

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES
REPORT ON EXAMINATION
OF THE
AMERICAN NATIONAL LIFE INSURANCE COMPANY
OF NEW YORK

CONDITION:

DECEMBER 31, 2012

DATE OF REPORT:

MAY 19, 2014

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES

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OF THE

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EXAMINER:

ANTHONY CHIAREL

TABLE OF CONTENTS

<u>ITEM</u>	<u>PAGE NO.</u>
1. Scope of examination	2
2. Description of Company	4
A. History	4
B. Holding company	4
C. Organizational chart	5
D. Service agreements	6
E. Management	10
3. Territory and plan of operations	12
A. Statutory and special deposits	12
B. Direct operations	12
C. Reinsurance	12
4. Significant operating results	14
5. Financial statements	17
A. Independent accountants	17
B. Net admitted assets	17
C. Liabilities, capital and surplus	18
D. Condensed summary of operations	19
E. Capital and surplus account	20
6. Market conduct activities	21
A. Advertising and sales activities	21
B. Underwriting and policy forms	21
C. Treatment of policyholders	21



NEW YORK STATE
DEPARTMENT *of*
FINANCIAL SERVICES

Andrew M. Cuomo
Governor

Anthony J. Albanese
Acting Superintendent

November 10, 2015

Honorable Anthony J. Albanese
Acting Superintendent of Financial Services
New York, New York 10004

Sir:

In accordance with instructions contained in Appointment No. 30994, dated March 11, 2013 and annexed hereto, an examination has been made into the condition and affairs of American National Life Insurance Company of New York, hereinafter referred to as “the Company,” at its home office located at 344 Route 9W, Glenmont, NY 12077.

Wherever “Department” appears in this report, it refers to the New York State Department of Financial Services.

1. SCOPE OF EXAMINATION

The examination of the Company was a full scope examination as defined in the *NAIC Financial Condition Examiners Handbook, 2013 Edition* (the “Handbook”). The examination covers the three-year period from January 1, 2010 through December 31, 2012. The examination was conducted observing the guidelines and procedures in the Handbook and, where deemed appropriate by the examiner, transactions occurring subsequent to December 31, 2012 but prior to the date of this report (i.e., the completion date of the examination) were also reviewed.

In the course of the examination, a review was also made of the manner in which the Company conducts its business and fulfills its contractual obligations to policyholders and claimants. The results of this review are contained in item 6 of this report.

The examination was conducted on a risk focused basis in accordance with the provisions of the Handbook published by the National Association of Insurance Commissioners (“NAIC”). The Handbook guidance provides for the establishment of an examination plan based on the examiner’s assessment of risk in the insurer’s operations and utilizing that evaluation in formulating the nature and extent of the examination. The examiner planned and performed the examination to evaluate the current financial condition as well as identify prospective risks that may threaten the future solvency of the insurer. The examiner identified key processes, assessed the risks within those processes and evaluated the internal control systems and procedures used to mitigate those risks. The examination also included assessing the principles used and significant estimates made by management, evaluating the overall financial statement presentation, and determining management’s compliance with New York statutes and Department guidelines, Statutory Accounting Principles as adopted by the Department, and annual statement instructions.

Information about the Company’s organizational structure, business approach and control environment were utilized to develop the examination approach. The Company’s risks and management activities were evaluated incorporating the NAIC’s nine branded risk categories. These categories are as follows:

- Pricing/Underwriting
- Reserving
- Operational
- Strategic

- Credit
- Market
- Liquidity
- Legal
- Reputational

The Company was audited annually, for the years 2010 through 2012, by the accounting firm of KPMG LLP. The Company received an unqualified opinion in all years. Certain audit workpapers of the accounting firm were reviewed and relied upon in conjunction with this examination. American National Insurance Company (“ANICO”), the Company’s ultimate parent, has an internal audit department and is subject to the Sarbanes-Oxley Act of 2002 (“SOX”). ANICO shares, on an enterprise-wide basis with its holding company members, the services of its internal control department, which was given the task of assessing the internal control structure and compliance with “SOX”. Where applicable, internal audit and SOX workpapers and reports were reviewed and portions were relied upon for this examination.

This report on examination is confined to financial statements and comments on those matters which involve departure from laws, regulations or rules, or which require explanation or description.

2. DESCRIPTION OF COMPANY

A. History

The Company was incorporated as a stock life insurance company under the laws of New York on October 15, 2009 and was licensed and commenced business on March 17, 2010. Initial resources of \$20,000,000, consisting of common capital stock of \$2,000,000 and paid in and contributed surplus of \$18,000,000, were provided through the sale of 2,000,000 shares of common stock (with a par value of \$1 each) to ANICO for \$10 a share.

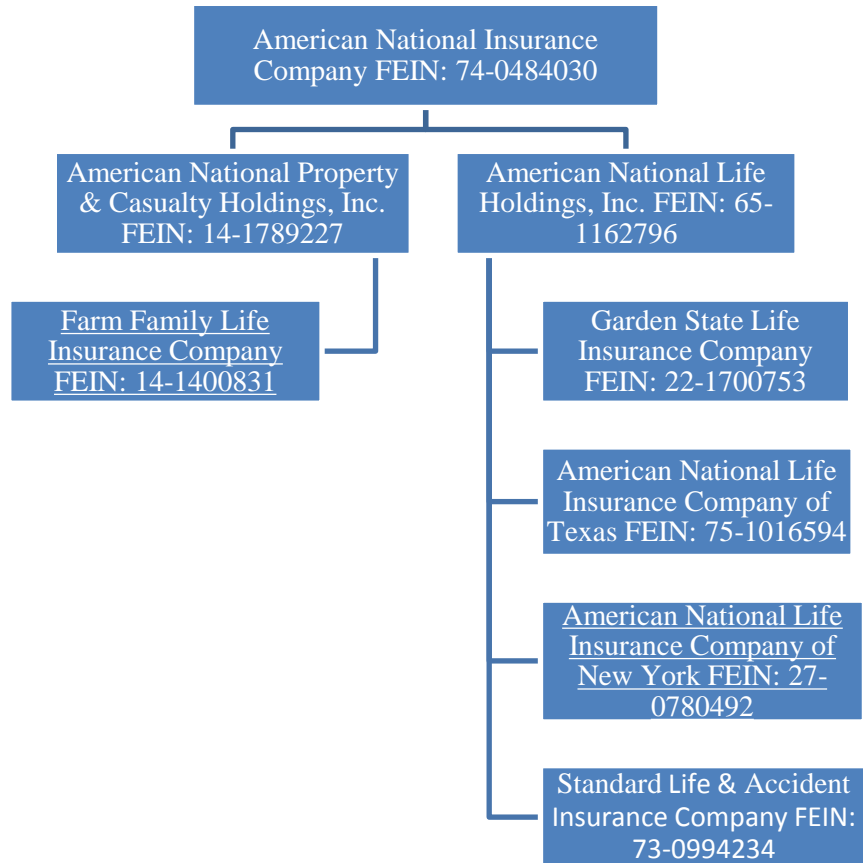
B. Holding Company

The Company is a wholly owned subsidiary of American National Life Holdings, Inc. (“ANLHI”), a Nevada holding company. ANLHI is in turn a wholly owned subsidiary of American National Insurance Company (“ANICO”), a Texas insurance corporation which is the Company’s ultimate parent.

Farm Family Life Insurance Company (“FFL”) is an affiliate of the Company and shares the same facilities at 344 Route 9W, Glenmont, NY 12077, with the Company. FFL is a wholly owned subsidiary of American National Property & Casualty Holdings, Inc. (“ANPAC Holdings”), a holding company organized under the laws of the state of Delaware. ANPAC Holdings is in turn a wholly owned subsidiary of American National Insurance Company (“ANICO”). Both the Company and FFL have the same ultimate parent, ANICO, as depicted in the organizational chart below.

C. Organizational Chart

An organization chart reflecting the relationship between the Company and significant entities in its holding company system as of December 31, 2012 follows:



D. Service Agreements

The Company had 9 service agreements in effect with affiliates during the examination period.

Type of Agreement and Department File Number	Effective Date	Provider(s) of Service(s)	Recipient(s) of Service(s)	Specific Service(s) Covered	Income/ (Expense)* For Each Year of the Examination
Investment Management Agreement	12/08/2008	ANICO	The Company	Provide investment management for recipient's portfolio of bonds, debentures, notes, commercial paper, preferred stocks, and stock investments.	2010- \$ 0 2011- \$ (8,947) 2012- \$(21,338)
License Agreement	01/01/2010	ANICO	The Company	Provide royalty-free right and license to use specific registered marks, trademarks, or service marks.	2010-\$0 2011-\$0 2012-\$0
Mortgage Loan and Real Estate Investment Services Agreement	01/07/2010	ANICO	The Company	Mortgage loan and real estate investment services.	2010-\$0 2011-\$0 2012-\$0

Type of Agreement and Department File Number	Effective Date	Provider(s) of Service(s)	Recipient(s) of Service(s)	Specific Service(s) Covered	Income/ (Expense)* For Each Year of the Examination
Automatic Self Administered YRT Reinsurance Agreement	03/01/2010	ANICO	The Company	Provide indemnity reinsurance for certain insurance policies and on terms specified in the agreement.	2010- \$0 2011- \$0 2012- \$(465)
Amended and Restated Master Investment Participation Agreement Department File No. 45343	03/01/2012	ANICO	The Company	Provide mortgage loan investment participations as described in the agreement.	2010-\$0 2011-\$0 2012-\$0
Revolving Line of Credit Note Department File No. 45343	04/01/2012	ANICO	The Company	Provide \$4,000,000.00 revolving line of credit.	2010-\$0 2011-\$0 2012-\$0
Intercompany Borrowing Agreement Department File No. 45343	04/01/2012	ANICO	The Company	Specifies additional terms upon which line of credit provided in above note may be utilized.	2010- \$0 2011- \$0 2012- \$0

Type of Agreement and Department File Number	Effective Date	Provider(s) of Service(s)	Recipient(s) of Service(s)	Specific Service(s) Covered	Income/ (Expense)* For Each Year of the Examination
Administrative Services Agreement	01/04/2010	ANICO	The Company	To the extent requested by Recipient, Provider provides to Recipient the consulting and infrastructure support: (iv) maintenance of records, files and other information; (v) accounting services, including the preparation of budgets and financial reporting, including the preparation of financial statements and annual statements; (vi) treasury tasks, including without limitation cash management, banking, lockbox and disbursement services; (vii) tax-related services; (viii) actuarial services; (ix) legal and compliance services; (x) corporate secretarial services, (xi) printing and reproduction services; (xii) underwriting, claim and policy administration services; (xiii) payroll and human resource services; and (xiv) procurement of goods and services (for example, procurement of insurance coverages and, subject to the requirements of Section 1202(b) of the New York Insurance Law, accounting services).	2010-\$ (674,417) 2011-\$(1,272,834) 2012-\$(1,265,396)

Type of Agreement and Department File Number	Effective Date	Provider(s) of Service(s)	Recipient(s) of Service(s)	Specific Service(s) Covered	Income/ (Expense)* For Each Year of the Examination
Administrative Services Agreement	01/04/2010	Farm Family Casualty Insurance Company (FFCIC)	The Company	To the extent requested by Recipient, Provider provides to Recipient the following Services: (i) maintenance of original corporate minute books, charter, by-laws, stock records, copies of annual statements and quarterly statements filed with Department and its reports on examination and other records and files in Recipient's home office; (ii) serving as a home office liaison with regulatory authorities, particularly the New York Insurance Department; (iii) receipt and forwarding of service of process; (iv) providing office space and office furnishings and equipment; (v) printing and reproduction services as needed at the home office; (vi) procurement of goods and services relating to home office operations; (vii) collecting and forwarding mail at the home office, and (viii) support and administration of computer hardware located at the home office, and (ix) support and administration of communication links, including computer system, telecommunications, Internet and Intranet in the home office.	2010- \$0 2011- \$0 2012- \$0

*Amount of Income or (Expense) Incurred by the Company

E. Management

The Company's by-laws provide that the board of directors shall be comprised of not less than seven and not more than fifteen directors. Directors are elected for a period of one year at the annual meeting of the stockholders held in April of each year. As of December 31, 2012, the board of directors consisted of 10 members. Meetings of the board are held quarterly.

The 10 board members and their principal business affiliation, as of December 31, 2012, were as follows:

<u>Name and Residence</u>	<u>Principal Business Affiliation</u>	<u>Year First Elected</u>
David A. Behrens League City, TX	President and Chief Operating Officer American National Life Insurance Company of New York	2010
G. R. Ferdinandtsen League City, TX	Advisory Director American National Insurance Company	2010
Edward J. Muhl* Bonita Springs, FL	Retired Partner, PricewaterhouseCoopers, LLP	2010
James E. Pozzi Galveston, TX	Chairman of the Board and Chief Executive Officer American National Life Insurance Company of New York	2010
Victoria M. Stanton Glenmont, NY	Executive Vice President, General Counsel and Secretary Farm Family Life Insurance Company	2010
Edward J. Walsh, Jr.* Galveston, TX	Partner Edward J. Walsh and Associates	2010
Timothy A. Walsh West Coxsackie, NY	President and Chief Executive Officer Farm Family Life Insurance Company	2010
Ronald J. Welch League City, TX	Senior Executive Vice President, Corporate Risk Officer and Chief Actuary American National Insurance Company	2010
Frank P. Williamson* Galveston, TX	Retired Owner and Pharmacist Professional Building Pharmacy	2010

<u>Name and Residence</u>	<u>Principal Business Affiliation</u>	<u>Year First Elected</u>
James D. Yarbrough* Galveston, TX	Owner and Consultant James D. Yarbrough & Company	2010

* Not affiliated with the Company or any other company in the holding company system

The examiner's review of the minutes of the meetings of the board of directors and its committees indicated that meetings were well attended and that each director attended a majority of meetings.

The following is a listing of the principal officers of the Company as of December 31, 2012:

<u>Name</u>	<u>Title</u>
James E. Pozzi	Chairman of the Board and Chief Executive Officer
David A. Behrens	President and Chief Operating Officer
Ronald J. Welch	Senior Vice President
John J. Dunn, Jr.	Vice President and Chief Financial Officer
Johnny D. Johnson	Vice President and Chief Information Officer
William F. Carlton	Vice President and Controller
Dwain A. Akins*	Vice President and Compliance
Albert L. Amato, Jr.	Vice President and Policy Administration
Scott F. Brast	Vice President and Investment
Frank V. Broll, Jr.	Vice President and Actuary
James A. Collura	Vice President, Multiple Line Marketing
Gordon D. Dixon	Vice President, Investments
Rex D. Hemme	Vice President and Actuary
Robert J. Kirchner	Vice President, Investments
Anne M. LeMire	Vice President, Investments
Bruce M. LePard	Vice President, Human Resources
George A. Macke	Vice President, General Auditor
Ronald C. Price	Vice President, Multiple Line Marketing
J. Mark Flippin	Secretary and Treasurer

*Designated consumer services officer per Section 216.4(c) of Department Regulation No. 64

In October, 2013, Rex D. Hemme retired. John F. Simon was elected Vice President and Actuary on November, 2013.

3. TERRITORY AND PLAN OF OPERATIONS

The Company is authorized to write life insurance, annuities and accident and health insurance as defined in paragraphs 1, 2 and 3 of Section 1113(a) of the New York Insurance Law. The Company has not never written any accident and health business. The Company is licensed to transact business only in New York.

A. Statutory and Special Deposits

As of December 31, 2012, the Company had \$400,000 (par value) of New York City General Obligation bonds on deposit with the State of New York, its domiciliary state, for the benefit of all policyholders, claimants and creditors of the Company.

B. Direct Operations

The Company primarily offers individual life products including: whole life policies, term life policies, and universal life policies. The Company also offers individual annuities including: single premium deferred annuities, flexible premium deferred annuities, which are offered on a qualified and non-qualified basis, and single premium immediate annuities. The Company does not offer group business, accident and health business, or separate account business.

The Company's agency operations were conducted on a general agency basis. At year-end 2012 the Company had 954 appointed independent agents. The Company marketed its life products through direct response distribution channels primarily through direct mail solicitations and internet advertising.

C. Reinsurance

As of December 31, 2012, the Company had one reinsurance treaty in effect with its ultimate parent company, ANICO. ANICO is an unauthorized reinsurer in New York State. The Company's life business is reinsured on a coinsurance, and/or yearly renewable term basis. Reinsurance is provided on an automatic and/or facultative basis.

The maximum retention limit for individual life contracts is \$100,000. The total face amount of life insurance ceded as of December 31, 2012, was \$38,872,938, which represents

31.7% of the total face amount of life insurance in force. The Company had no assumed business on 12/31/2012. It reported ceded life premiums of \$26,157, with reserve credit taken of \$7,197 for reinsurance ceded to ANICO. The Company reported reserve credits and paid and unpaid losses recoverable taken with ANICO in the amount of \$57,197; a liability for reinsurance in unauthorized and certified companies was established for this amount.

4. SIGNIFICANT OPERATING RESULTS

Indicated below is significant information concerning the operations of the Company during the period under examination as extracted from its filed annual statements. Failure of items to add to the totals shown in any table in this report is due to rounding.

The following table indicates the Company's financial growth (decline) during the period under review:

	December 31, <u>2010</u>	December 31, <u>2012</u>	Increase (Decrease)
Admitted assets	\$ <u>35,511,901</u>	\$ <u>116,157,713</u>	\$ <u>80,645,812</u>
Liabilities	\$ <u>16,948,732</u>	\$ <u>99,785,528</u>	\$ <u>82,836,796</u>
Common capital stock	\$ 2,000,000	\$ 2,000,000	\$ 0
Gross paid in and contributed surplus	\$ 18,000,000	18,000,000	0
Unassigned funds (surplus)	<u>(1,436,831)</u>	<u>(3,627,815)</u>	<u>(2,190,984)</u>
Total capital and surplus	\$ <u>18,563,169</u>	\$ <u>16,372,185</u>	\$ <u>(2,190,984)</u>
Total liabilities, capital and surplus	\$ <u>35,511,901</u>	\$ <u>116,157,713</u>	\$ <u>80,645,812</u>

The Company's invested assets, as of December 31, 2012, were mainly comprised of bonds (97.4%). The majority (97.6%) of the Company's bond portfolio, as of December 31, 2012, was comprised of investment grade obligations.

The following indicates, for each of the years listed below, the amount of life insurance issued and in force by type (in thousands of dollars):

<u>Year</u>	<u>Individual Whole Life</u>		<u>Individual Term</u>	
	<u>Issued</u>	<u>In Force</u>	<u>Issued</u>	<u>In Force</u>
2010	\$ 0	\$ 0	\$ 0	\$ 0
2011	\$ 225	\$ 225	\$60,846	\$ 50,061
2012	\$18,248	\$16,624	\$85,453	\$106,160

The Company's initial offerings included a limited portfolio of annuities. Its products were expanded to include direct marketed life insurance by year-end 2010 and agent-sold life insurance in 2011. In 2012 the Company continued to increase its life insurance sales.

The ordinary lapse ratio for each of the examination years was 0% in 2010, 43.9% in 2011 and 40.3% in 2012.

During 2011 and 2012, although the individual life products sales increased, the lapse ratio for the individual life insurance products was high due largely to the economic environment.

The following has been extracted from the Exhibits of Annuities in the filed annual statements for each of the years under review:

	<u>Ordinary Annuities</u>		
	<u>2010</u>	<u>2011</u>	<u>2012</u>
Outstanding, end of previous year	0	168	1,063
Issued during the year	168	907	259
Other net changes during the year	<u>(0)</u>	<u>(12)</u>	<u>(19)</u>
Outstanding, end of current year	<u>168</u>	<u>1,063</u>	<u>1,303</u>

The Company predominantly marketed its individual annuity products in 2010 and increased this business in 2011. The rapid increase in sales of its annuity products also increased the strain on surplus. To help mitigate the strain on surplus and the effects associated with investing in a persistently low interest rate environment (2010 through 2012) the Company limited the sales of its annuity products in 2012.

The following is the net gain (loss) from operations by line of business after federal income taxes but before realized capital gains (losses) reported for each of the years under examination in the Company's filed annual statements:

	<u>2010</u>	<u>2011</u>	<u>2012</u>
Ordinary:			
Life insurance	\$ (34,481)	\$ (483,004)	\$(625,668)
Individual annuities	<u>(630,554)</u>	<u>(843,282)</u>	<u>207,055</u>
Total ordinary	\$(<u>665,035</u>)	\$(<u>1,326,286</u>)	\$(<u>418,613</u>)
Group:			
Annuities	<u>(330,379)</u>	<u>0</u>	<u>0</u>
Total group	\$(<u>330,379</u>)	\$ <u>0</u>	\$ <u>0</u>
Total	\$(<u>995,414</u>)	\$(<u>1,326,286</u>)	\$(<u>418,613</u>)

Some expenses for individual annuities in the initial reporting year-end were inadvertently reported as being group annuities. Although some of the losses were reported as group annuity losses, there was no effect on the total annuity loss reported in 2010. This error was corrected.

5. FINANCIAL STATEMENTS

The following statements show the assets, liabilities, capital and surplus as of December 31, 2012, as contained in the Company's 2012 filed annual statement, a condensed summary of operations and a reconciliation of the capital and surplus account for each of the years under review. The examiner's review of a sample of transactions did not reveal any differences which materially affected the Company's financial condition as presented in its financial statements contained in the December 31, 2012 filed annual statement.

A. Independent Accountants

The firm of KPMG LLP was retained by the Company to audit the Company's combined statutory basis statements of financial position as of December 31st of each year in the examination period, and the related statutory-basis statements of operations, capital and surplus, and cash flows for the year then ended.

KPMG LLP concluded that the statutory financial statements presented fairly, in all material respects, the financial position of the Company at the respective audit dates. Balances reported in these audited financial statements were reconciled to the corresponding years' annual statements with no discrepancies noted.

B. Net Admitted Assets

Bonds	\$111,376,672
Common stocks	611,000
First liens on mortgage loans on real estate:	500,000
Cash, cash equivalents and short term investments	1,918,142
Investment income due and accrued	1,216,019
Premiums and considerations:	
Uncollected premiums and agents' balances in the course of collection	3,078
Deferred premiums, agents' balances and installments booked but deferred and not yet due	311,368
Net deferred tax asset	186,940
Receivables from parent, subsidiaries and affiliates	13,325
Aggregate write-ins for other than invested assets	<u>\$ 21,169</u>
 Total admitted assets	 <u>\$116,157,713</u>

C. Liabilities, Capital and Surplus

Aggregate reserve for life policies and contracts	\$ 95,259,342
Liability for deposit-type contracts	2,373,940
Contract claims:	
Life	681,763
Premiums and annuity considerations for life and accident and health contracts received in advance	195
Contract liabilities not included elsewhere:	
Other amounts payable on reinsurance	3,168
Interest maintenance reserve	141,802
Commissions to agents due or accrued	56,357
Taxes, licenses and fees due or accrued, excluding federal income taxes	33,273
Amounts withheld or retained by company as agent or trustee	7,227
Amounts held for agents' account	7,084
Remittances and items not allocated	146,447
Miscellaneous liabilities:	
Asset valuation reserve	370,467
Reinsurance in unauthorized companies	57,197
Drafts outstanding	645,013
Aggregate write-ins for liabilities	<u>2,253</u>
 Total liabilities	 \$ <u>99,785,528</u>
 Common capital stock	 2,000,000
Gross paid in and contributed surplus	18,000,000
Unassigned funds (surplus)	(3,627,815)
Surplus	\$ <u>14,372,185</u>
 Total capital and surplus	 \$ <u>16,372,185</u>
 Total liabilities, capital and surplus	 \$ <u>116,157,713</u>

D. Condensed Summary of Operations

	<u>2010</u>	<u>2011</u>	<u>2012</u>
Premiums and considerations	\$16,810,809	\$56,089,766	\$26,591,954
Investment income	<u>290,186</u>	<u>2,309,776</u>	<u>4,295,637</u>
Total income	<u>\$17,100,995</u>	<u>\$58,399,542</u>	<u>\$30,887,591</u>
Benefit payments	\$ 163,659	\$ 1,711,639	\$ 3,244,200
Increase in reserves	16,356,022	53,882,837	25,020,483
Commissions	740,305	2,279,141	1,290,715
General expenses and taxes	1,265,760	1,989,743	1,794,673
Increase in loading on deferred and uncollected Premiums	0	(39,244)	(58,449)
Miscellaneous deductions	<u>100</u>	<u>50</u>	<u>508</u>
Total deductions	<u>\$18,525,846</u>	<u>\$59,824,166</u>	<u>\$31,292,130</u>
Net gain (loss) from operations	\$ (1,424,851)	\$ (1,424,624)	\$ (404,539)
Federal and foreign income taxes incurred	<u>(429,437)</u>	<u>(98,338)</u>	<u>14,074</u>
Net income	<u>\$ (995,414)</u>	<u>\$ (1,326,287)</u>	<u>\$ (418,613)</u>

The Company predominantly marketed its individual annuity products in 2010 and increased this business in 2011. The rapid increase in sales of its annuity products also increased strain on surplus. To help mitigate the strain on surplus and the effects associated with investing in a persistently low interest rate environment (2010 through 2012) the Company limited the sales of its annuity products in 2012, which resulted in a large decrease in premiums and considerations and their related deductions noted above.

E. Capital and Surplus Account

	<u>2010</u>	<u>2011</u>	<u>2012</u>
Capital and surplus, December 31, prior year	\$ <u>20,000,515</u>	\$ <u>18,563,169</u>	\$ <u>17,011,164</u>
Net income	\$ (995,414)	\$ (1,326,287)	\$ (418,613)
Change in net deferred income tax	70,157	408,174	168,473
Change in non-admitted assets and related items	(488,851)	(519,554)	(145,534)
Change in liability for reinsurance in unauthorized companies	0	(3,392)	(53,805)
Change in asset valuation reserve	(25,323)	(138,719)	(206,425)
Aggregate write ins for gains and losses in surplus	<u>2,085</u>	<u>27,773</u>	<u>16,925</u>
Net change in capital and surplus for the year	\$ <u>(1,437,346)</u>	\$ <u>(1,552,005)</u>	\$ <u>(638,979)</u>
Capital and surplus, December 31, current year	\$ <u>18,563,169</u>	\$ <u>17,011,164</u>	\$ <u>16,372,185</u>

The Company predominantly marketed its individual annuity products in 2010 and increased this business in 2011. The rapid increase in sales of its annuity products also increased strain on surplus. To help mitigate the strain on surplus and the effects associated with investing in a persistently low interest rate environment (2010 through 2012) the Company limited the sales of its annuity products in 2012.

6. MARKET CONDUCT ACTIVITIES

The examiner reviewed various elements of the Company's market conduct activities affecting policyholders, claimants, and beneficiaries to determine compliance with applicable statutes and regulations and the operating rules of the Company.

A. Advertising and Sales Activities

The examiner reviewed a sample of the Company's advertising files and the sales activities of the agency force including trade practices, solicitation and the replacement of insurance policies.

Based upon the sample reviewed, no significant findings were noted.

B. Underwriting and Policy Forms

The examiner reviewed a sample of new underwriting files, both issued and declined, and the applicable policy forms.

Based upon the sample reviewed, no significant findings were noted.

C. Treatment of Policyholders

The examiner reviewed a sample of various types of claims, surrenders, changes and lapses. The examiner also reviewed the various controls involved, checked the accuracy of the computations and traced the accounting data to the books of account.

Based upon the sample reviewed, no significant findings were noted.

Respectfully submitted,

_____/s/
Anthony Chiarel
Associate Insurance Examiner

STATE OF NEW YORK)
)SS:
COUNTY OF NEW YORK)

Anthony Chiarel, being duly sworn, deposes and says that the foregoing report, subscribed by him, is true to the best of his knowledge and belief.

_____/s/
Anthony Chiarel

Subscribed and sworn to before me

this _____ day of _____

APPOINTMENT NO. 30994

NEW YORK STATE

DEPARTMENT OF FINANCIAL SERVICES

I, BENJAMIN M. LAWSKY, Superintendent of Financial Services of the State of New York, pursuant to the provisions of the Financial Services Law and the Insurance Law, do hereby appoint:

ANTHONY CHIAREL

as a proper person to examine the affairs of the

AMERICAN NATIONAL LIFE INSURANCE COMPANY OF NEW YORK

and to make a report to me in writing of the condition of said

COMPANY

with such other information as he shall deem requisite.

In Witness Whereof, I have hereunto subscribed my name
and affixed the official Seal of the Department
at the City of New York

this 11th day of March, 2013

BENJAMIN M. LAWSKY
Superintendent of Financial Services

By:



MICHAEL MAFFEI
ASSISTANT DEPUTY SUPERINTENDENT
AND CHIEF OF THE LIFE BUREAU

