

FILED

APR 17 2023

Department of Insurance  
State of Idaho

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

In the Matter of:

AUSTIN MUTUAL INSURANCE  
COMPANY,

Certificate of Authority No. 3132,  
NAIC No. 13412.

Docket No. 18-4272-23

**ORDER AUTHORIZING BLOCK  
NONRENEWAL**

On February 13, 2023, Austin Mutual Insurance Company ("Austin Mutual") notified the Director of the Idaho Department of Insurance ("Director") that Austin Mutual intended to discontinue offering and to block nonrenew its Homeowner policies delivered or issued for delivery in Idaho. Austin Mutual represented its proposed block nonrenewals would affect approximately 384 Homeowner policies which would be nonrenewed when they naturally expire on or after June 30, 2023.

Austin Mutual's intended action is governed by Idaho Code § 41-1841, which states:

1) Any insurer intending to implement block cancellations or block nonrenewals . . . shall provide the [Director] written notice of such intentions no later than [120] days prior to such intended action. Such notice shall fully set forth reasons for such action and shall include additional information that the director may deem appropriate. . . . (2) At the end of [60] days the intended insurer action shall be deemed approved . . . ."

The Director, having reviewed the record and acting pursuant to Idaho Code § 41-210(2), finds that Austin Mutual provided the Director with written notice of its intentions at least 120 days before the intended action is to occur, and that the notice fully set forth reasons for the action,

along with any additional information that the Director may have required. The Director also finds that more than 60 days have run since Austin Mutual provided its notice to the Director.

Based on these findings,

NOW, THEREFORE, IT IS ORDERED that Austin Mutual's intended action is deemed approved by operation of Idaho Code § 41-1841(2). Austin Mutual may effectuate a block nonrenewal of its Homeowner policies delivered or issued for delivery in Idaho, at the policies' natural expiration date beginning June 30, 2023. Austin Mutual shall notify policyholders affected by the nonrenewals in accordance with Idaho law and the notice provisions in Austin Mutual's applicable insurance policies.

This Order is a final order of the Director and is effective immediately.

DATED this 17<sup>th</sup> day of April, 2023.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE

  
Director

### **NOTIFICATION OF RIGHTS**

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within 14 days of the service date of this order. The agency will dispose of the motion for reconsideration within 21 days of its receipt, or the motion will be considered denied by operation of law. *See* Idaho Code § 67-5246(4).

Any such motion for reconsideration shall be served on the Director of the Idaho Department of Insurance, addressed as follows:

Dean L. Cameron, Director  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may file a petition for judicial review in the district court of the county in which:

- i. A hearing was held;
- ii. The final agency action was taken;
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or
- iv. The real property or personal property that was the subject of the agency action is located.

A petition for judicial review must be filed within 28 days of: (a) the service date of this final order, (b) the service of an order denying motion for reconsideration, or (c) the failure within 21 days to grant or deny a motion for reconsideration, whichever is later. *See* Idaho Code § 67-5273. Filing a petition for judicial review does not, by itself, stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18<sup>th</sup> day of April, 2023, I caused a true and correct copy of the foregoing ORDER AUTHORIZING BLOCK NONRENEWAL to be served upon the following parties by the designated means:

AUSTIN MUTUAL INSURANCE CO. 55 West Street Keene, NH 03431	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: <a href="mailto:athomas3@homesite.com">athomas3@homesite.com</a>
Karl T. Klein Deputy Attorney General IDAHO DEPARTMENT OF INSURANCE 700 W. State St., 3 <sup>rd</sup> Floor PO Box 83720 Boise, ID 83720-0043	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: <a href="mailto:karl.klein@doi.idaho.gov">karl.klein@doi.idaho.gov</a>

  
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Penny Wilcox