



**THE FLORIDA SENATE**  
**SENATOR KATHLEEN PASSIDOMO**  
*President*

## MEMORANDUM

**TO:** All Senators  
**FROM:** Kathleen Passidomo  
**SUBJECT:** Insurance Market Update  
**DATE:** May 16, 2024

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I have attached important updates regarding Florida's property insurance market, provided by the Office of Insurance Regulation (OIR).

We know the cost of property insurance is posing a major affordability problem for Florida homeowners. Fortunately, the reforms passed in recent years are working. We are seeing new insurers and new private capital enter Florida, while large companies recommit to our state, citing recent reforms. Unfortunately, we all know it is taking time for the positive momentum we are seeing across the market as a whole to reach kitchen tables around the state. Families are understandably frustrated by the cost of premiums, and need to see savings and stabilization now. For this reason, I was pleased to read in the attached documents that rate filings for 2024 show a slight trend downward for the first time in years, indicating the beginning of stabilization of the property insurance market. **Ten companies have filed a zero percent increase and at least eight companies have filed a rate decrease to take effect in 2024.**

Every little bit helps. This news, in addition to our action to cut \$500 million in taxes associated with flood insurance and property insurance premiums, is very positive, and important for families trying to make ends meet as our insurance market strengthens.

Additionally, I was pleased to see the OIR take important action last week to protect consumers. As you may be aware, the OIR fined five companies for either improper handling of claims following Hurricane Ian, or issues related to reporting requirements, including a \$1 million fine, among the largest in state history. We have worked hard to balance fair costs and protections for consumers, while strengthening state review and analysis of the insurance market. The OIR's actions help make good on our promise to protect consumers.

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Finally, the Governor recently signed into law the important updates to the My Safe Florida Home program that we passed last session. We know high-priced items like a new roof or storm windows can make homes safer, while reducing insurance premiums, yet these resiliency enhancements can be financially out of reach for many. The My Safe Florida Home Program supports families across the state who are seeking to fortify their homes against natural disasters, while at the same time reducing property insurance premiums. Together, we increased funding for this great program, prioritizing lower-income Floridians and seniors, and started the process of expanding coverage to condominium associations, which will help many of our coastal residents.

I hope these updates are useful to you and your constituents. I want to make sure Floridians know that as our insurance market stabilizes, Florida's Legislature and Governor will continue efforts to fortify homes and rein in costs for Florida families.

## FLORIDA PROPERTY INSURANCE MARKET UPDATE May 2024

The Office of Insurance Regulation (OIR) continues to see overall market stabilization following the historic legislative reforms of 2022 and 2023 that enhanced protections for consumers, strengthened Citizens Property Insurance Corporation, and encouraged investment by insurers and reinsurers by providing clarity to the market and the risk they underwrite.

- **Rate Filings:** Rate filings for 2024 show a slight trend downward for the first time in years, indicating stabilization of the property insurance market. Ten companies have filed a zero percent increase and at least eight companies have filed a rate decrease to take effect in 2024.
- **Reinsurance:** The 2023 reinsurance market responded positively to these reforms. Early signs from the 2024 reinsurance purchasing season show further positive indications. Reinsurance is a direct and significant cost to consumers and relief in this area is a significant sign that the reforms are working.
- **Financial Strength:** After years of consecutive underwriting losses, the insurers saw overall stability with many companies reporting a net profit in 2023.
- **Market Snapshot:** As of Q4 2023, there are approximately 7.45 million residential insurance policies in force in the Florida property market.
  - o Approx. 81% of those policies are written by admitted insurers, as opposed to Surplus Lines companies or Citizens Property Insurance Corporation.
  - o Eight new companies have been approved to write homeowners policies in Florida since the reforms, and an additional company was acquired to expand its footprint in the state.
- **Citizens Property Insurance Corporation:** Approximately 389k policies have been taken out of Citizens from January 2023 through March 2024.
- **Florida Leadership:** Other states are looking at recent and historical Florida's legislative reforms to strengthen their own markets.
  - o HI (CAT Fund), GA (tort reform), LA (tort reform), are examples.
  - o Florida has recently presented its reforms as a model at the National Association of Insurance Commissioners.
- **Market Research:** OIR conducts market research across all lines of business, and partners with universities throughout the state to explore innovative ways to improve market outcomes and inform policy decisions.
- **Market Conduct:** Multiple insurers have been held accountable for behavior that is in violation of Florida law.

# FLORIDA PROPERTY INSURANCE MARKET UPDATE

## May 2024

### Overview

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### Rates & Premium

**Rates are beginning to stabilize.**

- A 30-day average request for homeowners' rates was 1.6% compared to 7.6% one year ago.
- The average homeowner's premium in the admitted market in Florida is approximately \$3,600.
- Ten property insurance companies have filed a zero percent increase for their annual rate filing, and at least eight companies have filed a rate decrease to take effect in 2024 (*note: filings are pending approval*).

# FLORIDA PROPERTY INSURANCE MARKET UPDATE

## May 2024

**Florida leaders have continuously enacted cost savings for homeowners, while helping ensure properties are strong and resilient.**

- The Legislature has mandated updates to the hurricane mitigation discounts insurance companies must provide when homeowners make certain improvements to their home.
- The Legislature has appropriated \$350M in the past three years to help homeowners make improvements and save on their insurance through the My Safe Florida Home Program.

### Litigation

**One of the primary challenges for Florida's property market has been the frequency and severity of litigated claims. Legislative reforms curbed abusive litigation practices and elevated the role of OIR as the regulatory authority working on behalf of consumers.**

- In 2022, Florida had only 14.9% of the nation's homeowners' claims, but had 70.8% of the nation's litigation.
- Insurers paid about \$2.9 billion in direct domestic homeowners' defense costs and containment expenses in 2022 alone, which include defense, litigation, and attorneys' fees. These costs were paid for by consumers in the form of higher rates.
- The total cost of indemnity paid for claims closed in 2022 was \$11.2 billion.
- The total loss adjustment expenses ("LAE") paid for claims closed in 2022 was \$1.5 billion.
  - o Average LAE paid across all perils for litigated claims: \$9,934
  - o Average LAE paid across all perils for non-litigated claims: \$1,576
- OIR has completed 13 market conduct exams of property and casualty insurers alone in 2024.

### Company News

**Florida's property insurance market is strengthening following the enactment of the legislative reforms. Despite national news of companies balancing restructuring their books (which includes non-renewing policies), companies continue to write new homeowners policies and new companies continue to enter Florida's market.**

- Eight new companies have been approved to write homeowners policies in Florida
  - o Manatee, Mainsail, Orion 180, Orion 180 Select, Tailrow, Orange Insurance, CORE, and Ovation.
- In addition to new companies entering the market, OIR approved the acquisition of a Florida domestic property and casualty reciprocal insurer, Trusted Resource Underwriters Exchange, to allow the existing company to grow its footprint in the state and expand its underwriting capacity. As a result of OIR's approval of the acquisition, more than \$1.25 billion of capital is being invested into Florida's property and casualty insurance market.
- Three companies announced their commitment to Florida (State Farm, Kin, AAA) with additional meetings underway with major national carriers.
- OIR continues to meet with executives from national property insurance carriers such as Travelers, Progressive, and Allstate.

# FLORIDA PROPERTY INSURANCE MARKET UPDATE

## May 2024

### **Early signs indicate reforms are shaping the market.**

- Legislative reforms aimed at curbing the practice of submitting claims as a ticket to the courtroom. Assignment of benefits played the role of allowing third-party entities to generate business for the litigation firms by convincing Floridians to sign over their rights under the guise of solving their repair needs.
- This abusive pattern created an environment of artificially high claim frequency, which made it difficult for insurers and reinsurers to estimate the risk they were underwriting, made even more difficult by laws allowing hurricane claims to be filed up to 3 years after a storm (now 1 year).
- Since the reforms have been enacted into law, there have been double digit decreases in non-catastrophe claims (2022 to 2023), which is a sign that these abusive practices have begun to subside, and rational claims practices are being restored.
- Restoring rational claims practices stimulates appetite for growth in the market and rate reduction for consumers.

### **Florida domestic insurers' financial outlook begins to strengthen, which will help give consumers more options for coverage and drive competitive rates.**

- In 2023, Florida domestic insurer companies reported they produced a combined net underwriting gain/loss that almost broke even, a dramatic improvement from losing over a billion dollars in the past three consecutive years. When combined with investments, these domestic carriers showed a net positive income in 2023 for the first time since 2016.

### **Citizens Property Insurance Corporation**

#### **Citizens is showing improvement in their financial strength over the previous years and lowering their policy count – another sign of the private insurance market strengthening and lowering the possibility of assessment for Floridians.**

- For instance, Citizens' surplus increased by approximately 17.5% from previous years and Citizens reported a net income in 2023 of \$746 million compared to a loss of \$2.2 billion in 2022.
- Citizens' policy count has begun decreasing for the first time in several years.
  - o Decreased from September to December by 179,087 policies (12.7% reduction).
  - o Decreased again by 62,851 (5.12%) from December 2023 to January 2024.
- OIR is seeing greater participation and interest in the Citizens Depopulation program this year, doubling the entire number for 2022 in the first half of 2023, and adding takeouts for the first quarter of 2024, which amount to more than half of all the policies taken out in all of 2023:
  - 2022
    - o Four companies approved to assume 80,201 policies.
  - 2023
    - o Twelve companies approved to assume over 650,000 policies.
    - o 800% Increase compared to last year.
    - o Over 275K policies assumed.
      - o More than the last seven years combined.
      - o Reduced Citizen's exposure by \$113 billion.

## **FLORIDA PROPERTY INSURANCE MARKET UPDATE**

### **May 2024**

- 2024
  - o Overview: 13 companies approved to assume over 354,000 policies through March.
  - o Latest Takeouts: Three companies approved for a total of 54,386 personal residential policies for a May 2024 assumption date, and one company approved for a total of 300 commercial residential policies for a June 2024 takeout date.

#### **Some consumers taken out of Citizens experienced savings on their insurance.**

- For example, Homeowners Choice, saw 74% of its offers accepted by Citizens customers, with 70% of those coming at a savings to the customers when compared with their Citizens premium.

#### **Reinsurance**

#### **Reinsurance, a driving factor behind the cost of insurance policies, is becoming more available and prices are stabilizing.**

- Despite rumored 50-60% increases at the beginning of 2023, companies reported in OIR's Annual Reinsurance Data Call the 2023 risk-adjusted change in reinsurance cost from 2022 was on average: +27%.
- In preparation for the 2024 reinsurance season, OIR met with Bermuda and New York based reinsurers in October, November, March, and April to provide an update on the state of the market, highlighting positive datapoints.
- Additionally, the Florida Hurricane Catastrophe Fund rates (pending cabinet approval) are decreasing for participating insurers by a statewide average of 7.38%. These rate decreases are in part based on modeled loss cost indications, even while exposure grows.

#### **Market Research**

#### **OIR continues to conduct market research to help inform policy decisions that impact the state.**

- OIR funds the Public Hurricane Loss Model that was developed and maintained by Florida International University (FIU) and is used by OIR as a tool to ensure rate filings are adequate, not excessive, and not discriminatory. Additionally, OIR uses the Public Model to stress test property insurance companies to ensure they have adequate reinsurance ahead of storm season.
- OIR works with the Florida State University Risk Management Institute to research topics important to the Florida property insurance market.
- Florida is the only state in the Nation with an established commission that reviews and approves catastrophe simulation models to be used in insurance rate filings.