



April 18, 2016

Bulletin #1332

RE: California LASLI Filing Requirements Guide for Surplus Line Insurers

Attached is the 2016 Filing Requirements Guide (Guide) issued by the California Department of Insurance (CDI) for nonadmitted insurers who wish to remain on or be added to the List of Approved Surplus Line Insurers (LASLI). The Guide is not all inclusive and does not supersede the actual language of California Insurance Code (CIC) §1765.2. You may also obtain the Guide from the [SLA website](#).

The 2016 filing requirements are essentially the same as those for 2015 except for a new requirement that all documents be accompanied by a cover letter (see Basic Filing Requirements section). The filing fees remain unchanged from 2015 as follows:

LASLI application	\$6,113
Annual renewal	\$3,057
Financial update	\$341
Non-financial update	\$50

Please note that the LASLI is an optional list of nonadmitted insurers that the CDI has approved for use by surplus line brokers for placement of risks when California is the insured's home state. Insurers on the LASLI have voluntarily provided the CDI with specific documents for examination and have been determined to have met the financial stability, reputation and integrity requirements as set forth in CIC §1765.2.

Should you have any questions, please call me or Patrice Kwang at (800) 334-0491 or (415) 434-4900. You may also contact the CDI: Carol Frair, Senior Staff Counsel, Corporate Affairs Bureau at (415) 538-4408, or Shannon Carrion, Manager, Curriculum and Officer Review Bureau, Officer Background Section at (916) 492-3426.

Sincerely,

Susan Bryant
Vice President, Financial Analysis

SB/pk
Attachment



DEPARTMENT OF INSURANCE

LICENSING SERVICES DIVISION

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FILING REQUIREMENTS GUIDE

LIST OF APPROVED SURPLUS LINE INSURERS (LASLI)

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INTRODUCTION

This document provides guidance on the filing requirements for nonadmitted insurers wishing to be added to or to continue to be on the List of Approved Surplus Line Insurers (LASLI). The filing guide is intended to assist those who prepare regulatory filings for nonadmitted insurers. It is not all inclusive and does not supersede the actual language of the governing statutory California surplus line laws and regulations, specifically California Insurance Code (CIC or Code) §1765.2.

APPLICATION FILING REQUIREMENTS

To be considered for placement on the LASLI, a nonadmitted foreign (US domiciled) or alien (non-US domiciled) insurer must make an application to the California Department of Insurance (CDI) and submit all the documents specified under CIC §1765.2(c) and (d), along with the applicable filing fee. The documents submitted must demonstrate that the applicant (insurer) meets the following standards:

- A. The insurer has established its **financial stability, reputation, and integrity** for the class of insurance it proposes to place with California surplus line brokers. {CIC §1765.2(a)(1)}
- B. The insurer must currently hold a **license** to issue insurance policies (other than reinsurance) to residents of the jurisdiction that granted the license unless it has been granted an exemption. {CIC §1765.2(e)(4)}
- C. The insurer must have and maintain a minimum capital and surplus of \$45 million at all times. The insurer must also have at least \$25 million in assets acceptable under CIC §1765.2(a)(2)(A). Acceptable assets are essentially comprised of cash, or securities falling within CIC §1170 to 1182, or readily marketable securities listed on regulated US national or principal regional securities exchanges.

If the insurer has less than \$45 million in capital and surplus, the insurer may request an affirmative finding of acceptability from the Insurance Commissioner of this State (Commissioner) based upon factors such as quality of management, capital and surplus of any parent company, company underwriting profit and investment income trends, market availability and company record and reputation within the industry.

- D. The insurer must have actively **transacted insurance for at least three years** immediately prior to its application for inclusion on the LASLI unless an exemption is granted. {CIC §1765.2(e)(3)}
- E. For an alien insurer, it must be listed on the Quarterly Listing of Alien Insurers maintained by the National Association of Insurance Commissioners International Insurers Department (NAIC IID).

- F. An alien insurer must also have an irrevocable **US trust account** consisting of cash and marketable securities of no less than \$5.4 million at all times with a qualified US financial institution. Letters of credit may be used to fund the trust account, provided they are issued by a qualified US financial institution. {CIC §1765.2(b)(1)}
- G. The insurer must have an appointed California-licensed surplus line broker who has agreed to act as its **contact broker** to assist with the insurer's LASLI application and subsequent regulatory filing responsibilities in California. An insurer may make its filings directly with the CDI provided the insurer keeps its contact broker informed. It is recommended that the contact broker maintain a complete set of all such filings.
- H. Subsequent to its placement on the LASLI, the insurer is required at least annually, to submit records and statements necessary to ensure that the requirements of CIC §1765.2(i) are maintained.

BASIC FILING REQUIREMENTS

- All financial and certain non-financial documents must be certified, while several other required documents must be verified (refer to the definitions of "[certified](#)" and "[verified](#)").
- Required documents available from the NAIC or other public source do not need to be filed with the CDI, nor do they need to be certified or verified. Instead, the insurer must submit four copies of a verified statement ([Exhibit F](#)) to the CDI identifying the document(s) that is available from the NAIC or other public source. [Exhibit F](#) is a specimen of such verified statement that the Commissioner considers to be in compliance with the Code.
- If hard copies of the documents are filed, the documents must be filed in quadruplicate (one original and three photocopies).
- All communications and documents filed must be submitted in, or translated into, the English language. All financial data must be converted into US dollars.
- All documents filed must be **clear, comprehensible, unambiguous, accurate, consistent, and complete** (in that pages cannot be omitted or cut off and they must include all referenced schedules, exhibits and/or attachments). {CIC §1765.2(e)(1)} All documents must be accompanied by a cover letter which states the name of the company, the name of the document(s) filed, and the amount of the enclosed required fee, if applicable.
- If any required document(s) is not available at the time of the insurer's filing, the insurer should provide an explanation why the document(s) was not included and an estimate as to when the document(s) will be made available to the CDI.

DEFINITIONS OF “CERTIFIED” AND “VERIFIED”

“Certified” – an originally signed or sealed statement, dated not more than 60 days before submission, made by a public official or other person (someone at the Department of Insurance of the insurer’s domiciliary jurisdiction), attached to a copy of a document, attesting that the copy is a true copy of the original, and that the original is in the custody of the person making the statement. {CIC §1760.1(a)}

“Verified” – a document or copy accompanied by an originally signed statement, dated not more than 60 days before submission, from a responsible executive or official who has authority to provide the statement and knowledge whereof he or she speaks, attesting either under oath before a notary public, or under penalty of perjury under California law, that the assertions made in the document are true. {CIC §1760.1(q)}

[Exhibit B](#) is a specimen of such verified statement that the Commissioner considers to be in compliance with the Code.

DOCUMENT FILING REQUIREMENTS

The document filing requirements for both nonadmitted foreign (US domiciled) and alien (non-US domiciled) insurers are relatively similar, with a few exceptions. All required documents must be filed in accordance with the provisions of CIC §1765.2(c) and (d).

Both foreign and alien insurers must file their respective documents listed below with the LASLI application and, subsequent to their placement on the LASLI, at least annually as part of the annual renewal process or as an update filing. For the insurer’s convenience, a checklist summary of the required documents is provided in [Exhibit E](#) to assist the insurer in compiling its document filings.

1. Annual Statement/Standard IID Financial Reporting Format (based on the insurer’s condition as of a date not more than 12 months prior to submission)

For a foreign insurer, the **Annual Statement** shall be prepared in accordance with the NAIC prescribed format and must include all supplementary reports, exhibits, and schedules required by the NAIC. {CIC §1765.2(c)(1)(A) & (D)(i)}

OR

For an alien insurer, the **Standard IID Financial Reporting Format** (IID Report) (including all the required schedules and exhibits) shall be prepared following the filing instructions as prescribed by the NAIC IID. {CIC §1765.2(c)(1)(A) & (E)}

There are two filings of this IID Report: (a) An **initial** financial filing as required by the NAIC IID that is due within three months of the insurer’s year-end; and (b) the **final** filing as

required by the NAIC IID that is due within seven months of the insurer's year-end. However, if the insurer is waived by the NAIC IID from providing its initial filing, the insurer must advise the CDI in writing by March 31st that it will submit its final filing no later than May 31st of each year.

All copies of the IID Report must be certified; however, the CDI will accept verified copies if certified copies are not available at the time of filing. The CDI expects to receive certified copies when they do become available. [Exhibit B](#) is a specimen of such verified statement that the Commissioner considers to be in compliance with the Code.

2. **Audited Financial Report (based on the insurer's condition as of a date not more than 12 months prior to submission)**

For a foreign insurer, the Audited Financial Report shall be prepared by an independent certified public accountant or accounting firm (CPA). The CPA must be in good standing with the American Institute of Certified Public Accountants in all states where the CPA is licensed to practice. The Audited Financial Report must be prepared in accordance with statutory accounting practices prescribed, or otherwise permitted, by the insurance regulator of the insurer's domiciliary jurisdiction. {CIC §1765.2(c)(1)(B)}

For an alien insurer, the Audited Financial Report shall be prepared by an independent licensed auditor in the insurer's domiciliary jurisdiction. The Audited Financial Report must be prepared in accordance with either (i) Generally Accepted Auditing Standards that prescribe Generally Accepted Accounting Principles, or (ii) International Accounting Standards as published and revised from time to time by the International Auditing Guidelines published by the International Auditing Practice Committee of the International Federation of Accountants. The Audited Financial Report must include financial statement notes and a summary of significant accounting practices. {CIC § 1765.2(c)(1)(B) & (E)}

Audited Financial Reports must be certified. {CIC §1765.2(c)(1)(D)(i)} However, the CDI will accept verified copies if certified copies are not available at the time of filing. The CDI expects to receive certified copies when they become available. [Exhibit B](#) is a specimen of a verified statement that the Commissioner considers to be in compliance with the Code.

3. **US Trust Agreement**

For an alien insurer, the US Trust Agreement shall be prepared in accordance with the NAIC Standard Form Trust Agreement for Alien Excess or Surplus Lines Insurers (**as amended January 1, 2007**). All copies of the agreement must be certified. The trustee bank may certify these agreements. {CIC §1765.2(c)(1)(C)(i)}

4. Statement of Account or List of Assets in the Trust Account

For an alien insurer, the most recent quarterly statement of trust account provided by the trustee bank that shows the list of assets held in the alien insurer's trust account at the end of each quarter. The Statement must be verified. [Exhibit B](#) is a specimen of such verified statement that the Commissioner considers to be in compliance with the Code. {CIC §1765.2(c)(1)(C)(ii)}

5. License or Certificate of Authority

A certified copy of the insurer's current License or Certificate of Authority issued by its domiciliary jurisdiction. {CIC §1765.2(c)(2)} The license should set forth the insurer's authority to transact the types of insurance it proposes to provide California home state insureds.

6. Certificate of Good Standing, Certificate of Compliance, or other Equivalent Certificate

Certification shall be issued by the insurer's domiciliary jurisdiction. {CIC §1765.2(c)(2)} If such certification is not available from its domiciliary jurisdiction or any other state where it is licensed, the insurer must provide a verified statement signed by a responsible executive or officer of the company. [Exhibit D](#) is a specimen of such verified statement that the Commissioner considers to be in compliance with the Code.

7. Agent for Service of Process

The insurer's appointed Agent for Service of Process to receive service of suits filed against the insurer. The Agent must be located in California. Information must include the Agent's full name (along with the name of the firm the Agent represents), business address, telephone and fax numbers where the agent can be reached during normal business hours. {CIC §1765.2(c)(3)}

8. Principal Place of Business

The insurer's principal place of business including complete street address, mailing address, telephone and fax numbers. {CIC §1765.2(c)(4)}

9. Market Conduct Report or Statement

An explanation, report, or other Statement as to the Insurer's Record Regarding Market Conduct and Consumer Complaints. Such report should be from the insurance regulatory office or official of the insurer's domiciliary jurisdiction and may be certified or verified. If such report is not available from the insurer's domiciliary jurisdiction for the current filing year, or if the market conduct report is older than 12 months, then the insurer can provide a verified statement describing its own record regarding market conduct, and its own record of claims payment and treatment of policyholders. {CIC §1765.2(c)(5)}

10. Regulatory Disclosure Statement

A verified statement that discloses any currently known regulatory actions pending against the insurer or any affiliated entities for the current filing year. These regulatory actions include, but are not limited to, legal proceeding for receivership, conservation, liquidation, license revocation or suspension, or any other cease and desist order. If the insurer or its affiliate(s) is subject to such proceedings, the statement must identify the proceeding by date, jurisdiction, and relief or sanction sought. Copies of any outstanding orders must also be attached to the statement. {CIC §1765.2(c)(6)}

For insurers and their affiliates who are not subject to any such actions, [Exhibit A](#) is a specimen of such a verified regulatory disclosure statement that the Commissioner considers to be in compliance with the Code.

11. Report of Examination

The insurer's latest Report of Examination issued by its domiciliary regulator.

If the latest Report is not available at the time of the filing, the insurer must provide an explanation why it is not available, and an estimate as to when the latest Report should be made available. All copies must be certified. {CIC §1765.2(c)(7)}

12. List of Surplus Line Brokers Authorized to Issue Policies on Behalf of the Insurer

California-licensed surplus line broker(s) may issue policies on behalf of an insurer provided the broker(s) has a written authorization from the insurer. The insurer is required to provide the Commissioner with a list of those California-licensed surplus line brokers who have been granted such authorization. {CIC §1765.2(c)(8)}

If the insurer has not granted this authority to any broker, the insurer must submit a statement that indicates no broker has the authority to issue policies on the insurer's behalf.

13. Plan of Operation

The insurer's proposed Plan of Operation in California to assist the Commissioner in determining whether the insurer has the financial stability, reputation and integrity for the class of insurance it proposes to accept from surplus line brokers, and in ascertaining that (i) the insurer does not intend to offer in California products that violate CIC §1765.2(e)(6); and (ii) the insurer does not conduct any activity through its affiliate that constitutes the transaction of insurance in this State or a violation of CIC §700 and §703. {CIC §1765.2(d)(1)} The Plan should include the following information:

- a) A brief description of the products the insurer intends to accept from California surplus line brokers.
- b) A list of all affiliated companies who are admitted in California, including any

- affiliate(s) applying for admission in this State.
- c) An explanation as to how the coverages offered by the nonadmitted insurer differ from those offered by affiliated insurers (if any) transacting business in California on an admitted or nonadmitted basis.
 - d) A brief description of the insurer's reinsurance program(s).
 - e) Premiums written in California by lines of business.
 - f) If applicable, a description of any administrative services to be rendered in California by an affiliated insurer domiciled in California.

For a LASLI applicant, the insurer's business plan should also include: (1) three- to five-year written premium volume projections by line(s) of business, both worldwide and in California; and (2) three- to five-year pro forma statutory financial statements along with the assumptions used.

14. **Biographical Affidavits on the Officers and Directors** of the insurer. {CIC §1765.2(d)(1)} If the insurer has filed these with the NAIC, they must also be filed in California.
15. Most current **Quarterly or Half-Yearly Statements/Results** of the insurer. {CIC §1765.2(d)(1)}

Quarterly or Half-Yearly Statements/Results must be certified and filed as soon as they are available; however, the CDI will accept verified copies if certified copies are not available at the time of filing. The CDI also expects to receive certified copies when they do become available. [Exhibit B](#) is a specimen of such verified statement that the Commissioner considers to be in compliance with the Code.

ANNUAL RENEWAL FILING REQUIREMENTS

- To maintain its surplus line approved status in California and to ensure continual compliance with the requirements of CIC §1765.2, a LASLI-listed company is required to file up-to-date versions of all the documents under CIC §1765.2(c) & (d) annually along with the appropriate filing fee. {CIC §1765.2(i) and (j)} Refer to the Document Filing Requirements section for the summarized list of the required documents.
- An approved insurer may incorporate certain previously filed documents (except for the Market Conduct Information and Regulatory Disclosure Statement) into a current annual renewal package, provided there were no changes to the information in those documents. To incorporate a previously filed document(s) into a current annual renewal filing, the insurer must: (1) submit a verified statement that lists the document(s) previously provided to the CDI and affirm that there has been no change to the information contained in the previously filed document(s); and (2) make a specific reference to the prior filing(s) in its current annual renewal filing. [Exhibit C](#) is a specimen of such verified statement that the Commissioner considers to be in compliance with the Code.

- There are two previously filed documents—Market Conduct Report (or Market Conduct Information Statement) and Regulatory Disclosure Statement—that an insurer may **not** incorporate into a current annual renewal filing, even if the information previously provided has not changed, since the information in these documents pertains to a specific period.

Each year, a LASLI-listed company is required to submit both a Market Conduct Information Statement and Regulatory Disclosure Statement pertaining to the current filing year.

WHEN TO FILE

Annual renewal filings should be made on or before the anniversary of an insurer's LASLI approved date; however, the insurer does not have to wait until its LASLI anniversary date to make a filing. It is strongly recommended that an insurer makes its annual renewal filing as soon as all the required materials are available.

UPDATE FILING REQUIREMENTS

- Whenever any of the required documents becomes outdated, a LASLI-listed insurer is required to file the new, up-to-date version of the document, as soon as it becomes available, along with the appropriate filing fees with the CDI. The filings fees are applicable for each updated document only if any of the documents listed below are submitted to the CDI separately as an updated filing. If the updated documents are filed as part of the insurer's annual renewal filing, then only the annual renewal fee is required.
- Required documents available from the NAIC or other public source do not need to be filed with the CDI, nor do they need to be certified or verified. Instead, the insurer must submit four copies of a verified statement ([Exhibit F](#)) to the CDI identifying the document that is available from the NAIC or other public source along with the appropriate filing fee. [Exhibit E](#) is a specimen of such verified statement that the Commissioner considers to be in compliance with the Code.
- If hard copies of the documents are filed, the documents must be filed in quadruplicate (one original and three photocopies).

Updated Financial Documents (requiring a [filing fee](#) per document type)

- (a) NAIC Annual Statement
- (b) Audited Financial Report
- (c) Report of Examination
- (d) NAIC Quarterly Statements
- (e) Standard IID Financial Reporting Format – Initial
- (f) Standard IID Financial Reporting Format – Final
- (g) Quarterly or Half Yearly Results

Updated Non-financial Documents (requiring a [filing fee](#) per document type)

- (a) Certificate of Authority
- (b) Certificate of Good Standing or Compliance
- (c) Trust Agreement
- (d) Statement of Trust Assets
- (e) Agent for Service of Process
- (f) Principal Place of Business
- (g) Market Conduct Report
- (h) Regulatory Disclosure Statement
- (i) List of Surplus Line Brokers Authorized to Issue Policies
- (j) Any other material change involving the company's operations (e.g. name change, domiciliary change, ownership change, etc.)

Updated Supplemental Information (requiring a [filing fee](#) per document type)

- (a) Proposed Plan of Operation
- (b) Biographical Affidavits on Officers & Directors

SUGGESTED DATES FOR FILING FINANCIAL DOCUMENTS

The CDI requires a LASLI-listed company to file new, amended, or updated financial documents as soon as they are available and in accordance with the provisions of CIC §1765.2. Updated financial documents are generally available when they are due for regulatory filing with the insurer's domiciliary jurisdiction. Therefore, the CDI expects to receive the new financial documents no later than the dates specified below.

Alien Insurers

Financial Document	Document Should be Filed NO LATER than
Standard IID Reporting Format – Waiver	March 31st each year (if applicable)
Standard IID Reporting Format – Initial	April 15th each year
Standard IID Reporting Format – Final	May 31st each year, if Initial Standard IID Reporting Format is waived; otherwise; August 15th each year
Audited Financial Report	An Alien insurer should file their audited financial statement 15 days after it is due for regulatory filing with the insurer's domiciliary regulators.

March 31 st Listing of Assets in Trust Account	April 15th each year
June 30 th Listing of Assets in Trust Account	July 15th each year
September 30 th Listing of Assets in Trust Account	October 15th each year
December 31 st Listing of Assets in Trust Account	January 15th each year
Quarterly or Half-Yearly Results	Due as soon as they are available

Foreign Insurers

Financial Document	Document Should be Filed NO LATER than
Annual Statement	April 30th each year
March 31 st Quarterly Statement	May 31st each year
Audited Financial Statement	June 30th each year
June 30 th Quarterly Statement	August 30th each year
September 30 th Quarterly Statement	November 30th each year

FILING FEES SCHEDULE

All checks for filing fees must be made payable to the California Department of Insurance in US dollars {CIC §1765.2(j)}. The following filing fees are in effect as of March 1, 2015:

<u>Type of Filing</u>	<u>Filing Fee</u>
LASLI Application	\$6,113
Subsequent Annual Renewal	\$3,057
Updated Financial Document	\$341*
Updated Non-Financial Document	\$50*
Updated Supplementary Information	\$50*

* These fees apply only if the document(s) is submitted to the CDI as an updated filing and NOT as part of the insurer's annual renewal. The respective filing fee is required for each updated document/information type submitted to the CDI.

CUSTOMER SERVICE INFORMATION

All applications, annual renewals, and updated filings must be filed with the CDI. These filings may be made through the insurer's California contact broker or directly with the CDI (provided the insurer keeps its contact broker informed).

WHERE TO FILE

All documents and fees must be sent to the CDI at the following address:

Accounting Services Bureau
State of California Department of Insurance
300 Capitol Mall
Sacramento, CA 95814

REGULATORY FILING CONTACTS

For questions regarding surplus lines eligibility and filing requirements, please contact:

Carol Frair
Senior Staff Counsel
Corporate Affairs Bureau

45 Fremont Street
San Francisco, CA 94111
(415) 538-4408

OR

Shannon Carrion
Manager
Curriculum and Officer Review
Bureau, Officer Background Section
320 Capitol Mall
Sacramento, CA 95814
(916) 492-3426

EXHIBITS INDEX

Exhibit	Name of Document
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A	Verification Regulatory Disclosure Statement
B	Verification Statement
C	Verification (Incorporating Previously Filed Documents)
D	Verification (When Certificate of Good Standing/Compliance Is Unavailable)
E	Checklist For Foreign (US Domiciled) Insurers – California LASLI Filing Requirements
E	Checklist For Alien (Non-US Domiciled) Insurers – California LASLI Filing Requirements
F	Verification (For Documents Available From The NAIC Or Other Public Source)

EXHIBIT A

**VERIFICATION
REGULATORY DISCLOSURE STATEMENT**

_____ (a nonadmitted insurer) and its affiliated entities are currently not known to be the subject of any order or proceeding regarding conservation, liquidation, or other receivership; or regarding revocation or suspension of a license to transact insurance in any jurisdiction; or otherwise seeking to stop the insurer from transacting insurance in any jurisdiction. I make this statement as an executive or official who has authority to provide the statement and knowledge whereof he or she speaks and under penalty of perjury under California law that the assertions are true.

Signature

Title

Name

Date

EXHIBIT B

VERIFICATION STATEMENT

I declare under penalty of perjury under California law that this is a true correct copy of the original _____, and that I am an
(Name of Document)
executive or officer of _____ who has
(Name of the Nonadmitted Insurer)
the authority to provide this declaration.

Signature

Title

Name

Date

EXHIBIT C

VERIFICATION (INCORPORATING PREVIOUSLY FILED DOCUMENTS)

As an officer or executive of _____ who has the
(Name of the nonadmitted Insurer)

authority and knowledge to provide this declaration, I declare under penalty of perjury under California law that all of the following statements are true and correct:

1. The documents identified below have previously been filed with the California Department of Insurance (CDI) and there have been no changes to the information in those documents.
2. These documents on file with the CDI contain the most current information available, and should be considered as part of the annual renewal for _____ (year):

Document Previously Filed	Date Filed
<input type="checkbox"/> Year ended _____ Annual Statement	_____
<input type="checkbox"/> Period ended _____ Quarterly Statement	_____
<input type="checkbox"/> Year ended _____ IID Report	_____
<input type="checkbox"/> Year ended _____ Audited Financial Statement	_____
<input type="checkbox"/> Certificate of Authority	_____
<input type="checkbox"/> Certificate of Good Standing/Compliance	_____
<input type="checkbox"/> Agent for Service of Process	_____
<input type="checkbox"/> Principal Place of Business	_____
<input type="checkbox"/> Proposed Business Plan/Plan of Operation in California	_____
<input type="checkbox"/> List of Surplus Line Brokers Authorized to Issue Policies	_____
<input type="checkbox"/> Biographical Affidavits on Officers and Directors (Except as enclosed, there are no changes to the biographical affidavits previously filed.)	_____
<input type="checkbox"/> Report of Examination: Date of Report: _____	_____
<input type="checkbox"/> List of Trust Assets as of (for alien insurers only): _____	_____
<input type="checkbox"/> Trust Agreement (for alien insurers only): Date of Trust: _____ Date of Last Amendment: _____	_____
<input type="checkbox"/> Other: _____	_____

Signature

Title

Name

Date

EXHIBIT D

VERIFICATION

(WHEN CERTIFICATE OF GOOD STANDING/COMPLIANCE IS UNAVAILABLE)

I declare under penalty of perjury under California law that the Insurance Department for the state/country of _____ does not issue a Certificate of Good Standing, Certificate of Compliance, or other equivalent Certificate. I further declare that a Certificate of Good Standing, Certificate of Compliance, or other equivalent Certificate is not available from any other state where the company is licensed and that I am an executive or officer of _____
(Name of the Nonadmitted Insurer)

who has the authority to provide this declaration.

Signature

Title

Name

Date

EXHIBIT E

CHECKLIST for **FOREIGN (US DOMICILED) INSURERS**
CALIFORNIA LASLI FILING REQUIREMENTS

Please make checks payable to the **California Department of Insurance** (CDI). All documents must be submitted in QUADRUPPLICATE (one original and three photocopies) to:

**Accounting Services Bureau
State of California Department of Insurance
300 Capitol Mall
Sacramento, CA 95814**

If a required document is available from the National Association of Insurance Commissioners (NAIC) or other public source, then the document need not be filed with the CDI. However, the insurer will have to submit a verified statement to the CDI identifying the document that is available from the NAIC or other public source along with the appropriate filing fee.

- | | |
|---|--|
| <input type="checkbox"/> Filing Fee:
_____ LASLI Application : \$6,113
_____ Annual Renewal : \$3,057
_____ Updated Financial Document : \$341
_____ Updated Non-Financial or Supplemental Document : \$50 | <input type="checkbox"/> Verified Regulatory Disclosure Statement |
| <input type="checkbox"/> Certified Annual Statement | <input type="checkbox"/> Proposed Business Plan/Plan of Operation in California |
| <input type="checkbox"/> Audited Financial Report
_____ Certified or _____ Verified | <input type="checkbox"/> Biographical Affidavit on the Officers and Directors |
| <input type="checkbox"/> Certified Current License or Certificate of Authority | <input type="checkbox"/> Certified Report of Examination |
| <input type="checkbox"/> Certified of Good Standing or Certificate of Compliance.
If the domiciliary jurisdiction does not issue such a certificate, see Exhibit D . | <input type="checkbox"/> List of Surplus Lines Brokers Authorized to Issue Policies |
| <input type="checkbox"/> Agent for Service of Process | <input type="checkbox"/> March 31st Quarterly Statement & Supplements
_____ Certified or _____ Verified |
| <input type="checkbox"/> Principal Place of Business | <input type="checkbox"/> June 30th Quarterly Statement & Supplements
_____ Certified or _____ Verified |
| <input type="checkbox"/> Market Conduct Report/Information
_____ Certified or _____ Verified | <input type="checkbox"/> September 30th Quarterly Statement & Supplements
_____ Certified or _____ Verified |

CHECKLIST for **ALIEN (NON-US DOMICILED) INSURERS**
CALIFORNIA LASLI FILING REQUIREMENTS

Please make checks payable to the **California Department of Insurance** (CDI). All documents must be submitted in **QUADRUPPLICATE** (one original and three photocopies) to:

**Accounting Services Bureau
State of California Department of Insurance
300 Capitol Mall
Sacramento, CA 95814**

If a required document is available from the National Association of Insurance Commissioners (NAIC) or other public source, then the document need not be filed with the CDI. However, the insurer will have to submit a verified statement to the CDI identifying the document that is available from the NAIC or other public source along with the appropriate filing fee.

- | | |
|--|---|
| <p><input type="checkbox"/> Filing Fee
____ LASLI Application : \$6,113
____ Annual Renewal : \$3,057
____ Updated Financial Document : \$341
____ Updated Non-Financial or Supplemental Document : \$50</p> <p><input type="checkbox"/> Audited Financial Report
____ Certified or ____ Verified</p> <p><input type="checkbox"/> Certified Financial Statement and/or Standard IID (International Insurers Department) Financial Reporting Format
____ Initial or ____ Final</p> <p><input type="checkbox"/> Certified Trust Agreement (as Amended January 1, 2007)</p> <p><input type="checkbox"/> Verified List of Trust Assets as of March 31st</p> <p><input type="checkbox"/> Verified List of Trust Assets as of June 30th</p> <p><input type="checkbox"/> Verified List of Trust Assets as of September 30th</p> <p><input type="checkbox"/> Verified List of Trust Assets as of December 31st</p> <p><input type="checkbox"/> Certified Current License or Certificate of Authority</p> <p><input type="checkbox"/> Certificate of Good Standing or Certificate of Compliance
If the domiciliary jurisdiction does not issue such a certificate, see Exhibit D.</p> | <p><input type="checkbox"/> Agent for Service of Process</p> <p><input type="checkbox"/> Principal Place of Business</p> <p><input type="checkbox"/> Market Conduct Report/Information
____ Certified or ____ Verified</p> <p><input type="checkbox"/> Verified Regulatory Disclosure Statement</p> <p><input type="checkbox"/> Premiums Written in California by Lines of Business</p> <p><input type="checkbox"/> Proposed Business Plan/Plan of Operation in California</p> <p><input type="checkbox"/> Biographical Affidavit on the Officers and Directors</p> <p><input type="checkbox"/> Certified Report of Examination</p> <p><input type="checkbox"/> List of Surplus Lines Brokers Authorized to Issue Policies</p> <p><input type="checkbox"/> Quarterly or Semi-Annual Results
as of _____
____ Certified or ____ Verified</p> |
|--|---|

EXHIBIT F

VERIFICATION

(FOR DOCUMENTS AVAILABLE FROM THE NAIC OR OTHER PUBLIC SOURCE)

As an officer or executive of _____ who has the
(Name of the nonadmitted Insurer)

authority and knowledge to provide this declaration, I declare under penalty of perjury under California law that the document(s) listed below need not be submitted to the California Department of Insurance as they are available from the National Association of Insurance Commissioners.

Document Type

As of Date

Signature

Title

Name

Date