

STATE OF NEW MEXICO
OFFICE OF SUPERINTENDENT OF INSURANCE

SUPERINTENDENT

Russell Toal



DEPUTY SUPERINTENDENT

Jennifer A. Catechis

NOTICE

TO: ALL PROPERTY AND CASUALTY INSURERS DOING BUSINESS IN NEW MEXICO

RE: WILDFIRE CLAIMS

Due to recent wildfires around New Mexico, the Superintendent of Insurance is requesting that all property and casualty insurers doing business in New Mexico take the actions described below with respect to any claims filed by victims of the four New Mexico wildfires: Nogal Canyon, McBride, Hermit's Peak and Big Hole. These responses are being requested to prevent New Mexico survivors from experiencing challenges when filing claims related to the wildfires.

The United States Federal Emergency Management Agency (FEMA), in response to Governor Michelle Lujan-Grisham's request, has declared these wildfires as national disasters (FM-5433-NM, FM-5432-NM, FM-5431-NM, and FM-5430-NM).

The Office of the Superintendent of Insurance (OSI) is requesting the following with respect to property and casualty claims:

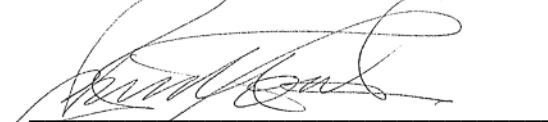
1. For smoke, soot and ash claims:
 - a. Inspect the home when smoke, soot and ash are visible. Authorize repairs/cleaning/replacement as necessary of hard surfaces, HVAC systems, attic insulation and soft goods; and
 - b. If there is a question of habitability after cleaning, insurance company should offer independent testing at the insurer's cost. Additional Living Expenses should be continued until testing and remediation is complete.
2. Affirmatively reach out to policy holders within the affected areas to offer assistance, as needed, with claims related to the wildfire events.

3. For total losses, ensure that contents coverage includes options for streamlining inventory documentation for total losses for those eligible for additional replacement cost benefits from their policy, plus:
 - a. Utilize inventory forms that allow grouping by category, itemizing large items, or grouping by room; and
 - b. Conduct individual interviews with policy holder(s).
4. Individual claims filed in the declared disaster areas, as defined by FEMA (www.fema.gov/locations/new%20mexico), are to be treated as a single fire loss with one deductible, even if multiple claims are made by the same policy holder.
5. No future adverse underwriting actions should be taken based in whole or in part on a claim filed as a result of the Nogal Canyon, McBride, Hermit's Peak and Big Hole wildfire events.

The OSI further requests all property and casualty insurers to provide information to margaret.pena@state.nm.us no later than May 6, 2022 on whether the requested actions will be implemented. Please provide responses on the downloadable excel form available by clicking this link <https://wildfireform.xlsx>.

ISSUED this 21st day of April 2022.

SUPERINTENDENT OF INSURANCE



RUSSELL TOAL