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KATHY HOCHUL  
Governor



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ADRIENNE A. HARRIS  
Superintendent

November 10, 2022

**RE: SPECIAL REPORTS PURSUANT TO NEW YORK INSURANCE LAW §308:  
2022 INSURANCE AVAILABILITY SURVEY, ANNUAL FREE TRADE ZONE REPORT AND  
SPECIAL HOMEOWNERS INSURANCE SUPPLEMENT**

Dear Sir/Madam:

The purpose of this letter is to provide the captioned data calls, as follows:

**I. Insurance Availability Survey**

The Department conducts surveys annually to determine the state of the markets for difficult-to-place or complex insurance coverages. The survey consists of a Microsoft Excel file that contains multiple worksheets to be completed electronically.

We rely on insurers' responses to the annual survey to obtain meaningful and timely information on insurance market conditions and trends. This is a dynamic survey; each year, it is updated based upon the Department's observations of an ever-changing marketplace. As in past years, see the "Index" tab of the attached survey document "Report\_Avail22.xlsx" for detailed descriptions of any changes that have been made to this year's survey.

The "Index" worksheet in the Excel file and "Avail Survey Instructions" document contain instructions for completing the survey correctly. In order that the survey responses provided reflect the most current information on market activity and availability of coverages, please be sure to follow the instructions carefully.

For risks/coverages that lend themselves to both commercial and personal lines underwriting, responses may reflect your writings on both bases.

**All recipients of this letter must complete and return the survey.** If an insurer has no data to report, a "Nil Report" should be returned.

It should also be noted that responses are not required regarding reinsurance. Licensees that only write reinsurance should also submit a Nil Report (see the specific instructions).

## II. Annual Free Trade Zone Report

Insurers that are licensed to write business in the “Free Trade Zone” (Special Risks as provided for in Insurance Law Article 63) are required, pursuant to Insurance Regulation 86, to complete the worksheet(s) that request information on Free Trade Zone business written during the most recent calendar year.

Instructions for completing the Annual Free Trade Zone Report are also contained in the instructions.

## III. Special Homeowners Insurance Supplement

All insurers that have direct written premiums for homeowners insurance must complete the “HO” worksheet that requests information on insurers’ underwriting plans for homeowners insurance in New York in 2023. The responses to the Supplement will assist the Department in assessing market conditions and trends in areas with the highest exposure to potential catastrophic losses. If the company has no homeowners direct written premiums, the “No” box should be checked on the “General Info” tab.

### Return of Responses

This year’s worksheets should be accessed on the Property Bureau [Availability Survey](#) page on the Department’s Web Site. Your Insurance Availability Survey, Annual Free Trade Zone Report and Special Homeowners Insurance Supplement should be completed accurately in accordance with the instructions, and transmitted through the Department’s [portal application](#), no later than December 30, 2022. Detailed instructions for this process are included on the website.

**Do not respond by hardcopy.** Please note that the Department does not require a printed copy of any part of this report.

Insurers’ accurate and timely responses are a key element in the Department's efforts to cultivate and maintain market stability. Responses to the survey have proven to be of great value in efforts to help consumers and businesses find coverage appropriate to their needs. The reports’ information has also been a helpful tool in the Department's analysis of conditions and trends in the ever-changing insurance marketplace. Past reports have enabled the Department, working with insurers and producer organizations, to develop appropriate coverage sources in difficult market environments.

Questions regarding the content of the survey (coverages, etc.) may be directed to:

Mr. Horace Sumpter

Financial Services Examiner 2

E-mail: [Horace.Sumpter@dfs.ny.gov](mailto:Horace.Sumpter@dfs.ny.gov)

Any questions regarding the technical aspects of the completion requirements may be directed to:

Mrs. Khatune Ghani

Financial Services Examiner 2

E-mail: [Khatune.Ghani@dfs.ny.gov](mailto:Khatune.Ghani@dfs.ny.gov)

Your cooperation in promptly furnishing timely and accurate responses is essential to the success of this project. Insurers that fail to comply with this survey may be subject to fines in accordance with Section 308 of the Insurance Law.

Please note that we issue an updated report format for the survey request each year. Insurers should not submit data prior to receiving the Department's survey call and instructions each year.

Very truly yours,

Robert Kasinow  
Acting Deputy Superintendent  
Property Bureau