

Section 3. Scope

This Act applies to personal “homeowners/residential” insurance and not to commercial insurance or excess and surplus insurance.

Recommend adding either qualifier to specify only residential policies will be subject to the Model.

Section 5. Insurers’ Use of Aerial Images

- a. Ensure that the non-renewal notice sent to the named insured include information about how the named insured can request to review copies of the images of the property that were used to make the decision. Photos must “be reasonably current and reliable for the underwriting decision” ~~have been taken within the past twenty-four (24) months:~~

We continue to prefer a general qualitative approach rather than recency. However, if a time period is preferred, the 24-month limit is appropriate.

~~Drafting Note: States are encouraged to amend their non-renewal notice laws to ensure that the non-renewal notice period is at least 60 days:~~

Given this was already accomplished with the resolution approved in November, we believe this is unnecessary and could cause confusion.

- (e) ~~Consider offering~~ a renewal policy to the named insured who submits proof that they have cured the defects or conditions identified in subsection (a) . ~~However, an insurer may non-renew the policy only for a reason unrelated to the defects or conditions identified under subsection (a):~~

Suggest changing this to “consider offering a renewal policy”. We think you correctly note curing can be subjective and, at times may be a matter of opinion. There may be scenarios where proof submitted may not meet requirements or expectations. By changing the wording, we are allowing for more flexibility and less risk of contradiction. Otherwise, we are imposing more stringent standards on aerial imagery versus other tools. This inconsistency creates problems and potential compliance risks.