

# TWIA Board Meeting Workshop

**Public Comments** 



From: Sally Bakko
To: PublicComment

**Subject:** City of Galveston Comment Letter to TWIA Board of Directors

**Date:** Tuesday, April 20, 2021 2:41:31 PM

Attachments: City3Color 60p 3c9c6c84-a89b-4a38-bddf-450e68d5cc3b.png

4-21-2021 City of Galveston Written Comments to TWIA Board of Directors.pdf

#### Good afternoon,

Please find attached a letter from Brian Maxwell, City Manager for the City of Galveston, to the Texas Windstorm Insurance Association (TWIA) Board of Directors conveying comments in advance of the Workshop on TWIA Rates and Related Issues scheduled for Wednesday, April 21, 2021.

If you have any questions or need additional information, please do not hesitate to contact me.

Best regards, Sally Bakko



#### Sally Bakko, Director of Policy and Governmental Relations

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# City of Galveston

#### OFFICE OF THE CITY MANAGER

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April 20, 2021

Chandra Franklin-Womack Chairwoman Texas Windstorm Insurance Association Board P.O. Box 99090 Austin, TX 78709-9090

Dear Chairwoman Franklin-Womack,

On behalf of the City of Galveston, I want to express our appreciation for this opportunity to provide written comments to the Texas Windstorm Insurance Association (TWIA) Board of Directors in response to the workshop on rates and related issues scheduled for Wednesday, April 21, 2021.

The City of Galveston strongly supports the critical TWIA legislation now advancing through the 87<sup>th</sup> Legislature. H.B. 3684, authored by State Representative Greg Bonnen MD, and S.B. 1448, authored by State Senator Larry Taylor, extends the work of H.B. 1900 enacted in 2019 to: 1) review and provide recommendations on TWIA's funding and funding structure; and 2) evaluate merging TWIA and the Texas FAIR Plan Association, alternative property insurance for underserved areas in Texas.

Through current statutory authority, TWIA is empowered to take a different approach that doesn't place the heaviest burden on struggling consumers. TWIA may draw upon a more balanced approach through member insurance company assessments, bonds, and premiums to offset losses. With a thorough assessment of TWIA's funding structure, further reforms will likely be identified to empower TWIA with alternative approaches that can avoid placing the heaviest burden on struggling consumers.

The ability of coastal residents and business owners to insure their property is a critical component to maintaining economic stability and quality of life not only for coastal areas, but the entire state of Texas. Maintaining affordable TWIA coverage is essential as many impacted communities continue to struggle with rebuilding following Hurricanes Harvey. Moreover, while not directly hit by Hurricanes Laura or Delta, Galveston homeowners are facing damage caused by high tides and related surge.

Windstorm insurance is not only necessary to protect real estate against losses, but it is also necessary to obtain financing for single-family homes, rental property, condominiums, and commercial buildings. Continued premium increases will have a detrimental impact on the housing market in coastal communities by presenting higher building costs and greater challenges for potential homebuyers and businesses to qualify for mortgages.

Since 1971, the TWIA role has been "the insurer of last resort" as a primary retail insurance provider in the fourteen (14) counties along the Texas coastline. Over the past forty-seven years, the Legislature has attempted to correct a myriad of financial, adjudication, and policy issues and problems with TWIA, with the most recent major reforms occurring in 2011 and 2015. I believe rather than taking on another band-aid approach to correct a dysfunctional system, the Committee should recommend to the Legislature that TWIA continue not as a primary retail insurer, but as a provider of reinsurance for the private insurance market.

Restructuring TWIA as a reinsurance provider reinsurer is an option the Sunset Advisory Commission identified as an alternative considered in the Staff Report presented to the 86<sup>th</sup> Legislature (see page 20, Staff Report). The Staff Report suggests this as an option that would incentivize the private insurance market to provide more affordable windstorm insurance along the Texas coast. Under this alternative as described in the Staff Report, as a reinsurer TWIA would receive a portion of the premiums insurance companies collected and invest the funds. In the event of a catastrophic storm, TWIA would offset the risk to insurance companies by paying for claims once the claims exceed a certain cost threshold.

While the Staff Report dismissed this reinsurer role alternative as an untested concept, I do not believe the alternative has been fully vetted or the advantages completely recognized. The funding structure review to ensue with enactment of H.B. 3684 or S.B. 1448 presents an opportunity to more closely examine implementation as well as the benefits to policyholders and the state by restructuring TWIA in a reinsurer role.

I would share the following structure and benefits of TWIA in a reinsurance role:

- 1. As a reinsurer, TWIA could sell low cost attachments to private market insurance companies.
  - A significant number of windstorm claims processed by TWIA involve smaller claim amounts.
  - A low cost attachment could restrict TWIA coverage to claims above \$25,000.
  - Such an arrangement would reduce the risk for the private insurance company.
     Moreover, TWIA could market the low cost attachment statewide to induce greater private sector participation as well as further spread and reduce risk.
  - In addition, such an arrangement could allow private insurance companies to bundle policies (i.e. homeowners, automobile, life, and windstorm), thus providing an even more lucrative incentive.
  - By reducing risk and expanding private insurance market involvement, premiums can become more affordable for policyholders.

- 2. There are significant advantages for the State:
  - As a reinsurer, TWIA reduces its overhead no longer paying commissions, processing small claims, or involved in an expensive claims adjudication process.
  - Rather than continue as a costly drain as a primary retail insurance provider competing with the private market, TWIA becomes a reinsurance provider that generates revenue for the state.

Coastal counties represent 33.4 percent of Texas' real gross product, 23.5 percent of the state's population, and 25 percent of Texas jobs. The ability of coastal residents and business owners to insure their property is a critical component to maintaining economic stability and quality of life not only for coastal areas, but the entire state of Texas. Maintaining affordable windstorm coverage is essential for sustaining a workforce on the Texas coast that provide services critical industries for Texas.

I urge the TWIA Board to recommend significant restructuring of TWIA that will provide longterm solutions that achieve affordable quality windstorm insurance for property owners in Texas.

I want to thank you for this opportunity to provide written comments. The City of Galveston stands ready to assist the TWIA Board as you evaluate and weigh alternatives and recommendations to improve TWIA and provide sustainable, affordable windstorm protection.

Sincerely,

Brian Maxwell City Manager

cc: The Honorable Larry Taylor, State Senator, District 11

The Honorable Brandon Creighton, State Senator, District 4

The Honorable Mayes Middleton, State Representative, District 23

The Honorable Greg Bonnen, State Representative, District 24

From: Olivo, Nelda <NELDA@pocca.com>
Sent: Wednesday, April 21, 2021 7:59 AM

**To:** PublicComment

**Subject:** TWIA Board meeting on April 21 - Port of Corpus Christi comments

#### Dear TWIA:

On behalf of the Port of Corpus Christi, thank you for the opportunity to provide comments to the Texas Windstorm Insurance Association board regarding its meeting on April 21, 2021.

The Port of Corpus Christi is concerned about the timing of this meeting as many interested parties are focusing on the legislative session. We believe holding this meeting at this time limits participation and should be postponed until the legislative session is completed.

Additionally, the Legislature is currently considering several bills that will have a direct impact on TWIA's rate making authority and structure. The Port believes it would be prudent to hold off on any rate discussions until the Legislature has finally considered the following bills:

- HB 3810 by Representative Todd Hunter has passed the House. That bill requires a 2/3 majority vote by the TWIA board to raise rates.
- HB 769 makes policy changes that could impact how rates are calculated including the use costing models.
- SB 1448/HB 3684 continues the funding structure study that was not completed due to the COVID-19 pandemic.

Thank you for the opportunity to submit these comments.

Sincerely,

### **Nelda Olivo**

Director of Government Affairs
Port of Corpus Christi
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www.portofcorpuschristi.com

 From:
 Ginny Cross

 To:
 PublicComment

 Cc:
 John LaRue

Subject: Public comment for TWIA Workshop

Date: Tuesday, April 20, 2021 11:42:22 AM

Please consider the following to be public comment from United Corpus Christi Chamber CEO John LaRue:

Currently the legislature is considering several bills that could impact TWIA rates. Due to the pending legislative action, it would be prudent to hold off on any rate discussions until the legislature has finally considered the following bills.

HB 3810 by Representative Todd Hunter has passed the House. That bill requires a 2/3 majority vote by the TWIA board to raise rates.

HB 769 makes policy changes that could impact how rates are calculated including the use costing models.

SB 1448/HB 3684 that continues the funding structure study that was not completed due to the COVID-19 pandemic.



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April 21, 2021

Mr. John Polak and TWIA Board Texas Windstorm Insurance Association P.O. Box 99090 Austin, Texas

Dear TWIA Board and staff,

My name is Lee Loftis, and I am writing on behalf of the Independent Insurance Agents of Texas and our 1100+ member agencies around the state. IIAT has been involved with TWIA since its inception in 1971 and remains involved today. IIAT members, particularly in Tier 1 and Tier 2 counties, depend on TWIA to place business that cannot be placed in the voluntary market. I appreciate the opportunity to comment on some of the issues that are shown on the agenda for the April 21, 2021, meeting of the TWIA Board of Directors.

Funding of TWIA and related concerns have, and will continue to be, one of the most difficult issues that the Board and the legislature must face. Balancing the need to provide adequate amounts of funding, while making coverage available and affordable, will forever be a struggle. A comprehensive review of funding was to have been addressed in the 2020-2021 Interim; however, COVID-19 concerns prohibited that study from going forward. HB 3684 and SB 1448 will extend that study into the 2022-2023 Interim and this legislation is expected to pass this Session. We feel that any funding discussion should be delayed and held until the Interim study.

The workshop agenda topics, include several items that are of interest to IIAT members, including: inspection of risks, agent self-service options, modernization of agent commission structure, and expense management. IIAT members along the coast deal with TWIA on a regular basis and the TWIA Agent Advisory Group has offered invaluable input into many of the items on this list. Self-service options should be reviewed and expanded as should all the processes dealing with TWIA. Agents are the mouthpiece for the consumer in dealing with TWIA and should be considered in all the discussions to make it easier for agents to assist the consumer.

Many times, "improvements to the process" are done in a vacuum without input from the end users, agents. IIAT has been consistent on the notion of "modernization of agents commission structure" should be considered when improvements have been completed. Modernization of the processes by TWIA should be considered before any discussion regarding modernization of commissions. Every change that has been made by legislation or by TWIA brings additional responsibilities and requirements of agents. It has often been cited how low the expense ratio is for TWIA compared to the voluntary

marketplace. Much of the cost savings that TWIA has experienced is attributed to the workload that is carried by the agents. As you deliberate on the expense management, please do not add additional requirements onto the agents without considering the ramifications of the cost shifting.

Another issue for consideration is that of agents who rarely deal with TWIA, causing a burden on staff and adding to the expense side. I believe it is prudent to look at adopting certain standards for agents wishing to submit business to TWIA. I hope that TWIA will investigate making access to TWIA more limited by certifying agencies who have exhibited the ability to understand how to deal with TWIA processes. Non-certified agents could opt to go through certified agents to access TWIA, thus reducing the errors and time spent educating an ill-informed agent.

In closing, I would like to thank the Board and staff of TWIA for allowing us to comment on the items outlined above. We will continue to be available to you and your staff to help improve processes for TWIA, the agents, and most importantly for the policyholders that depend on TWIA for coverage.

Regards,

Lee Loftis

**IIAT Government Affairs Director** 

From:

**Sent:** Monday, April 19, 2021 10:44 AM

**To:** PublicComment **Subject:** Premium payments

I was wondering if you have come up with a method of premium payment that makes it easy for those on a fixed income (such as Social Security, pensions, disability benefits) to make payments other than through Wellington. The current modification of half down and then two payments within a short period of time doesn't help these people. The option of putting the whole amount on a credit card is also is not a viable solution. Many policyholders do not have that much open credit on their accounts. If monthly payments could be made to TWIA directly or by monthly payments charged to their credit cards, it would be a large help.

I hope you will address this matter shortly if you have not already done so.

\_\_\_\_\_

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From:

Sent: Wednesday, April 14, 2021 9:06 PM

To: **PublicComment** Subject: suggestion

As a current Policy holder I think any changes being proposed should be put on hold until everyone can come into some stability. We just went through a year of Job losses, so-called Plandemic, Quarantine, rearing children at home full time, going through savings to survive amongst other issues, And you want to consider raising rates. This may be ok for you to do but do you think its ethical or morally good timing? Maybe you should consider some cutbacks in your own system. Maybe you guys are mismanaging our premiums.

**Galveston County** 

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"City of Dallas v Mitchell, 245 S.W. 944

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From:

**Sent:** Wednesday, April 14, 2021 12:49 PM

**To:** PublicComment

**Subject:** cost / risk sharing fairness

I believe that TWIA rates have been unfairly influenced by politics. Risk sharing costs should be fact based. There is no reason that the coastal counties should bear the brunt of the cost. For instance the typical costs for a Wharton County resident is ½ to 2/3 less than a Matagorda county resident. Highest risk should be assigned to both the coastal and first adjoining counties. Obviously the highest cost should be born by those on the actual coastline. (beach etc)

Sent from Mail for Windows 10

From:

**Sent:** Tuesday, April 13, 2021 1:21 PM

**To:** PublicComment **Subject:** TWIA Rate Increase

We are requesting no rate increase.



