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| --- | --- | --- | --- |
| LINE OF BUSINESS: | **Title** | LINE(S) OF INSURANCE | CODES |
|  |  | Title | 34.0000 |
|  |  |  |  |
| Code: | 34.0000 |  |  |
|  |  |  |  |
|  |  |  |  |
| IF CHECKLIST IS NOT APPLICABLE, PLEASE EXPLAIN: | |  |  |
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| REVIEW REQUIREMENTS | REFERENCE | DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS | LOCATION OF STANDARD IN FILING |
| --- | --- | --- | --- |
| GENERAL REQUIREMENTS FOR ALL FILINGS |  |  |  |
|  |  |  |  |
| COPIES, RETURN ENVELOPES, ETC. |  |  |  |
|  |  |  |  |
| COVER LETTER AND EXPLANATORY MEMORANDUM |  |  |  |
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| Effective Date Wording | [K.S.A. 40-955](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html)  [K.S.A. 40-216](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0016.html)  [K.S.A. 40-952(c)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0052.html) | Forms filings shall be effective on filing unless disapproved within 30 days.  Rates and charges must be placed on file with the Commissioner. |  |
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| FILING SUBMISSION |  |  |  |
|  |  |  |  |
| FREE CONTRACT PROHIBITED |  |  |  |
|  |  |  |  |
| HIGHLY PROTECTED RISKS |  |  |  |
|  |  |  |  |
| LIMITATIONS/RESTRICTIONS ON TRANSACTING BUSINESS |  |  |  |
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| LINE OF AUTHORITY | [K.S.A. 40-901](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0001.html)  [K.S.A. 40-1102](https://www.ksrevisor.org/statutes/chapters/ch40/040_011_0002.html) | Insurer must have Title authority. |  |
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| NAIC # |  |  |  |
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| NO FILE OR FILING EXEMPTIONS | [K.S.A. 40-952(c)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0052.html) | Rates and charges on property located in a County with a population less than 10,000 are exempt from filing requirements. |  |
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| THIRD PARTY FILERS AUTHORITY |  |  |  |
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| TRANSACTING OTHER BUSINESS |  |  |  |
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| FORMS⎯POLICY  PROVISIONS |  |  |  |
|  |  |  |  |
| ACCESS TO COURTS |  |  |  |
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| AMBIGUOUS & MISLEADING | [K.S.A. 40-2404(1a)](https://www.ksrevisor.org/statutes/chapters/ch40/040_024_0004.html) | This statute provision prohibits policy provisions that misrepresent the benefits, advantages, conditions, or terms of any insurance policy. |  |
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| APPLICATIONS | [K.A.R. 40-3-23](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-23.pdf) | Insurers must file applications only if they bind coverage. |  |
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| ASSESSIBLE POLICIES |  |  |  |
|  |  |  |  |
| BANKRUPTCY PROVISIONS |  |  |  |
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| BLANK ENDORSEMENTS | [Bulletin 1998-13](https://insurance.ks.gov/department/LegalIssues/bulletins/1998-13.html)  K.S.A. 40-216  K.A.R. 40-1-32  K.A.R. 40-1-39  K.A.R. 40-3-32 | “Blank,” “Change,” or “Manuscript” endorsement when used on an individual risk basis to broaden or restrict coverage must continue to be submitted for approval pursuant to K.S.A. 40-216 or K.A.R. 40-3-32(d) unless exempted by K.A.R. 40-3-32(b) and (c). Insurers are still required to comply with the filing requirements of K.A.R. 40-1-32 and K.A.R. 40-1-39. |  |
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| CANCELLATION & NON-RENEWAL |  |  |  |
| Calculation of Unearned/Return Premium |  |  |  |
| Conditional Renewal |  |  |  |
| Minimum Retained Premium |  |  |  |
| Notice of Cancellation |  |  |  |
| Notice of Non-renewal |  |  |  |
| Permissible Reasons for Cancellation |  |  |  |
| Permissible Reasons for Non-renewal |  |  |  |
| Required Policy Period |  |  |  |
| Return Premium | [K.A.R. 40-1-17](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-17.pdf) | Request of the return of unearned premium by the insured shall not be required. |  |
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| CERTIFICATIONS | [Bulletin 2010-2](https://insurance.ks.gov/department/LegalIssues/bulletins/2010-2.pdf)  K.S.A. 40-955 | Insurance agents may not issue certificates of insurance that are not filed and approved by the Kansas Insurance Department, or which violate [K.S.A. 40-955b](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055b.html). |  |
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| CONINSURANCE |  |  |  |
|  |  |  |  |
| CONSUMER INFORMATION |  |  |  |
| Credit Scoring Notice |  |  |  |
| Privacy notice | [K.A.R. 40-1-46](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-46.pdf) | This regulation requires all licensees as defined in the regulation to provide privacy notices to its consumers. |  |
| VSI Warning |  |  |  |
| Notification Form |  |  |  |
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| CONTENT OF POLICIES | [K.S.A. 40-216](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0016.html)  [K.A.R. 40-3-32](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-32.pdf)  [K.A.R. 40-1-15](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-15.pdf) | Requires that all contracts of insurance or indemnity be filed with the Commissioner of Insurance  Exceptions to the above  These regulations provides that a policy form shall not contain the name of an insurance company that is “unauthorized” to transact business in Kansas. May use an endorsement to “delete” an unauthorized company. “Unauthorized” means not licensed or has not filed program in question. |  |
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| COUNTERSIGNATURES |  |  |  |
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| DECLARATIONS PAGE | [K.A.R. 40-3-5](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-5.pdf) | This regulation requires the filing of declaration pages, unless the company is a member of a rating organization, and the rating organization has the authority to file on its behalf. |  |
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| DISCLOSURES |  |  |  |
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| DEFINITIONS | [Bulletin 1983-19](https://insurance.ks.gov/department/LegalIssues/bulletins/1983-19.html) | Actual cash value must be defined. |  |
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| DISCRIMINATION |  |  |  |
| Domestic Abuse |  |  |  |
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| DUTY TO DEFEND |  |  |  |
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| EXCESS COVERAGE |  |  |  |
|  |  |  |  |
| EXCLUSIONS & LIMITATIONS |  |  |  |
| Asbestos |  |  |  |
| Lead |  |  |  |
| Mold |  |  |  |
| Terrorism |  |  |  |
| Windstorm |  |  |  |
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| FICTITIOUS GROUPS | [K.A.R. 40-3-6](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-6.pdf) | This regulation prohibits offering a preferred rate, coverage, or premium based on any fictitious group. |  |
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| FORMS MISCELLANEOUS |  |  |  |
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| GROUP POLICIES | [K.S.A. 40-955(m)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html) | Master and group policies are not allowed in P&C lines of coverage except as allowed in K.S.A. 40-955(m). |  |
| Extra-Territorial Approval Authority |  |  |  |
|  |  |  |  |
| INSURANCE TO VALUE | [K.S.A. 40-905](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0005.html) | Value policy law. |  |
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| LIBERALIZATION CLAUSE |  |  |  |
|  |  |  |  |
| LIMITS |  |  |  |
|  |  |  |  |
| LOSS PAYEE |  |  |  |
|  |  |  |  |
| LOSS SETTLEMENTS |  |  |  |
| Action Against Company | [K.S.A. 60-511](https://www.ksrevisor.org/statutes/chapters/ch60/060_005_0011.html) | K.S.A. 60-511 establishes the timeframe for legal actions. |  |
| Deductibles |  |  |  |
| Defense Costs |  |  |  |
| Loss Valuation |  |  |  |
| Notice Requirements |  |  |  |
| Payment of Loss Time Period | [K.S.A. 40-2,126](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0126.html) | This statute requires that an insurer pay a claim within 30 days, or the company will have to pay interest penalties. |  |
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| MORTGAGEE/LIENHOLDER |  |  |  |
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| ORDINANCE/LAW PROVISIONS |  |  |  |
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| PARTICIPATING POLICIES |  |  |  |
|  |  |  |  |
| PERSONAL INJURY PROTECTION |  |  |  |
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| POLICY MUST CONTAIN ENTIRE CONTRACT | [K.A.R. 40-3-11](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-11.pdf) | Possession of policy in person other than insured; copy for insured. |  |
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| PREMIUM AUDIT |  |  |  |
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| PREMIUM REFUND | [K.A.R. 40-1-17](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-17.pdf)  [K.S.A. 40-2,112](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0112.html) | An insured is not required to request the return of unearned premium. Any unearned premium must be sent to the consumer with the cancellation notice. |  |
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| PRIMARY/UNDERLYING COVERAGE |  |  |  |
|  |  |  |  |
| PUNITIVE DAMAGES |  |  |  |
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| READABILITY |  |  |  |
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| REBATES | [K.S.A. 40-966](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0066.html) |  |  |
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| STANDARD FIRE POLICY |  |  |  |
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| SUBROGATION | [K.A.R. 40-1-20](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-20.pdf) | Subrogation clause prohibited for certain coverages |  |
| Suit | [K.S.A. 60-511](https://www.ksrevisor.org/statutes/chapters/ch60/060_005_0011.html) | K.S.A. 60-511 establishes the timeframe for legal actions. |  |
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| TIMELINESS |  |  |  |
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| WATER/SEWER BACK-UP |  |  |  |
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| VALUED POLICIES | [K.S.A. 40-905](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0005.html) | Value policy law. |  |
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| VOIDANCE | [K.S.A. 40-2,120](http://www.kslegislature.org/li/statute/040_000_0000_chapter/040_002_0000_article/040_002_0118_section/040_002_0118_k/)  K.S.A. 40-2,121  K.S.A. 40-2,122  K.A.R. 40-3-15 | Kansas insurance law makes no provisions for the voiding or rescinding of an insurance contract. The policy may be cancelled or non-renewed in accordance with the provisions of K.A.R. 40-3-15 and K.S.A. 40-2,120 through 40-2,122. |  |
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| WARRANTIES | [K.A.R. 40-3-16](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-16.pdf) | Insurers cannot require insureds to make expressed or implied warranties of any fact or allegation in an application or policy. |  |
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| OTHER |  |  |  |
|  |  |  |  |
| RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY FILING REQUIREMENTS |  |  |  |
|  |  |  |  |
| INDIVIDUAL RISK RATING |  |  |  |
|  |  |  |  |
| ACTUARIAL CERTIFICATIONS FOR RATES |  |  |  |
|  |  |  |  |
| ADOPTIONS OF RATE SERVICE ORGANIZATIONS (RSO) FILINGS |  |  |  |
| Loss Costs |  |  |  |
|  |  |  |  |
| CONSENT-TO-RATE |  |  |  |
|  |  |  |  |
| CREDIT SCORING AND REPORTS |  |  |  |
|  |  |  |  |
| CATASTROPHE HAZARDS |  |  |  |
|  |  |  |  |
| CREDIBILITY AND OTHER FACTORS |  |  |  |
|  |  |  |  |
| DEFENSE COSTS |  |  |  |
|  |  |  |  |
| DISCOUNTS |  |  |  |
|  |  |  |  |
| EXPIRATION DATE(S) FOR APPROVED RATES |  |  |  |
|  |  |  |  |
| GROUP POLICIES |  |  |  |
| Extra-Territorial Approval Authority |  |  |  |
|  |  |  |  |
| REVIEW REQUIREMENTS |  |  |  |
|  |  |  |  |
| LOSS RATIO STANDARDS |  |  |  |
|  |  |  |  |
| MID TERM CHANGES |  |  |  |
|  |  |  |  |
| LOSS COST MULTIPLIERS |  |  |  |
|  |  |  |  |
| PREMIUM REFUND OR RETENTION | [K.A.R. 40-1-17](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-17.pdf) [K.S.A. 40-2,112](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0112.html) | An insured is not required to request the return of unearned premium. Any unearned premium must be sent to the consumer with the cancellation notice. |  |
|  |  |  |  |
| PRICING |  |  |  |
| Charges |  |  |  |
| Minimum Premium Rules |  |  |  |
| Multi-tier |  |  |  |
| Payment Plans |  |  |  |
| Premiums |  |  |  |
| Service Charges | [K.A.R. 40-1-9](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-9.pdf) | This regulation defines service charges as premium. |  |
| Surcharges | [K.A.R. 40-1-9](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-9.pdf) | This regulation defines service charges as premium. |  |
| Other Fees | [K.A.R. 40-1-9](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-9.pdf) | This regulation defines service charges as premium. |  |
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| RATE RANGES | [K.S.A. 40-953](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0053.html) | Range of Rates are not permitted in Kansas |  |
|  |  |  |  |
| RATING PLAN REQUIREMENTS | [K.S.A. 40-952(c)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0052.html) | All rates and charges made in connection with the issuance, sale or servicing of title insurance policies or real estate transactions in Counties with a population of more than 10,000 must be filed. |  |
| Expense Modification Plan |  |  |  |
| Experience Rating |  |  |  |
| IRPM |  |  |  |
| Large Deductible |  |  |  |
| Retrospective Rating |  |  |  |
| Schedule Rating |  |  |  |
| Small Deductible |  |  |  |
| Wrap-up Rating |  |  |  |
|  |  |  |  |
| RATE/LOSS COST SUPPORTING INFORMATION |  |  |  |
| Competition |  |  |  |
|  |  |  |  |
| REVIEW REQUIREMENTS |  |  |  |
| Expenses |  |  |  |
| Experience |  |  |  |
| Judgment |  |  |  |
| Credibility |  |  |  |
| Profit Loading |  |  |  |
|  |  |  |  |
| RETURN ON EQUITY/INVESTMENT INCOME |  |  |  |
|  |  |  |  |
| RISK CLASSIFICATION |  |  |  |
|  |  |  |  |
| SUPPORTING DATA |  |  |  |
|  |  |  |  |
| TRENDING |  |  |  |
|  |  |  |  |
| OTHER |  |  |  |