

No. 10-0223

**Official Order
of the
Commissioner of Insurance
of the
State of Texas
Austin, Texas**

Date: March 26, 2010

Subject Considered:

APPROVAL OF TEXAS WINDSTORM INSURANCE ASSOCIATION
INSURANCE POLICY FORMS, ENDORSEMENTS AND MANUAL RULES
PURSUANT TO 28 TAC §5.4911

General remarks and official action taken:

The Texas Department of Insurance (Department) adopted §5.4911 of Chapter 28 Texas Administrative Code (TAC), pertaining to the Texas Windstorm Insurance Association (Association), and amendments to the Association's Plan of Operation, effective February 24, 2010.

Pursuant to TAC §5.4911, the Commissioner may without further notice and hearing approve without modification, in whole or in part, the Association's insurance policy forms, endorsements, and manual rules that have been previously adopted by reference under this title, including those that have been adopted on an emergency basis under TAC §5.4909 and §5.4910.

Pursuant to TAC §5.4911(f), after March 26, 2010, the Association may not use any previously adopted-by-reference insurance policy forms, endorsements, or manual rules that have not been approved by the Commissioner.

Approval of the Association's insurance policy forms, endorsements, and manual rules on or before March 26, 2010 will enable the Association to continue to provide

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windstorm and hail insurance coverage in the catastrophe area as required by Insurance Code Chapter 2210.

The Commissioner makes the following findings:

1. The insurance policy forms currently in use by the Association were adopted by reference under TAC §5.4909 and are set forth in Exhibit A attached to this Order.
2. The insurance policy forms set forth in Exhibit A adopted by reference under §5.4909 supersede any prior Association insurance policy forms including those adopted by reference under TAC §5.4101 or 5.4401.
3. Approval of the insurance policy forms set forth in Exhibit A will allow the Association to continue to provide windstorm and hail insurance coverage in the catastrophe area.
4. Each of the Association insurance policy forms set forth in Exhibit A should be approved for continued use by the Association.
5. The endorsement forms currently in use by the Association were adopted by reference under TAC §5.4201 and are set forth in Exhibit B attached to this Order.
6. Approval of the endorsement forms set forth in Exhibit B will allow the Association to continue to provide windstorm and hail insurance coverage in the catastrophe area.
7. The Association endorsement forms set forth in Exhibit B should be approved for continued use by the Association.
8. The manual rules currently in use by the Association were adopted by reference under TAC §5.4501 and are set forth in Exhibit C attached to this Order.
9. In addition to the manual rules set forth in Exhibit C, TAC §5.4910 sets forth an additional manual rule concerning cancellation of insurance policies. This manual rule is set forth in Exhibit D attached to this Order.
10. As written, the manual rule set forth in TAC §5.4910 and Exhibit D shall control over any conflicting provision set forth in Exhibit C.
11. Approval of the manual rules set forth in Exhibits C and D will allow the Association to continue to provide windstorm and hail insurance coverage in the catastrophe area.
12. The Association manual rules set forth in Exhibits C and D should be approved for continued use by the Association, and the manual rule set forth in Exhibit D shall control over any conflicting provision set forth in Exhibit C.

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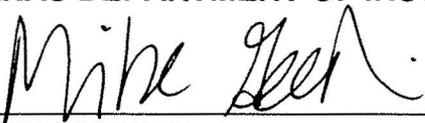
IT IS FURTHER ORDERED that the endorsement forms set forth in Exhibit B are approved under TAC §5.4911 for continued use by the Association.

IT IS FURTHER ORDERED that the manual rules set forth in Exhibits C and D are approved under TAC §5.4911 for continued use by the Association, and that the manual rule set forth in Exhibit D shall control over any conflicting provision set forth in Exhibit C.

IT IS FURTHER ORDERED that the insurance policy forms, endorsements, and manual rules approved herein are effective for Association windstorm and hail policies delivered, issued for delivery, or renewed on or after March 26, 2010.

AND IT IS SO ORDERED.

TEXAS DEPARTMENT OF INSURANCE



s/ MIKE GEESLIN
COMMISSIONER OF INSURANCE