

11 NCAC 13 .0303 PREMIUM FINANCE LICENSING PROCEDURES

(a) Applicants must meet minimum qualifications as stated in G.S. 58, Article 35.

(b) Applicants must submit a properly completed "Application for Insurance Premium Finance License" to the Division. The following items, where applicable, shall be attached to and made a part of the application:

- (1) A certified copy of the board of directors' resolution that authorized the application to be made;
- (2) A duly authenticated copy of the applicant's articles of incorporation, together with all amendments and supplements thereto;
- (3) A duly authenticated copy of the applicant's by-laws;
- (4) If the applicant is a foreign corporation, a copy of the certificate of authority to transact business in this state issued by the North Carolina Secretary of State;
- (5) Certified copy of the current partnership agreement;
- (6) If a trade name is used, a certificate showing that the trade name has been filed as required in General Statute 66-68;
- (7) A surety bond as specified in G.S. 58-35-15(a) and 11 NCAC 13 .0302;
- (8) Form number DOI-5PF completed on each individual specified in 11 NCAC 13 .0301;
- (9) A sworn statement by a corporate officer, partner or individual proprietor giving a detailed description of the premium financing procedures to be employed in North Carolina. The detailed description should include procedures outlining the execution of a premium finance agreement, procedures for payment in full before the maturity of the agreement, and cancellation procedures. The cancellation procedures should indicate the dates of all notices, and the method of refund to the insured when applicable.
- (10) Two copies each of a proposed Insurance Premium Finance Agreement, rate chart, ten-day notice, cancellation notice and all related forms to be mailed or given to North Carolina citizens;
- (11) A current audited financial statement of the premium finance company, prepared by a certified public accountant or by a qualified independent accountant who is engaged in the public practice of accounting;
- (12) Check in the amount of the permit fee as specified in G.S. 58-35-5 (made payable to the North Carolina Department of Insurance);
- (13) Such other data and information as the Commissioner may deem reasonably necessary to assist him in determining whether the applicant is entitled to the license sought;
- (14) If the applicant is a foreign company it shall appoint and maintain the Commissioner as an agent for the service of process on a form prescribed by the Commissioner.

*History Note: Authority G.S. 58-2-40; 58-35-5(b); 58-35-35; 58-35-45;
Eff. February 1, 1976;
Readopted Eff. January 1, 1978;
Amended Eff. April 8, 2002; May 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 25, 2016.*