

STATE OF MARYLAND
MARYLAND INSURANCE ADMINISTRATION

525 St. Paul Place, Baltimore, Maryland 21202-2272

Writer's Direct Dial: 410-468-2320

Facsimile Number: 410-468-2306

e-mail : ddiehl@mdinsurance.state.md.us

BULLETIN – 03-12

TO: All Property and Casualty Insurers

RE: Mold Exclusions

DATE: June 27, 2003

Background

On November 7, 2002, the Maryland Insurance Administration (the "MIA") conducted an informational hearing on the topic of toxic mold. As a result of that hearing, on March 18, 2003, the MIA issued an Order captioned "Maryland Insurance Administration Findings and Decision Relating to Mold Limitations for Property and Casualty Insurance." That Order stated under what circumstances the MIA would approve mold limitations for property and casualty insurance. **Pursuant to the MIA's Order of Rescission No. MIA-2003-06-020 dated June 27, 2003, that March 18, 2003 Order is hereby rescinded.**

Coverage for Mold-Related Claims

Because Maryland is a competitive market, some insurers will decide to offer this coverage and some insurers will decide to exclude this coverage. Based upon those decisions, insurers will price their products accordingly. Policyholders are then free to decide which insurer's product best meets the policyholder's needs.

Insurers Choosing to Submit New Filings or Modify Current Filings Relating to Mold

- The MIA will process all such filings on an expedited basis.
- Filing fees will be waived on all such filings for a period of 60 days from the date of this communication.
- Filings currently under review may be modified by the insurer without the need to submit new filings.

Claims Under Currently Approved Forms

- Any claims occurring under currently approved policy forms must be settled in accordance with the language contained in the current forms as opposed to any amendments submitted as a result of this communication.

Any questions regarding the submission of filings should be addressed to Fred Santiago, Supervisor – P&C Rates and Forms, at 410-468-2317.

Alfred W. Redmer, Jr.
Insurance Commissioner