

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

NOTICE OF PROPOSED RULEMAKING

RULE NUMBER:

RULE TITLE:

69O-170.0155

Forms

**PURPOSE AND EFFECT:** This rule is being amended to adopt a revised version of Office of Insurance Regulation form OIR-B1-1802, "Uniform Mitigation Verification Inspection Form". This form is being revised based on changes to the My Safe Florida Home program and the experience of the Office of Insurance Regulation, insurers and policyholders with the form since its last revision in July 2007.

**SUMMARY:** Section 627.711, Florida Statutes, required the Office to develop a form to be used by home inspectors to verify the presence of windstorm-mitigation features on policyholder's property so the insurer can calculate appropriate discounts. This form, OIR-B1-1802, first developed in July 2007, is being revised to use terminology commonly used in the construction industry in describing the construction features to be inspected and to require the inspector and homeowner to verify the inspector actually conducted the inspection.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:**

No SERC has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 624.308, 627.711, FS.

LAW IMPLEMENTED: 215.5586, 627.711, FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 21, 2009 at 9:00 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation,

E-mail michael.milnes@floir.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

**690-170.0155 Forms**

The following forms are hereby adopted and incorporated by reference:

(1)(a) – (k) No change.

(l) OIR-B1-1802, “Uniform Mitigation Verification Inspection Form,” (Rev. 9/09 New 7/07).

(1)(m) – (n) No change.

(2)(a) – (b) No change.

Rulemaking Specific Authority: 624.308(1), 627.711, 627.736 F.S. Law Implemented:

215.5586, 624.307(1), 624.424, 627.062, 627.0629, 627.0645, 627.711, 627.736 F.S.  
History–New 6-19-03, Formerly 4-170.0155, Amended 2-23-06, 12-26-06, 6-12-07, 7-  
17-07, 9-5-07, 3-13-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, Bureau of  
Property and Casualty, Office of Insurance Regulation,

E-mail michael.milnes@flair.com.

DATE PROPOSED RULE APPROVED BY THE AGENCY HEAD, THE FINANCIAL  
SERVICES COMMISSION: November 17, 2009.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN *FLORIDA  
ADMINISTRATIVE WEEKLY*: November 26, 2008.