



## **PENNSYLVANIA SURPLUS LINES ASSOCIATION**

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# **BULLETIN**

## **2<sup>nd</sup> Notice**

DATE: May 15, 2009  
TO: All Surplus Lines Agencies  
FROM: Kenneth A. Rudert, Executive Director  
SUBJECT: **Producer Affidavits (1609-PR) Not Filed, Incomplete or Erroneous**

On December 1, 2008, PSLA issued a Bulletin ([Producer Affidavit Assistance Bulletin](#)) requesting your assistance to guide and instruct the Producing Brokers through whom you accept business to complete and forward the Producer Affidavit (1609-PR) correctly and in a timely fashion as required by the Surplus Lines Law. PSLA made this request on behalf of the Pennsylvania Insurance Department as this has been an area of concern for a long time.

The records show that not only is there no improvement, but noncompliance is 26% higher since the Bulletin was issued. As stated in the December 1, 2008 Bulletin, it is your responsibility as the **Surplus Lines Licensee** to file both affidavits under a 1609-SLL/1609-PR filing type to constitute a complete Surplus Lines filing.

Although the Electronic Filing System (EFS) currently allows you to file your 1609-SLL without the 1609-PR, you should be aware that you will no longer have that option, effective September 1, 2009. **Beginning September 1, 2009, all Surplus Lines 1609-SLL/1609-PR type filings received will require the inclusion of the completed Producer Affidavit.** Filings that have a date of receipt after the specified 45 days as required by the Surplus Lines Law, will be subject to the late filing stamping fee of \$50.00.

**Reminder:** Only \$25.00 of the fee is to be payable by the insured with the remaining \$25.00 payable by the surplus lines licensee. The entire fee is to be remitted by the surplus lines licensee to PSLA.

**Note:** Surplus lines filings must be correct before they are accepted and assigned a date of receipt. It is the receipt of the CORRECT filing that governs the date of receipt, which in turn, assigns the applicable stamping fee. ([See discussion from October 26, 2007 Stamping Fee Increase 2008 Bulletin.](#))

**Note:** Failure to comply with the requirements of the surplus lines law may result in administrative action by the Pennsylvania Insurance Department, which could include fines and revocation of your license.

**Note:** Surplus Lines Licensees should consider sharing this Bulletin with those Producers who rely upon them for placing coverage in the Surplus Lines market. In addition, PSLA suggests referring all Producers to the PSLA website to review the section devoted exclusively to [Producer information](#).

KAR/ds