

CDI
Review Requirements Checklist
for Personal Lines except Private Passenger Auto, Homeowners and Earthquake

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|--|--------------------|---|
| FORMS | | |
| Standard Requirements | | |
| Policy shall specify | CIC 381 | Lists required contents of policy |
| Insurer's name on policy. | CIC 430 | The insurer's name or name approved for use by the commissioner, must be printed in large bold print in at least the size type used in the policy or on the face page. |
| Disclosure of consumer affairs unit to new policyholders | CIC 510 | Insurers must include a written disclosure containing the name, address, and toll-free telephone number of the unit of the Department of Insurance that deals with consumer affairs. The disclosure should be printed in large, boldface type. |
| CA Standard Form Fire Insurance Policy | CIC 2030 thru 2083 | Specifies standard form and measures of indemnity for any Fire policies. |
| Red - Ink Clauses | CIC 2081 | Whenever a clause is inserted, or rider attached, affecting the standard form liability of the insurer for loss or damage by fire occasioned either directly or indirectly by hurricane, volcanic action or other disturbance of nature, the clause or rider shall be printed in red ink in type larger than small pica and at the head of the policy there shall be printed in red ink and in large boldfaced type the words, "This policy contains limitations of liability not permitted in the California standard form." |
| Residential Property - Polling Place | CIC 11585 | If a residential property policy includes any liability insurance, the policy shall cover liability insured in connection with the use of the residential property for a polling place for any state or local election. |
| Workers' Compensation - Household Employees | CIC 11590 - 11593 | Except as provided in CIC 11591, no policy providing comprehensive personal liability insurance may be issued or renewed unless it contains a provision for coverage against liability for the payment of compensation, as defined in Section 3207 of the Labor Code, to any person defined as an employee by Section 3351(d) of the Labor Code. |

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| Applications | | |
| Application form NOT required to be filed | | |
| Concealment & Fraud | CIC 2070 & Bulletin 99-1 | Prohibits insurers from substituting the words "any insured" for the standardized words "the insured" in fire and allied lines coverage form clauses adapted from the California Standard Form Fire Insurance Policy. |
| Discrimination | CIC 679.72 | Prohibits an application from carrying identification, or requirement of an applicant's race, color, religion, national origin or ancestry. |
| Bankruptcy Provision | | |
| Policy Content | CIC 11580 | A liability policy must contain a provision that the insolvency or bankruptcy of the insured will not release the insurer from payment of damages during the life of the policy. The policy must also contain a provision that an action against the insurer may be made when a judgment has been secured against the insured or the executor or administrator of a deceased insured. |
| Cancellation & Nonrenewal | | |
| Risks Covered by the Chapter | CIC 675 | Specifies the type of insurance risk covered by the following cancellation sections. |
| Nonrenewal - Claim Pending | CIC 675(c) | On or after January 1, 2000, an insurer may not refuse to renew a policy of insurance specified in CIC Section 675(a) solely on the grounds that a claim is pending under the policy. |
| Grounds for valid notice of cancellation | CIC 676 | Notice of cancellation allowed only for certain circumstances (after 60 days of new policy) |

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| Cancellation Content | CIC 677 | All notices of cancellation shall be in writing, mailed to the named insured at the address shown in the policy, and shall state with respect to policies in effect after the time limits specified in Section 676, (a) which of the grounds set forth in Section 676 is relied upon, and (b) that, upon written request of the named insured, mailed or delivered to the insurer within 15 days of the date of cancellation, the insurer shall specify the reason for cancellation except where the reason is for non-payment of premium and is so stated in the cancellation notice. |
| Conditions of Nonrenewal | CIC 678 | 45 day notice of nonrenewal required. |
| Cancellation - Nonrenewal Exemption | CCR 2550 | Insurance in respect to any risk or class of risks described in CCR 2550 (b) and (c) is exempt from the provisions of the Insurance Code commencing with CIC 675. The exemption granted shall apply to insurance (whether on an all-risks basis or a named perils basis) against loss of or damage to personal property under scheduled or blanket personal property floaters whether written separately or as a supplemental contract or endorsement when the aggregate amount of insurance on the schedule or policy exceeds \$25,000 or when a single risk exceeds \$5,000. |
| Refund policy | CIC 481, 481.5 | Requirements regarding refund of unearned premium. |
| Adverse Underwriting Decision | CIC 791.12 | Adverse underwriting decision; prohibited grounds. |
| Loss Settlement | | |
| Notice of Loss | CIC 551 | An insured may provide notice of an accident, injury or death within 20 days. A policy must not have a requirement of notice for a lesser period. |

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| Valuation of Personal Property | CIC 381.2 | When a policy includes coverage for loss or damage to a specific item of personal property of the insured, on which a separate amount of insurance is placed, the insurer must specify the method of loss computation in the policy. |
| Punitive Damages | | |
| Punitive Damages Prohibited | CIC 533.5 | Coverage for punitive damages is prohibited. Any policy, primary, excess or umbrella, which provides coverage for punitive damages must contain a California exclusionary endorsement. Or, if punitive damages are added by endorsement, the endorsement must state that punitive damages do not apply in California. |
| RATING | | |
| Pricing | | |
| Prior Approval | CIC 1861.01 (C), 1861.05 (b), CCR Title 10, Subchapter 4.8 | Requires filing of rates prior to implementation. |
| Rate Adequacy | CIC 1861.05(a) | No rate shall be in effect that is excessive, inadequate nor unfairly discriminatory. |
| Policy Fees (Not broker fees) | CIC 1861.01(c), 1861.05(b), CCR Title 10, Subchapter 4.8 | Policy fees, and other similar fees, such as inspection fees, are premium. Therefore, requests from carriers to change their fees will require a prior approval filing. |
| Tier rating | CIC 1861.05(a), CCR 2360.2, Bulletin 80-11, Bulletin 94-12 | Every insurer must maintain eligibility guidelines to determine the appropriate rating plan for an insured. |
| Insurer Groups | CIC 1853.5, 1861.05(a), CCR 2360.2, 2360.5 | Requires maintenance of eligibility guidelines for placement of risks in each company who are members of an insurer group which write the same or substantially the same insurance. |

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| Lowest Premium | CCR 2360.3 | An insurer shall charge each insured the lowest Premium for which the insured qualifies. At each policy renewal the insurer shall adjust the Premium charged to the insured, as necessary, to reflect the lowest Premium for which the insured qualifies at that time. |
| IRPM / Schedule Rating Plans | CIC 1861.05 | IRPM / Schedule Rating Plans are not permissible in California for personal lines of insurance. |
| Rating Plan Requirements | | |
| Rating Plan | CIC 1861.01(c), 1861.05(a) & (b) | A rating manual must be submitted with an application for approval of rates. |
| Financial Credit Scoring | CCR 2360.0(b) & CIC 1861.05(a) | Use of an aggregate credit score (i.e. Insurance or Bureau Score) is not an acceptable rating component for personal lines of insurance. |
| Advisory Organization (AO) Loss Costs-adoptions | CIC 1855.3, 1855.5, 1861.01(c), 1861.05(b), CCR Title 10, Subchapter 4.8 and Filing Instructions-New Programs Section | Permits the development of rating plans in cooperation and in concert with advisory rating organizations. Requires manuals to contain loss costs not rates. For New Program filings adopting approved advisory organization loss costs and manuals, insurers must submit a complete new program filing which includes the development of the loss cost multipliers and any loss cost modifiers. For previously approved programs, adopting changes to loss costs, loss cost multipliers or modifiers require a complete rate change application filing using company/group specific data. Any AO adoption files must contain the CDI file number for the approved AO files the insurer wishes to adopt. |
| Community -wide fire mitigation effort credit | Bulletin 95-12 | On or after 1/1/96, all homeowners' rate applications should take into account specific, community-wide fire mitigation measures and any benefits that arise from those measures that would result in associated discounts for policyholders whose communities have adopted or required those measures. |

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| Upgrades | CCR 2360.7 | Whenever an insurer makes insurance with broadened or enhanced coverage available to new insureds, the insurer shall offer the same broadened or enhanced coverage to all existing insureds which otherwise qualify for the newly broadened or enhanced coverage, and the insurer shall apply the same rating plans to both new and existing insureds in accordance with this chapter. Any change in coverage offered to existing insureds under this section shall be offered no later than the next renewal date. |
| Filing Requirements (All) | | |
| Prior Approval of rates, rules, and forms | CIC 1861.01(c), 1861.05(b), CCR Title 10, Subchapter 4.8 and Filing Instructions | Insurers who desire a rate change shall file a complete rate application. The applicant shall have the burden of proving the requested rate change is justified. The commissioner shall notify the public of any rate change application. The application shall be deemed approved 60 |
| Complete Rate Application | CIC 1861.05(b), 1857.7, 1857.9, 1864 and CCR 2643.6, 2648.4 and June 8, 2001 Notice to all Insurers Subject to Proposition 103. | Specifies the required contents - for a complete application for approval of rates. |
| Prior Approval of rates, rules, and forms by line of insurance | CIC 1861.01(c), 1861.05(b), 1857.7, CCR 2642.7, 2643.3(b) and Filing Instructions | Requires rate filing applications on a line by line basis. CCR 2642.7 lists the lines of insurance. |

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| All files containing forms | CIC 1861.01(c), 1861.05(b), CCR Title 10, Subchapter 4.8 and Filing Instructions | All filings containing forms (whether company or an advisory organization) must have forms filing pages CA-FA1 and CA-FA2 completed in the rate application. |
| New Programs | CIC 1861.01(c), 1861.05(b), CCR Title 10, Subchapter 4.8 and Filing Instructions- New Programs Section | ALL manual rules, underwriting rules, rates, and forms to be used with a new program must be submitted with the rate application. If the proposed forms are AO forms or company forms already in use with other programs, and previously filed, then the forms do not need to be filed with the New Program. However, they must be listed on the CA-FA1 page with the CDI file number for the approved form filings. |
| Advisory Organization(AO) Forms -- adoptions | CIC 1855.5 | Requires approval of an advisory rating organization's policy endorsements, and forms prior to use by insurers. |
| Forms without coverage changes. | CIC 1861.01(c), 1861.05(b), CCR Title 10, Subchapter 4.8 and Filing Instructions | Forms that do not affect changes in coverage do not need to be filed. |
| Mailing Address | Rate Filing Application Instructions | Mail all completed filing applications to: CALIFORNIA DEPARTMENT OF INSURANCE, RATE REGULATION DIVISION, Rate Filing Bureau, 45 Fremont Street, 23rd Fl., San Francisco, CA 94105. Do not address files to the Commissioner. |
| General Filing References | | |
| Maintenance of records | CIC 1857 | Provides that insurers shall maintain reasonable records to support and explain the rating plans, and underwriting rules. |

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| Documentation Supporting Rates | CCR 2360.6 | The insurer shall keep documentation in the underwriting file for every insurance policy issued to every insured, identifying all information which the insurer considered in determining the Premium charged to the insured. This documentation shall be maintained at all times during which a policy is in force and for at least three years from the policy inception date. |
| Reinsuring Non-admitted Insurers | CIC 803 | No admitted insurer shall assume or reinsure the liabilities of a non admitted insurer for the purpose of circumventing the rate and form provisions of the CIC. |
| Burden of proof | CIC 1861.05(b) and CCR 2646.5 | The insurer has the burden of proving that its rate is not excessive, inadequate, unfairly discriminatory, or otherwise in violation of the CIC. |
| Definition for Inland Marine Insurance | CIC 103 and Commissioner's Directives of 12/29/94 and 5/9/95 | Definition of Inland Marine, uncontrolled inland marine rates must be filed for prior approval same as controlled inland marine. Defines pleasure boats 26 ft. or less as inland marine and over 26 ft as ocean marine. |