

SUBCHAPTER E. TEXAS WINDSTORM INSURANCE ASSOCIATION
DIVISION 10. ELIGIBILITY AND FORMS
28 TAC §§5.4920 – 5.4926

1. INTRODUCTION. The commissioner of insurance adopts new 28 Texas Administrative Code §§5.4920 – 5.4926, concerning alternative eligibility for Texas Windstorm Insurance Association windstorm and hail insurance coverage. The sections are adopted with nonsubstantive changes to the proposed text published in the June 22, 2012, issue of the *Texas Register* (37 TexReg 4552).

2. REASONED JUSTIFICATION. Sections 5.4920 – 5.4926 are necessary to implement Insurance Code §2210.260, enacted in House Bill 3, 82nd Legislature, 1st Called Session, effective September 28, 2011. Section 2210.260 allows certain residential structures to be eligible for TWIA windstorm and hail insurance coverage with an alternative certification instead of the certificate of compliance (WPI-8) required under Insurance Code §2210.251.

The sections establish structural components that qualify for an alternative certification, the procedure for obtaining an alternative certification, and the procedure for obtaining association insurance coverage under the alternative eligibility program. The sections also require the association to inform affected policyholders of the program.

Section 5.4920(a) introduces the alternative eligibility program and lists the sections that create it. Although Insurance Code §2210.260 does not use the word “program,” §§5.4920 – 5.4926 refer to the alternative eligibility requirements and

activities as “the alternative eligibility program.” This terminology is consistent with previous association insurance eligibility programs such as the certificate of compliance approval program addressed in §5.4906 of this title, and the certificate of compliance transition program addressed in §5.4907 of this title.

Section 5.4920(b) restates Insurance Code §2210.260(d) to confirm that the alternative eligibility program does not impose additional requirements on residential structures that are eligible for association insurance coverage under Insurance Code §2210.251 (a), (d), (e), and (f). This would include structures eligible under the certificate of compliance approval program addressed in §5.4906 of this title, because these structures were insured by the association as of September 1, 2009, and thus qualify for coverage under Insurance Code §2210.251(f).

Policyholders insured under the certificate of compliance transition program addressed in §5.4907 of this title must comply with the alternative eligibility program requirements set out in §§5.4920 – 5.4926, including obtaining an alternative certification to renew coverage after August 31, 2013. This is because the association did not insure these structures on September 1, 2009. Structures covered in the certificate of compliance transition program do not need to separately enroll in the alternative eligibility program and do not need to obtain alternative certification until their coverage is renewed after August 31, 2013.

Insurance Code §2210.251(d) and (e) apply to structures built before 1988. Structures eligible for association coverage under Insurance Code §2210.251(d) and (e) must have been built before January 1, 1988, and must either have been built in an

area governed at the time by a building code recognized by the association or have been previously insured by an insurer authorized to engage in business in this state and have a certificate of compliance for each repair, alteration, enlargement, or remodeling begun after that date. Structures eligible for association insurance coverage under those subsections may also qualify for coverage under §2210.251(f) if they were insured by the association as of September 1, 2009. Structures not eligible for coverage under §2210.251(d), (e), or (f), may be eligible for coverage through the alternative eligibility program.

Section 5.4920(c) makes the alternative eligibility program part of the association's plan of operation. Insurance Code §2210.152 requires underwriting standards and application procedures to be part of the plan of operation. Additionally, Insurance Code §2210.251(a) requires structures to be inspected or approved by the department for compliance with the plan of operation.

Section 5.4921 describes the requirements for obtaining and renewing coverage for an eligible residential structure in the alternative eligibility program. Structures eligible for alternative certification are those on which initial construction began before June 19, 2009, and for which the department has issued a WPI-8 for all alterations or repairs begun on or after June 19, 2009. June 19, 2009, is the effective date of Insurance Code §2210.258 and compliance with that section is required by §2210.260. Under §2210.258, structures for which construction began on or after June 19, 2009, must have a WPI-8 for the initial structure and a WPI-8 for all alterations or repairs begun on or after June 19, 2009, to be eligible for association insurance coverage.

Additionally, §5.4921(3) states that a person applying for association insurance coverage must comply with the association's other eligibility and underwriting requirements.

Finally, §5.4921(4) addresses the initial period during which persons may obtain initial and renewal association insurance coverage through the alternative eligibility program without first obtaining a certificate of compliance. This period is set forth in Insurance Code §2210.260(d).

Section 5.4922 states the purpose of the alternative certification program and the requirements for obtaining an alternative certification.

The department anticipates that most of the applications for alternative certification will result from private market withdrawals from the catastrophe area. Alternative eligibility program applicants may seek coverage for structures which do not have all certificates of compliance required for the structure under Insurance Code §2210.251. This will include structures with a WPI-8 for a subsequent repair or alteration of the structure because their private market insurer required it.

The building code standards for the qualifying components listed in §5.4924 have not changed since February 1, 2003. This is why §5.4922 allows a structure to be covered through the alternative eligibility program based on a qualifying component on which the department has issued a WPI-8 based on standards in effect on or after February 1, 2003. Section 5.4922(b)(2) saves an applicant from having to replace an existing component with one built to the same standard simply to obtain an alternative certificate of compliance as required by proposed §5.4921(2). Because the standards

under which the department issues a WPI-8 for the qualifying components listed in §5.9424 have not changed since February 1, 2003, it would be wasteful to require applicants to redo a repair to meet the same standard.

Section 5.4923 lists the requirements and explains the procedure for obtaining an alternative certification. An alternative certification provides evidence of insurability for association insurance coverage. An applicant for association insurance coverage, or someone on the applicant's behalf, including a qualified inspector, must submit an application to the department to inform the department that the inspection process is beginning. After the inspection process is complete, the applicant must submit an inspection verification form if the inspector determines that a qualifying component complies with windstorm building code standards.

Under §5.4923(b), the department must receive completed inspection information within six months after final inspection of the qualifying component as required under Insurance Code §2210.251(l). If the department does not receive the information within six months, the applicant must go through the entire inspection process again.

Section 5.4923(a)(3) also allows a structure that has a previously issued certificate of compliance for a qualifying component to be eligible for association insurance coverage. The department may have issued a certificate of compliance for only part of a structure for repair or other construction work. This situation may arise because many voluntary market insurers writing in the catastrophe area may have required their insureds to obtain a certificate of compliance on repairs and other construction. If the insurer has since discontinued the coverage, the person may need

to seek association insurance coverage. A certificate of compliance covering a qualifying component demonstrates that the qualifying component was inspected and found to comply with applicable windstorm building code standards. Such a certificate of compliance is an acceptable way of demonstrating eligibility under the alternative eligibility program.

The department may issue an alternative certification if a qualifying component of a structure is inspected and found to comply with windstorm building code standards. Windstorm building code standards for qualifying components are defined in §§5.4009 – 5.4011 of this title.

Section 5.4924 lists and defines qualifying structural building components: the entire roof, windborne debris protection for all exterior openings, and exterior wall coverings for the entire structure.

Insurance Code §2210.260(c) requires the commissioner to determine which components qualify a structure for the alternative eligibility program, considering those components most probable to generate losses for the association's policyholders and the cost to upgrade them. The commissioner selects the three qualifying components in §5.4924 on the basis of the association's review of 1,605 claims received between July 1, 2011, and December 31, 2011. The majority of the 1,605 claims (85 percent) involved roof damage and the amount paid on roof damage claims averaged \$6,394. Nineteen percent of the claims involved damage to exterior wall coverings. These claims had an average cost of \$667. Just under eight percent of the claims involved damage to exterior openings. These claims had an average cost of \$823. In addition to

the cost of damage to these three components themselves, additional damage may result when one of the components is compromised. The entire roof, windborne debris protection for all exterior openings, and exterior wall coverings for the entire structure protect the entire structure. Damage to one of the three qualifying components in §5.4924 may result in additional damage to the interior of the structure or to personal property within it.

The commissioner selects roofs as a qualifying structural building component because roof damage makes up such a large percentage of claims. Roofs are a component highly probable to generate losses for the association's policyholders. As required by Insurance Code §2210.260(c), the commissioner considered the cost to upgrade a qualifying structural building component as well as the probable losses associated with that component. For a 2,000 square foot house, the commissioner estimates a cost of between \$5,000 and \$8,000 to bring an entire roof into compliance. This is in addition to roofing inspection costs, which may range from \$275 to \$425. Although repair or replacement of an entire roof may be expensive, improvement in this component across insured structures would lead to a significant reduction in claims.

The commissioner selects exterior wall coverings for the entire structure as a qualifying structural building component because they are also likely to generate losses for the association's policyholders, although to a lesser extent than roofs. For each of the qualifying structural building components, costs will vary, but for a 2,000 square foot house, the commissioner estimates a cost of \$10,000 to \$15,000 to upgrade the entire

structure's exterior wall coverings. The commissioner estimates inspection costs ranging from \$225 to \$275.

The commissioner selects windborne debris protection for all exterior openings as a qualifying structural building component because it, along with the entire roof and exterior wall coverings, protect the building envelope, which encloses the entire structure. The commissioner estimates a cost of \$5,000 to \$31,500 for a 2,000 square foot house. The wide range in costs to upgrade windborne debris protection corresponds to the wide range in product options. These range from manual shutter systems to shutter systems which can be closed by remote control. Inspection costs for windborne debris protection ranges from \$250 to \$500. Notably, §5.4924(2) excludes wood structural panels, including plywood and oriented strand board, from the category of windborne debris protection for all exterior openings. An applicant may not use a previously issued certificate of compliance for windborne debris protection for all exterior openings based on the use of wood structural panels as windborne debris protection to obtain an alternative certification.

Section §5.4924(2) does not authorize wood structural panels as compliant with building code standards for the purpose of obtaining an alternative certification because of the difficulty in verifying their actual use in a storm. Wood structural panels must be installed over all exterior openings before a storm. Wood structural panels obtained at the time a policyholder applies for alternative certification may no longer be in good condition, may be lost, or may have been used for some other purpose by the time a storm arrives. Subject to the windstorm building code standards, wood structural panels

will continue to qualify as windborne debris protection for the purpose of obtaining a certificate of compliance on an entire structure or to maintain coverage on an entire structure.

Section 5.4925 requires the association to give affected policyholders as many as three written notices of the alternative certification requirements, so policyholders have time to obtain an alternative certification before August 31, 2013. The affected policyholders are those who obtained insurance through the transition program under §5.4907 of this title or under Insurance Code §2210.260, which creates the alternative eligibility program. On and after August 31, 2013, Insurance Code §2210.260(d) prohibits the association from renewing coverage for a policyholder who does not have an alternative certification, unless the policyholder has coverage under §2210.251(d), (e), or (f).

Section 5.4925(b)(1) requires the association to send a notice via first class mail to all affected policyholders within 30 days after the rules' effective date. Under §5.4925(2), the association must send a notice, again via first class mail, to affected policyholders at least six months before each policy's first possible renewal date which falls after August 30, 2013. Section 5.4925(b)(2) requires the association to send the notice no earlier than February 28, 2013.

Under §5.4925(3), the association must send a notice via first class mail to affected policyholders at least two months before each policy's first possible renewal date which falls after August 30, 2013. Section 5.4925(b)(3) requires the association to send the notice no earlier than June 30, 2013.

Pursuant to §5.4925(c), the association need not send a second or third notice to policyholders who have obtained an alternative certification.

For example, if a policyholder obtained a policy through the transition program under §5.4907, and the policy began on August 30, 2011, the association could not renew the policy on August 30, 2014, if the policyholder did not have an alternative certification by that date. Section 5.4925 would require the association to send a notice 30 days after the rule's effective date. The association would send a second notice some time on or after February 28, 2013, but before February 28, 2014. The association would send a third notice some time on or after June 30, 2013, but before June 30, 2014. The association would not need to send notices once the policyholder obtained an alternative certification.

Although the statute does not require these notices, they are critical to informing affected policyholders that they must obtain an alternative certification well before the date by which they must do so. Policyholders who need to replace or upgrade a qualifying component will need sufficient time to complete the construction before the deadline. The notices required under this section will enable policyholders to plan for the possible expense and be eligible to renew association insurance coverage after August 30, 2013.

The association is the appropriate entity to give the notices because the association has the information to identify the policyholders who became eligible for association insurance through the transition program or under §2210.260.

Insurance Code §2210.260(c) requires the department to adopt reasonable and

necessary rules to implement that section. Requiring these notices is a reasonable and necessary way to ensure that applicants and policyholders receive information about the alternative eligibility program so they can take necessary steps to continue to be eligible for association insurance coverage.

Section 5.4926 adopts by reference three new forms for the alternative eligibility program. The department needs these forms to efficiently process applications and inspection information.

Nonsubstantive changes were made throughout the text to revise internal references to conform to current agency style. The changes, however, do not materially alter issues raised in the proposal, introduce new subject matter, or affect persons other than those previously on notice.

3. HOW THE SECTIONS WILL FUNCTION. Sections 5.4920 – 5.4926 establish the alternative eligibility program to implement Insurance Code §2210.260. The sections establish the three qualifying structural components that can be certified under the program, outline what structures are eligible for the program under §2210.260, identify the procedure for obtaining an alternative certification, and establish requirements for the association to notify policyholders affected by §2210.260.

4. SUMMARY OF COMMENTS AND AGENCY RESPONSE.

Section 5.4921(4).

Comment: One commenter asks that §5.4921(4) not establish August 31, 2012, as the date after which persons must have an alternative certification in order to obtain coverage under the alternative eligibility program. The commenter writes that Insurance Code §2210.260(d) “only addresses persons insured by [the association] as of August 31, 2012.” The commenter writes, “the statute does not provide a deadline to establish alternative eligibility through the program for people seeking initial [association] coverage after August 31, 2012.”

The commenter also writes that establishing August 31, 2012, as the date after which structures must have an alternative certification places a burden on potential policyholders who are nonrenewed by their private market windstorm insurer after August 31, 2012. Those potential policyholders, the commenter writes, would have to go without windstorm coverage while having a qualifying structural component brought up to code so as to obtain alternative certification.

The commenter requests that the deadline to obtain alternative certification for initial coverage through the association be extended to beyond December 1, 2012.

Agency Response: The department declines to make the suggested change to §5.4921(4). Under Insurance Code §2210.260(d), all persons must have an alternative certification to get alternative eligibility coverage after August 31, 2012. Although Insurance Code §2210.260(d) only explicitly mentions persons with an insurable interest in structures insured by the association as of August 31, 2012, excluding structures *not* insured by the association as of August 31, 2012, leads to results the legislature could not have intended.

Excluding structures not insured by the association as of August 31, 2012, from the statute would allow those structures to qualify for unlimited alternative eligibility coverage without ever obtaining an alternative certification. This is because §2210.260(d) states that persons with an insurable interest in a structure that is insured by the association as of August 31, 2012, must have an alternative certification “before the association, on or after August 31, 2013, may renew coverage for the structure.” If §2210.260(d) does not apply to structures which obtain initial coverage with the association after August 31, 2012, then those structures have no requirement to obtain alternative certification to renew after August 31, 2013. Structures initially covered by the association after August 31, 2012, could continue to renew coverage indefinitely, without ever getting an alternative certification. The legislature could not have intended this result.

Excluding structures not insured by the association as of August 31, 2012, leads to another possible conclusion: that the legislature intended that only structures insured by the association as of August 31, 2012, be eligible for alternative eligibility program coverage. The legislature could not have intended this result, either.

Persons with private market windstorm insurance whose insurer declines to renew after August 31, 2012, will have to have a qualifying structural component brought into compliance with windstorm building code standards. Insurance Code §2210.260(d) sets August 31, 2012, as the date after which a structure must have an alternative certification to obtain initial association coverage.

While §5.4921(4) follows the statute, the department and the association can work to reasonably accommodate those working to obtain an alternative certification, as they have historically done with those working to obtain a WPI-8.

Sections 5.4920 – 5.4926

Comment: Two commenters express support for §§5.4920 – 5.4926 as proposed.

Agency Response: The department appreciates the supportive comments.

5. NAMES OF THOSE COMMENTING ON THE PROPOSAL.

For, with suggested changes: Office of Public Insurance Counsel

For: Mayor Joe A. Adame, City of Corpus Christi and State Representative Todd A. Hunter, District 32.

6. STATUTORY AUTHORITY. The new sections are adopted under Insurance Code §§2210.008, 2210.151, 2210.152, 2210.260, and 36.001.

Section 2210.008(b) authorizes the commissioner to adopt reasonable and necessary rules to implement Chapter 2210. Section 2210.151 authorizes the commissioner to adopt the association's plan of operation by rule. Section 2210.152 provides that the association's plan of operation provide for the efficient, economical, fair, and nondiscriminatory administration of the association and include both underwriting standards and other provisions the department considers necessary to implement the purposes of Chapter 2210.

Section 2201.260 authorizes the commissioner to adopt reasonable and

necessary rules to implement this section. The rules adopted under §2210.260 must establish which structural building components are considered qualifying structural building components for the purposes of subsection (b), considering those items that are most probable to generate losses for the association's policyholders and the cost to upgrade those items. Section 36.001 provides that the commissioner of insurance may adopt any rules necessary and appropriate to implement the department's powers and duties under the Insurance Code and other laws of the state.

9. TEXT.

DIVISION 10. ELIGIBILITY AND FORMS

§5.4920. Alternative Eligibility Program.

(a) The department establishes the alternative eligibility program to implement Insurance Code §2210.260 and to provide a means for a person to obtain association insurance coverage on a residential structure without obtaining all certificates of compliance required under Insurance Code §2210.251.

(b) The alternative eligibility program does not impose additional requirements on residential structures that are insured or insurable under Insurance Code §2210.251 (d), (e), and (f) and §5.4906 of this title (relating to Certificate of Compliance Approval Program).

(c) The following sections of this division constitute the alternative eligibility program, are a part of the association's plan of operation, and control over any conflicting provisions in §5.4001 of this title (relating to Plan of Operation):

(1) Section 5.4921 (relating to Requirements for Obtaining and Renewing Alternative Eligibility Program Coverage);

(2) Section 5.4922 (relating to Alternative Certification);

(3) Section 5.4923 (relating to How to Obtain an Alternative Certification);

(4) Section 5.4924 (relating to Qualifying Components);

(5) Section 5.4925 (relating to Notice); and

(6) Section 5.4926 (relating to Alternative Eligibility Forms).

(d) The windstorm building code standards referenced in this division are those set out in the association's plan of operation.

§5.4921. Requirements for Obtaining and Renewing Alternative Eligibility

Program Coverage. A residential structure is eligible for association insurance coverage under the alternative eligibility program if:

(1) initial construction on the structure began before June 19, 2009;

(2) the department has issued a Certificate of Compliance (Form WPI-8) for all alterations, remodeling, enlargements, repairs, or additions to the structure for which construction began on or after June 19, 2009;

(3) the person applying for association insurance coverage complies with all other association eligibility and underwriting requirements, including maintaining the structure in an insurable condition and payment of premium; and

(4) the structure has an alternative certification as defined in §5.4922 of this title (relating to Alternative Certification):

(A) on and after September 1, 2012, for initial coverage; and

(B) on and after August 31, 2013, for renewal coverage.

§5.4922. Alternative Certification.

(a) An Alternative Certification (Form WPI-12) provides evidence of insurability for association insurance coverage through the alternative eligibility program.

(b) The department may issue an alternative certification if a qualifying component, as defined in §5.4924 of this title (relating to Qualifying Components):

(1) has been inspected and approved by a department inspector or an appointed qualified inspector, and the department has determined that the qualifying component meets the windstorm building code standards, as set forth in the plan of operation, in effect on the day that the department receives the Alternative Certification Application (Form WPI-1-AC), except as provided in §5.4924(2)(A)(i) of this title; or

(2) the department has previously issued a Certificate of Compliance (Form WPI-8) certifying the entire qualifying component and the certificate of compliance is based on windstorm building code standards in effect on or after February 1, 2003, except as provided in §5.4924(2)(A)(ii) of this title.

(c) A department inspector or appointed qualified inspector must inspect the qualifying component. Only an appointed qualified inspector who is a Texas licensed professional engineer may inspect completed construction.

§5.4923. How to Obtain an Alternative Certification.

(a) To obtain an alternative certification, a person, or the person's agent or representative, including an appointed qualified inspector, must submit the required information to the department.

(1) Option 1: for inspections by an appointed qualified inspector, completed Alternative Certification Application (Form WPI-1-AC) and Inspection Verification for Alternative Certification (Form WPI-2-AC); or

(2) Option 2: for inspections by a department inspector, a completed Form WPI-1-AC; or

(3) Option 3: for qualifying structural components for which the department previously issued a certificate of compliance, a completed Form WPI-1-AC; and written notice that the department has issued a Certificate of Compliance (Form WPI-8) for at least one qualifying component.

(b) Forms WPI-1-AC and WPI-2-AC are adopted by reference in §5.4926 of this title (relating to Alternative Eligibility Forms).

(c) The department must receive complete inspection information within six months after the final inspection of the qualifying component, under Insurance Code §2210.251(l). If the department does not receive the information within six months, a person may submit a new Form WPI-1-AC and may have the structure reinspected. The department may issue an Alternative Certification (Form WPI-12) based on the second inspection.

§5.4924. Qualifying Components. Each of the following is a qualifying structural building component (qualifying component):

(1) The entire roof.

(A) Roof includes the outermost covering of the roof and any other parts of the roof needed to ensure the entire roof complies with the applicable building code standards.

(B) Entire roof means all roof surfaces attached to the structure, including porches, overhangs, lean-tos, breezeways, carports, garages, and other roof surfaces.

(C) Roof covering materials include asphalt shingles, concrete and clay tile, metal roof shingles, metal roof panels, modified bitumen, and any other code-approved roof covering system.

(2) Windborne debris protection for all exterior openings.

(A) Windborne debris protection includes all materials and construction needed to ensure that the windborne debris protection for all exterior openings complies with the applicable building code standards, except that for the purposes of obtaining an alternative certification:

(i) notwithstanding any provision in this subchapter, wood structural panels, including plywood and oriented strand board, are not authorized as being compliant with the applicable building code standards; and

(ii) a previously issued certificate of compliance for windborne debris protection may not be used to obtain a certificate of compliance if the

certificate of compliance was based on the use of wood structural panels as windborne debris protection.

(B) Exterior openings include exterior doors, windows, garage doors, skylights, and other openings.

(C) Windborne debris protection includes shutter systems and other impact resistant products, except as provided in subparagraph (A) of this paragraph.

(3) Exterior wall coverings for the entire structure.

(A) Exterior wall coverings include all materials and construction needed to ensure that the exterior wall coverings attached to the entire structure comply with the applicable building code standards.

(B) The entire structure includes porches, carports, garages, lean-tos, and other parts attached to the structure.

(C) An exterior wall covering is the outermost layer of an exterior wall.

(D) Exterior covering materials include wood, vinyl, and fiber cement siding; masonry and stone veneer; stucco; and other exterior wall covering products.

§5.4925. Notice.

(a) The association must give written notice to each policyholder who obtained association insurance coverage on or after September 1, 2009, through:

(1) the transition program under §5.4907 of this title (relating to Certificate of Compliance Transition Program); or

(2) under Insurance Code §2210.260.

(b) The association must give notice by first class mail:

(1) to all policyholders described in paragraph (a) of this section within 30 days after the effective date of this rule;

(2) to each policyholder described in paragraph (a) of this section at least six months before, but no earlier than February 28, 2013, the first date on which the policy may be renewed which falls after August 30, 2013; and

(3) to each policyholder described in paragraph (a) of this section at least two months before, but no earlier than June 30, 2013, the first date on which the policy may be renewed which falls after August 30, 2013.

(c) Paragraph (b) does not apply to policyholders who have obtained an alternative certification; the association does not need to give notice to policyholders who have obtained an alternative certification.

(d) Each notice must:

(1) inform policyholders that, after August 30, 2013, the association will not renew the insurance coverage of policyholders who do not have an alternative certification;

(2) explain what an alternative certification is;

(3) list the qualifying components;

(4) explain how to obtain an alternative certification;

- (5) say which rules apply to alternative certifications; and
- (6) tell policyholders where they can get more information.

§5.4926. Alternative Eligibility Forms.

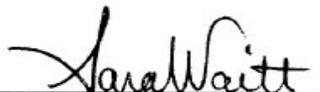
(a) The commissioner of insurance adopts by reference the following forms for the alternative eligibility program:

- (1) Application for Alternative Certification (Form WPI-1-AC), effective September 1, 2012;
- (2) Inspection Verification for Alternative Certification (Form WPI-2-AC), effective September 1, 2012; and
- (3) Alternative Certification (Form WPI-12), effective September 1, 2012.

(b) These forms are available on the department website or by mail from Windstorm Inspections, MC 103-1E, Texas Department of Insurance, 333 Guadalupe, Austin, Texas 78701, or P.O. Box 149104, Austin, Texas 78714-9104.

CERTIFICATION. This agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Issued at Austin, Texas, on August 30, 2012.

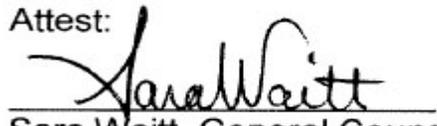

Sara Waitt, General Counsel
Texas Department of Insurance

12-0723
TITLE 28. INSURANCE
Part I. Texas Department of Insurance
Chapter 5. Property and Casualty Insurance

Adopted Sections
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The commissioner orders that 28 TAC §§5.4920 – 5.4926 are adopted.


ELEANOR KITZMAN
COMMISSIONER OF INSURANCE

Attest:

Sara Waitt, General Counsel
Texas Department of Insurance

COMMISSIONER'S ORDER NO. 12-0723