

No. 11-0830

**Official Order
of the
Commissioner of Insurance
of the
State of Texas
Austin, Texas**

Date: October 21, 2011

Subject Considered:

APPROVAL OF TEXAS WINDSTORM INSURANCE ASSOCIATION
INSURANCE POLICY FORMS, ENDORSEMENTS, AND MANUAL RULES
PURSUANT TO 28 TAC §5.4911
REFERENCE NUMBER P-0811-07 (DWELLING) AND P-0811-08 (COMMERCIAL);
TDI # 9212531370 (DWELLING) AND TDI # 9212531371 (COMMERCIAL); AND
LINK # 116057 (DWELLING) AND LINK # 116058 (COMMERCIAL)

The Commissioner makes the following findings and conclusions of law:

1. The Texas windstorm and hail insurance policy forms, endorsements, and manual rules currently in use by the Texas Windstorm Insurance Association (Association), were approved by Order Number 10-0223, effective March 26, 2010, under TAC §5.4911.
2. On August 19, 2011, the Association submitted proposed dwelling and commercial insurance policy forms, endorsements, and manual rules (submission) to make clarifying and editorial changes, and to reflect amendments to Insurance Code Chapter 2210, under House Bill 3 (HB 3), 82nd Legislature, 2011, First Called Session.
3. The submission is proposed to be effective for all policies delivered, issued for delivery, or renewed on or after November 27, 2011.
4. The submission eliminates the mobile home insurance policy form, instead offering mobile home coverage by endorsing the Association's dwelling policy.
5. Notice of the submission was published in the September 3, 2011, edition of the *Texas Register* at 36 TexReg 5742. The notice stated that written comments on the

submission could be submitted to the Department until October 3, 2011, and that the Commissioner would hold a public hearing to consider the submission on September 19, 2011, under Docket No. 2728.

7. The Department received no written comments on the submission.
8. No comments in opposition to the submission were made at the September 19, 2011, public hearing.
9. The Association has revised and resubmitted part of its submission based on Department concerns. The final submission is attached to this Order as Exhibits A to D.
10. Approval of the Association's submission in Exhibits A to D will allow the Association to continue to provide residential windstorm and hail insurance coverage in the catastrophe area.
11. Pursuant to TAC §5.4911, the Commissioner may, after an opportunity for comment and public hearing, approve insurance policy forms, endorsements, and manual rules that are submitted by the Association to implement Insurance Code Chapter 2210.
12. Section 62(a) of HB 3 states that HB 3 applies to Association Texas windstorm and hail insurance policies delivered, issued for delivery, or renewed on or after November 27, 2011.
13. The submission in Exhibits A to D should be approved for use by the Association effective for all policies delivered, issued for delivery, or renewed on or after November 27, 2011.

THEREFORE THE COMMISSIONER ORDERS that the Association insurance policy forms, endorsements, and manual rules in Exhibits A to D are approved under TAC §5.4911 for use by the Association effective for all policies delivered, issued for delivery, or renewed on or after November 27, 2011.

AND IT IS SO ORDERED.

TEXAS DEPARTMENT OF INSURANCE

**ELEANOR KITZMAN
COMMISSIONER OF INSURANCE**