

Department of Consumer & Business Services  
**Oregon Division of Financial Regulation**  
**Rates and Forms**  
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**STANDARDS FOR PERSONAL AND COMMERCIAL INLAND MARINE, BURGLARY AND THEFT**

This checklist (product standards) has been provided as an aid to assist you in preparing your filing. This checklist includes relevant statutes, rules, bulletins, and other documented positions and is required by OAR 836-010-0011(2) & (3). **The standards are summaries and review of the entire statute or rule will be necessary.** Please review each item, and mark the “Yes”, “Confirm”, or the “N/A” box. “Not applicable” can only be used if the item does not apply to the coverage being filed. Compliance with these provisions must be certified by both the filer and an officer of the company. Any line left blank may result in the delay or disapproval of the filing. **Complete and attach the checklist in the SERFF filing.**

- For TOIs not listed, see our Web site for specific standards: <http://dfr.oregon.gov/rates-forms/Pages/index.aspx>.
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- For filing rating organization loss cost modification factors, see *Rating Organization Loss Cost* on our Web site.

**These Standards are not applicable to:**

- 9.0009 Travel Insurance (See checklist form 440-3624)       9.0004 Pet Insurance (See checklist form 440-5056).

**IMPORTANT: The filing of inland marine forms, rates, and rules is required unless the form is designed for use on a single policy.**

**IMPORTANT NOTICE – 2015 Legislation: Senate Bill 935 (regulation of wet marine and transportation insurance) establishes that an insurer is not required to obtain a Certificate of Authority to transact wet marine and transportation (AKA, ocean marine) insurance in Oregon. This type of insurance provides coverage for large risks such as a barge or large marine vessels, marine terminals, and marine construction firms. This legislation became effective June 18, 2015.**

**Market type:**

**TOI (type of insurance) code:**

**Sub-type insurance:**

- |  |  |
|--|--|
| <input type="checkbox"/> Personal                                | <input type="checkbox"/> Commercial                            |
| <input type="checkbox"/> 09.0 Inland Marine                      | <input type="checkbox"/> 26.0 Burglary and theft               |
| <input type="checkbox"/> 9.0001 Animal Mortality                 | <input type="checkbox"/> 26.0001 Commercial burglary and theft |
| <input type="checkbox"/> 9.0002 Difference in conditions (DIC)   | <input type="checkbox"/> 9.0005 Other Commercial Inland Marine |
| <input type="checkbox"/> 9.0003 Electronic Data Processing (EDP) | <input type="checkbox"/> <b>(e.g. Motor Truck Cargo, DIC)</b>  |
| <input type="checkbox"/> 9.0006 Other Personal Inland Marine     |  |
| <input type="checkbox"/> 9.0007 Communication Equipment          |  |
| <input type="checkbox"/> 9.0008 Event Cancellation               |  |
| <input type="checkbox"/> 9.0010 Boatowners/Personal Watercraft   |  |
| <input type="checkbox"/> 26.0002 Personal burglary and theft     |  |

GENERAL REQUIREMENTS (FOR ALL FILINGS)			
Category	Reference	Description of review standards requirements	Check Answer
Requirements	OAR 836-010-0011 As required on SERFF or our Web site	Filing requirements are located on SERFF or on our web site at: <a href="http://dfr.oregon.gov/rates-forms/Pages/index.aspx">http://dfr.oregon.gov/rates-forms/Pages/index.aspx</a> .  <b>General Information Tab.</b>  A description/explanation of the filing contents. Please note, information included in the Filing Description cannot be edited. However, if a cover letter is attached, a new cover letter could be submitted if necessary.	
<b>FORM FILING REQUIREMENT</b>	<b>Verify Affiliation with Rating Organization OAR 836-010-0011</b>	<b>Is the insurer a member or subscriber of a Rating Organization for this line of business?</b>	Yes No N/A <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		<b>American Association of Insurance Services (AAIS)</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>
		<b>Insurance Services Office (ISO)</b>	Yes No <input type="checkbox"/> <input type="checkbox"/>
		<b>Does the bureau (rating organization) have form filing authority for the named insurance company for this line of business?</b>	Yes N/A <input type="checkbox"/> <input type="checkbox"/>
		<b>Provide under Supporting Documentation proof of affiliation for this line of business</b>	
Requirements	Form Schedule tab	<b>Forms Schedule Tab:</b> 1. Only the clean copy of the submitted form should be individually attached under the Form Schedule. 2. Only one PDF per Schedule Item. 3. The form number should appear exactly as shown on the PDF. Any edition/revision date used in the form number must be included under the Form Number column. 4. It is not necessary to use the Edition Date column. 5. The Form Type column must be completed correctly. 6. When replacing a form, the filer must correctly fill out the Previous Filing # field under the Action Specific Data column with the 8 digit State assigned filing number, and when applicable, the SERFF Tracking Number. If the filing was submitted after September, 2011, there will only be a SERFF tracking number assigned. The form number of the previously approved form must be typed under the Replaced Form # field. Please be sure to type this form number (including the edition date) exactly the way it appeared when the original filing was submitted.	Yes No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		<b>Rates and Rules Tab:</b>  Rates and rules should be submitted under the Rate and Rule tab. (Place the Actuarial Memorandum under the Supporting Documentation tab. See below.)	Yes N/A <input type="checkbox"/> <input type="checkbox"/>

Category	Reference	Description of review standards requirements	Check Answer
Requirements	OAR 836-010-0011 As required on SERFF or our Web site	<p><b>Supporting Documentation Tab:</b></p> <p>Other filing requirements as listed below, or other documentation used to assist us in our review, should be submitted under the Supporting Documentation tab under the correct heading.</p> <ol style="list-style-type: none"> <li>1. If the General Information area is not used, then a Cover letter or Filing Memorandum should be under the Supporting Documentation tab that explains the intent or purpose of the forms/rules/rates.</li> <li>2. A Third-party filer's letter of authorization if applicable.</li> <li>3. A signed Certificate of Compliance, form 440-3894.</li> <li>4. A comparison document (annotated, highlighted, red-lined, or side-by-side) must be provided for each previously approved form.</li> <li>5. An Actuarial Memorandum with an overview of the contents of the filing and the reasons and procedures used to support the rate change.</li> <li>6. <b>Attach to the Supporting Documentation Tab, all applicable approved amendments that will bring the filed forms into compliance with Oregon law. For example: ISO form number IL 01 42 09 08 OREGON CHANGES DOMESTIC PARTNERSHIP.</b></li> <li>7. <b>Every filing is expected to contain a thorough explanation, including any new and innovative product, of the product purpose, targeted audience, and how it will be marketed. Explain any information gathering for underwriting, eligibility, tiering, claim settlement practices, or other purposes.</b></li> </ol> <p><b>Marketing Plan</b></p> <p><b>State Specific Tab</b> Please make sure the answer to each question applies to the current filing.</p> <p><b>Companies and Contacts</b> Please make sure the filer's information is up to date. Include a toll-free (if available) telephone number for the filer. Include the filer's email address.</p> <p><b>Filing Fees</b> Oregon does not charge filing fees per submission.</p>	<p>Yes    N/A</p> <p><input type="checkbox"/>    <input type="checkbox"/></p> <p><input type="checkbox"/>    <input type="checkbox"/></p> <p><input type="checkbox"/>    <input type="checkbox"/></p> <p><input type="checkbox"/>    <input type="checkbox"/></p> <p><input type="checkbox"/>    <input type="checkbox"/></p> <p><input type="checkbox"/>    <input type="checkbox"/></p> <p>Confirm <input type="checkbox"/></p>
Policy Documentation	ORS 737.205, ORS 742.003(1)	<p>Check all that are included in this filing for review:</p> <ol style="list-style-type: none"> <li>1. New policy or program.</li> <li>2. Endorsements.</li> <li>3. Certificate of Insurance, if using a master policy.</li> <li>4. Application form.</li> <li>5. Rates and Rules.</li> </ol>	<p>Yes    N/A</p> <p><input type="checkbox"/>    <input type="checkbox"/></p> <p><input type="checkbox"/>    <input type="checkbox"/></p> <p><input type="checkbox"/>    <input type="checkbox"/></p> <p><input type="checkbox"/>    <input type="checkbox"/></p> <p><input type="checkbox"/>    <input type="checkbox"/></p>

Category	Reference	Description of review standards requirements	Check Answer
Requirements	ORS 742.003, ORS 737.205	Prior approval of all forms is required – even those characterized as “non-filed” inland marine. Rates may be used only after receipt by the Division. <b>The filing of inland marine forms, rates, and rules is required in Oregon unless the form is designed for use on a single policy and is therefore exempt under ORS 742.003(1)(a). See the Oregon website for further guidance regarding filing inland marine.</b>	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Interline Forms	Information Only Division position	<b>A simple, generic, one-subject endorsement form that can be used on any P/C policy may be filed using “interline” coding.</b> For example, a <b>fraud warning or domestic partnership endorsement</b> . File these forms using either commercial interline or personal interline coding. Interline forms need only be filed once. Oregon does not require interline forms to be filed separately for each line of insurance, or each product they might be used with. A commercial endorsement form that specifies under the form title those lines of business it applies to, can be filed using CMP (Commercial Multi-Peril) coding.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Insurable Interest	ORS 742.200	No policy that includes the peril of fire is issued on property for an amount that in combination with any existing insurance exceeds the fair value of the risk insured or of the interest of the insured in the real property.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>

FORMS			
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.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Application	ORS 742.013, ORS 742.208, Bulletin INS 2010-3	If any material or information obtained through the application process will be used to deny a claim or cancel coverage, then the application needs to be filed for prior approval. This includes any supplemental application form being used. Insurers offering via the internet would need to file screen prints so we can determine if the questions are unfairly discriminatory or not, and to make sure any fraud warning used complies with Oregon laws. If the insurance policy contains fraud, concealment, and/or material misrepresentation verbiage – the application must also contain a compliant Oregon fraud warning. See insurance bulletin INS 2010-3 for guidance.	Confirm <input type="checkbox"/>
	ORS 746.661, Bulletin INS 2010-4	Credit Scoring for Personal Lines: If using credit history, the personal lines application may indicate that credit will be checked for new business. Once an account has been underwritten, that score may not be reviewed or changed unless the policyholder requests it.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>

Category	Reference	Description of review standards requirements	Check Answer
Appraisal	ORS 742.232, Bulletin DFR 2020-1	All policies that include the peril of fire contain a provision that if the insured and the insurance company do not agree on the actual cash value or the amount of loss, then, upon mutual agreement, each will select an appraiser and notify the other of the appraiser selected within 20 days of such disagreement. The appraisers shall follow the procedures in ORS 742.232. Each appraiser shall be paid by the party selecting the appraiser and the expenses of appraisal and umpire shall be paid by the parties equally. (See Oregon Supreme Court case law on Molodyh vs Truck Insurance Exchange 304 Or. 290, 744 P.2d 992 (1987))	Confirm <input type="checkbox"/>
Arbitration	Bulletin DFR 2020-1	Voluntary arbitration is permitted by the Oregon Constitution and statutes. See additional details below: <ul style="list-style-type: none"> <li>• Either party may elect arbitration at the time of the dispute (after the claimant has exhausted all internal appeals if applicable);</li> <li>• Unless there is mutual agreement to use an arbitration process, the decision will only be binding on the party that demanded arbitration;</li> <li>• Arbitration will take place in the insured's county or at another agreed upon location;</li> <li>• Arbitration will take place according to Oregon law, unless Oregon law conflicts with Federal Code.</li> <li>• The process may not restrict the injured party's access to other court proceedings;</li> </ul> Restricting participation in a class action suit is permissible.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Bankruptcy	ORS 742.031	The policy includes a bankruptcy provision similar to that in ORS 742.031.	Confirm <input type="checkbox"/>
Cancellation	ORS 742.023(1)(e) & (1)(f), ORS 742.224 (1)	The policy clearly defines the cancellation refund method. Upon cancellation for any reason, the policyholder may be entitled to a refund. Refunds must be made within a reasonable time.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.224(1)	If the policy includes the peril of fire, it contains a provision that the policy may be canceled at any time at the request of the insured. It also states that when the policy has been surrendered, the premium over and above the customary short rates will be refunded back to them. Refunds must be made within a reasonable time. A prorate return is allowed.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.224(3)	In a policy that includes the peril of fire, the notice of cancellation states that the excess of paid premium above the pro-rata premium for the expired time, if not tendered with the notice, will be refunded on demand.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.224(2)	If the policy includes the peril of fire, then the policy requires 10 days written notice prior to cancellation for premium nonpayment and 30 days written notice for any other cancellation reason, ORS 742.224 (2).	Yes <input type="checkbox"/> N/A <input type="checkbox"/>

Category	Reference	Description of review standards requirements	Check Answer
Cancellation, continued	ORS 742.702 ORS 742.706 OAR 836-085-0010(2)	If the policy includes commercial liability, then the policy requires 10 working days after policyholder receipt of written notice for cancellation due to premium nonpayment, and 30 days advance notice for any other statutorily permitted cancellation reason. There is a 45 days advance notice after receipt of written notice for nonrenewal, ORS 742.702 and 742.706.  Any conflicts between the different cancellation requirements within a policy require the insurer to use the longest notification requirement.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Alleged Acts	ORS 746.230, ORS 742.013, ORS 742.016, ORS 742.407	Insurers may use the words “allege”, “alleged”, and “alleging” in exclusionary language that denies coverage for certain types of claims the line of business is not intended to cover. These words are problematic in exclusionary language that denies certain types of acts. The burden of proof remains with the insurance company, who must show objective steps were taken to investigate the legitimacy of such allegations.	Page _____ Paragraph _____
Concurrent Exclusion Wording	ORS 742.005(2)(4)	Insurance policies need to be clear and unambiguous. If an uninsured event occurs at the same time as a covered event, the covered damages must be covered. Any policies written to deny coverage to insured portions of losses when they cannot be separated from uninsured portions of losses, will be disapproved as unjust, unfair, or inequitable.	Page _____ Paragraph _____
Controlled Substances, Marijuana, or Cannabis	Bulletin DFR 2021-4	Policy language must be clear and unambiguous and be based upon Oregon laws. Any exclusion for possession or use of a controlled substance must allow for the legal use or possession of a prescribed substance. Just so you know, marijuana and cannabis products are legal both medicinally and recreationally under Oregon laws.	Page _____ Paragraph _____ If In the filed forms N/A <input type="checkbox"/>
Criminal Act Exclusion	ORS 742.005 (2)	Contract language must be clear and unambiguous, and non-subjective in its application to a specific loss. There should be a connection to the coverage being provided under the policy.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Dishonest Act	ORS 742.005 (2)	Contract language must be clear and unambiguous, and non-subjective in its application to a specific loss. The insurer must be able to prove the claimant committed a dishonest act and that it was intended to cause a loss under the policy.	Confirm <input type="checkbox"/>

Category	Reference	Description of review standards requirements	Check Answer
Intentional Act Exclusion	ORS 742.005 (2), Bulletin DFR 2022-2	<p>Policy intentional act exclusions must be clear and unambiguous. A policyholder has to deliberately participate in an intentional act creating a loss that is grounds for excluding coverage. Any excluded policyholders must have a sufficient connection to the intentional act itself to be excluded from coverage. To establish such a connection, the insurer has the burden of proving that the policyholder deliberately participated in the intentional act itself. Merely being associated with the person(s) who committed the intentional act is insufficient for establishing a policyholder's connection with the intentional act triggering coverage exclusion. The policyholder must receive the benefit of any doubts as to whether the policyholder has a sufficient connection with the intentional act that triggered coverage exclusion. Unclear, ambiguous, vague or misleading policy exclusion language that would potentially exclude coverage for a policyholder over negligent acts or unintended acts, injuries, damages or harms will be disapproved, pursuant to ORS 742.005(2).</p> <p>NOTE: Regardless of existing policy or endorsement wording, the insurance company must settle claims pursuant to bulletin DFR 2022-2. All forms will need to be re-filed to comply with the bulletin guidance.</p>	Page _____ Paragraph _____  If In the filed forms N/A <input type="checkbox"/>
Discrimination	ORS 746.015	The policy does not unfairly discriminate in availability of insurance, application or rates, dividends, or other benefits or terms and conditions of insurance policies.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 746.015(4)	A victim of domestic violence is not discriminated against in the availability of coverage, premiums, exclusions or limitation, or against agents submitting the business.	Confirm <input type="checkbox"/>
	ORS 746.018	A policy does not unfairly discriminate in insuring against risks of essentially the same degree of hazard for burglary, theft, robbery, or casualty.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 106.300 thru ORS 106.340, Bulletin 2008-2, OAR 836-081-0010	If the policy extends coverage to a spouse, then a provision that recognizes a Domestic Partnership is included in the policy.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Exclusions	ORS 742.212	All policies that include the peril of fire contain a provision that excludes liability for loss by fire or other perils caused by: (a) enemy attack by armed forces; (b) invasion; (c) insurrection; (d) rebellion; (e) revolution; (f) civil war; (g) usurped power; (h) order of any civil authority except acts of destruction for the purpose of preventing the spread of fire, provided that such fire did not originate from any of the perils excluded.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>



Category	Reference	Description of review standards requirements	Check Answer
Exclusions (continued)	Terrorism position INS 2015-1 and E-notification	Loss due to terrorism may not be excluded in any personal insurance product. Commercial insurance is subject to the Federal Terrorism Risk Insurance Act and its re-authorizations. Beginning in 2002, Oregon has issued guidance on the subject of TRIA/TRIPRA, including an e-notify for the 2019 re-authorization. Forms are required to be filed for prior approval. Policyholder Disclosure forms are also required to be filed for review and approval. Rules and rates (or loss costs) are required to be filed.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.206 and ORS 742.212	Any commercial policy that includes property coverage must use an approved Terrorism form and/or Disclosure that states loss due to fire is covered up to the limit provided in the policy. Oregon is a "standard fire state"; therefore, property loss due to terrorism cannot be excluded, limited, or restricted.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.210, ORS 742.218	All policies that include the peril of fire contain a provision that excludes coverage for accounts, bills, currency, deeds, evidences of debt, money, or securities, nor unless the items are specified, bullion or manuscripts. <b>Note:</b> These may be added to the policy by endorsement or by inclusion in the basic form language.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.212(i)	All policies that include the peril of fire contain a provision that excludes liability for neglect of the insured to use all reasonable means to save and preserve the property at and after a loss, or when the property is endangered by fire in neighboring premises.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.212(j), ORS 742.218	All policies that include the peril of fire contain a provision that excludes liability for loss by theft. <b>Note:</b> This coverage may be added to the policy by endorsement or by inclusion in the basic form language.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.244	The policy may include a written statement that the policy does not cover loss or damage caused by nuclear reaction, nuclear radiation, or radioactive contamination, directly or indirectly resulting from an insured peril under the policy.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.005(2), ORS 742.023(1)(e)	The extent of any exclusion or limitation must be clearly described.	Confirm <input type="checkbox"/>



Category	Reference	Description of review standards requirements	Check Answer
Fees, service charges, fictitious group	ORS 737.205, ORS 742.023, ORS 744.077(2), OAR 836-071-0269 thru OAR 836-071-0277	All charges to the policyholder are listed on the declarations page. No unfiled charges may be added to the declaration page.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Fraud	ORS 742.013, ORS 742.016, Bulletin INS 2010-3	If the policy has fraud, concealment, misrepresentation language, then the application is required to include a fraud warning. If one is included, it must be general in nature and does not state that the applicant is "guilty" of fraud, but that he or she "may be" guilty of fraud. Fraud or misstatement warnings that mention criminal or civil penalties must avoid definite statements of the criminal nature of an act, guilt, or possible penalties. A warning that specifies that knowingly providing false information "may be" a crime, which "may be" grounds for criminal or civil penalties is appropriate.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.013, ORS 742.208, Bulletin INS 2010-3	<p>To deny or cancel coverage due to the insured's (or on behalf of the insured) misrepresentations, omissions, concealments of fact, or incorrect statements; the written application must be indorsed upon (or included by reference in the policy), or attached to the policy when issued.</p> <p>This includes any written or electronic Application form, supplemental application, and/or questionnaire. If other media is used to obtain information regarding the applicant that could be used to later cancel a policy or deny a claim, this must be disclosed to the applicant.</p> <p>The insurer must show the misrepresentations, omissions, concealments of fact, or incorrect statements are material. The insurer must also show they have relied upon them, and that they are either:</p> <ul style="list-style-type: none"> <li>A. Fraudulent or;</li> <li>B. Material either to the acceptance of the risk or to the hazard assumed.</li> </ul> <p>When the policy provides property coverage, the insurer may need to include the "willfully concealed" language found in ORS 742.208.</p> <p>Insurers should review Bulletin 2010-3 and the Insurance Code to determine whether their statements comply.</p>	Yes <input type="checkbox"/> N/A <input type="checkbox"/>

Category	Reference	Description of review standards requirements	Check Answer
Legibility of forms	ORS 742.005(2) ORS 742.023	The forms are clear and understandable in the presentation of premiums, labeling, description of it's 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.	Confirm <input type="checkbox"/>
Limits	ORS 742.023	Limits of coverage are clearly described.	Confirm <input type="checkbox"/>
	ORS 742.214	All policies that include the peril of fire contain a provision that other insurance may be prohibited, or the amount of insurance limited, by attaching an endorsement to the policy.	Confirm <input type="checkbox"/>
	ORS 742.220	<u>Provision For Endorsing Policies:</u> All policies that include the peril of fire contain a provision that the application of insurance and the contribution to be made by the company in case of loss, or any other provision that is not inconsistent with the provisions of the policy may be added to the policy in writing. However, no provision may be waived unless the policy states the terms of this policy are subject to change.	Confirm <input type="checkbox"/>
Loss settlement	ORS 742.023, ORS 742.234	Settlement provisions are clearly explained.	Confirm <input type="checkbox"/>
	ORS 742.228	The policy contains a provision that the company shall not be liable for a greater proportion of any loss than the amount insured shall bear to the whole insurance covering that peril, whether collectible or not.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.234	All policies that include the peril of fire contain a provision that, at the option of the insurer, it may take all or any part of the property at the agreed or appraised value and also may repair, rebuild, or replace with other of like kind and quality the property destroyed or damaged within a reasonable time, on giving notice within 30 days after the required receipt of the proof of loss.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.230	All policies that include the peril of fire contain a provision that the insured shall give immediate written notice of any loss to protect the property from further damage, shall promptly separate damaged and undamaged personal property, put it in the best possible order, and furnish a complete inventory of the destroyed, damaged and undamaged property, showing in detail quantities, costs, actual cash value, and amount of loss claimed.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.053(2), ORS 742.230	All policies that include the peril of fire contain a provision that within 90 days after receipt of proof-of-loss forms from the insurance company, the insured shall submit proof of loss, signed and sworn to by the insured, stating the conditions of the loss. The insured shall make available all that remains of any property and submit to examinations under oath.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>

Category	Reference	Description of review standards requirements	Check Answer
Loss settlement, continued	ORS 742.238	All policies that include the peril of fire contain a provision that the amount of loss is payable 60 days after proof of loss is received by the company and ascertainment of the loss is made either by agreement in writing or by the filing with the company of an award provided.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	ORS 742.236	All policies that include the peril of fire contain a provision that there can be no abandonment to the company of any property.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Misrepresentation/ misstatement	ORS 742.013	A provision in the policy, or the application, makes it clear that statements made by the insured, in the absence of fraud, are representations and not warranties.	Confirm <input type="checkbox"/>
Policy Period	ORS 742.048, ORS 742.023(1)(d)	Coverage will commence at 12:01 a.m. at the insured's address on the date the policy takes effect. If the policy does not insure real property, use the insured's principal place of business within Oregon, or the insured's residence. The effective date and time shall not be prior to the time at which coverage commences. When parties agree, a binder may commence coverage at an hour different that 12:01 a.m. Any statement of time shall mean time according to the legal standard of time at the insured's primary location or residence premises. <b>A full term of coverage would be 12:01 am on the effective date of the policy to 12:01 am on the expiration of the policy term. Use of a different expiration time could result in an unintentional lapse of coverage that might harm the insured. We recommend using a consistent start and end time.</b>	Confirm <input type="checkbox"/>
Premium payment, refund, or retention	ORS 742.005(2), ORS 742.023, ORS 742.224	The policy clearly defines the cancellation refund method. Upon cancellation for any reason, the policyholder may be entitled to a refund. Refunds should be paid promptly and must be paid upon demand.	Confirm <input type="checkbox"/>
Primary coverage	ORS 742.023(1)(f), ORS 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.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Rebates	ORS 746.035, ORS 746.045	Are inducements or rebates specified in the policy? If "yes," explain in the cover letter and identify the location in the policy and rating plan. <b>ORS 746.045(3) allows an exception if the total value does not exceed \$100 per person/per year.</b>	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Requirements not part of a listed category	ORS 746.015, ORS 746.045 ORS 746.045 (3)	<u>Promotional Offers:</u> Any promotional offer or item disclosed in the policy needs to be specifically identified including what it is and the benefit to the policyholder. Any promotional offer or item that is not related to the risk assumed by the insurer is offered to everyone in a non-discriminatory manner. <b>It is not necessary to file if the value of the gift does not exceed \$100 per person/per year.</b>	Yes <input type="checkbox"/> N/A <input type="checkbox"/>

Category	Reference	Description of review standards requirements	Check Answer
Requirements	ORS 742.240	<u>Suit Against Us:</u> A provision is in a policy that includes the peril of fire that informs the insured they must have complied with all the requirements of the policy in order to bring suit against the company. The policy must also contain a provision that law suits must be brought within 24 months after loss.	Confirm <input type="checkbox"/>
Suspension	ORS 742.216	<u>Conditions Suspending Insurance:</u> A policy including the peril of fire shall contain a provision as follows: “unless otherwise provided in writing added hereto this company shall not be liable for loss occurring: <ol style="list-style-type: none"> <li>1. During the period that the hazard is increased by any means within the control or knowledge of the insured; or</li> <li>2. During the period that a described building, whether intended for occupancy by owner or tenant, is vacated or unoccupied beyond a period of 60 consecutive days; or</li> <li>3. As a result of explosion or riot, unless fire ensues, and in that event for loss by fire only.”</li> </ol>	Confirm <input type="checkbox"/>
Subrogation	ORS 742.242	All policies that include the peril of fire contain a provision that the company may require from the insured an assignment of all right of recovery against any party for loss to the extent that payment is made.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
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.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Mass Marketing Plans	OAR 836-042-0320	If an insurer is accepting premium payments from an association for individual policies, 10 days notice is provided for cancellation or non renewal due to non payment of premium. Coverage for a former member remains in force for 60 days after termination with timely payment of premium.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>

RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY FILING REQUIREMENTS			
Requirements	ORS 737.205	Copies of rates, rating plans, and rating systems are included in the filing with revisions indicated when filing a change.	Yes <input type="checkbox"/> No <input type="checkbox"/>
		Effective date is not earlier than the date the filing is received by the Division of Financial Regulation.	Yes <input type="checkbox"/> No <input type="checkbox"/>
Credit report scoring	ORS 746.661, Bulletin INS 2010-4	<u>Credit Scoring for Personal Lines</u> – Credit history may be used as a factor in underwriting and rating new business. Once an account has been underwritten and rated, that score may not be reviewed or changed unless the policyholder requests it. The updated credit history may be used only when it results in a lower premium.	Yes <input type="checkbox"/> No <input type="checkbox"/>

RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY FILING REQUIREMENTS			
Schedule rating	ORS 737.205 Commercial only	Schedule rating plan identifies the credit or debit modification criteria and the maximum and minimum plan modification. Rating plans must be filed prior to use.	Yes <input type="checkbox"/> No <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 <input type="checkbox"/> No <input type="checkbox"/>
Ratemaking generally			
Creditability	ORS 737.310, OAR 836-010-0021	1. Provide all data used and judgments made. 2. Provide description of methodology used.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Fees, service charges	ORS 737.310, OAR 836-010-0021	Provide cost-accounting justification on initial filing or subsequent changes.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Loss valuation	ORS 737.310, OAR 836-010-0021	Provide the following: 1. Complete premium data. 2. Loss and LAE data. 3. Information on expected loss ratio.	Yes <input type="checkbox"/> N/A <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Investment income	ORS 737.310, 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.	Yes <input type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Underwriting profit & contingencies	ORS 737.310, OAR 836-010-0021	1. Oregon data for commission and brokerage.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
		2. Countrywide data for general and other acquisition expenses as reported in the <i>Insurance Expense Exhibit</i> .	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
		3. Oregon data for taxes, licenses, and fees.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
		4. Expense trend.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
		5. Historic experience.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>