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PERMANENT ADMINISTRATIVE ORDER

ID 56-2023

CHAPTER 836
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE REGULATION

FILED

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ARCHIVES DIVISION
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& LEGISLATIVE COUNSEL

FILING CAPTION: Alternative Documentation of Loss Under HB 2982 (2023)

EFFECTIVE DATE: 01/01/2024

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ADOPT: 836-080-0245

NOTICE FILED DATE: 10/26/2023

RULE SUMMARY: Compliance with ORS 742.053 and reference to the DFR website for a model form used to attest the total loss of contents of a residence after a major disaster.

CHANGES TO RULE:

836-080-0245

Statutory Authority and Purpose

(1) OAR 836-080-0245 is adopted pursuant general rulemaking authority in ORS 731.244.¶

(2) For the purpose of complying with ORS 742.053(3)(b), if a total loss of contents of a residence occurred as a result of a major disaster in a location subject to a state of emergency declaration under ORS 401.165, and the loss was directly related to the emergency that was the subject of the declaration, then the insurer shall be subject to the provisions of ORS 742.053(3)(b)(A)-(E) if the policyholder provides the insurer with a written attestation in a form substantially similar to Exhibit 1 available on the website of the Department of Consumer and Business Services at https://dfr.oregon.gov/laws-rules/Documents/OAR/div80-0245_ex1.pdf.

Statutory/Other Authority: ORS 731.244

Statutes/Other Implemented: ORS 742.053