



EXCESS LINE ASSOCIATION  
OF NEW YORK

One Exchange Plaza / 55 Broadway (29<sup>th</sup> Floor)  
New York, New York, 10006-3728

James Davis  
Financial Director

**FILING REQUIREMENTS  
FOR NEW APPLICANTS  
YEAR 2017**

Insurers seeking to be listed on ELANY's voluntary list of eligible non-admitted insurers should mail an application to the Excess Line Association of New York. As of January 1, 2016, the minimum requirements for eligibility for a foreign insurer include a policyholders' surplus of at least \$46,000,000 and a license from the insurer's domicile state permitting it to write the lines of business it seeks to write in New York.

The enactment of the NRRA in July 2011 resulted in statutory changes to New York Law and a re-write of Regulation 41. These changes to the Regulation are set forth in the 14<sup>th</sup> Amendment to Reg 41. The Regulation, as amended, requires that the E&S broker obtain, review and retain certain documents in order to meet the "due care" standard when selecting an excess line insurer.

Brokers are relieved of this responsibility to the extent that ELANY obtains these documents. Therefore, to ease the insurer's burden of having to provide these documents to each broker with whom they do business, ELANY will continue to request and review these documents from insurers' writing, or seeking to write, surplus lines business in New York.

Attached is a list of items to be submitted to this Association (and to the New York State Department of Financial Services, where indicated).

**All documents are to be mailed as follows:**

**Excess Line Association of New York**  
One Exchange Plaza/55 Broadway  
29<sup>th</sup> Floor  
New York, New York 10006  
Attn: James Davis  
[jdavis@elany.org](mailto:jdavis@elany.org)

**New York State Department of Financial  
Services, Insurance Division**  
One State Street  
New York, New York 10004-1511  
Attn: Jose Joseph  
Supervising Insurance Examiner  
Property Bureau, Second Floor  
[jose.joseph@dfs.ny.gov](mailto:jose.joseph@dfs.ny.gov)

Should you need further assistance, please contact James Davis at  
646-292-5575 or [jdavis@elany.org](mailto:jdavis@elany.org)



## Attachment

### 2017 APPLICATION FILING REQUIREMENTS

DOCUMENT	DESCRIPTION
1) 2016 Annual Statutory Financial Statement	Provide a signed notarized 8½” by 14”.
2) 2016 Combined Annual Statutory Financial Statement	Provide a copy if the company is required to file.
3) 2016 Parent Company Financial Statement	A copy of the most recent audited financial statement for the ultimate parent of the company.
4) Management Discussion and Analysis	A copy of the MD&A that accompanies the Annual Statutory Financial Statement.
5) Current license or Certificate of Authority	If dated more than 60 days prior to submission date, include a current insurance department issued certificate indicating lines of business authorized to write.
6) Statement of Actuarial Opinion (“SAO”) and Actuarial Opinion Summary (“AOS”) 2016	Completed by qualified actuary under NAIC requirements.
7) IRIS Test Results 2016	A copy of the test results and, where applicable, any responses by the company to the NAIC regarding unusual values.
8) EL-1 Form-Certifying no New York business written	A report of N.Y. business bound during 2016 as required by Reg. 41 §27.13 (g). This document should be prominently stamped “Confidential – Proprietary Information not to be released to third parties”. The required EL-1 Report format is available on the New York State Department of Financial Services website <a href="http://www.dfs.ny.gov/insurance/datacall/calls/reg41exc.htm">http://www.dfs.ny.gov/insurance/datacall/calls/reg41exc.htm</a> . <b>The completed report should be emailed to the New York State Department of Financial Services, Insurance Division and to ELANY.</b>
9) Copies of each/any Binding Authority Agreements	Complete signed copies of such agreements should be filed for anyone producing 10% or more of your New York or national business.

10) Current Reinsurance Program  
Summary

Outline the program structure, treaty or facultative, quota share, excess, catastrophe cover, stop loss, surplus or other type, classes of business covered, attachment point(s), limits, whole account or by program and identify each current reinsurer with their participations on each reinsurance contract.

11) Report on Examination

Provide a copy of the latest Report on Examination.