

Review Requirements Checklist Homeowners (HO); Line 4

Insurer's Name(s): _____

NAIC #(S): _____

REVIEW REQUIREMENTS	REFERENCE (See www.azleg.gov for applicable statute.)	COMMENTS	REFERENCE Form/Page/Para*
I. FORMS			
Applications			
Referenced In the Policy	A.R.S. §§ 20-398(A); 20-1102	If the application is incorporated by reference in or attached to the policy, the application must be filed.	
Statements As Representations, Not Warranties	A.R.S. § 20-1109		
Privacy Notice	A.R.S. §§ 20-2104(C) and (D); 20-2106; Unpublished Requirement	If the application OR the policy contains a notice of information practices (privacy act), the notice must conform to the referenced statutes.	
Fraud Must Be Material	A.R.S. § 20-463(A)		
Blank Forms			
Blank Forms	Unpublished Requirement	The ADOI will not approve blank forms. The forms should be completed in "John Doe" fashion to illustrate the type of language that will be placed on the form.	
Cancellation & Nonrenewal			
Cancellation & Nonrenewal Provisions	A.R.S. § 20-1652		
Notice (Policy Condition)	A.R.S. § 20-1654; Unpublished Requirement	Insurers must give at least 30 days notice of their intention not to renew the policy or to condition its renewal upon reduction of limits or elimination of coverage. This requirement should be included as a condition of the policy.	
Premium Return	A.R.S. § 20-1113(C)	The policy must state the basis and rates upon which the premium is to be determined and paid if the exact amount of premium is determinable only at stated intervals or at the termination of the contract (e.g., prorata or short rate provisions).	
Filing Standards			
File and Use	A.R.S. § 20-398(A)	No policy form may be delivered or issued for delivery unless it has been filed with the Director and either the Director has approved it or 30 days has elapsed and the director has not disapproved it as ambiguous, misleading or deceptive. "Policy" includes all riders, clauses, endorsements and papers attached to or made a part of the contract or agreement for effecting insurance.	
Exemption Order	A.R.S. § 20-398(B); Exemption Order	Certain forms have been exempted from filing requirements by Order of the Director. The insurer should review the current exemption order located at www.azinsurance.gov prior to making any submission to the Department in order to determine whether a filing is required or not.	
General Provisions			
Charter; Bylaws	A.R.S. § 20-1114		
Contents Of The Policy (Names)	A.R.S. § 20-1113(B)(1)		
Contents Of The Policy (Insurer)	A.R.S. § 20-1113(B)(2)		
Contents Of The Policy (Subject)	A.R.S. § 20-1113(B)(3)iIN		

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Contents Of The Policy (Risks)	A.R.S. § 20-1113(B)(4)		
Contents Of The Policy (Time)	A.R.S. § 20-1113(B)(5)		
Contents Of The Policy (Premium)	A.R.S. § 20-1113(B)(6)		
Contents Of The Policy (Conditions)	A.R.S. § 20-1113(B)(7)		
Assignment	A.R.S. § 20-1122	A policy may be assignable or not assignable, as provided by its terms. Personal injury rights are not assignable. <i>Allstate Ins. Co. v. Druke</i> , 118 Ariz. 301, 576 P2d 489.	
Standard Fire Policy Provisions	A.R.S. §§ 20-1503(A), 20-1504, 20-1505, 20-1506, 20-1507, 20-1508, and 20-1509	No policy of fire insurance covering property located in Arizona shall be made, issued or delivered unless it conforms as to all provisions of the basic policy commonly known as the New York standard fire policy, edition of 1943 (165 lines). "Fire insurance" for the purpose of adding the 165 lines is insurance against the perils of fire or lightning.	
Execution	A.R.S. § 20-1116		
Illegal Provisions			
Annulment	A.R.S. § 20-1123		
Group Policy	No enabling law for property and casualty group insurance as exists for other types of insurance in Title 20; Unpublished Requirement	There is no provision under Arizona insurance law to issue a group property and casualty policy.	
Non-Licensed Entities	Unpublished Requirement	The form may not reference or refer the policyholder to agents, brokers, managing general agents or other entities which do not possess an Arizona license and which are required pursuant to Title 20 to be licensed in this State.	
Titles Or Headings	A.R.S. § 20-1111(A)(3)	The form may not have titles or headings that are inconsistent with the provisions they identify.	
Fire Department Service Charge	A.R.S. § 20-103(B); Unpublished Requirement	Arizona law states that private ambulance service contracts or private fire protection service contracts are not insurance. Therefore, clauses addressing fire protection service contracts should not be included in a policy of insurance and corresponding rates/rating rules addressing fire service contracts are prohibited.	
Void Policy Restrictions	A.R.S. § 20-1115		
Invalidation Of The Policy	A.R.S. § 20-229(C)		
Readable and Understandable Policies			
Readability	A.R.S. § 20-1110.01; A.A.C. R20-6-212	Each insurer is required to test the readability of its policy using the Flesch Readability Formula. A total readability score of 40 or more is required on the Flesch scale. The insurer should enter the Flesch score in the space provided to the right. The insurer should read the entire rule to determine other requirements of a readable policy.	Flesch Score:
Size of Print	A.R.S. § 20-1110.01; A.A.C. R20-6-212	Size of print in the policy cannot be smaller than 8 point.	
Standards (Forms)			
Cannot Be Ambiguous, Misleading Or Deceptive	A.R.S. §§ 20-398(A); 20-1111(A)(2)	The Department may rely on current Arizona case law when determining whether a clause is ambiguous, misleading or deceptive.	

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Transmittal Form			
Filing Transmittal Form	Unpublished Requirement	Paper filings must include a completed Property & Casualty Transmittal Document. The form may be found at the Department's website: http://www.azinsurance.gov . As different laws apply, forms and rates must be filed separately.	
II. RATES			
Filing Requirements			
Use and File	A.R.S. § 20-385(A)		
Supporting Data	A.R.S. § 20-385(B)		
Exemption Order	A.R.S. § 20-385(F); Exemption Order	Certain rates have been exempted from filing requirements by Order of the Director. The insurer should review the current exemption order located at www.azinsurance.gov prior to making any submission to the Department in order to determine whether a filing is required or not.	
Setting Rates			
Rating standards	A.R.S. § 20-383	Rates shall not be excessive, inadequate or unfairly discriminatory.	
Zip Code Rating	Unpublished Requirement	When an insurer elects to use zip code rating, the insurer's rating plan must include all zip codes.	
Premium credit required	A.R.S. § 20-224		
Consideration	A.R.S. § 20-384(B)		
Industrial Insured Experience	A.R.S. § 20-384(E)		
General Filing References			
Loss Cost Filing Procedure	ADOI FORM; Unpublished Requirement	Arizona follows ISO format.	
Consent To Rate Filings	A.R.S. § 20-385(E); Unpublished Requirement	An insurer may file a rate in excess of that provided by an otherwise applicable filing on a specific risk if the risk agrees. This procedure requires the completion of forms CTRF AZ 385-1 and CTRF AZ 385-2.	

CERTIFICATION

I, _____, hereby certify that to the best of my knowledge and belief that each form or rate filing involved in this filing: 1) Conforms to all of the applicable requirements outlined above; 2) Contains no provision(s) previously disapproved or required to be corrected and/or revised by the Arizona Department of Insurance; and 3) Does not exceed this insurer's powers, the authority granted by its state of domicile, and its Arizona certificate of authority.

Signature of Officer: _____

Date: _____