



**Florida Office of Insurance Regulation**

## Home Warranty Association Exception

Licensee Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
(City) (State) (Zip Code)

Federal Identification Number ("FEIN"): \_\_\_\_\_

Florida Company Code: \_\_\_\_\_

If the Home Warranty Association is a wholly owned subsidiary of a parent corporation, and the parent corporation's net worth is being used to qualify for this exception, provide the parent corporation's information.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
(City) (State) (Zip Code)

Federal Identification Number ("FEIN"): \_\_\_\_\_

Florida Company Code (if not applicable, indicate by stating such): \_\_\_\_\_

1. The Service Warranty Association seeking this exemption, or its parent corporation if it is a wholly owned subsidiary, must maintain, at all times, a net worth of at least \$100 million USD. The required net worth is maintained by:

\_\_\_ the Service Warranty Association itself, **or**  
\_\_\_ the parent corporation listed above.

**Licensee Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

2. The following documents must accompany this form and be filed in the Company's annual statement filing in the Regulatory Electronic Filing System (REFS), which is located at <https://refs.fldfs.com/Account/Login>:
  - a. Copies of the Home Warranty Association's annual audited financial reports or the audited consolidated financial statements of the Association's parent corporation, clearly showing a net worth of \$100 million USD or more. These statements must be prepared by an independent certified public accountant in accordance with generally accepted accounting principles.
  - b. Copies of the Home Warranty Association's or its parent corporation's Form 10-K, Form 10-Q, or Form 20-F as most recently filed with the SEC or the equivalent documents filed with another recognized stock exchange.
3. If the net worth of the parent corporation is used to satisfy the net worth provision, the application must also be accompanied by:
  - a. A statement that the parent corporation guarantees all service warranty obligations of the association, wherever written. No cancellation, termination, or modification of this guarantee will be effective unless the parent corporation provides the office with 90 days' notice of the cancellation, termination, or modification, and demonstrates that the Home Warranty Association will meet all requirements of Section 634.3077, Florida Statutes, on or before the effective date of the cancellation, termination, or modification.
  - b. A statement that the Home Warranty Association shall maintain a net worth of at least \$750,000 USD at all times.
4. Maintaining the exception:

In order to maintain the exception provided for in Section 634.3077(5), Florida Statutes, the Home Warranty Association or its parent company must submit on a quarterly basis the following documents via REFS, which is located at <https://refs.fldfs.com/Account/Login>.

- a. A written statement that the Home Warranty Association or its parent corporation maintains the \$100 million net worth required under the statute. These quarterly filings will be due on May 15 for the first quarter, August 15 for the second quarter, November 15 for the third quarter, and the annual filing is due on March 1 of the following year.
- b. Copies of Forms 10-K, Form 10-Q, or Form 20-F, filed with the SEC or equivalent documents required to be filed with another recognized stock exchange. These shall be provided on a quarterly and annual basis within 10 days after the last date each such report must be filed with the Securities and Exchange Commission, the National Association of Securities Dealers Automated Quotation system, or other recognized stock exchange.

**OIR-A3-1000**  
**Effective: 07/24**  
**Rule: 690-199.005**

**Licensee Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

The undersigned state that they have personal knowledge of the document submitted to the Florida Office of Insurance Regulation in connection with the intention of \_\_\_\_\_ (“Home Warranty Association”) to seek an exception from the requirements that a home warranty association maintain an unearned premium reserve, maintain liability insurance and not exceed the specified ratio of premiums to net asset limitation set under Section 634.3077, Florida Statutes; that they have read all of the responses, information, exhibits, and documents submitted with, and in support of, this; and that the submissions are true, correct, and complete to the best of their knowledge. The undersigned further represents that they have the authority to bind the Applicant, and that by their signature here below the Applicant has executed the instrument.

The undersigned understands that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duties is guilty of a misdemeanor of the second degree, pursuant to Section 837.06, Florida Statutes, punishable as provided in Section 775.082 or Section 775.083, Florida Statutes.

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_