

FILED
AUG 06 2020
Department of Insurance
State of Idaho

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

In the Matter of:

CAPITOL INDEMNITY CORPORATION

Certificate of Authority No. 1025
NAIC ID No. 10472

Docket No. 18-3803-20

**ORDER AUTHORIZING BLOCK
NONRENEWAL**

On or about July 10, 2020, CAPITOL INDEMNITY CORPORATION (“Capitol”) provided to the Idaho Department of Insurance (“Department”) written notification of Capitol’s intent to discontinue offering and to block nonrenew Capitol’s commercial package insurance policies in Idaho, inclusive of the following policy types: commercial multi-peril businessowners, commercial business auto coverage, commercial multi-peril building and personal property coverage, commercial multi-peril general liability coverage, commercial inland marine conditions, commercial crime coverage, human services professional liability occurrence, and human services professional liability claims made. Capitol represented that, as of the date of its written notification, the contemplated block nonrenewal will affect approximately three hundred five (305) policies covering Idaho insureds, and that affected policies will be nonrenewed beginning November 7, 2020. Capitol further represented that there will be no disruption to policyholder services or claims handling due to the nonrenewal.

The Director, having reviewed the foregoing and the requirements of Idaho Code § 41-1841(1), and acting pursuant to the authority set forth in Idaho Code § 41-210(2),

THE DIRECTOR HEREBY FINDS that the proposed effective date of the contemplated block nonrenewal complies with the one hundred twenty (120) day notice requirement to the Director, as set forth in Idaho Code § 41-1841(1).

NOW THEREFORE, IT IS HEREBY ORDERED that Capitol is authorized, pursuant to Idaho Code § 41-1841, to effectuate a block nonrenewal of its commercial package insurance policies in Idaho beginning November 7, 2020, inclusive of the following policy types: commercial multi-peril businessowners, commercial business auto coverage, commercial multi-peril building and personal property coverage, commercial multi-peril general liability coverage, commercial inland marine conditions, commercial crime coverage, human services professional liability occurrence, and human services professional liability claims made. Capitol shall provide advance notice to policyholders affected by the nonrenewals authorized by this order in accordance with Idaho law and with the notice provisions included in Capitol's applicable insurance policies.

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

DATED this 5 day of August, 2020.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



DEAN L. CAMERON
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 fourteen (14) days of the service date of this order. The agency will dispose of the motion for reconsideration within twenty-one (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, 3rd 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 twenty-eight (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 twenty-one (21) days to grant or deny a motion for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of August, 2020, I caused a true and correct copy of the foregoing ORDER AUTHORIZING BLOCK NONRENEWAL to be served upon the following by the designated means:

Capitol Indemnity Corporation
Melanie Wilhelm, Chief Compliance Officer
1600 Aspen Commons, Suite 300
Middleton, WI 53562
mwilhelm@capspecialty.com

- ☒ first class mail
- ☐ certified mail
- ☐ hand delivery
- ☒ via email

John C. Keenan
Deputy Attorney General
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, ID 83720-0043

- ☐ first class mail
- ☐ certified mail
- ☒ hand delivery


Pamela Murray