

RICARDO LARA CALIFORNIA INSURANCE COMMISSIONER

BULLETIN 2024-9 (rev)

2nd AMENDED*

- TO: All Admitted and Non-Admitted Insurers Writing Residential Property Insurance in California
- FROM: Insurance Commissioner Ricardo Lara
- DATE: October 15, 2024
- RE: Mandatory Moratorium on Cancellations and Non-Renewals of Policies of Residential Property Insurance After the Declaration of a State of Emergency

*This bulletin supplements the bulletin of the same title issued on September 19, 2024 to provide additional information regarding ZIP Codes within or adjacent to the fire perimeters for the fires identified in the Governor's various Emergency Declarations discussed herein.

As enacted by Senate Bill 824 (Lara, Chapter 616, Statutes of 2018) Insurance Code section 675.1, subdivision (b)(1) provides:

"An insurer shall not cancel or refuse to renew a **policy of residential property insurance for a property located in any ZIP Code within or adjacent to the fire perimeter**, for one year after the declaration of a state of emergency as defined in Section 8558 of the Government Code, based solely on the fact that the insured structure is located in an area in which a wildfire has occurred. This prohibition applies to all policies of residential property insurance in effect at the time of the declared emergency." (Emphasis added.)

Section 675.1, subdivision (d) defines "policy of residential property insurance" as follows:

"...policy residential property insurance" has the meaning described in **subdivision (a) of Section 10087**." (Emphasis added.)

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Section 10087, subdivision (a) provides:

"...'**policy of residential property insurance**' shall mean a policy insuring individually owned residential structures of not more than four dwelling units, individually owned condominium units, or individually owned mobilehomes, and their contents, located in this state and used exclusively for residential purposes or a tenant's policy insuring personal contents of a residential unit located in this state." (Emphasis added.)

Accordingly, no admitted or non-admitted insurer shall <u>issue</u> a notice of cancellation or non-renewal due to wildfire risk for any policy of residential property insurance, including all homeowners', condo unit owners', mobile homeowners', or residential renters' insurance policies, that are located in a ZIP Code identified by this bulletin or any subsequent bulletin as subject to Section 675.1, subdivision (b)(1).

Section 675.1, subdivision (b)(2) further provides:

"...the fire perimeter shall be determined by the Department of Forestry and Fire Protection in consultation with the Office of Emergency Services. The department shall provide the commissioner with **data describing the fire perimeter sufficient for the commissioner to determine which ZIP Codes are within or adjacent to the fire perimeter. The commissioner shall then issue a bulletin to inform insurers which ZIP Codes are subject to this subdivision**." (Emphasis added.)

The Department of Forestry and Fire Protection, in consultation with the Governor's Office of Emergency Services, has provided the Commissioner with data identifying the fire that pertains to the state of emergency and describing the fire perimeter. The Commissioner has relied upon that data to determine which ZIP Codes are subject to the moratorium under Section 675.1, subdivision (b)(1).

On September 7, 2024, Governor Gavin Newsom proclaimed a <u>state of emergency</u> covering San Bernardino County due to the Line Fire.

On September 11, 2024, Governor Gavin Newsom proclaimed a <u>state of emergency</u> covering Los Angeles and San Bernardino Counties due to the Bridge Fire and Orange and Riverside Counties due to the Airport Fire.

Therefore, due to the Governor's September 7, 2024 declaration, no admitted or nonadmitted insurer shall <u>issue</u> a notice of cancellation or non-renewal due to wildfire risk for one year, starting on September 7, 2024, for any policy of residential property insurance in the following ZIP Codes: Line Fire: 92220¹, 92256, 92268, 92284, 92285, 92305, 92308, 92314, 92315, 92317, 92321, 92322, 92325, 92333, 92339, 92341, 92346, 92352, 92356, 92359, 92374, 92378, 92382, 92385, 92386, 92391, 92399, 92401, 92404, 92407, 92408, 92410, 92415

Due to the Governor's September 11, 2024 emergency declaration, no admitted or nonadmitted insurer shall <u>issue</u> a notice of cancellation or non-renewal due to wildfire risk for one year, starting on September 11, 2024, for any policies of residential property insurance in the following ZIP Codes:

- Bridge Fire: 91008, 91010, 91011, 91016, 91023, 91042, 91701, 91702, 91706, 91711, 91722, 91737, 91739, 91740, 91741, 91750, 91759, 91767, 91768, 91773, 91784, 92301, 92336, 92358, 92371, 92372, 92377, 92397, 92407, 93543, 93544, 93550, 93553, 93563, 93591
- Airport Fire: 92028, 92055, 92530, 92532, 92562, 92570, 92595, 92610, 92624, 92629, 92672, 92673, 92675, 92676, 92677, 92678, 92679, 92688, 92692, 92694, 92808, 92881, 92882, 92883

In addition, all admitted and non-admitted insurers writing policies of residential property insurance in California must offer to rescind any notices of cancellation or non-renewal <u>issued</u> due to wildfire risk since the Governor's September 7 and September 11, 2024 emergency declarations, respectively, and offer to reinstate or renew policies in effect at the time of the applicable emergency declaration, if any such notices of cancellation or nonrenewal were issued due to wildfire risk on or after the date of the emergency declaration, and the properties are located in ZIP Codes identified by this bulletin.

Please Note: If additional ZIP Codes are determined to be within or adjacent to a fire perimeter subject to a declared state of emergency, the Department may issue a supplemental bulletin adding such additional ZIP Codes to the moratorium against cancellations and non-renewals of policies of residential property insurance pursuant to Insurance Code section 675.1(b).

Any insurer or producer with questions about this bulletin, please contact:

Daniel Wade Legal – Rate Enforcement Bureau Daniel.Wade@insurance.ca.gov

Any consumer with questions about this bulletin, please call the Department's Consumer Hotline at: 800-927-4357.

¹ This ZIP code was added due to the flare up of the Line Fire in San Bernardino County, September 29, 2024 that consumed an additional 4,000 plus acres since the issue of the prior Bulletin of the same title.