



PENNSYLVANIA SURPLUS LINES ASSOCIATION

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BULLETIN

DATE: December 1, 2008
TO: All Surplus Lines Agencies
FROM: Kenneth A. Rudert, Executive Director
SUBJECT: **Producer Affidavit Assistance**

The Pennsylvania Surplus Lines Association (PSLA) and the Pennsylvania Insurance Department have recently opened a dialogue on how to resolve the ongoing dilemma of failure to file and incomplete filing of the Producer Affidavit, 1609 PR. The Department has identified the following two areas of concern:

1. The 1609 PR Producer Affidavit is not filed.
2. The 1609 PR Producer Affidavit is filed, but the Diligent Search section is missing one or more of the required Pennsylvania admitted carriers who have declined the risk in question ([Licensed Companies](#)). The Department has requested that PSLA enlist the aid of the Surplus Lines Licensees in correcting these continuous deficiencies.

Licensees can help correct these deficiencies by guiding and instructing their customers, the Producers who represent the insured, to fulfill this obligation as required by the Surplus Lines Law ([Section 1609. Declarations](#)). The Producer Affidavit in combination with the Surplus Lines Affidavit, 1609 SLL, are required to be submitted as part of the complete surplus lines filing. The filing is not only in the best interest of the insurance buyer, but from a compliance standpoint, also provides a measure of protection to the Producer and Surplus Lines Licensee.

The Surplus Lines Licensee is responsible for the complete filing consisting of both affidavits, on those risks requiring both documents, within 45 days of inception. It is the responsibility of the Producer to complete, sign and date the 1609 PR Producer Affidavit, then forward it to the Surplus Lines Licensee within 30 days of inception.

This is the most frequent type of filing used as defined in the Surplus Lines Law. The following link will assist you with important information directed exclusively to Producers ([Producer Information](#)).

This Department request is effective immediately.

KAR/ds