

# THE **E&S** *Empire Express*

## The Best Laid Plans of Mice and Men...

Often go askew, wrote Scottish poet Robert Burns in 1765. Is there anyone who can't relate this observation to recent events?

For ELANY, this meant temporarily leaving our sparkling new offices on March 20th, which were officially opened only 18 days earlier. The March 2nd relocation to ELANY's new headquarters on Wall Street went smooth as silk - the result of many months of detailed planning. Going to a full work from home environment on March 20th was more of a nimble response to extraordinary current events.

Our first priority was to get ELANY

staff out of harm's way, and provide a safe and healthy work-from-home environment for all. In that, we were successful.

The second priority was to ensure that ELANY members continue to enjoy the same high quality service as always. Our staff deserves a great deal of credit for pulling this off under unexpected circumstances. Zoom, Blue Jeans and Web X supplanted conventions, events and office meetings.

ELANY recognized a number of difficulties members face with their own remote work arrangements, as well as a barrage of new laws and regulations from numerous states. Workarounds for

*Dan Maher,  
Executive Director,  
ELANY*



those who lack printers and scanners at home were established. The ELANY Board of Directors waived late fees for several months. ELANY continues to keep members informed of Executive Orders and Emergency Regulations, providing real time interpretations and

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## New York Institutes COVID-19 Requirements

Governor Andrew Cuomo issued [Executive Order 202.13](#) on March 29, 2020 that included a temporary 60-day moratorium on property-casualty insurance policy cancellations, non-renewals and conditional renewals running from the date a policy would otherwise be cancelled, non-renewed or conditionally renewed. The moratorium applies where an individual or small business policyholder claims a COVID-19 related financial hardship. The New York Department of Financial Services followed with an Emergency Regulation that additionally created a premium payment grace period. Where a policyholder can demonstrate financial hardship as a result of the COVID-19 pandemic, an insurer may not impose any premium payment late fees and

may not report the policyholder to a credit reporting agency or debt collection agency based on later payment. Such policyholders may pay impacted premiums over a 12-month period. In addition, the Emergency Regulation requires that insurers and producers send notices to policyholders.

The Emergency Regulation implementing the cancellation/nonrenewal/conditional renewal moratorium, premium payment grace period and notification requirements applies only to certain excess line policies, specifically a) personal lines policies, and b) small business commercial lines policies that include coverage for damage to real property against the peril of fire. Its applicability has been extended multiple times and is currently in effect through July 6, 2020 unless once again extended. ■

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New York, NY 10005  
646.292.5500 | [info@elany.org](mailto:info@elany.org)  
**[www.elany.org](http://www.elany.org)**

## Changes to ELANY's Batch Processing Protocol

ELANY has created a secure web upload portal that allows brokers to submit or resubmit any documents that are incorrect, incomplete, or missing from previously submitted batches. ALL SUCH SUBMISSIONS MUST BE MADE UTILIZING THE PORTAL, WHICH IS AVAILABLE ON THE [ELANY ELECTRONIC FILING SYSTEM \(EEFS\)](#). ELANY examiners will redirect any document emailed to them by brokers as a replacement or additional document for a transaction to that broker for submission through the portal. The implementation of this best practice is intended to reduce exposure to ransomware, spyware, and phishing attacks. Your cooperation is much appreciated! ■

## The Best Laid Plans of Mice and Men...

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guidance as well as summaries of legislative proposals arising from the pandemic.

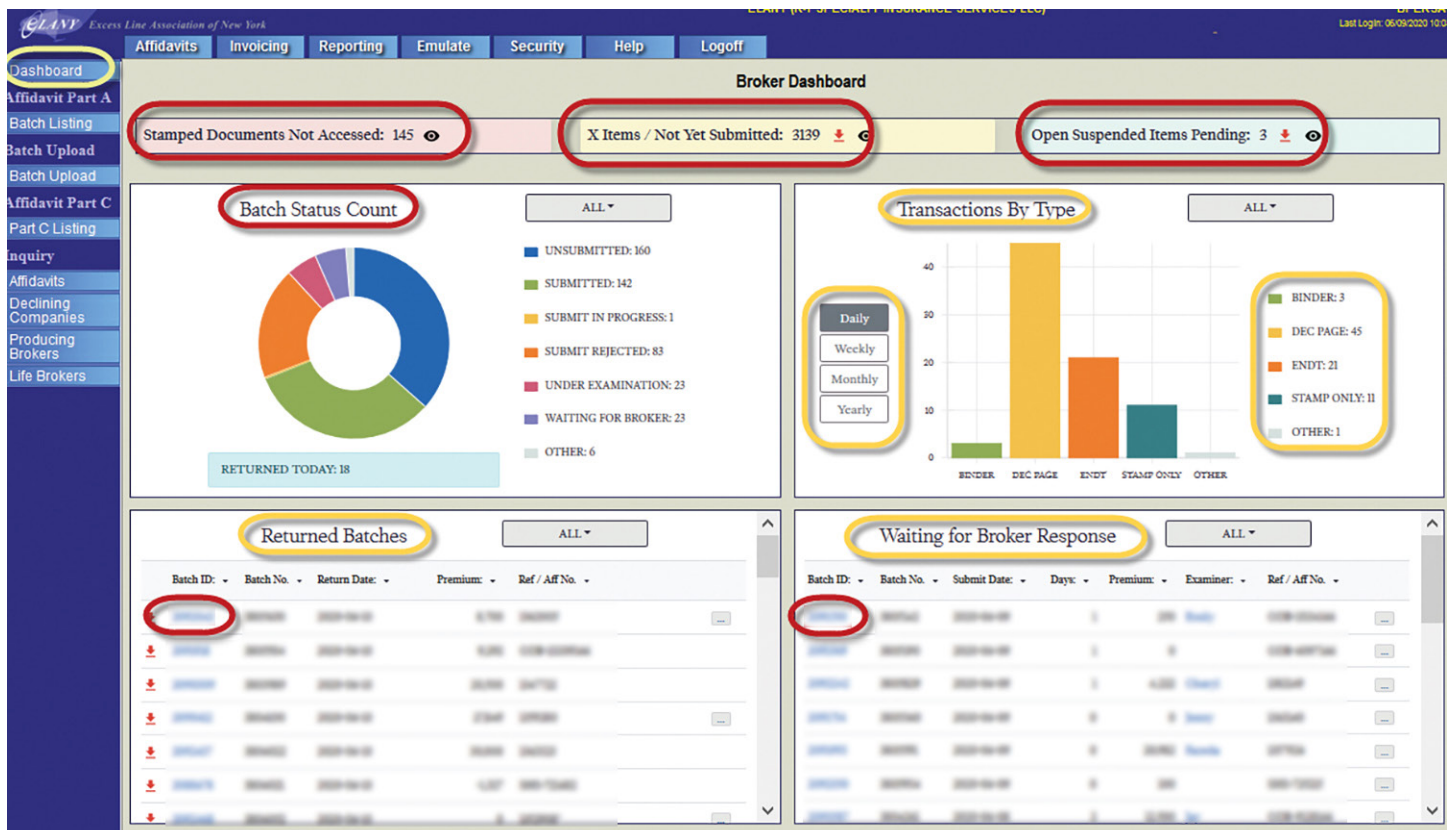
The market began to slow due to disruption from the pandemic as demonstrated by ELANY's April and May numbers. May 2020 premiums were down by \$65 million compared with May 2019, but year over year premiums through May were still up by nearly 5%. Transactions, on the other hand, were down by approximately 10,000 for the months of April and May compared to last year, and about 5% year over year through May. This trend may well reverse itself during the second half of 2020.

As for returning to our new headquarters, we have a plan but are mindful that the best laid schemes of mice and men... ■

## EEFS Dashboard Now Available!

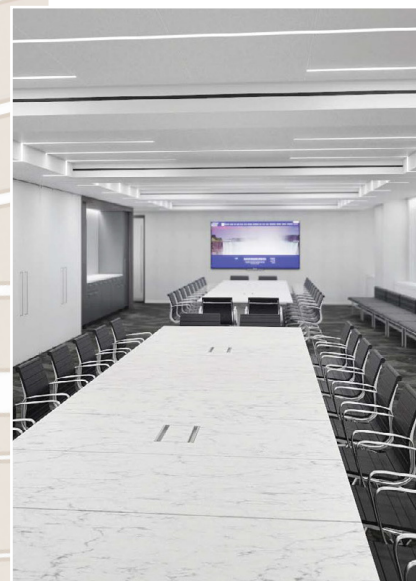
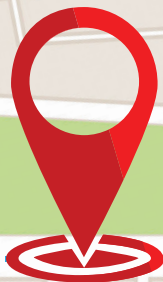
ELANY is pleased to have released a "Broker Dashboard," which has been created to provide members with a status snapshot of their current filing activity. This is now the starting point after logging into [EEFS](#). Members have an overview of the following types of information: **Batch Status** – current day's batch activity, including outstanding binders, stamped documents not accessed, and open suspended items; **Transactions by Type**

– displays the breakdown of transactions created which allows the user to review counts for the current day, week, month or year; **Returned Batches** – listing of batches that have recently been processed and returned by ELANY; **Waiting for Broker** – listing of batches that are currently flagged by ELANY requiring additional information. The Dashboard significantly improves the broker experience when interfacing with ELANY. ■





# We've Moved



*Conference Center*

**O**n March 2, 2020, ELANY moved its offices from 55 Broadway in New York's Financial District to 120 Wall Street along the East River. The move was motivated by a need for a larger space to accommodate expansion efforts, including a state-of-the-art conference center available free to members and industry associations. The space, located on the 24th floor of a New York City historic building known for its "wedding-cake" style architecture, has unobstructed views of the East River from the Brooklyn Bridge down to the Verrazano-Narrows Bridge.

"Our members are evolving to meet the challenges of tomorrow and ELANY will be there to support them every step of the way. This move to a cutting-edge office space will support our efforts to do just that," said Dan Maher, Executive Director at ELANY. ■

## Excess Line Association of New York



**Our new mailing address effective immediately:**

**120 Wall Street, 24th Floor  
New York, NY 10005**



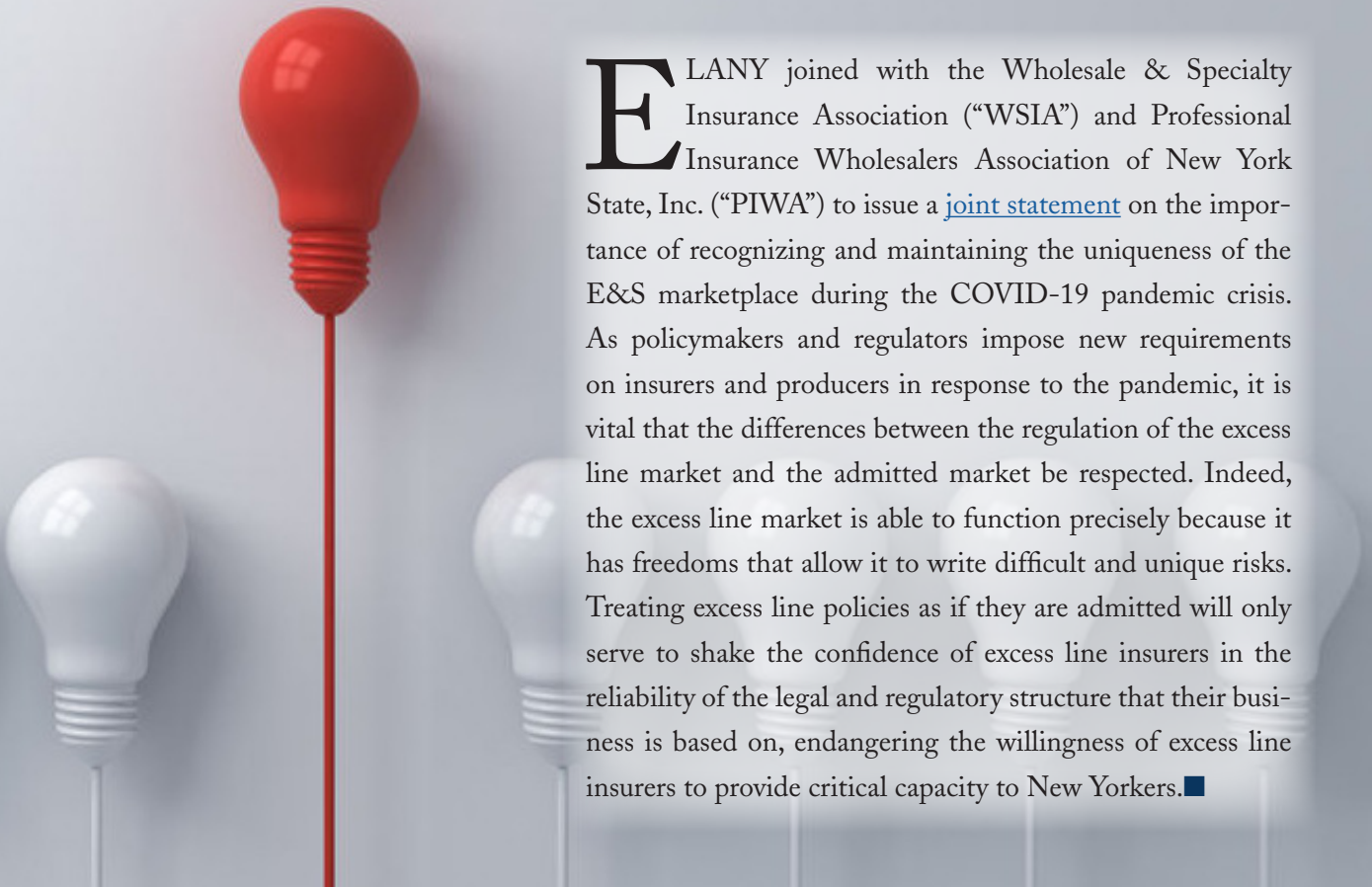
*Lobby*

## DFS Launches New Fast Forward Initiative

The New York Department of Financial Services (“DFS”) has launched a new initiative “to support innovators seeking to deliver new solutions in financial services, Fintech, InsurTech, and HealthTech for New Yorkers in the COVID-19 era.” [The Fast Forward program’s](#) goal “is to reduce barriers and speed up the regulatory process for innovators - from startups to well-established firms - to help New York build back better and stronger through economic development/job creation and improved products and services for consumers and small businesses.” The DFS is requesting ideas, especially those that would enable small businesses to survive, adapt and grow, as well as access to health care and helping households, particularly those hardest hit by COVID-19, build greater financial resilience. ELANY will be reviewing potential opportunities for regulatory improvements and streamlining to be submitted to the DFS.■

**THE FAST FORWARD PROGRAM’S GOAL “IS TO REDUCE BARRIERS AND SPEED UP THE REGULATORY PROCESS FOR INNOVATORS - FROM STARTUPS TO WELL-ESTABLISHED FIRMS - TO HELP NEW YORK BUILD BACK BETTER AND STRONGER THROUGH ECONOMIC DEVELOPMENT/JOB CREATION AND IMPROVED PRODUCTS AND SERVICES FOR CONSUMERS AND SMALL BUSINESSES.”**

## Joint Statement on the Uniqueness of the Excess Line Market



ELANY joined with the Wholesale & Specialty Insurance Association (“WSIA”) and Professional Insurance Wholesalers Association of New York State, Inc. (“PIWA”) to issue a [joint statement](#) on the importance of recognizing and maintaining the uniqueness of the E&S marketplace during the COVID-19 pandemic crisis. As policymakers and regulators impose new requirements on insurers and producers in response to the pandemic, it is vital that the differences between the regulation of the excess line market and the admitted market be respected. Indeed, the excess line market is able to function precisely because it has freedoms that allow it to write difficult and unique risks. Treating excess line policies as if they are admitted will only serve to shake the confidence of excess line insurers in the reliability of the legal and regulatory structure that their business is based on, endangering the willingness of excess line insurers to provide critical capacity to New Yorkers.■



## Getting Social

ELANY has expanded its social media presence to include [Facebook \(@ExcessLineNY\)](#) and [Twitter \(@ExcessLineNY\)](#) alongside its [LinkedIn](#) account.

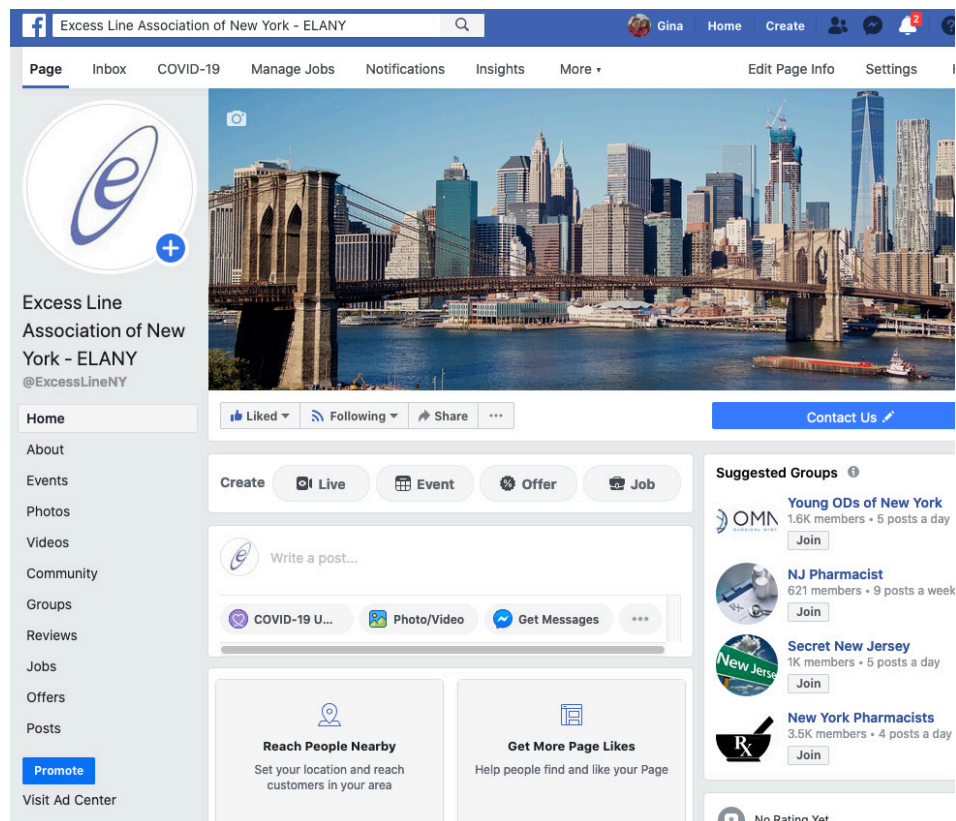
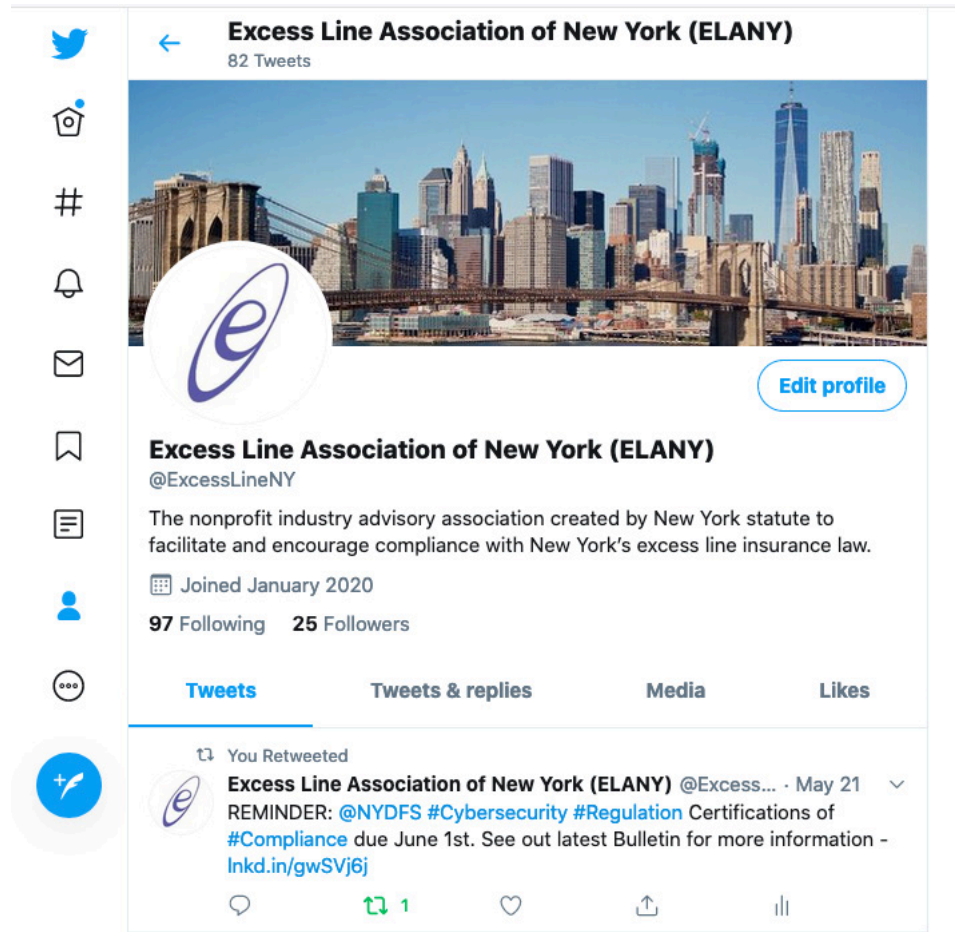
During these times of rapid change due to the pandemic, ELANY's newest platforms help members access important information in a timely manner. Additionally, it provides our members with a virtual "open door" to access support, information and direction on regulatory issues breaking in the wake of COVID-19.

"With multiple social media accounts, ELANY is creating the opportunity to engage with our members and colleagues and increase our overall reach," explained Gina Balog-Sartario, Communications and Marketing Manager for ELANY. "We will focus on providing quality content with a channel specific approach to build our presence, promote our member services and provide support."

An active, engaged social audience will help promote industry events, share information in real time, and provide ELANY with feedback on what members need and want. ■

## ELANY Grants Filing Late Fee Relief

To help ease the burdens placed on excess line brokers and their trading partners during the COVID-19 pandemic, ELANY's Board of Directors [waived all late fees](#) incurred by any member of the association during the months of March, April, May and June. We anticipate that June will likely be the final month in which late fees will be waived. Therefore, we strongly recommend that excess line brokers use June to catch up on all filings and avoid the costs of late fees. ■



## 2019 Was a Busy Year For Filings

In 2019, documents processed by ELANY increased by 2.6% to 352,497. Written excess line premium in New York State continued its growth trend totaling \$4.766 billion, a 10% increase over 2018. As ELANY Treasurer John Buckley pointed out in our [2019 Annual Report](#), ELANY currently processes in a month approx-

**AS ELANY TREASURER JOHN BUCKLEY POINTED OUT IN OUR 2019 ANNUAL REPORT, ELANY CURRENTLY PROCESSES IN A MONTH APPROXIMATELY WHAT WAS PROCESSED FOR THE ENTIRE 1997 YEAR.**

imately what was processed for the entire 1997 year. Not surprisingly, Construction led the way on premium with \$1.435 billion, while Real Estate and Rental and Leasing once again constituted the category with the most transactions at 85,195. Wholesalers placed 85% of the transactions, corresponding to 64% of premium. ■

## Welcome Gina Balog-Sartario!

ELANY is pleased to announce the addition of **Gina Balog-Sartario** (*pictured*) to the ELANY management team in the newly created position of Communications and Marketing Manager. Dan Maher said, “ELANY was lucky to land a manager with a great skill set and experience in media, publications and marketing in the New York insurance industry. Gina is familiar with many of our colleagues who regularly work in the excess line market and is a first-class addition to the ELANY management team.”

Gina brings over 21 years of experience to ELANY in creative marketing and communications. Prior to ELANY, Gina worked as Director of Operations and Creative Service for CINN Worldwide. In this role, she was responsible for the management of several publications including *Insurance Advocate*® magazine, brand development services for all clients along with the day-to-day operations of the company. For 13 of those 21 years at CINN, she served as Executive Administrator of the Insurance Federation of New York, Inc. — a New York based not-for-profit insur-

ance association — overseeing membership, events, the sponsorship program and the marketing and communication efforts.

She received her B.A. from Hunter College in New York City and an Associate's Degree from Westchester Community College.

Gina's responsibilities include expanding ELANY's digital communications efforts, developing new content and additional member resources through our social channels and [website](#). She will also manage ELANY's new state-of-the-art Conference Center and all meetings and collaborations held in this space. She will oversee ELANY's external sponsored events and charitable work as well as help foster relationships with partnering industry associations and colleagues. ■



**“ELANY WAS LUCKY TO LAND A MANAGER WITH A GREAT SKILL SET AND EXPERIENCE IN MEDIA, PUBLICATIONS AND MARKETING IN THE NEW YORK INSURANCE INDUSTRY.”**

## NYDFS Extends Individual Producer License Expiration Deadline

The New York Department of Financial Services (“DFS”) has [extended](#) the applicability of Insurance Circular Letter No. 9 (2020) through July 8, 2020. The DFS Circular Letter suspends the expiration of licenses for all individual producers through July 8th; waives any late fees resulting from, and accruing during, this period; and suspends the

requirement that a monitor be present to complete producer continuing education and pre-licensing course exams online. After July 8, 2020, all licenses that would have expired but for this extension will automatically expire unless the producer has submitted a license renewal application, including completion of all necessary continuing education credits. ■

ELANY OFFERS A **FREE** ONLINE  
CYBERSECURITY TRAINING  
PROGRAM FOR ACTIVE MEMBERS.  
GO TO OUR [WEBSITE](#) TODAY  
AND SIGN UP.



# 2019 Annual Report Provides Insight into ELANY's Accomplishments

ELANY's [2019 Annual Report](#) is now available on our website. The Reports provided by the Chair of ELANY and the Chairs of ELANY's committees offer great insight into the many and varied projects ELANY pursued in 2019, and what is in store moving forward.

ELANY Chairman Lance Becker emphasized that one of his priorities has been to focus "on broadening the base of the ELANY audience to reach industry colleagues, who are unaware of ELANY's services and resources, and to expand the use of these services by those members who do not take full advantage of all resources. In short, we pursued a strategy to expand ELANY's good reputation into a full on "Brand."

"One major milestone was the successful transition of ELANY's information technology functions to a cloud-based environment. This will provide ELANY with a more secure, nimble and flexible environment while eliminating the need to maintain and regularly update a physical system," said James Richardson, Vice Chairman of ELANY and Chair of the Operations & Procedures Committee.

ELANY continued its tradition of assisting those in need following natural disasters, making almost \$65,000 in charitable contributions. Additionally, "...we contributed time as well as funds to the Insurance Industry Charitable Foundation for their work to support organizations helping the underprivileged in our communities," said Audit and Finance Committee Chair John Buckley. In response to the COVID-19 pandemic, ELANY made a \$15,000 donation to the [FDNY FOUNDATION, INC. / FDNY COVID-19 EMERGENCY FUND](#) to support first responders on the front line of defense. ■



SERVING THE EXCESS LINE COMMUNITY FOR 30 YEARS

**"ONE MAJOR MILESTONE WAS THE SUCCESSFUL TRANSITION OF ELANY'S INFORMATION TECHNOLOGY FUNCTIONS TO A CLOUD-BASED ENVIRONMENT."**

*- James Richardson, Vice Chairman at ELANY and Chair of the Operations & Procedures Committee.*