



**Oklahoma Insurance Department**  
State of Oklahoma

**BULLETIN NO. PC 2010-04**

**TO: ALL PROPERTY & CASUALTY INSURERS  
ALL PROPERTY AND CASUALTY PRODUCERS**

**FROM: OKLAHOMA INSURANCE DEPARTMENT**

**RE: Nonrenewal of Policies While Weather Related Claims Remain  
Open**

**DATE: June 11, 2010**

As a result of the recent storms throughout Oklahoma, insurers asked for, and the Insurance Commissioner granted, an emergency declaration allowing out-of-state catastrophe adjusters to adjust claims within Oklahoma. Due to the tremendous amount of property damage, many insureds have filed storm damage claims with their insurers.

Some insurers have been, or currently are, reassessing risks and have been issuing nonrenewal notices to many of their insureds. The recent storms inflicted immense damage upon the property owned by thousands of insureds; and in many instances repairs cannot be completed prior to the date of the policy's expiration due to the backlog of work that roofers and repair shops are currently experiencing. This results in open and pending claims which prevent the insured from obtaining replacement coverage.

In the best interests of the insureds in Oklahoma who have suffered significant damage, the Insurance Commissioner strongly advises insurers to retain insureds on their current policies for a reasonable amount of time, to include no fewer than sixty (60) days following the completion of repairs. This will provide sufficient time for insureds to have the necessary repairs made to their property and to obtain coverage from another insurer.

Insurers are reminded that pursuant to Rule 365:15-7-26 of the Oklahoma Insurance Department, homeowners' policies and any other personal residential insurance coverage shall not reflect a surcharge for weather related claims. Additionally, 36 O.S. § 3639.1 provides that insurers shall not cancel, refuse to

renew or increase the premium of a homeowner's insurance policy, which has been in effect more than forty-five (45) days, solely because the insured filed a first claim against the policy.

**Questions or comments applicable to this bulletin should be directed to Natasha Scott, Assistant General Counsel, at [Natasha.Scott@oid.ok.gov](mailto:Natasha.Scott@oid.ok.gov) of the Legal Division of the Oklahoma Insurance Department, or Jason Johnston, Senior Claims Processor, at [Jason.Johnston@oid.ok.gov](mailto:Jason.Johnston@oid.ok.gov) of the Consumer Assistance Division of the Oklahoma Insurance Department, P. O. Box 53408, Oklahoma City, OK 73152-3408.**

**The Oklahoma Insurance Department encourages readers of this notice to periodically check the Department's web site <http://www.oid.ok.gov/> for news and updates to Bulletins and other relevant material.**