



Ohio Revised Code

Section 3929.44 Application by person unable to obtain basic property or homeowners insurance.

Effective: October 24, 2024

Legislation: Senate Bill 175

(A) Any person having an insurable interest in real property or tangible personal property, or both, at a fixed location, who has been unable to obtain basic property insurance or homeowners insurance may apply to the Ohio fair plan underwriting association.

(B) The association may engage an inspection bureau or other organization to assist in collection of information necessary to underwrite risk for basic property insurance or homeowners insurance.

(C) The association, if it finds the property to be insurable by meeting the reasonable underwriting standards contained in the plan of operation approved by the superintendent of insurance, shall cause a policy or binder of basic property insurance or homeowners insurance to be issued to the applicant upon payment of the premium.

(D) As part of an application for a policy of basic property insurance or homeowners insurance, an applicant shall, in accordance with procedures and requirements set forth in rules promulgated by the superintendent, certify at least two insurance companies had been contacted and from whom coverage was not available.

(E) As a condition of the issuance of a binder or policy of basic property insurance or homeowners insurance, an applicant shall, in accordance with procedures and requirements set forth in rules promulgated by the superintendent, certify to the association that there are no outstanding taxes, assessments, penalties, or charges with respect to the property to be insured.

(F) An applicant shall, in accordance with rules promulgated by the superintendent, certify to the association whether or not the applicant has received written notice from an authorized public entity stating that the applicant's property is in violation of any building, housing, air pollution, sanitation, health, fire, or safety code, ordinance, or rule. If the applicant has received such written notice of any such violation, the applicant shall also submit to the association a detailed plan that indicates the



manner and estimated period of time in which such violations will be corrected. If the association is satisfied that the violations are subject to correction within a reasonable period of time and that the applicant otherwise meets the requirements of this section, it may cause a policy or binder of basic property insurance or homeowners insurance to be issued to the applicant on the condition that the plan be implemented on schedule. The form of the plan submitted by the applicant and the manner in which this division is implemented shall be in accordance with rules promulgated by the superintendent. Nothing in this division shall be construed to make the association responsible for the detection of any violation of a code, ordinance, or rule of the type described in this division.