 5, 2016 at 11:11 AM, Shropshire, Wayne <wayne.shropshire@nfp.com> wrote:

One of the HO "required notices", the one that lists all of the coverages that are supposed to be in an HO policy, is more confusing than it is helpful. For example, the notice states that contents losses are paid on an ACV basis. While that is true for an unendorsed ISO policy, it is not true for 99.9% of the policies that we (and most agents?) write, so we end up having "discussions with customers who would rather believe what that document states than what the policy itself states and or what we tell them.

I really miss the times that we all used to get together to share information ... and enjoy one another's company.

Wayne

From: Nancy Egan -MDInsurance- [mailto:nancy.egan@maryland.gov]
Sent: Wednesday, October 05, 2016 10:55 AM
To: Shropshire, Wayne <wayne.shropshire@nfp.com>
Subject: Re: FW: Homeowners Disclosure Notice Template

Wayne,

I appreciate your feedback on this form. While it does not replace all of the required notices, it goes a long way to simplify some those that are required. We will be reviewing all of the feedback we receive and then decide the best path to move forward with the form.

Its always great to hear from you.

Nancy

Nancy J. Egan, Esq.
Director of Government Relations & External Affairs

Office of the Commissioner
Maryland Insurance Administration
200 St. Paul Place
Baltimore Md 21202
New e-mail address: nancy.egan@maryland.gov
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On Tue, Oct 4, 2016 at 4:28 PM, Shropshire, Wayne <wayne.shropshire@nfp.com> wrote:

Hi Nancy,

These documents (disclosure and consumer guide) are really rather useful! Good job! Hope all is well.

Best regards,

Wayne

Wayne E. Shropshire

Personal Insurance Operations Manager

Please note my new email address

3915 National Drive | 4th Floor | Burtonsville, MD 20866-1126

P: 301.628.4163 | F: 301.628.4001 | wayne.shropshire@nfp.com | www.nfp.com

Personal Insurance Department Direct Phone Number: 301.628.4040



- Formerly Horenberg Insurance & Potomac Basin Group (Property & Casualty)

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From: Maryland Insurance Administration [mailto:MDInsuranceAdmin@public.govdelivery.com]
Sent: Tuesday, October 04, 2016 11:53 AM
To: Shropshire, Wayne <wayne.shropshire@nfp.com>
Subject: Homeowners Disclosure Notice Template

Date: October 3, 2016

To: All Consumers who have purchased a Homeowners Insurance Policy, All Property & Casualty Insurers, All Licensed Property & Casualty Insurance Producers

Re: Homeowners Disclosure Notice Template

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We look forward to your feedback on this matter.

Nancy J. Egan
Director of Government Relations & External Affairs.

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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Maryland Homeowner's Insurance comment

karenelizwikoff@aol.com <karenelizwikoff@aol.com>

Thu, Oct 6, 2016 at 9:10 AM

To: nick.cavey@maryland.gov, nancy.egan@maryland.gov, KarenElizWikoff@aol.com

Dear Mr. Cavey and Ms. Egan:

I am writing to contribute this comment regarding an ambiguity about my homeowner's insurance policy that I believe is misleading to insurance policy consumers.

I have the hurricane duration policy and the language is very confusing with regard to "within this state" and "any part of this state" and "any parts of this state." I interpret that to mean if there is a hurricane warning issued in any (one, some, number of thing(s) part of Maryland, my hurricane policy is activated. My agent tells me that the insurance industry interpretation is that the hurricane warning must be issued in my county for my policy to be effective.

If it is true that the policy only becomes effective if the hurricane warning is issued in the county where my insured property is located, then it should say that. The language should clearly include the wording - the hurricane warning must be issued in the county where your insured property is located to activate your hurricane policy. Not what it says now, "anytime after first causing damage to property within this state, hurricane warning is still in effect for this state, any part of this state, and parts of this state."

To me this language is extremely ambiguous, misleading, and in favor of the insurance industry. This language misleads and prejudices the policy holder.

I would greatly appreciate your feedback on my comment and I would like to submit it for consideration to the homeowner's disclosure notice template.

Thank you.

Karen Elizabeth Wikoff



Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowners Disclosure Notice Template- Feedback

Ginger Donohue <ginger@cisagent.com>
To: nick.cavey@maryland.gov

Thu, Oct 6, 2016 at 3:32 PM

Nick,

I reviewed the sample notification form and offer this suggestion. Any policy deductibles are printed on the renewal declarations page. Direct the consumer to review the materials sent to them every year.

Deductibles

All policies include a deductible. The deductible is the amount you must pay on a covered loss.

Some policies may include separate deductible for perils such as hurricanes, named storms, wind or hail.

Consult your enclosed policy declarations page to review your policy deductibles. Contact your producer or your insurance company if you have questions about deductibles.

Ginger Donohue

Community Insurance Services

308 Second Street Laurel MD 20707

[301-490-9600](tel:301-490-9600) ext. 104 ~ Fax [301-490-5115](tel:301-490-5115)

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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

FW: Homeowners Disclosure Notice Template

Rich Trippe <Rich.Trippe@avondixon.com>
To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>

Thu, Oct 6, 2016 at 4:29 PM

Nick – Here’s a great comment from our PL Supervisor.

Rich

Rich Trippe

President and CEO

Our mission is your success.

Avon-Dixon Agency, LLC | 106 N. Harrison Street Easton, MD 21601

Office: [410-763-6922](tel:410-763-6922) | Mobile: [410-952-2537](tel:410-952-2537) | Internal: x38239 | Fax: [410-770-5402](tel:410-770-5402)

Rich.Trippe@avondixon.com | Avondixon.com

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From: Deanna Blanch
Sent: Thursday, October 06, 2016 4:24 PM
To: Rich Trippe
Subject: RE: Homeowners Disclosure Notice Template

I love it!!! But perhaps, “Important Information Required By Maryland Law” should be highlighted so it stands out as well as the word “MAY” in the middle of the 1st paragraph. I like it because I think it puts the responsibility on the insured to read their policy.

Deanna Blanch
Personal Lines Supervisor

Our mission is your success.

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Office: [410-763-6878](tel:410-763-6878) | Internal: x38201 | Fax: [410-820-0628](tel:410-820-0628)

Deanna.Blanch@avondixon.com | Avondixon.com

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From: Rich Trippe

Sent: Thursday, October 06, 2016 4:19 PM

To: Deanna Blanch

Subject: FW: Homeowners Disclosure Notice Template

Want to give any feedback to MIA on this proposed form?

Rich Trippe

President and CEO

Our mission is your success.

Avon-Dixon Agency, LLC | 106 N. Harrison Street Easton, MD 21601

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From: Maryland Insurance Administration [<mailto:MDInsuranceAdmin@public.govdelivery.com>]
Sent: Tuesday, October 04, 2016 11:53 AM
To: Rich Trippe
Subject: Homeowners Disclosure Notice Template

Date: October 3, 2016

To: All Consumers who have purchased a Homeowners Insurance Policy, All Property & Casualty Insurers, All Licensed Property & Casualty Insurance Producers

Re: Homeowners Disclosure Notice Template

We have been asked by the General Assembly to draft a homeowners disclosure to help Marylanders better understand some of the things that are covered and not covered under their homeowners insurance policies. This disclosure is an attempt to provide this information in an easy-to-understand format for Marylanders.

During this past summer, Commissioner Redmer convened a workgroup of interested parties including insurance company representatives, industry association representatives, producer association representatives, People's Insurance Counsel members and staff from the MIA to review the current mandated homeowners disclosures and see which disclosures could be consolidated into one form.

Please review the [form](#) and provide us your feedback. A copy of the Workgroup's draft proposed Homeowners Disclosure Template is attached for public comment. Public comment on this proposed form will be collected up until October 28. All comments should be submitted in writing to Nick Cavey, Assistant Director of Government Relations and External Affairs, at nick.cavey@maryland.gov or 410-468-2173. Substantive questions concerning this form should be addressed to Nancy Egan, Director of Government Relations and External Affairs, at nancy.egan@maryland.gov or 410-468-2488.

We look forward to your feedback on this matter.

Nancy J. Egan
Director of Government Relations & External Affairs.

- [HomeownersDisclosureNotice.pdf](#)



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This email was sent to rich.trippe@avondixon.com using GovDelivery, on behalf of: Maryland Insurance Administration · 200 St. Paul Place, Suite 2700 · Baltimore, MD 21202 · [1-800-492-6116](tel:1-800-492-6116)





Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Maryland Homeowner's Insurance comment

Nancy Egan -MDInsurance- <nancy.egan@maryland.gov>

Fri, Oct 7, 2016 at 10:25 AM

To: karenelizwikoff@aol.com

Cc: Nick Cavey <nick.cavey@maryland.gov>, Zachary Peters -MDInsurance- <zachary.peters@maryland.gov>, Michael Paddy -MDInsurance- <michael.paddy@maryland.gov>

Karen,

A simplistic way to view it is as follows: After 1/1/2017 statewide hurricane deductible applies if the hurricane warning is issued. Prior to 1/1/17 it applies by counties. Here was the Bulletin that was issued 9/1/11 after Hurricane Irene regarding Hurricane % deductibles.

<http://insurance.maryland.gov/Insurer/Documents/bulletins/bulletin11-25.pdf>

I still suggest contact your agent regarding the particulars of our policy.

Nancy J. Egan, Esq.
Director of Government Relations & External Affairs
Office of the Commissioner
Maryland Insurance Administration
200 St. Paul Place
Baltimore Md 21202
New e-mail address: nancy.egan@maryland.gov
410-468-2488 Fax: 410-468-2020
Cell: 443-604-9599
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On Fri, Oct 7, 2016 at 9:48 AM, <karenelizwikoff@aol.com> wrote:

Hello Nancy,

Thank you for getting back to me so quickly. I read the session paper you attached and am trying to make sense of it. The hurricane section appears to have been changed (effective 1/1/17) but it still isn't clear to me as to where the hurricane warning applies relative to the location of my property. I will contact my agent again.

Sincerely,

Karen Elizabeth Wikoff

[Quoted text hidden]

[Quoted text hidden]



Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

FW: Homeowners Disclosure Notice Template

Mathias, James Senator <James.Mathias@senate.state.md.us>
To: "nick.cavey@maryland.gov" <nick.cavey@maryland.gov>
Cc: "nancy.egan@maryland.gov" <nancy.egan@maryland.gov>

Fri, Oct 7, 2016 at 11:05 AM

Nick, Personally I think the above proposed disclosure notice is well written and should enlighten consumers that they are responsible for discussing options with their insurance agent.

Thank you for these efforts.

Dorotheann S. Sadusky, Chief of Staff

Senator James N. Mathias, Jr.
Senate of Maryland, 216 James Senate Office Building
11 Bladen Street, Annapolis, MD 21401
District 38 - Somerset, Wicomico & Worcester Counties
800 492 7122 x-3645# 410 841 3645 (F) 410 841 3006

From: Maryland Insurance Administration <MDInsuranceAdmin@public.govdelivery.com>
Sent: Tuesday, October 4, 2016 11:53 AM
To: Mathias, James Senator
Subject: Homeowners Disclosure Notice Template

Date: October 3, 2016

To: All Consumers who have purchased a Homeowners Insurance Policy, All Property & Casualty Insurers, All Licensed Property & Casualty Insurance Producers

Re: Homeowners Disclosure Notice Template

We have been asked by the General Assembly to draft a homeowners disclosure to help Marylanders better understand some of the things that are covered and not covered under their homeowners insurance policies. This disclosure is an attempt to provide this information in an easy-to-understand format for Marylanders.

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Nick Cavey, Assistant Director of Government Relations and External Affairs, at nick.cavey@maryland.gov or 410-468-2173. Substantive questions concerning this form should be addressed to Nancy Egan, Director of Government Relations and External Affairs, at nancy.egan@maryland.gov or 410-468-2488.

We look forward to your feedback on this matter.

Nancy J. Egan
Director of Government Relations & External Affairs.

- [HomeownersDisclosureNotice.pdf](#)



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This email was sent to james.mathias@senate.state.md.us using GovDelivery, on behalf of: Maryland Insurance Administration
· 200 St. Paul Place, Suite 2700 · Baltimore, MD 21202 · 1-800-492-6116





Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Disclosure Comments

Joy Hatchette -MDInsurance- <joy.hatchette@maryland.gov>
To: Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>
Cc: Nancy Egan -MDInsurance- <nancy.egan@maryland.gov>

Wed, Oct 12, 2016 at 9:53 AM

Nick,

Can you add this to the disclosure comments that we have received?

David, was one of the people that I sent the Disclosure Form to. Please note his response. Is this what you are looking for on these or should it be something more elaborate?

----- Forwarded message -----

From: **David Finneran -DLLR-** <david.finneran@maryland.gov>
Date: Wed, Oct 12, 2016 at 8:36 AM
Subject: Re: Homeowners Disclosure Notice Template
To: James Mobley -MDInsurance- <james.mobley@maryland.gov>

James

I have reviewed the document. As a layman, it seems informative and logical. I have no negative comments.

Thanks, Dave



David R. Finneran

Executive Director
Maryland Home Improvement Commission
Maryland Department of Labor, Licensing & Regulation
500 N. Calvert Street, Room 306
Baltimore, MD 21202
410-230-6169
david.finneran@maryland.gov



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October 13, 2016

Nick Cavey
Assistant Director of Government Relations and External Affairs
Maryland Department of Insurance

Re: Consumer Representative Comments on Homeowners Insurance Disclosure

Dear Mr. Cavey:

Lois Alexander has forwarded your request for comments on the Homeowners Disclosure Notice Template to the NAIC consumer representatives. The undersigned have been active on consumer insurance information, education and disclosure and, based on our experience, offer the following comments.

First, the design and content of any disclosure should follow from its intended purposes and goals. Stated differently, what type of consumer empowerment are you seeking to accomplish? Looking at your draft, it appears several purposes might be present. One purpose of this disclosure is to alert and prompt consumers to consider specific aspects of homeowners coverage. Another purpose appears to be to alert and prompt consumers to question rate increases and/or non-renewals or declinations of coverage. In any event, a clear articulation of the intended goals -- beyond simply supplying consumers with information -- is an essential foundation for the design and content of a disclosure. We assume that providing information specific to the individual consumer's own homeowners policy is **not** an intended purpose of the disclosure.

Second, it is important to recognize how consumers seek and use information in a digital age. If a document is intended to prompt a consumer to action, the document -- whether paper or a web page -- should recognize what grabs a consumer's attention and what pushes a consumer away. In the case of the draft document, entitling the document, "Important Information Required by Maryland Law," followed by a lengthy paragraph of legalese will likely push a consumer away as this approach fails to immediately indicate to the consumer what information is being provided or why.

Third, the format of the disclosure significantly affects its usability. A table format has proven useful when the information disclosed is specific to a company's practices or individual policies. Examples are the table format of the Federal Model Privacy Notices of the health insurance Explanation of Benefits and Coverage. The table format, when used by every company, facilitates consumer comparison across companies or policies.

However, the disclosure in question here is providing general educational content. In this case, experience suggests a question and answer format is a more effective approach to provide key consumer information for three reasons. First, this is how most consumers approach a situation and learn. It is difficult to imagine consumers today reading through a dense two-page document to find specific information, let alone a 48-page buyer's guide. Second, a question and answer format is far more amenable to web searches from computers and mobile devices, allowing consumers to obtain relevant information as they need it. Third, the format is more inviting to a consumer and, consequently, presents a document more likely to actually be read.

With this as introduction, we suggest reformatting the disclosure template to use a question and answer format rather than a table. We also recommend replacing the title:

Title: "Important Information Required by Maryland Law" with something like:

Protect Yourself and Your Property! Vital Information about Buying and Using Homeowners Insurance

If it is important to communicate the qualifying language in the paragraph that now appears at the beginning of the template, we suggest rewriting it to improve readability and moving it to the end of the template.

We recommend that the body of the template be organized under two headings –

Heading: What do I need to know about homeowners insurance coverages?

Heading: What do I need to know about homeowners insurance rates, rate increases and policy cancellations?

The information would then be presented in each of the two sections in a question and answer format. While we urge you **not** to leave the specific wording to the companies, we have not provided it here. The goal should be to write that content near 8th grade reading level (or lower, if possible, but a lower reading level is typically very difficult to achieve for insurance content). We would, however, be willing to review a future draft.

In the few instances below for which we do provide an answer to a question, we show it in *italics*:

Heading: What do I need to know about homeowners insurance coverage?

Example Questions:

Does my homeowners policy cover damage from flooding? *No.*

What kind of water damage does my policy cover?

What is water back-up coverage?

Where do I get flood insurance?

What is a deductible and what do I need to know about it?

When you file a claim on your property insurance policy, you and the insurance company share the cost of the claim. Your share is called the deductible. The amount of the deductible -- your share of the claim cost -- can be a fixed dollar amount (such as \$500) a percentage of the claim cost (like 1%). If you have a 1% deductible and the claim is for \$20,000, your share -- the deductible -- is \$200.

Are there different deductibles for different kinds of claims?

Yes. Generally, claims for hurricanes have higher deductibles.

I received a notice about "anti-concurrent causation." What is it and why is it important?

I received a document called "summary of coverages." What is it and how should I use it?

I received a document called "optional coverages." What is it and how should I use it?

Heading: What do I need to know about homeowners insurance rates, rate increases and policy cancellations?

What is a discount?

Can I get a discount to reinforce my home to prevent or reduce hurricane damage?

Yes, this is called a storm loss protection device discount.

Can the insurer raise my rates or cancel my policy because of a claim?

My insurer canceled my policy because of "increased hazard." What does that mean?

We hope you find these comments helpful. We conclude with two further recommendations. First, we urge you to review the NAIC's "Best Practices and Guidelines for Consumer Information Disclosures" adopted by the NAIC at

http://www.naic.org/documents/committees_b_senior_issues_141218_birnbaum_cd_bp.pdf

Second, it is essential that consumer testing be part of the development of the disclosure. You'll find more information about consumer testing as well as other related topics in the Center for Insurance Policy and Research Newsletter

http://www.naic.org/cipr_newsletter_archive/vol6_consumer_viewpoints.pdf

When testing a consumer disclosure it is critical that consumers provide feedback on their ability to understand the disclosure. Regulators in an insurance department typically are not average consumers as their insurance knowledge base is too sophisticated. Consumers in everyday occupations are more effective test subjects to provide feedback about the effectiveness of a disclosure. A focus group or even individual testing using a "think-aloud" technique will provide far more useful information than a survey.

Thank you for the opportunity to comment on the planned disclosure.

Sincerely,

Brenda Cude
Karrol Kitt
Birny Birnbaum



Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowners Disclosure Comment

Joy Hatchette -MDInsurance- <joy.hatchette@maryland.gov>
To: Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Thu, Oct 13, 2016 at 12:15 PM

Here is another response to the survey.

----- Forwarded message -----

From: **Betsy D. Simon** <simonbetsyd@aol.com>

Date: Thu, Oct 13, 2016 at 3:18 AM

Subject: Re: Homeowners Disclosure Notice Template

To: james.mobley@maryland.gov, Chayman@civicworks.com, michael.guye@baltimorecity.gov, Hinton@dhcd.state.md.us, Dgillen@howardcountymd.gov, david.finneran@maryland.gov, john.meagley@maryland.gov, sandy@npdatabase.com, vikki.gracia@mail.house.gov, rwack1@comcast.net, catherine.kraemer-dale@maryland.gov, robyn@marylandconsumers.org, janelle.lawrence@maryland.gov, deborah.irvin-cromwell@maryland.gov

john.meagley@maryland.gov, sandy@npdatabase.com, vikki.gracia@mail.house.gov, rwack1@comcast.net, catherine.kraemer-dale@maryland.gov, robyn@marylandconsumers.org, janelle.lawrence@maryland.gov, deborah.irvin-cromwell@maryland.gov

Cc: simonbetsyd@aol.com

Thanks for sharing James.

I will be taking this to the Z-HAP family this week and I will submit any feedback we receive.

My initial response is that, it "looks good."

It would be great if the final document could fit on one page.

Betsy

Betsy D. Simon, M.S., CHES, Z-HAP Founding Director
Zeta Healthy Aging Partnership
Z-HAP at the Zeta Center for Healthy and Active Aging
4501 Reisterstown Road
Baltimore, MD 21215
simonbetsyd@aol.com 410-466-2239 (O) 410-375-7504 (C)

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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Fwd: Homeowners Disclosure Notice Template

Joy Hatchette -MDInsurance- <joy.hatchette@maryland.gov>
To: Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Fri, Oct 14, 2016 at 12:54 PM

Another comment on the disclosure
----- Forwarded message -----

From: **Nathaniel McDonald** <NMcDonald@hiphomes.org>
Date: Fri, Oct 14, 2016 at 12:53 PM
Subject: Re: Homeowners Disclosure Notice Template
To: Joy Hatchette -MDInsurance- <joy.hatchette@maryland.gov>

Looks good. Clear and concise.

Nathaniel

From: Joy Hatchette -MDInsurance- <joy.hatchette@maryland.gov>
Sent: Friday, October 14, 2016 11:47:28 AM
To: Nathaniel McDonald
Subject: Fwd: Homeowners Disclosure Notice Template

Nathaniel,

If you have time I would love to get your comments on this disclosure form.

Thanks Joy

----- Forwarded message -----

From: **Maryland Insurance Administration** <MDInsuranceAdmin@public.govdelivery.com>
Date: Tue, Oct 4, 2016 at 11:53 AM
Subject: Homeowners Disclosure Notice Template
To: joy.hatchette@maryland.gov

Date: October 3, 2016

To: All Consumers who have purchased a Homeowners Insurance Policy, All Property & Casualty Insurers, All Licensed Property & Casualty Insurance Producers

Re: Homeowners Disclosure Notice Template

We have been asked by the General Assembly to draft a homeowners disclosure to help Marylanders better understand some of the things that are covered and not covered under their homeowners insurance policies. This disclosure is an attempt to provide this information in an easy-to-understand format for Marylanders.

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review the current mandated homeowners disclosures and see which disclosures could be consolidated into one form.

Please review the [form](#) and provide us your feedback. A copy of the Workgroup's draft proposed Homeowners Disclosure Template is attached for public comment. Public comment on this proposed form will be collected up until October 28. All comments should be submitted in writing to Nick Cavey, Assistant Director of Government Relations and External Affairs, at nick.cavey@maryland.gov or 410-468-2173. Substantive questions concerning this form should be addressed to Nancy Egan, Director of Government Relations and External Affairs, at nancy.egan@maryland.gov or 410-468-2488.

We look forward to your feedback on this matter.

Nancy J. Egan
Director of Government Relations & External
Affairs.

- [HomeownersDisclosureNotice.pdf](#)



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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

September 20th Baltimore County Town Hall Meeting

David Cavey <dcavey@ncinsure.com>
To: Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Wed, Oct 19, 2016 at 8:19 AM

Nick,

The new form is a great idea. By consolidating all required content in to one form the consumer is more likely to read and understand the information. I did see one area that needs clarification. The paragraph concerning Back up of Sewers and Drains states the required offer of full policy limits and that lower limits may be chosen. However by law they do not have to carry Back up of Sewers and Drains coverage at all. End of second sentence should say something like "or opt out of this coverage completely.

Thanks,

David Cavey

North Central Insurance Agency

(410)329-6600



From: Nick Cavey -MDInsurance- [mailto:nick.cavey@maryland.gov]

Sent: Thursday, October 13, 2016 4:26 PM

To: Nick Cavey -MDInsurance-

Cc: Nancy Egan; Catherine Grason -MDInsurance-; Ronald Coleman -MDInsurance-; Robert Baron -MDInsurance-; Maria Fisher -MDInsurance-; Al Redmer; Zach Peters; Joy Hatchette -MDInsurance-; Tracy Imm -MDInsurance-

Subject: Re: September 20th Baltimore County Town Hall Meeting

The Maryland Insurance Administration has been asked by the General Assembly to draft a homeowners disclosure to help Marylanders better understand some of the things that are covered and not covered under their homeowners insurance policies. This disclosure is an attempt to provide this information in an easy-to-understand format for Marylanders.

During this past summer, Commissioner Redmer convened a workgroup of interested parties including insurance company representatives, industry association representatives, producer association representatives, People's Insurance Counsel members and staff from the MIA to review the current mandated homeowners disclosures and see which disclosures could be consolidated into one form.

Please review the form [HERE](#) and provide us your feedback. Public comment on this proposed form will be collected up until October 28, 2016. All comments should be submitted in writing to Nick Cavey, Assistant Director of Government Relations and External Affairs, at nick.cavey@maryland.gov or 410-468-2173. Substantive questions concerning this form should be addressed to Nancy Egan, Director of Government Relations and External Affairs, at nancy.egan@maryland.gov or 410-468-2488.

Thank you,

On Thu, Sep 22, 2016 at 4:26 PM, Nick Cavey -MDInsurance- <nick.cavey@maryland.gov> wrote:

On behalf of Commissioner Redmer ("Al"), I would like to thank you for attending the Baltimore County town hall meeting on Tuesday, September 20th. I hope it was informative and provided you an opportunity to hear what the Maryland Insurance Administration (MIA) does and also to provide the MIA with feedback regarding the industry. A few questions were raised about topics including unlicensed notaries acting as title producers. As always, if you are aware of any illegal activity by unlicensed persons, please report it to us to investigate. If you have complaints to provide or any information to provide to the Enforcement Unit, you can e-mail at enforcement.mia@maryland.gov or call the Enforcement Tip Line at 410-468-2200 and we will assign and investigate. We have shared your concerns with the appropriate staff to review. In addition, thank you for providing feedback on transitional rating. As announced at the meeting, we encourage you to sign up for the MIA's e-notices. Sign up at the MIA's website at www.insurance.maryland.gov, by scrolling to the bottom of the home page and providing your email or phone number. We will be posting a draft of the Homeowner's Disclosure notice to the MIA website in the next couple of weeks. As Al mentioned, we are here to listen to your concerns. Please feel free to contact us with any questions or issues.

Once again, thank you for your attendance.

--

Nick Cavey
Assistant Director of Government and External Relations

Office of the Commissioner
Maryland Insurance Administration
200 St. Paul Place
Baltimore Md 21202
nick.cavey@maryland.gov

Desk: 410-468-2173

Cell: 410-979-9139
www.insurance.maryland.gov

--

Nick Cavey
Assistant Director of Government and External Relations

Office of the Commissioner
Maryland Insurance Administration
200 St. Paul Place

Baltimore Md 21202
nick.cavey@maryland.gov

Desk: 410-468-2173

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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowner's Disclosure Notice Template

Dan Wade <dan.wade@uphelp.org>

Tue, Oct 25, 2016 at 6:39 PM

To: nick.cavey@maryland.gov, nancy.egan@maryland.gov

Mr. Cavey and Ms. Egan,

I note that the proposed notice template refers to three additional notices (anti-concurrent causation, summary of coverage, and option coverage). Are these notices also eligible for comment?

Thank you,
Dan

--

Dan Wade, Esq., Staff Attorney

United Policyholders
381 Bush Street, 8th Floor
San Francisco, CA 94104
email: dan.wade@uphelp.org
Tel. 415-393-9990, Fax: 415-677-4170, Website: www.uphelp.org

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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Homeowner's Disclosure Notice Template

Nancy Egan -MDInsurance- <nancy.egan@maryland.gov>

Wed, Oct 26, 2016 at 7:46 AM

To: Dan Wade <dan.wade@uphelp.org>

Cc: Nick Cavey <nick.cavey@maryland.gov>

Mr. Wade,

Thank you for inquiry. The Workgroup was tasked with reviewing all the current HO disclosures that were required under MD law to see if they were still necessary or if they could be combined into one easy to read format. The Workgroup reviewed those 3 additional notices and determined that there was not an easy way to include them in a two page document. We welcome your comments on those additional notices.

Nancy

Nancy J. Egan, Esq.
Director of Government Relations & External Affairs
Office of the Commissioner
Maryland Insurance Administration
200 St. Paul Place
Baltimore Md 21202
New e-mail address: nancy.egan@maryland.gov
410-468-2488 Fax: 410-468-2020
Cell: 443-604-9599
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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Comments on Working Group's Draft HO Disclosure Notice Template

Amy Bach <amy.bach@uphelp.org>

Thu, Oct 27, 2016 at 7:26 PM

To: nancy.egan@maryland.gov, nick.cavey@maryland.gov

Cc: Jay Feinman <feinman@camden.rutgers.edu>, Dan Wade <dan.wade@uphelp.org>

Dear Ms. Egan and Mr. Cavey,

Thank you for the opportunity to provide feedback on Commissioner Redmer's workgroup's draft Homeowners Disclosure Template.

We have provided input into similar forms that have been implemented in the states of Colorado and California at the behest of their legislatures.

Happy to help further.

Warmly,

Amy Bach, Esq., Executive Director
United Policyholders
381 Bush St., 8th Fl.
San Francisco, CA 94104
Email: amy.bach@uphelp.org
Tel. 415-393-9990, Fax: 415-677-4170, Website: www.uphelp.org

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 **10.27.16 Maryland Disclosure Comments (1).pdf**
702K

October 27, 2016

Maryland Insurance Administration, **VIA EMAIL**

Nancy Egan, Director of Government Relations and External Affairs

nancy.egan@maryland.gov

Nick Cavey, Assistant Director of Government Relations and External Affairs

nick.cavey@maryland.gov

Re: Comments on Proposed Homeowners Disclosure Notice Template

Dear Ms. Egan and Mr. Cavey,

We appreciate the opportunity to provide comments on the Maryland Insurance Administration's (MIA) draft Homeowners Disclosure Notice. Given how common it is for loss and disaster victims to find their homes significantly underinsured when it's too late to adjust their coverage, we share your agency's goal of educating consumers on options for properly insuring their assets to value.

We note, however, that because insurance is highly technical, consumers rely heavily on agents' expertise and the oral promises that are made to them when they buy their coverage. For that reason, disclosure notices alone cannot solve the underinsurance problem, and are often used against consumers as a liability shield. As you no doubt have heard from consumers who contact your agency for help, they were lulled into a false sense of security by an agent who in turn relied on a computer-generated estimate to set the dwelling replacement value. All too often, agents focus only on the policy price point to close the sale and not on the quality of coverage. Many are reluctant to recommend increasing policy limits or adding endorsements for fear they will lose the sale. Yet consumers rely on their professional expertise and assurances.

For this comment letter, we will show each section of the proposed notice as drafted, and then then provide our suggested revised version of same:

Draft version: Flood - The standard homeowners insurance policy does not cover loss caused by flood. Speak to your producer or your insurance company about flood coverage. Visit the National Flood Insurance Program ("NFIP") at www.floodsmart.gov or by phone 888-379-9531 to learn more.

Our suggested version: **Flood - The standard homeowners insurance policy does not cover loss caused by flood. Ask your agent or insurance company about options for protecting your property against the risk of flood. Visit the National Flood Insurance Program ("NFIP") at www.floodsmart.gov or by phone 888-379-9531 and consider all available coverage choices.**

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Coverage for Loss from Water that Backs up Through Sewers and Drains - Your draft version:

Insurance companies are required to offer you this coverage for your full policy limits. You may choose lower limits if available from your insurance company. Contact your producer or your insurance company for additional information and costs.

Our suggested version:

Coverage for Loss from Water that Backs up Through Sewers and Drains – Your insurance company must offer you coverage for this type of damage, but the choice to buy or not buy it is yours. Sewer backup and drain coverage is extremely useful if you live in an area where flash flooding and heavy rains are known to occur.

Deductibles - Your draft version:

All policies include a deductible. The deductible is the amount you must pay on a covered loss. Some policies may include separate deductible for perils such as hurricanes, named storms, wind or hail. Contact you producer or your insurance company if you have questions about deductibles.

Our suggested version:

Deductibles - Your policy includes one or more deductibles. The amount of your deductible reduces insurance benefits that will be available after a loss, so choose your deductible according to your personal financial situation. The higher your deductible, the lower your premium. Some policies may include separate deductible for perils such as hurricanes, named storms, wind or hail.

NOTE: MIA's current draft implies that the consumer must *pay* their deductible after a loss in order to collect benefits. That is a common misperception.

We urge the MIA to review and reference New York Insurance Regulation 159 (11 NYCRR 74)¹, which reads as follows:

Section 74.1 Policyholder disclosure.

(a) Every homeowner's and dwelling fire personal lines policy containing a hurricane deductible shall display the applicable percentage amount and corresponding dollar amount of the hurricane deductible in the policy declarations. The non-hurricane deductible, as well as any deductible applicable to all other covered perils, may be shown as a dollar amount only. The hurricane deductible provisions shall be shown in close proximity to the non-hurricane deductible provisions and shall be given equal or greater prominence as the non-hurricane deductible provisions applicable to the policy.

¹ See: http://www.dfs.ny.gov/insurance/r_finala/1999/reg159f.htm.

(b) Every homeowner's and dwelling fire personal lines policy containing a hurricane deductible shall be accompanied by a policyholder notice, to be filed with the Insurance Department, and which shall contain the following minimum information:

- (1) a prominent announcement that the accompanying policy is subject to a hurricane deductible;
- (2) a clear explanation that a hurricane deductible means the amount for which the policyholder is responsible in the event of a covered loss caused by a hurricane;
- (3) a plain-language explanation of the coverage part or parts subject to the hurricane deductible and of whether the hurricane deductible applies separately to each coverage part or in the aggregate to total losses under all affected coverage parts;
- (4) a statement that a clear display of the actual dollar amount as well as a description of the hurricane deductible as a percentage of the insured value can be found on the declarations page;
- (5) generic examples of how sample deductible amounts would apply to some theoretical loss scenarios, including losses smaller than and greater than the deductible amount;
- (6) a clear explanation of the event which shall trigger the hurricane deductible;
- (7) a clear explanation of the time period during which the hurricane deductible will be triggered; and
- (8) a clear explanation that, if a coverage part limit of liability or policy limit of liability is changed (for example, due to contractual inflation protection provisions, adjustments reflecting changes in replacement cost or a request by the insured), then the dollar amount of the deductible will be changed based on the amount of the new limit of liability.

Storm Loss Protective Device Discount - Your draft version:

You may receive a premium discount for your efforts to mitigate a loss or reduce the risk of loss from hurricanes or other storms. Examples of mitigation efforts are the installation of qualifying shutters, secondary water barriers, reinforced roof coverings; braced gable ends, tie downs and reinforced opening protections. For more details contact your producer or insurance company.

Our suggested revised version:

Storm Loss Protective Device Discounts: Some insurers offer discounts to property owners who install storm shutters, secondary water barriers, or reinforced roof coverings, braced gable ends, tie downs and reinforced opening protections. Contact your insurance agent or

company and ask them what discounts they offer for home improvements that reduce the risk of damage and loss due to a storm or flood.

NOTE: While we recognize that the notice for which we submit these comments cannot make new law, such as requiring insurance companies to disclose to the MIA what discounts they offer nor can it proscribe certain discounts that insurance companies must offer, we urge the MIA to look at what hurricane-prone states such as Florida have done to address mitigation discounts.²

Claims History - Your draft version:

In addition to any other allowable reasons, an insurance company may cancel or refuse to renew your policy based:

- 1) on the number of non-weather related claims you have within the three years of your policy renewal; or
- 2) on 3 or more weather related claims filed within the 3 years of your policy renewal; or
- 3) on 1 or more weather related claim within 3 years of the policy renewal if the insurance company gave you written notice for reasonable and customary repairs or replacement to the dwelling that you failed to make and that the loss could have been prevented if the repairs were made..

Our suggested version:

Claims History - An insurance company may cancel or refuse to renew your policy based:

- 1) on the number of non-weather related claims you have within the three years of your policy renewal; or**
- 2) on 3 or more weather related claims filed within the 3 years of your policy renewal; or**
- 3) on 1 or more weather related claim within 3 years of the policy renewal if the insurance company gave you written notice for reasonable and customary repairs or replacement to the dwelling that you failed to make and that the loss could have been prevented if the repairs were made.**
- 4) on written notice of a documented increased hazard and/or as required in §27-602**

² See: <http://www.florid.com/Sections/PandC/HurricaneLossMitigation.aspx>.

NOTE: We would specify what the “other allowable reasons” are (besides increased hazard which we recognize is referenced below). We would also like to see a reference to §27–602, which requires, *inter alia*, the notice of cancellation to be in writing.³

Increased Hazard – Your draft version

You may also be canceled or non-renewed if there is a change in the physical condition or contents of your premises or dwelling that increases a hazard and a chance of loss. This applies to a new ‘binder’ of coverage as well. This means that if your insurance company had known about the hazard, the insurance company would not have issued the policy.

Our suggested revised version:

You may also be canceled or non-renewed if there is a change in the physical condition or contents of your premises or dwelling that increases your risk of loss. This can happen if your insurer gets information between the time they process your application and officially issue a policy that causes them to change their minds about wanting you as a customer.

NOTE: The MIA should consider a separate bulletin on the issue of cancellation and non-renewal, recognizing that this is a complicated and nuanced topic in and of itself and the reasons for each differ.

Anti-Concurrent Causation - See Anti Concurrent Causation Notice for details.

We believe it would be helpful if §19–215(2) included a very basic definition of the ACC clause that every insurer would be required to use. For example: “The ACC clause in your policy means that if two causes, one of which is covered and one of which is excluded (e.g., wind and water) combine to cause damage to your home, there is no coverage for the loss.” It would also be helpful if the disclosure gave the homeowner a very specific recommendation, such as: “You should consider purchasing flood insurance in addition to your homeowner’s policy so that if a storm results in this type of damage, you will more likely have coverage for your loss.”

Summary of Coverage - See Summary of Coverage Notice for details.

UP invites the MIA to examine the California Residential Property Insurance Disclosure (Cal. Ins. Code sec. 10102 *et seq*)⁴ if it has not already done so.

Optional Coverages - See Optional Coverage Notice for details

We appreciate that there are additional notices on these important topics and that the MIA has shared the code sections with us. However, we would like to see these disclosures in the form of a notice template similar to the format of this notice.

³ See: http://www.marylandattorneygeneral.gov/PIC%20Documents/NONRENEWAL_CANCELLATION.pdf.

⁴ See: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=ins&group=10001-11000&file=10101-10107>

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UP’s Executive Director is serving in her seventh consecutive term as an official consumer representative to the National Association of Insurance Commissioners where she works with Maryland Insurance Administration staff. UP hosts a library of legal briefs, news, tips, sample forms and articles on commercial and personal lines insurance products, coverage, and the claims process at www.uphelp.org.

Thank you again for the opportunity to comment and thank you in advance for your consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Amy Bach". The signature is written in a cursive, flowing style.

Amy Bach, Esq., Executive Director

Jay Feinman, Distinguished Professor of Law, Rutgers Center for Risk and Responsibility

October 28, 2016



Insurance Agents & Brokers of Maryland

Nick Cavey
Assistant Director of Government Relations and External Affairs
The Maryland Insurance Administration
200 St. Paul Place, Suite 2700
Baltimore, Maryland 21202

Dear Nick:

RE: IA&B COMMENTS ON HOMEOWNERS DISCLOSURE NOTICE TEMPLATE

On behalf of the Insurance Agents & Brokers of Maryland (IA&B), I am providing these comments on the Maryland Insurance Administration's draft proposed Homeowners Disclosure Template. The members of IA&B are independent insurance agencies located throughout Maryland providing insurance products and services to citizens of the State.

IA&B appreciated the opportunity to participate in Commissioner Redmer's workgroup on this issue over the summer. We are pleased that the workgroup's draft proposed notice incorporates our suggestions for introductory language which outlines the purpose of the notice, its limitations, and directs policyholders to their agents/brokers for specific policy information. We feel that this language is a necessary element of the Homeowners Disclosure Notice and support the inclusion of this language in the final version.

Thank you again for the opportunity to be involved in this process. Should you have any questions please do not hesitate to contact me at (717) 795-9100 x607 or laurenb@iabforme.com.

Sincerely,

A handwritten signature in black ink that reads 'Lauren Brinjac'.

Lauren Brinjac
Government Affairs Director, IA&B



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Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Fwd: Maryland Insurance Administration - HOMEOWNERS DISCLOSURE

Joy Hatchette -MDInsurance- <joy.hatchette@maryland.gov>
To: Nick Cavey -MDInsurance- <nick.cavey@maryland.gov>

Mon, Oct 31, 2016 at 3:08 PM

----- Forwarded message -----

From: **Patricia Dorn -MDInsurance-** <patricia.dorn@maryland.gov>
Date: Monday, October 31, 2016
Subject: Fwd: Maryland Insurance Administration - HOMEOWNERS DISCLOSURE
To: Joy Hatchette -MDInsurance- <joy.hatchette@maryland.gov>

I sent her a thank you for sending the message.

----- Forwarded message -----

From: **Beth Butler** <elizabeth.e.butler@verizon.net>
Date: Wed, Oct 26, 2016 at 9:06 AM
Subject: Re: Maryland Insurance Administration - HOMEOWNERS DISCLOSURE
To: Patricia Dorn -MDInsurance- <patricia.dorn@maryland.gov>

Good Morning Patricia,

I have reviewed the form and its contents feel it would certainly be helpful to most Maryland policyholders. I think most people do not understand their insurance policies and this helps to make some of the major points very clear and direct. It is a good idea and I think you should go forward with this Homeowners Disclosure.

Sincerely,
Beth Butler

From: Patricia Dorn -MDInsurance-
Sent: Thursday, October 06, 2016 9:03 AM
To: Patricia Dorn -MDInsurance-
Subject: Maryland Insurance Administration - HOMEOWNERS DISCLOSURE

The Maryland Insurance Administration is greatly appreciative of your past assistance and feedback in reviewing our homeowners disclosure. A new form is available online for comment if you are interested in providing feedback. Please feel free to distribute this information to any other people or entities you think may be interested, and contact me with questions.

Thank you,

Patricia Dorn, Outreach Staffer, Maryland Insurance Administration

[410-468-2381](tel:410-468-2381)

Date: October 3, 2016

To: All Consumers who have purchased a Homeowners Insurance Policy, All Property & Casualty Insurers, All Licensed Property & Casualty Insurance Producers

Re: Homeowners Disclosure Notice Template

We have been asked by the General Assembly to draft a homeowners disclosure to help Marylanders better understand some of the things that are covered and not covered under their homeowners insurance policies. This disclosure is an attempt to provide this information in an easy-to-understand format for Marylanders.

During this past summer, Commissioner Redmer convened a workgroup of interested parties including insurance company representatives, industry association representatives, producer association representatives, People’s Insurance Counsel members and staff from the MIA to review the current mandated homeowners disclosures and see which disclosures could be consolidated into one form.

Please review the [form](#) and provide us your feedback. A link to the copy of the Workgroup’s draft proposed Homeowners Disclosure Template is below for public comment. Public comment on this proposed form will be collected up until October 28. All comments should be submitted in writing to Nick Cavey, Assistant Director of Government Relations and External Affairs, atnick.cavey@maryland.gov or [410-468-2173](tel:410-468-2173). Substantive questions concerning this form should be addressed to Nancy Egan, Director of Government Relations and External Affairs, atnancy.egan@maryland.gov or [410-468-2488](tel:410-468-2488).

We look forward to your feedback on this matter.

Nancy J. Egan
Director of Government Relations & External Affairs.

- [HomeownersDisclosureNotice.pdf](#)



Questions?
Contact Us

STAY CONNECTED:



--

Patricia Dorn
Outreach Staffer III
Maryland Insurance Administration
Consumer Education and Advocacy Unit
[410-468-2381](tel:410-468-2381)

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Patricia Dorn
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