

Frequently Asked Questions

Weston Property & Casualty Insurance Company (“Weston”)

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General Information

- 1. What has occurred with Weston?** On August 8, 2022, Weston was placed in receivership and ordered into liquidation by the Second Judicial Circuit Court of Leon County, Florida (“the Court”) in case number 2022 CA 001378. This order appointed the Department of Financial Services (the “Department”) of the State of Florida as Receiver, and Cantilo & Bennett, L.L.P. as Special Deputy Receiver (SDR).
- 2. Why was Weston placed in liquidation?**
On August 2, 2022, David Altmaier, Commissioner of the Office of Insurance Regulation of the State of Florida, advised Jimmy Patronis, Florida’s Chief Financial Officer, that grounds exist for the initiation of delinquency proceedings, specifically receivership for rehabilitation nor liquidation, against Weston. This action followed a determination that Weston is insolvent. Weston’s board of directors consented to the appointment of a receiver for Weston.
- 3. Is Weston selling new insurance policies or renewing existing policies?**
No. Even before this action, Weston had stopped selling or renewing insurance policies.
- 4. Is my insurance policy still in force?**
Weston’s policies are cancelled effective 12:01 a.m. on September 7, 2022; unless otherwise terminated prior to that date.

5. Should I get an insurance policy with another company?

Yes. Your agent is best able to advise you as to your insurance options. To assist your agent and you in this process, we have notified, or will soon notify, your agent directly of the imminent cancellation of your policy.

6. I received a "Notice to Policyholders". Why did I receive this Notice?

You received a notice because your name appears as a current policyholder in the records of Weston. The Notice was sent to all known current policyholders informing them of the receivership. See the Notices section on our website, www.weston-ins-liquidation.com.

7. I received a "Notice to Agent or Broker". Why did I receive this Notice?

You received a notice because our records indicate that you were an agent of Weston. The notice was sent to all known agents of record informing them of the receivership. See the Notices section on our website, www.weston-ins-liquidation.com.

8. I received a "Notice to Agent or Broker". What should I do?

Because, unless cancelled sooner, all of Weston's policies are cancelled effective at 12:01 AM on September 7, 2022, you should assist your customers in obtaining replacement coverage before that date as required by Florida Statutes, Section 631.341.

In addition, in accordance with the liquidation order and Section 631.111(2), Florida Statutes, you must immediately forward all premiums and unearned commissions you owe to Weston to the SDR at the address above. Please include information, such as policy numbers, that will allow us to identify, review, and appropriately record the payments made. You can contact the SDR at the email address and phone number above for questions or alternate means of payment

9. I am a policyholder/insured and am due unearned premium (premium refunds). How will I get my refund?

Depending on where your Weston-insured property is located, unearned premiums may be covered by the applicable state property and casualty insurance guaranty association ("guaranty association") which has been activated to help pay the claims of Weston policyholders. In general, unearned premium claims are covered by the guaranty associations of Florida, Louisiana, and Texas. If the guaranty association of the state in which your Weston-insured property is located DOES NOT cover unearned premium claims, your unearned premium claim will be deemed filed against the receivership. See our website, www.weston-ins-liquidation.com for more information.

Once all policies are canceled by September 7, 2022, the Special Deputy Receiver will calculate the unearned premium amounts due. Regarding the calculation of unearned premium for consumer-initiated cancellations occurring prior to September 7, 2022: If a cancellation request is received on or after August 4, 2022, and the reason for the cancellation is due to replacement of coverage with another insurer, the unearned premium

associated with the cancellation will be calculated on a pro-rata basis. Evidence of replacement coverage must be submitted with the cancellation request. Otherwise, policy terms govern cancellation requests initiated by consumers prior to September 7, 2022. However, cancellations occurring on September 7, 2022, pursuant to the Liquidation Order, are considered company-initiated cancellations and such premium refunds will be calculated on a pro-rata basis.

Once the above-referenced calculations have been completed, that information will be sent to the guaranty associations for the processing and payment of unearned premium claims. The process will take approximately 30 to 60 days after the policy cancellation date. This time is required to correctly calculate the unearned premium amounts due, transmit the data to the guaranty associations, and allow the guaranty associations the time necessary to process, print, and mail checks.

We ask that you refrain from contacting the guaranty associations until the cancellation calculation and submission of the return premium data is completed.

The Department's and SDR's websites, www.myfloridacfo.com/division/receiver and www.weston-ins-liquidation.com, will be updated once this process is complete.

10. Do I need to file my property damage claim with the SDR?

Policyholders with loss claims need not file proofs of claim in the liquidation if their claims arose before September 7, 2022 (30 days after the liquidation order) and are fully covered by a guaranty association. The Special Deputy Rehabilitator is forwarding all those files to the guaranty associations, and they are handling the claims. However, if they have a claim that arose before September 7, 2022 (30 days after the liquidation order) but has not yet been reported to Weston, policyholders need to contact the company at (877) 505-3040 or go to <https://weston-ins.com/Claims.aspx> to report it.

11. Do I need to submit a Proof of Claim form to the Department in order to have my Return Premium claim processed?

No. The Department and Special Deputy Receiver will not require Proof of Claim forms from policyholders who have a potential return-of-premium claim in the estate of Weston. Potential return-of-premium claims include those of policyholders who had a policy in force on the date of the liquidation which was cancelled because of the liquidation, and also policyholders whose policies had been cancelled for other reasons under circumstances entitling them to return of premium. Policyholders do not need to do anything to file a timely claim for return premium or to have their claim accepted.

12. How do I get my unearned premium refund if it is not covered by the Guaranty Association?

It is possible your return premium claim may not be covered in full by a guaranty association depending on applicable law, for example, if the refund due is in excess of the maximum payable amount per statute, or if you have a net worth in excess of the statutory cap.

If this is the case, you will have a claim against the Weston liquidation. Your claim for return of premium will be deemed filed in this liquidation. This means policyholders are not required to submit Proof of Claim forms in order to have timely filed return premium claims.

13. What is a guaranty association?

A guaranty association is a nonprofit corporation statutorily created to provide a mechanism for the payment of policy related loss claims and unearned premium when an insurance company is liquidated. The guaranty association's obligations are limited by statutory provisions, including caps. You can find specific information about your state's Guaranty Association at:

Florida Insurance Guaranty Association - <https://figafacts.com/>

Louisiana Insurance Guaranty Association - www.laiga.org

Mississippi Insurance Guaranty Association - <https://ms-miga.com>

Texas Property and Casualty Insurance Guaranty Association - www.tpciga.org.

14. If premium was paid directly from my mortgage company to Weston, will the refund be returned to the mortgage company?

Premium refunds will be sent directly to policyholders.

15. I am an agent who owes unearned commission. Where should I send the payment?

Payments should be sent to the SDR at the address above. Please include information, such as policy numbers, that will allow us to identify, review, and appropriately record the payments made. You can contact the SDR at the email address and telephone number listed above with any questions or requests for alternate means of payment.

16. I am owed money for services provided before Weston was ordered into liquidation. What is the procedure for payment of these claims?

Claims which were not paid will be considered as claims against the Weston liquidation and processed by the Special Deputy Receiver. Please see our website, www.weston-ins-liquidation.com, for instructions on obtaining and filing a Proof of Claim form.

17. A lawsuit was filed against me prior to the receivership. Is the company still handling this on my behalf?

Because of the liquidation, Weston cannot provide a defense to such lawsuits. Pursuant to the Receivership Order and to Section 631.041(1), Florida Statutes, there is an automatic stay in place prohibiting judicial and administrative proceedings against the company. If your Weston insurance policy provided for a defense of the suit, it may be stayed for six months or more by application of the applicable guaranty association statute. The guaranty associations will be notified of all cases where a Weston insured has been sued. They will contact you/your attorney about the further defense of your case.

18. I filed a lawsuit against Weston prior to the date of the receivership. Why can't the lawsuit progress?

Pursuant to the Receivership Order and to Section 631.041(1), Florida Statutes, there is an automatic stay in place prohibiting judicial and administrative proceedings against the company.

19. Am I allowed to submit a Civil Remedy Notice pursuant to the provisions of Section 624.155 of the Florida Statutes that names Weston after a petition for receivership has been filed?

No. Pursuant to the Receivership Order and to Section 631.041(1), Florida Statutes, there is an automatic stay in place prohibiting the commencement or continuation of judicial, administrative, or other action against the company.

20. I have recently changed my name or mailing address and need to update the company's records to make sure I receive any information mailed to me. What should I do?

It is your responsibility to notify the Department/Special Deputy Receiver if there is a change in your name or mailing address. Please call (877) 505-3040 to request a change of address.

When you are corresponding with the Department or the Special Deputy Receiver, please include your policy number and/or claim number.

21. Who do I contact for non-claims related questions?

If you have any non-claims related questions regarding the receivership, please contact the SDR at 800-579-6817 or the Department at Consumer.Services@myfloridacfo.com or by calling (850) 413-3081 or toll free at 1-800-882-3054.

22. How can I obtain more information regarding the liquidation of Weston?

The most up to date information is posted on our website, www.weston-ins-liquidation.com. The Special Deputy Receiver will continue to post information to this website as more information becomes available.

For additional claims related questions regarding the receivership, please see the section below titled "Claims Information".

23. How do I contact the Florida Department of Financial Services or the Special Deputy Receiver?

You may contact the Department or Special Deputy Receiver at one of the following:

- Email – info@weston-ins-liquidation.com
- "Contact Us" Form @ www.weston-ins-liquidation.com
- The Department at (850) 413-3081 or toll free @ (800) 882-3054
- The SDR at (800) 579-6817
- By mail at the address at the top of this form.

When corresponding with the Department or SDR, please include your policy number, claim number, and contact information on each piece of correspondence.

Claims Information

1. How do I check the status of an existing claim?

Until further notice, policyholders with questions regarding Weston should continue to visit the website at <https://weston-ins.com/Claims.aspx>, or call (877) 505-3040

The Special Deputy Receiver is currently gathering claim files and claim data to forward the information to the guaranty associations. As a result, there may be a slight delay in claim processing during this transitional period.

2. How do I report a new claim?

For questions regarding claims that occurred before September 7, 2022, policyholders should contact the company directly as follows:

Claims/Customer Service: <https://weston-ins.com/Claims.aspx>, (877) 505-3040

3. How do I file a claim against the estate of Weston?

Proof of Claim forms will be mailed to all known claimants in the estate. A Proof of Claim form must be postmarked or submitted electronically by the Claims Filing Deadline of August 8, 2023.

4. How do I obtain a Proof of Claim form and filing instructions?

The Proof of Claim form and filing instructions will be posted at www.weston-ins-liquidation.com once they are available. You may contact the Special Deputy Receiver by using the "Contact Us Form" at www.weston-ins-liquidation.com or by calling (850) 413-3081 (toll free at (800) 882-3054) or at (800) 579-6817. The deadline for filing a claim is August 8, 2023.

5. **When is the deadline for filing a claim in the receivership?**

The deadline for filing claims in the Weston receivership is August 8, 2023.

6. **Can I file a Proof of Claim form in the Weston estate after the filing deadline? Will it be considered late filed?**

Yes, you may file a Proof of Claim form. However, any form postmarked after August 8, 2023, will be processed as late filed. Late filed claims will not share in distributions from the estate except to the extent allowed by exceptions specified in Section 631.181, Florida Statutes.

7. **Is there a Claims Bar Date?**

A claims bar date has not been established at this time.

8. **Do I need to submit a Proof of Claim form to the Department in order to have my invoices for claim related expenses paid?**

Yes. If you have unpaid invoices for services related to specific claim files (independent medical exam, copy charges, legal defense fees, or fees for damage estimation, appraisers, adjustment etc.) your claim is considered a General Creditor, Class 6 claim as detailed in Section 631.271, Florida Statutes. A guaranty association does not usually cover these claims. There may be insufficient assets to pay these types of claims; however, you must file a Proof of Claim form to have your claims considered. These types of claims are often considered Master Claims as they involve more than one invoice.

9. **How and when do I submit my invoices for claim related expenses?**

If you have unpaid invoices for services related to specific claim files as described above, please submit them as supporting documentation with your Proof of Claim form. Submittal instructions are provided on the Proof of Claim form.

10. **Do I need to submit a Proof of Claim form to the Department in order to have my agent commissions or other general creditor claims paid?**

Yes. Agent's commission claims and other general creditor claims are not covered by the guaranty associations but may be filed as claims in the Weston liquidation. There may not be sufficient assets to pay part or all such claims; however, you must file a Proof of Claim form to have your claim considered.

11. **If I have already filed a claim with Weston, will the receivership affect the status of my claim?**

No. The guaranty associations have been activated to pay covered outstanding claims arising under Weston policies.

12. **Do I need to submit a Proof of Claim form to the Department in order to have the guaranty association make payments on my pending Weston claim?**

No. While the Special Deputy Receiver will have access to the company records, the guaranty associations will have access to the company's claim files and will review your claim to

determine if it is a covered claim on which payments may be due. If you are not certain that your claim is fully covered by the guaranty association and/or you wish to make a claim directly against the Weston receivership estate, you must submit a Proof of Claim.

13. How are claims paid in a receivership?

Claims in a receivership are paid in priority order as defined by Florida Statutes, Chapter 631. The only assets available for distribution for such claims are the assets of Weston.

14. When will my claim be paid and how much will I receive?

The amount of any potential payment will be unknown until after the amount of all liabilities has been established and all reasonable efforts to recover and liquidate assets have been exhausted. Please be advised that it may take several years before a distribution of Weston's assets, if any, is made in this receivership, due to collection efforts and litigation.

17. Who do I contact for additional claims-related questions?

If you have additional claims related questions regarding the receivership, please contact the Department at Consumer.Services@myfloridacfo.com or by calling Weston at (850) 413-3081 or toll free at (800) 882-3054. You may also contact the SDR at (800) 579-6817.

Requests for Documents/Records

1. Requests for policy information by policy holders or their authorized representatives:

Loss history runs, declaration pages, experience letters, and requests for policies for non-litigated or non-open claims are provided by the Special Deputy Receiver, see our website www.weston-ins-liquidation.com or call (800) 579-6817.

2. Requests by policyholders, claimants, or their authorized representatives for policies or claim files:

Policy or claim files for non-litigated or non-open claims are provided by the SDR to policyholders, claimants, or their authorized representatives. Please see our website, www.weston-ins-liquidation.com or call (800) 579-6817. Please include your name, policy number, claim number, date of loss and, if not the policyholder or claimant, a letter of authority.

3. Requests for policies or claim files on open and/or litigated claims:

If you need copies of policy information or a claim file on an open claim and/or claim that is the subject of a lawsuit in court, please direct your request to the pertinent guaranty association. Please be aware that during the initial stages of the receivership, the Special Deputy Receiver will be transmitting policy and claim information to the guaranty associations.

4. Requests for policies, claim files, or documents from third parties:

If you represent or are a third party [not the policyholder, claimant, or their authorized representative], and you need claim or policy documents on a closed claim that is not in

litigation, you will need to serve the Department as Receiver with a subpoena for the documents. See Fla. Stat., Section 631.195. You may serve the subpoena either via a process server or by certified mail to the following address:

The Florida Department of Financial Services, Division of Rehabilitation and Liquidation
325 John Knox Road, Suite 101
The Atrium
Tallahassee, FL 32303

5. Service of subpoenas

You may serve a subpoena either via a process server or by certified mail to the following address:

The Florida Department of Financial Services, Division of Rehabilitation and Liquidation
325 John Knox Road, Suite 101
The Atrium
Tallahassee, FL 32303

6. Public records requests pursuant to Chapter 119, Florida Statutes

You may send a public records request pursuant to Chapter 119, Florida Statutes for records in the Weston estate by mail to:

The Florida Department of Financial Services, Division of Rehabilitation and Liquidation,
Legal Section
325 John Knox Road, Suite 101
The Atrium
Tallahassee, FL 32303

Or, you may email your public records request to:

Rehab.PublicRequest@myfloridacfo.com

Or, you may make a verbal request for public records by calling:

(800) 882-3054 [Florida only]

(850) 413-3081 [all others]