



**Florida Office of Insurance Regulation**

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**APPLICATION FOR LICENSE  
MOTOR VEHICLE SERVICE AGREEMENT COMPANY**

This packet is designed to assist individuals in preparing the application in accordance with Florida Statutes and Rules and to facilitate expeditious processing of the application by the Florida Office of Insurance Regulation (Office).

Please submit all documents required by this packet in searchable PDF format unless otherwise indicated or required by Florida Statutes.

If this packet requires submission of forms or rates, upon receipt of an email notification of acceptance of the application, the Applicant is directed to return to the Industry Portal <https://www.floir.com/iportal> and select Insurance Regulation Filing System (IRFS) to begin the submission of forms and/or rates.

In order for a submission to be considered a complete application, all required information must be included in the filing, including the completed application checklist.

The completed application packet must be submitted to the Office at the following link:

**<https://www.floir.com/iportal>**

Any questions concerning this application packet may be directed to [pcappcoord@floir.com](mailto:pcappcoord@floir.com).

# APPLICATION FOR LICENSE MOTOR VEHICLE SERVICE AGREEMENT COMPANY

## INSTRUCTIONS

### SECTION I - APPLICATION FEES

#### **Section I-1            Application Fees**

Applicants\* must pay a license fee of \$100 U.S. Dollars ("USD"), pursuant to Sections 634.061 and 634.071, Florida Statutes. This fee is due at the time the application packet is filed and is not refundable.

#### **Section I-II            Fingerprint Fees**

Applicants are required to pay a fee for the processing of the fingerprint cards required in Section IV-4. Please see Form OIR-C1-938, Fingerprint Payment and Submission Procedure, for instructions.

#### **Section I-3            Application Checklist and Certification**

Pursuant to Section 634.061(1), Florida Statutes, each Motor Vehicle Service Agreement Company application must be under oath. Accordingly, Applicant should have page 12 executed and returned with its application and the checklist.

\*See Section IV-5 on page 8 of this Application for entities wishing to apply as a Motor Vehicle Manufacturer rather than a Motor Vehicle Service Agreement Company.

**OIR-C1-994**  
**Rev.: 07/23**  
**Rule: 69O-200.004**

# APPLICATION FOR LICENSE MOTOR VEHICLE SERVICE AGREEMENT COMPANY

## SECTION II - LEGAL

### **Section II-1           Articles of Incorporation**

Submit a copy of Applicant's Articles of Incorporation or Partnership Agreement, unless entity is a sole proprietorship, complete with all amendments, and certified within the last year by the public official with whom the originals are on file in the state or jurisdiction of domicile. Partnership Agreements that are not on file in the jurisdiction of domicile should be certified as true and correct by one of the partners.

### **Section II-2           Certificate of Status from State of Domicile**

If Applicant is not a Florida domestic company, submit a certificate of status from the domiciliary jurisdiction dated within the last year. A certificate of status is a document issued by the public official having supervision of the records of corporations in the Applicant's home state or jurisdiction of domicile, usually the Secretary of State or equivalent office, that shows the company is duly organized in the state or jurisdiction of domicile and that all taxes and fees have been paid.

### **Section II-3           Certificate of Status from Florida**

Submit a certificate of status from the Florida Secretary of State dated within the last year.

### **Section II-4           Company Bylaws**

Submit a copy of Applicant's Bylaws or equivalent document, if any. This document should be certified by Applicant's Secretary, or equivalent position, as a true and correct copy of the current document and dated within the last year. Only the Secretary's signature will be accepted, unless this position does not exist.

### **Section II-5           Service of Process Consent and Agreement**

Submit the executed Service of Process Consent and Agreement Form OIR-C1-144. No signatures other than those of the President or Chief Executive Officer and the Secretary will be accepted.

### **Section II-6           Authorization Letter**

Provide a letter of authorization for any person, other than Applicant's personnel, who is authorized to represent the Applicant before the Office in this matter. This letter should be dated within the last year.

### **Section II-7           Fictitious Name Filing**

If the organization plans to utilize a fictitious name, submit evidence of compliance with Section 865.09, Florida Statutes.

**OIR-C1-994**  
**Rev.: 07/23**  
**Rule: 69O-200.004**

# APPLICATION FOR LICENSE MOTOR VEHICLE SERVICE AGREEMENT COMPANY

## SECTION III – FINANCIAL

### **Section III-1      Financial Statements**

Applicant must provide the most recent financial statement reflecting minimum net assets maintained in the United States of at least \$500,000 USD, and contain a balance sheet, income statement, and statement of cash flows. These statements should be certified as true and correct by two officers and may not be more than 12 months old. Applicant should also submit the same for its immediate parent.

### **Section III-2      Financial Requirements**

1. Applicant must comply with one of the following two options:
  - a. Supply the Office with a copy of an approved executed contractual liability insurance policy as set forth in Section 634.041(8)(b), Florida Statutes. The insurance company issuing the policy must be a Florida admitted property and casualty insurance company whose Certificate of Authority allows it to write this type of policy. Policies issued by Surplus Lines insurers are not acceptable; **or**
  - b. Supply the Office with a sworn statement of Applicant's intentions to establish and maintain a 50% reserve as outlined by Section 634.041(8)(a), Florida Statutes. Applicants choosing this option must also place a deposit with Bureau of Collateral Management (see instructions in III-3 below) equal to 15% of unearned premium reserve, as explained in Section 634.041(8)(a)(3), Florida Statutes.

### **Section III-3      Deposit**

Pursuant to Section 634.052, Florida Statutes, Applicant must, prior to the issuance of a license, provide evidence of the appropriate deposit as below:

- a. If Applicant has \$750,000 USD or less in unearned gross written premiums it shall place with the Bureau of Collateral Management a deposit of at least \$100,000 USD.
- b. If Applicant has more than \$750,000 USD in unearned gross written premiums it shall place with the Bureau of Collateral Management a deposit of at least \$200,000 USD.

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Deposits should be made in accordance with the provisions of Section 625.52, Florida Statutes. For information on how to make the required securities deposit, contact the Bureau of Collateral Management at (850) 413-3167, or:

Florida Department of Financial Services  
Bureau of Collateral Management  
200 East Gaines Street  
Tallahassee, FL 32399-0345

### Section III-4      **Plan of Operations**

It is important for the Office to have a clear understanding of the proposed operations of the specialty insurer and the goals it seeks to achieve. To fulfill this requirement, the plan of operations must consist of the following information:

- a. History:** Applicant should prepare a brief history of the company since its incorporation. Indicate any changes of ownership or changes in operations. Indicate any actions taken by governmental agencies that have or had jurisdiction over the company.

In this section list all companies or individuals affiliated with the Applicant. If a company, indicate what its principal business is. In addition, provide a list of all d/b/a's, trade names, or fictitious names, plan or contract names, or any other name the general public may recognize.

- b. Organizational Chart:** Furnish a complete organizational chart for Applicant fully disclosing the relationship between all entities in the organizational structure, including all parent, holding, and subsidiary entities, as well as any and all affiliated entities, and clearly stating all ownership percentages, if applicable.
- c. Management:** Applicant should provide information regarding the motor vehicle service warranty experience of individuals in key areas of management and should outline specifically how each of the following will be handled: marketing, claims handling, accounting, and investments.
- d. Products:** Applicant should give a description of each product it plans to market.
- e. Marketing and Growth:** Applicant should furnish a plan of marketing including methods, rates, commissions, projected growth pattern, and other pertinent information affecting marketing plans.
- f. Administration:** If Applicant chooses to use an administrator, the administrator must also obtain licensure as a Motor Vehicle Service Agreement Company, pursuant Section 634.031, Florida Statutes.

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## **Section III-5 States Where Applicant is Currently Doing Business**

Applicant should provide a list of states in which it conducts motor vehicle service warranty business.

## **Section III-6 Financial Projections**

Applicant should submit projected total premiums for the first three years of operation from the time of expected licensure. Submissions should include the underlying assumptions, the projected number of contracts sold, and the average premium under each type of contract. This information should be provided for Florida only, as well as separately for all business.

## **Section III-7 Alphabetical List of Proposed Sales Representatives**

Applicant should provide a list of its proposed sales representatives. It is understood that most applicants do not have a complete sales force in place; however, this information should be provided to the best of your ability.

Information on the licensing of sales representatives may be obtained from the Florida Department of Financial Services, Division of Agent & Agency Services, by calling 1-877-MY-FL-CFO (1-877-693-5236), or (850) 413-3089, if calling from out of state.

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## SECTION IV – MANAGEMENT

### **Section IV-1 Management Information Forms**

Submit Management Information Form OIR-C1-2221 fully describing Applicant's management, ownership, and all individuals or entities having direct or indirect control up to and including any 10% or greater interest holders of the ultimate parent. A Management Information Form should be submitted for each entity in the ownership chain.

Forms should contain the First, Middle, and Last name of listed individuals. Please state if a middle name does not exist.

### **Section IV-2 Biographical Affidavits as to Officers, Directors, and Shareholders**

Provide a Uniform Certificate of Authority Application (UCAA) Biographical Affidavit Form OIR-C1-1423 (NAIC Form 11) for each individual listed in Section IV-1. Applicant may omit individuals for those companies in the organizational structure between the immediate parent and the ultimate parent. Please note that if an individual has a Biographical Affidavit with an associated background report on file with the Office, and the Biographical Affidavit was signed and notarized within 2 years of the date of the Application being filed, a Biographical Affidavit and associated background report need not be submitted for that individual.

All questions must be answered. All "Yes" answers must be explained.

Each Biographical Affidavit must be signed and notarized.

The affiant's social security number must be submitted to the Office. Section 119.071(5), Florida Statutes, gives authority for an agency to collect social security numbers if imperative for the performance of that agency's duties and responsibilities as prescribed by law. Limited collection of social security numbers is imperative for the Office to ensure that the owners, management, officers, and directors of any entity regulated by the Office are competent and trustworthy, possess financial standing and business experience, and have not been found guilty of, or not pleaded guilty or nolo contendere to, any felony or crime punishable by imprisonment of one year or more.

However, pursuant to Section 119.071(5), Florida Statutes, social security numbers collected by an agency are confidential and exempt from Section 119.07(1), Florida Statutes, and Section 24(a), Art. I of the State Constitution and must be segregated on a separate page. Therefore, please include the affiant's name and social security number on the separate page marked CONFIDENTIAL and provided in this packet and attach that page to the Uniform Certificate of Authority Application (UCAA) Biographical Affidavit Form OIR-C1-1423 (NAIC Form 11) that is also included in this packet.

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## **Section IV-3            Background Investigative Report**

A Background Investigative Report must be provided for each person for whom a Biographical Affidavit is required, as described above. Background reports must be submitted by an approved background investigation vendor directly to the Office. Attach proof of payment confirming that all background reports have been ordered when submitting the application. Please refer to Form OIR-C1-905, Instructions for Furnishing Background Investigative Reports, included in this packet.

The NAIC approved background investigation vendor list can be found at:

[https://www.naic.org/documents/industry\\_ucaa\\_third\\_party.pdf](https://www.naic.org/documents/industry_ucaa_third_party.pdf)

## **Section IV-4            Fingerprint Cards**

Fingerprint cards must be provided to the Office for each person for whom a Biographical Affidavit is required. Please refer to Form OIR-C1-938, Fingerprint Payment and Submission Procedure, for instructions. If an individual has submitted a fingerprint card dated within 5 years of the date of the Application filing, a fingerprint card need not be submitted for that individual.

## **Section IV-5            Motor Vehicle Manufacturers**

Entities that qualify as Motor Vehicle Manufacturers pursuant to Section 634.011(7), Florida Statutes, may apply for licensure in accordance with Section 634.041(12), Florida Statutes.



# APPLICATION FOR LICENSE MOTOR VEHICLE SERVICE AGREEMENT COMPANY

## CHECKLIST

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

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

Home Office Address: \_\_\_\_\_  
(Street Address) (City) (State) (Zip Code)

Phone Number: \_\_\_\_\_

**Please complete and check off all items prior to submission. Applicant should provide an explanation for any items that have not been checked off and submitted.**

### SECTION I - APPLICATION FORM & FEES

- 1. Application fee paid
- 2. All fingerprint fees paid electronically
  - a. Copies of online payment confirmation
- 3. Application checklist and certification

### SECTION II – LEGAL

- 1. Articles of Incorporation or Partnership Agreement (if applicable)
  - a. Appropriately Certified
- 2. Certificate of Status from Domiciliary Jurisdiction (if applicable)
- 3. Certificate of Status from Florida
- 4. Company Bylaws or equivalent (if applicable)
  - a. Certified by Secretary
- 5. Service of Process Consent and Agreement Form OIR-C1-144
- 6. Authorization Letter (if applicable)
- 7. Fictitious Name Filing (if applicable)

**APPLICATION FOR LICENSE MOTOR VEHICLE SERVICE AGREEMENT COMPANY**

**SECTION III – FINANCIAL**

- 1. Financial Statements
  - a. Balance Sheet
  - b. Income Statement
  - c. Statement of Cash Flows
  - d. Certified by 2 Officers
  - e. Not more than 12 months old
  - f. Provided for Parent (as applicable)
- 2. Financial Requirements (a or b)
  - a. Executed Contractual Liability Policy, or
  - b. A sworn statement to establish and maintain an unearned premium reserve
- 3. Securities Deposit
  - a. Appropriate security deposit (see page 4)
- 4. Plan of Operations
  - a. History
  - b. Organizational Chart
  - c. Management
  - d. Products
  - e. Marketing and Growth
- 5. List of states where Applicant and affiliates are currently doing business
- 6. Financial Projections for 3 years
  - a. Florida
  - b. Nationwide
- 7. Alphabetical List of Proposed Sales Representatives

# APPLICATION FOR LICENSE MOTOR VEHICLE SERVICE AGREEMENT COMPANY

## SECTION IV – MANAGEMENT

- 1. Management Information (Form OIR-C1-2221) submitted for all required entities
- 2. Biographical affidavits (Form OIR-C1-1423) submitted for all required individuals
  - a. All information completed (no blanks)
  - b. “Yes” answers explained
  - c. Signed
  - d. Notarized
- 3. Background investigative reports for all required individuals (Form OIR-C1-905). The reports must be based on the Biographical Affidavits submitted to the Office with this Application.
  - a. Proof of order and confirmation of payment submitted to the Office
- 4. Fingerprint cards for all required individuals (Form OIR-C1-938)
  - a. All information completed (no blanks)
  - b. Signed

**APPLICATION FOR LICENSE MOTOR VEHICLE SERVICE AGREEMENT COMPANY**

**APPLICATION CERTIFICATION**

To be executed by Applicant’s President or equivalent.

The undersigned state that they are officers having personal knowledge of the application submitted to the Florida Office of Insurance Regulation in connection with the intention of \_\_\_\_\_ (“Applicant”) to seek licensure as a Motor Vehicle Service Agreement Company or Manufacturer; that they have read all of the responses, information, exhibits, and documents submitted with, and in support of, this application; and that the submissions are true, correct, and complete to the best of their knowledge. The undersigned further represent that they have the authority to bind the Applicant, and that by their signatures on the instrument the Applicant has executed the instrument.

The undersigned understand 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: \_\_\_\_\_

[Corporate Seal]

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

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

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

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or

online notarization, this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by \_\_\_\_\_  
(name of person)

as \_\_\_\_\_ for \_\_\_\_\_  
(type of authority; e.g., officer) (company name)

\_\_\_\_\_  
(Signature of the Notary)

\_\_\_\_\_  
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

My Commission Expires \_\_\_\_\_