

**STANDARDS FOR PERSONAL INLAND MARINE, BURGLARY AND THEFT
FORMS AND RATES FILING**

This checklist must be submitted with your filing in compliance with OAR 836-010-0011(2). This list includes relevant statutes, rules, bulletins, and other documented positions to enforce ORS 731.016. The standards are summaries and review of the entire statute or rule may be necessary. Complete each item to confirm that diligent consideration has been given to each and is certified by the signature on the certificate of compliance form. “Not applicable” can be used only if the item does not apply to the coverage being filed. Any line left blank will cause this filing to be considered incomplete. Not including required information or policy provisions may result in disapproval of the filing. *(If submitting your filings electronically, bookmark the provision(s) in the form(s) that satisfy the requirement and identify the page/paragraph on this form.)*

The checklist is NOT APPLICABLE to the following:

- For TOIs not listed, see our Web site for specific standards: www.orgoninsurance.org/docs/serff/filing_requirements.htm.
- For adopting bureau forms, see requirements under *Rating Organization Form Adoption* on our Web site.
- For filing rating organization loss cost modification factors, see *Rating Organization Loss Cost* on our Web site.
- Filing of simple endorsements, title or declaration pages do not require a checklist of standards; see the Web site.

Insurer name: _____

Date: _____

Market:

TOI (type of insurance) code:

Sub-type insurance:

Personal lines

- | | |
|---|--|
| <input type="checkbox"/> 9.0 Personal inland marine | <input type="checkbox"/> 26.0 Burglary and theft |
| <input type="checkbox"/> 9.0002 Difference in condition | <input type="checkbox"/> 9.0004 Pet insurance plans (pet health) |
| <input type="checkbox"/> 9.0007 Communication equipment | <input type="checkbox"/> 26.0002 Personal burglary and theft |
| <input type="checkbox"/> 9.0006 Other, identify _____ | |

Review requirement	Reference	Description of review standards requirements	Location of standard in filing (or check the box)				
GENERAL REQUIREMENTS (FOR ALL FILINGS)							
Product Locator		Were the forms in your filing developed with the NAIC Product Locator, Oregon information? <i>(The requirements on this document are substantially the same as those on the Product Locator for consistency in drafting and meeting these filing requirements.)</i>	<table border="0"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No						
<input type="checkbox"/>	<input type="checkbox"/>						

Filing submission	OAR 836-010-0011 As required on SERFF or our Web site	Required forms are located on SERFF or on our Web site: www.oregoninsurance.org/docs/serff/filing_requirements.htm . These must be submitted for your filing to be accepted as complete: 1. Transmittal form. 2. Cover letter. (See transmittal form for instructions.) 3. Third-party filer's letter of authorization. 4. Certificate of compliance form. 5. Product standards (this document). 6. Rates, rules, and actuarial memorandum with an overview of the contents of the filing, and the reasons and procedures used to derive the rate change. 7. Forms filed for approval. 8. For mail filings, two self-addressed stamped envelopes, one in which the division can return approved forms.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Review	ORS 742.003(1) and 737.205	Included in this filing for review: 1. New policy or program. 2. Endorsements amending an existing program that include additional coverages in these standards. 3. Certificate of insurance, if group. 4. Rates and rules only.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Applicability	ORS 742.048(2)	No policy has been issued or will be issued upon the forms in this filing until approved.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	OAR 836-030-0050	Agents are not allowed to charge a service fee.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
FORMS				
Policy period	ORS 742.048 & 742.504(3)	<u>Effective date and time</u> – The policy states that coverage commences at 12:01 a.m. on the policy's effective date.		
Access to courts	ORS 742.061	<u>Attorney fees</u> – If a claim settlement is not made within six months and action is brought to court, should the plaintiff's recovery exceed the amount of payment made by the defendant, the court will set attorney fees to be paid as part of the costs of legal action and any appeal, unless the parties agree to binding arbitration.		
Arbitration	ORS 36.600-36.740	The policy provides for arbitration if claim settlement cannot be reached. The parties may elect arbitration by mutual agreement at the time of the dispute after the claimant has exhausted all internal appeals and can be binding by consent of the insured person. <i>(If the policy provides for arbitration when claim settlement cannot be reached and the policy owner elects arbitration, arbitration takes place under the laws of Oregon held in the insured's county or any other county in this state agreed upon.)</i>		
Bankruptcy	ORS 742.031	The policy includes a bankruptcy provision similar to that in ORS 742.031.		

Cancellation & nonrenewal	ORS 742.023	The policy clearly defines the requirements for cancellation and the refund method.	
	ORS 742.023	If the policy provides for renewing the coverage or cancellation, fair notice must be provided. The Insurance Division recognizes fair notice as at least 30 days' written notice, with the reason. Any deviation from the fair notice must be justified. Eligible benefits being paid under a claim cannot be terminated if the master policy is terminated.	
Discrimination	ORS 746.018	A policy does not unfairly discriminate in insuring against risks of essentially the same degree of hazard for burglary, theft, or robbery.	Yes <input type="checkbox"/> No <input type="checkbox"/>
Exclusions	ORS 742.023	Pet insurance: Describe any breeds not covered or any permanent injuries or conditions excluded.	
		Pet insurance: Clearly disclose the duration of a pre-existing condition exclusion and describe types of injuries or conditions subject to pre-existing exclusions.	
Fees, service charges, taxes	OAR 836-030-0050 and ORS 731.808	All charges to the policyholder are listed on the declarations page. Field add-ons are not permitted.	
Legibility of forms	ORS 742.005(2)	The forms are clear and understandable in the presentation of premiums, labels, description of contents, title, headings, backing, and other indication (including restrictions) in the provisions. The information is clear and understandable to the consumer and is not unintelligible, uncertain, ambiguous, abstruse, or likely to mislead.	
Loss settlement	ORS 742.023	Payoff provisions are clearly explained.	
	ORS 742.053	The policy states that the insurer will furnish a claim form within 15 days after notice of claim or will accept the filing of proof-of-loss covering the occurrence, character, and extent of loss.	
Premium payment, refund, or retention	ORS 742.005(2)	The policy clearly defines the cancellation refund method. Upon cancellation for any reason, the policyholder is entitled to a refund and the calculation method is clearly described in the policy. Refunds must be made within 30 days.	
Primary coverage	ORS 742.023(e) & 742.005(2)	Terms used in describing the coverage are clearly defined. The policy describes the conditions and provisions pertaining to the coverage, amount, terms, exceptions, limitations, and exclusions.	
Rebates	ORS 746.035 & 746.045	Inducements or rebates specified in the policy. If answer is other than "N/A," details must be included in the rates and rules filing.	
Titles & headings	ORS 742.005(2)	The forms are clearly titled and headings for benefits include references to any limitations and restrictions contained in the provision.	

RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY FILING REQUIREMENTS				
Filing submission	ORS 737.205	Copies of rates, rating plans, and rating systems are included in the filing with revisions indicated when filing a change.	Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>
		Effective date is not earlier than the date the filing is received by the insurance division	Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>
Fictitious group	ORS 737.600, OAR 836-042-0300 to 0322	If filing a fictitious group for rate purposes, the group meets the requirements of ORS 737.600(3)(b) for mass-marketing plans.	Yes	No N/A
			<input type="checkbox"/>	<input type="checkbox"/>
Discrimination	ORS 746.015, OAR 836-081-0010	Rates, rating plans, and rating systems do not discriminate unfairly in the availability of insurance and the application of rates.	Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>
Ratemaking generally				
Creditability	ORS 737.310 and OAR 836-010-0021	1. Provide all data used and judgments made. 2. Provide description of methodology used.		
Fees, service charges, taxes	ORS 737.310 and OAR 836-010-0021	Provide cost-accounting justification on initial filing or subsequent changes.		
Loss valuation	ORS 737.310 and OAR 836-010-0021	Provide the following: 1. Complete premium data. 2. Loss and LAE data. 3. Information on expected loss ratio.		
Investment income	ORS 737.310 and OAR 836-010-0021	1. Cash flow method <i>or</i> 2. Alternative method showing amount of investment income earned on loss, LAE, and unearned premium reserve to earned premium.		
Underwriting profit & contingencies	ORS 737.310 and OAR 836-010-0021	1. Oregon data for commission and brokerage.		
		2. Countrywide data for general and other acquisition expenses as reported in the <i>Insurance Expense Exhibit</i> .		
		3. Oregon data for taxes, licenses, and fees.		
		4. Expense trend.		
		5. Historic experience.		