

**PROGRAM DIVISION  
BULLETIN**

**2005-66**

**November 30, 2005**

**Hurricane Katrina Update for Mississippi**

On November 4, 2005, the Mississippi Insurance Department issued Bulletin 2005-13 stating that insurance companies may not cancel a personal or commercial residential property policy until after 60 days from the date that the repairs to the property have been substantially completed and the structure has been repaired to the extent that it is insurable by another authorized insurer writing in Mississippi. This prohibition does not apply if:

- the policy is cancelled for non-payment of premium, and such cancellation is not prohibited by a moratorium issued by the Commissioner of Insurance;
- the insured / claimant has made a material misstatement or committed fraud in relation to the claim. The company must give a 45 day notice of termination;
- the insurance company can demonstrate that the insured has unreasonably caused a delay in the repair of the dwelling. The company must give a 45 day notice of termination;
- the insurance company has paid policy limits, provided that the insurer has offered the insured and the insured refuses a builders risk or other similar policy which would cover the property until completion of the repairs. The company must give a 45 day notice of termination; or
- the insured has submitted a written request for cancellation/non-renewal.

As such, for any personal or commercial residential property damaged as a result of Hurricane Katrina, the state of repairs must be determined prior to terminating the policy, other than for the reasons stated above.

Please contact your Program Manager with any questions.