

No. 12-0724

**Official Order
of the
Texas Commissioner of Insurance**

Date: August 30, 2012

Subject Considered:

APPROVAL OF TEXAS WINDSTORM INSURANCE ASSOCIATION
RENEWAL APPLICATION FORMS
PURSUANT TO 28 TAC §5.4911

Commercial renewal application form,
Link #117411, TDI #9212533812, Reference No. P-1011-10
Residential and manufactured home renewal application forms,
Link #117412, TDI #9212533813, Reference No. P-1011-10

The commissioner of insurance considers the Texas Windstorm Insurance Association's submission for approval of its renewal application forms. The commissioner makes the following findings of fact and conclusions of law:

1. TWIA submitted its commercial, residential, and manufactured home renewal application forms for approval, as required by 28 TAC §5.4911(h). The applications are titled Renewal Notices, but they function as renewal applications.
2. The renewal applications contain notices about the currently required declination and flood insurance verifications and the 90-day minimum retained premium.
3. Notice of the renewal application form submission was published in the November 11, 2011, edition of the *Texas Register* at 36 TexReg 7705. The department did not receive any written comments. A public hearing was not requested or held.
4. TWIA proposes to begin using the renewal application forms no later than October 1, 2012. TWIA's proposed renewal application forms are attached as Exhibit A.

5. The renewal application forms are consistent with Insurance Code Chapter 2210, as amended by HB 3, including §§2210.202, 2210.203, and 2210.204(e).

6. The renewal application forms should be approved for use by TWIA. TWIA should be ordered to begin using the renewal application forms no later than October 1, 2012. TWIA should notify the department when TWIA begins using the renewal application forms.

7. Under 28 TAC §5.4911, the commissioner may, after an opportunity for comment and public hearing, approve application forms submitted by TWIA to implement Insurance Code Chapter 2210.

The commissioner approves TWIA's renewal application forms in Exhibit A. TWIA must begin using the renewal application forms no later than October 1, 2012. TWIA must notify the department when TWIA begins using the renewal application forms.


ELEANOR KITZMAN
COMMISSIONER OF INSURANCE