

Review Requirements Checklist Mortgage Guaranty Insurance, Line 6

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. §§ 20-1549(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. §§ 20-107(A); 20-1109		
Fraud Must Be Material	A.R.S. § 20-463(A); Unpublished Requirement	Statements in the application that would preclude recovery for fraudulent activity must restrict nonrecovery for fraud based on material facts.	
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Blank Forms	Unpublished Requirement	The ADOI will not approve blank forms.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			
Premium Return	A.R.S. §§ 20-107(A); 20-1113(C); 20-1549(A)		
Filing Requirements			
File and Use	A.R.S. § 20-398		
Exemption Order	A.R.S. § 20-398(B); Exemption Order	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)		
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)	The policy must specify the conditions pertaining to the insurance.	
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.	
Execution	A.R.S. §§ 20-1551(B); 20-1116		
Owner-Occupied	A.R.S. § 20-1549(A)		

Review Requirements Checklist Mortgage Guaranty Insurance, Line 6

REVIEW REQUIREMENTS	REFERENCE (See www.azleg.gov for applicable statute.)	COMMENTS	REFERENCE Form/Page/Para*
Illegal Provisions			
Non-Licensed Entities	A.R.S. § 20-1551(B); Unpublished Requirement	The form may not reference or refer the policyholder to agents, brokers, managing general agents or other entities which do not possess an Arizona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)		
Inducement	A.R.S. § 20-1551(A)		
Invalidation of the Policy	A.R.S. § 20-229(C)		
Cannot Discriminate	A.R.S. § 20-1548(B)		
Compensation/Commission/Fee/R emuneration	A.R.S. § 20-1551(B)		
Void Policy Restrictions	A.R.S. § 20-1115		
Exceeding Coverage Limitation	A.R.S. § 20-1546		
Standards (Forms)			
Generally	A.R.S. § 20-1549(A)); 20-1111	An insurer shall not make or issue a contract or policy except in accordance with the filings in effect for the insurer. Forms cannot be deceptive, misleading or ambiguous and shall comply with the applicable provisions of the Arizona Revised Statutes, Title 20.	
Cannot Be Ambiguous, Misleading or Deceptive	A.R.S. §§ 20-1549(A); 20-1111(A)(2)	The Department may rely on current Arizona case law when determining whether a clause is ambiguous, misleading or deceptive.	
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			
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 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.	
Use and File	A.R.S. § 20-385(A)		
Schedule of Premium Charges	A.R.S. § 20-1549(C)		
Setting Rates			
Cannot Discriminate	A.R.S. § 20-1548(B)		
Compensation/Commission/Fee/R emuneration	A.R.S. § 20-1551(B)		
Inducement	A.R.S. § 20-1551(A)		
Rating standards	Unpublished Requirement	Rates shall not be excessive, inadequate or unfairly discriminatory.	
Supporting Data	Unpublished Requirement	The Director may require the filing of supporting data including: 1) The experience and judgment of the filer; 2) The experience and judgment of other insurers ; 3) the insurer's interpretation of any statistical data relied upon; and 4) a description of the methods used in making the rates.	

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 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: _____