



## APPLICATION FOR REGISTRATION AS A SERVICE CONTRACT PROVIDER

To apply for registration as a service contract provider in the state of Washington, please provide information in the order requested on the application. This Office will examine the application promptly for completeness and compliance as prescribed by Washington requirements.

### **Prior to Submission:**

A "Service Contract Provider" defined under RCW 48.110.020(20), is a person who is contractually obligated ("obligors") to the contract holder under the terms of the service contract. [Chapter 48.110 RCW](#) does not provide for registration of administrators. Failure to meet the legal definition of a service contract provider is grounds for revocation of this registration, if issued. Only the registrant has authority under a registration, and this registration cannot be used for wholesale purposes.

RCW 48.110.030(1) precludes any operation or activity as a service contract provider until it is registered. Do not issue any service contracts, solicit, or accept any applications until you receive a registration.

Upon receipt of the Certificate of Registration, vehicle service contract providers must submit all proposed forms for approval to our Rates and Forms Division. See our [website](#) for more information on filing motor vehicle service contracts.

A \$250 non-refundable application fee is required.

The application must include the commissioner's prescribed [service of process designation form](#), available through our [website](#). Biographical affidavit forms must be on current edition and are available through the [NAIC Website](#).

Applications must be complete upon submission. If your application is missing information or documentation, we will allow a one-time extension of 15 business days to submit the required materials. If you are unable to correct the deficiencies within this period, we will deem the application materially incomplete and you will need to reapply when you are able to provide all required materials. Reapplications require a new application and application fee. Additionally, the application review process will start from the beginning.

All information contained within your submission is a matter of public record. Marking any material as "private" or "confidential" does not preclude its availability or its status as a public document. See our [website](#) for more information about public records.

### **Application Submission**

The current edition of the prescribed application form is required to ensure conformance with changes to laws and administrative rules. We will not accept outdated forms.

Download and save the application form. Complete the application document with the necessary information, then save and print. After signature by an authorized officer, scan the application form, all required documentation, and any cover letter into a single Adobe® pdf document for electronic submission via email.

- Address the email to: [CLC@oic.wa.gov](mailto:CLC@oic.wa.gov).
- The subject line must state: "SCP Application of <your company's legal name>".
- Attach the pdf and send.

## **\$250.00 Fee Payment**

Concurrent with submission of the application email, remit payment to:

*Mailing address:*

Attn: Company Supervision Division  
Office of the Insurance Commissioner  
P.O. Box 40255  
Olympia, WA 98504-0255

*Delivery (Street) Address:*

Attn: Company Supervision Division  
Office of the Insurance Commissioner  
5000 Capitol Blvd SE  
Tumwater, WA 98501

*Note: USPS will only accept the PO Box mailing address, and does not allow other shippers to use that address. All non-USPS shippers must use the Street Address. Use of an incorrect address may result in a returned application.*

### **Important!**

To act as a legal service contract provider in Washington, you must hold a registration issued by this Office. Responsibility to understand [Chapter 48.110 RCW](#), and other applicable statutes, is that of the service contract provider. Solicitation or issuance of a service contract to a resident of Washington without registration as a service contract provider is an illegal act of insurance, punishable under [Chapter 48.15 RCW](#).

### **Once registered**

A service contract provider must keep current the information required in its registration by reporting all material changes or additions within thirty days after the end of the month in which the change or addition occurs. RCW 48.110.030(6).

### **Questions?**

For all questions or requests for additional information, please contact a [Company Licensing Specialist](#) (select "Company applications" in the dropdown), or phone: 360-725-7219

Application is hereby made for issuance of a registration as a service contract provider in the state of Washington.

| BUSINESS NAME  |   |  |  |  |   |  |
|--|---|--|--|--|---|--|
| <b>1.</b> Legal Name:  |   |  |  |  |   |  |
| <b>2.</b> DBA Name(s):<br>(If applicable)  |   |  |  |  |   |  |
| BUSINESS AND MAILING INFORMATION   |   |  |  |  |   |  |
| <b>3.</b> Domicile Address:  |   |  |  |  |   |  |
| <b>4.</b> Physical Address:  |   |  |  |  |   |  |
| <b>5.</b> Mailing Address:   |   |  |  |  |   |  |
| <b>6.</b> Website URL:   |   | <b>7.</b> Federal Tax Identification Number (FEIN):  |  |  |   |  |
| <b>8.</b> Contact Person:<br>(Name, Phone, Email<br>Address required)  |   |  |  |  |   |  |
| TYPES OF SERVICE CONTRACTS   |   |  |  |  |   |  |
| <p>Are you a motor vehicle manufacturer, import distributor, publicly traded motor vehicle manufacturer, publicly traded import distributor, or a wholly owned subsidiary of a vehicle manufacturer or import distributor? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If "Yes", proceed to #9. IF "No", proceed to #10.</p>   |   |  |  |  |   |  |
| <p><b>9.</b> Applicants claiming exemptions under RCW 48.110.902 must identify their exemption then proceed as directed:</p> <p><b>Check only one:</b></p> <p><input type="checkbox"/> <u>Vehicle manufacturer or import distributor.</u> No documentation is required. <i>Proceed directly to #16.</i></p> <p><input type="checkbox"/> <u>Publicly traded motor vehicle manufacturer or publicly traded import distributor.</u> No documentation is required. <i>Proceed directly to #16.</i></p> <p><input type="checkbox"/> <u>Wholly owned subsidiary of a motor vehicle manufacturer or import distributor.</u> No documentation is required. <i>Proceed directly to #16.</i></p>   |   |  |  |  |   |  |
| <p><b>10.</b> If <u>not</u> claiming exemptions under RCW 48.110.902, select the type of service contracts the applicant will issue to residents of Washington:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> Vehicle (Mechanical breakdown only)<br/> <input type="checkbox"/> Non-Vehicle:<br/>                     Type of personal property under contract (explain):<br/> <div style="border: 1px solid black; height: 80px; margin-top: 10px;"></div> </td> <td style="width: 33%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> Other:<br/> <input type="checkbox"/> Tire &amp; Wheel<br/> <input type="checkbox"/> Paintless Dent Removal<br/> <input type="checkbox"/> Motor Vehicle Windshield Chip/Crack Repair/Replacement<br/> <input type="checkbox"/> Motor Vehicle Key or Key Fob Replacement                 </td> <td style="width: 33%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> Residential Utilities:<br/> <input type="checkbox"/> Water<br/> <input type="checkbox"/> Sewer<br/> <input type="checkbox"/> Other (explain):<br/> <div style="border: 1px solid black; height: 80px; margin-top: 10px;"></div> </td> </tr> </table> |   |  |  | <input type="checkbox"/> Vehicle (Mechanical breakdown only)<br><input type="checkbox"/> Non-Vehicle:<br>Type of personal property under contract (explain):<br><div style="border: 1px solid black; height: 80px; margin-top: 10px;"></div> | <input type="checkbox"/> Other:<br><input type="checkbox"/> Tire & Wheel<br><input type="checkbox"/> Paintless Dent Removal<br><input type="checkbox"/> Motor Vehicle Windshield Chip/Crack Repair/Replacement<br><input type="checkbox"/> Motor Vehicle Key or Key Fob Replacement | <input type="checkbox"/> Residential Utilities:<br><input type="checkbox"/> Water<br><input type="checkbox"/> Sewer<br><input type="checkbox"/> Other (explain):<br><div style="border: 1px solid black; height: 80px; margin-top: 10px;"></div> |
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## REQUIRED DOCUMENTATION

- 11.** Applicants not claiming exemption under RCW 48.110.902 must provide the following documents (all are required):
- A.** Legal Formation Documents (such as Articles of Incorporation, LLC Certificate). Include all amendments. RCW 48.110.030(2a).
  - B.** Internal Governance Documents (such as current By-Laws, Operating Agreement). RCW 48.110.030(2)(a).
  - C.** A current Certificate of Good Standing from the Washington Secretary of State as a foreign registered entity. RCW 48.110.030(2)(a).
  - D.** A current Certificate of Good Standing from the domiciliary Secretary of State. RCW 48.110.030(2)(a).
  - E.** A completed Service of Process designation. Please use the commissioner's prescribed [form](#). RCW 48.11.030(3).
  - F.** A complete organization chart showing all affiliates of the applicant and percentage of ownership of every company in the chart. RCW 48.110.030(2)(a).
  - G.** A list of names, addresses, and official positions, of each executive officer or officers directly responsible for the service contract provider's contract business. RCW 48.110.030(2)(b).  
***Note:** For each individual listed, attach a completed Biographical Affidavit. Use the prescribed Form 11 available through the [NAIC Website](#).*
  - H.** If more than fifty percent of the service contract provider's gross revenue is derived from the sale of service contracts, the identities of the service contract provider's directors and stockholders having beneficial ownership of ten percent or more of any class of securities. RCW 48.110.030(2)(b).  
***Note:** For each individual listed, attach a completed Biographical Affidavit. Use the prescribed Form 11 available through [NAIC Website](#).*
  - I.** The name, address, and direct contact information (telephone and email) of the designated compliance officer. RCW 48.110.030(2)(b).

## REQUIRED FINANCIAL ABILITY

- 12.** Is the applicant relying on a reimbursement insurance policy per RCW 48.110.050(2)(a) for non-motor vehicle service contracts or RCW 48.110.075(2)(a) for motor vehicle service contracts?

Yes    No

If "Yes", continue. If "No", proceed to #13.

If relying on a reimbursement insurance policy per RCW 48.110.050(2)(a) or RCW 48.110.075(2)(a), provide financial statements, which proves the applicant has and maintains a minimum net worth or stockholders equity of \$200,000 or more calculated in accordance with RCW 48.110.078(1), and has the ability to pay its debts when debts become due. Check one of the following options below and then proceed to #15.

**Check only one:**

- Most recent audited annual financial statement; or
- Most recent annual financial statements certified as accurate by two (or more) officers of the applicant.

**Options for start-up businesses in operation less than one fiscal year only:**

- If a start-up, most recent audited financial statements; or
- If start-up, most recent financial statements that are certified accurate by two (or more) officers of the applicant.

**Note:** This requirement is specific to the applicant. We will not accept any submission that does not show the financial position of the applicant on a stand-alone basis. All consolidated statements must contain or be accompanied by a certified supplemental schedule from the auditor showing the financial activity of the applicant. If submitting unaudited financial statements, the commissioner's prescribed [form](#) for certifications is required. An altered or incomplete form is invalid.

**13.** Is the applicant relying on a reserve and trust under RCW 48.110.050(2)(b)?

Yes  No

If "Yes", continue. If "No", proceed to #14

If relying on a reserve and trust under RCW 48.110.050(2)(b), provide financial statements, which proves the applicant has and maintains a minimum net worth or stockholders equity of \$200,000 or more calculated in accordance with RCW 48.110.078(2), and has the ability to pay its debts when debts become due. Check one of the following options below and then proceed to #15.

**Check only one:**

Most recent audited annual financial statement;

**Option for start-up businesses in operation less than one fiscal year only:**

If a Start-up, most recent audited financial statements.

**Note:** This requirement is specific to the applicant. We will not accept any submission that does not show the financial position of the applicant on a stand-alone basis. All consolidated statements must contain or be accompanied by a certified supplemental schedule from the auditor showing the financial activity of the applicant.

**14.** If relying on maintaining a minimum net worth or stockholder equity of \$100 million, per RCW 48.110.050(2)(c), provide financial statements which proves the applicant, or its parent, maintains a minimum net worth or stockholders equity of \$100 million or more calculated in accordance with RCW 48.110.078(2), and has the ability to pay its debts when debts become due. Check one of the following options below and then proceed to #15.

**Check only one:**

The applicant, on a stand-alone basis, is relying on maintaining a minimum net worth or stockholder equity of \$100 million per RCW 48.110.050(2)(c). Please check the appropriate sub-item.

The applicant's most recent audited **annual** financial statement; or

If a start-up, provide the applicant's most recent audited financial statements;

Provide the applicant's most recent Form 10-K or Form 20-F filed with the SEC.

**Note:** This requirement is specific to the applicant. We will not accept any submission that does not show the financial position of the applicant on a stand-alone basis. All consolidated Statements must contain or be accompanied by a certified supplemental schedule showing the financial activity of the applicant.

The applicant is relying on its parent to maintain a minimum net worth of stockholder equity of \$100 million per RCW 48.110.050(2)(c):

The parent's most recent audited **annual** financial statement; or

If a start-up, provide the parent's most recent audited financial statements; or

Provide the parent's most recent Form 10-K or Form 20-F filed with the SEC.

## REQUIRED INDEMNIFICATION

15. Identify the method by which the applicant will assure faithful performance of its obligations under its service contracts. **Check only one:**

**Option 1:** A reimbursement insurance policy issued by a qualified (as outlined in statute) insurer or risk retention group (RRG) as required under RCW 48.110.050(2)(a). **Note:** *a reimbursement insurance policy is required under RCW 48.110.075(2)(a) for all vehicle service contract providers.*

*All of the following are required:*

- Provide a complete copy of the policy(s) in its entirety along with a letter issued by the insurer(s) or RRG(s) indicating the policy is currently in force, compliant with RCW 48.110.060, and compliant with all form and rate filing requirements under Chapters 48.18 and 48.19 RCW.
- Provide the name of the insurer(s)/RRG(s), and WAOIC# as licensed/registered. *Please reference our Consumer Tool Kit for insurer information.*

**Option 2:** Maintain a funded reserve account and place a deposit with the Commissioner. RCW 48.110.050(2)(b). **Note:** *Applicants only issuing non-vehicle and other service contracts who want to use a surety bond may obtain the [bond form](#) on our [website](#).*

**Option 3:** Applicant or parent company maintain a net worth of at least \$100 million. RCW 48.110.050(2)(c). **Note:** *For applicants issuing only non-vehicle and other service contracts: If using the parent company's net worth, attach the original prescribed [Parental Agreement & Guarantee form](#) required under RCW 48.110.050(2)(c)(ii). The form is located on our [website](#). An altered or incomplete form is invalid.*

## STATEMENTS OF UNDERSTANDING

*Please acknowledge your agreement by answering "Yes" or "No" to each of the following questions. False or misleading statements may result in denial of application, loss of registration, and/or other action or penalty.*

16. The Service Contract Provider understands that the commissioner may conduct investigations as deemed necessary to determine whether any person has violated any provisions of this Chapter. RCW 48.110.120.  Yes  No
17. The Service Contract Provider understands that it is required to maintain detailed books and records of all Washington transactions to which this Chapter applies. RCW 48.110.090.  Yes  No
18. The Service Contract Provider understands that it must conduct all business in its own legal name. RCW 48.110.080(2).  Yes  No
19. The Service Contract Provider understands that it must maintain a required minimum net worth or stockholders equity, and pay its debts when debt becomes due, to retain an active registration. RCW 48.110.130(2)(a)(i).  Yes  No
20. The Service Contract Provider understands that it must provide timely notification of any material change to its registration information, including its financial condition. RCW 48.110.030(6).  Yes  No
21. The Service Contract Provider understands the application fee of \$250.00 is non-refundable. RCW 48.110.030(2)(d).  Yes  No
22. The Service Contract Provider understands that all contracts must be fully compliant with all applicable RCW's and WAC's, to include RCW 48.110.070, RCW 48.110.073, RCW 48.110.075, and WAC 284-20C.  Yes  No
23. The Service Contract Provider is the contractual obligor and liable to the contract holder under this registration and understands that, if issued, the registration applies only to the registrant and no other entity (i.e., natural or corporate persons, affiliates, agents, assignees, contractors, marketers, representatives, etc.). RCW 48.110.020(20), RCW 48.110.030(1).  Yes  No

## GENERAL QUESTIONS

Please answer "Yes" or "No" to each of the following questions.

- 24.** Are there any formal or informal regulatory actions, pending or which have been taken, against the applicant by any governmental agency?  Yes  No
- 25.** Are there any formal or informal regulatory actions, pending or which have been taken, against any officers, directors, trustees, partners, or members of the applicant by any governmental agency?  Yes  No
- 26.** Are there any criminal or civil convictions or pending criminal or civil actions other than minor traffic violations against the applicant or any of its officers, directors, trustees, partners, or members?  Yes  No
- 27.** Has the applicant solicited or issued service contracts to residents of Washington prior to application?  Yes  No

*If the answer is "Yes" to any item above, attach information and copies of the documentation for each item and each individual.*

**CERTIFICATION**

I declare under penalty of perjury under the laws of the state of Washington that I am duly authorized to make this application on behalf of the applicant, that the foregoing statements and information regarding the applicant and the contents of all attachments are true and correct\*.

\_\_\_\_\_  
Signature of Company Officer

\_\_\_\_\_  
Printed Full Legal Name

\_\_\_\_\_  
Title

State of \_\_\_\_\_ )

County of \_\_\_\_\_ )

Signed and Sworn to (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ By \_\_\_\_\_  
Name of person making statement

\_\_\_\_\_  
Notary Public - My Commission Expires:

(Seal or Stamp)

\*In addition to penalties for perjury, RCW 48.110.130 authorizes the Commissioner to deny, suspend, or revoke the registration of a service contract provider if the Commissioner finds that the service contract provider made a material misstatement in its application for registration or has obtained or attempted to obtain a registration through misrepresentation or fraud.