



August 8, 2025

Washington State Office of the Insurance Commissioner
VIA Email to: rulescoordinator@oic.wa.gov

Dear Rules Coordinator:

Thank you for the opportunity to provide feedback on the proposed rule amendments. Stewart Title Guaranty Company, as a member of the title insurance industry, fully supports the Department's goal of ensuring timely and transparent resolution of consumer claims. However, we wish to express some concerns about certain of the proposed amendments, as identified below. We are concerned that the proposed changes would reduce response times while simultaneously increasing obligations for insurers resulting in additional costs and undue burden without meaningful changes for consumers. We respectfully ask that the Department take into account the operational realities and legal sensitivities unique to the title insurance industry in shaping any regulatory changes.

1. WAC 284-30-340 – Mandatory Production of Claim Files

The proposed amendment would afford an insured claimant the right to request and receive from the insurer any portion of the claim file, including but not limited to, all written reports, statements, records, photographs and other documentation or communications, unless such records are legally privileged (the legal privilege having no definition or process for application of such doctrine). We are deeply concerned about the growing expectation to produce sensitive documents and materials as part of the general claim process absent a valid subpoena or other lawful authority. Many of the records involved in title transactions specifically contain privileged, proprietary and/or confidential information. Producing these materials without proper legal process places the insurer in a precarious legal position and may violate contractual obligations and consumer privacy protections. Respectfully, creating obligations to produce documentation outside of due process only serves to increase the risk of errors, impair claim handling efficiency and create unintended legal exposure. Further concerning is the lack of timing referenced in the amendment, potentially providing for a claimant to request copies of claim files several years later.

2. WAC 284-30-360 – Response to Pertinent Communications

The proposed amendment relates to subsection 2 which would reduce the response time to Department inquiries from a period of fifteen (15) working days to ten (10) business days after receipt of an inquiry. This amendment raises concerns about the quality and thoroughness of responses as well as the additional burden it will impose on claims staff. The current complaint response time already demands close coordination across multiple departments and third parties, completion of a detailed investigation and compliance review to ensure accuracy and regulatory adherence. The inquiries from the Department often request additional detailed information pertaining to the claim history (*and specifically do not allow a claim's handler to submit a daily log in lieu of a written timeline*), explanation of the insurer's position, response to the consumer's specific identified concerns and production of materials. Reducing the allowable response window would significantly hinder our ability to

investigate and provide accurate, complete, and meaningful responses. This is not a matter of convenience—it is about ensuring due diligence, accuracy, and fairness to all parties involved. The integrity of the response process should not be sacrificed for speed alone.

We appreciate the intent behind the proposed amendments, but any changes must balance timely service with procedural rigor, legal implications and workforce sustainability. We remain committed to working collaboratively with the Department to improve consumer outcomes in a way that is both responsible and achievable. Thank you for your attention to these concerns.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kelly Rickenbach". The signature is fluid and cursive, with the first name "Kelly" written in a larger, more prominent script than the last name "Rickenbach".

Kelly Rickenbach, Esq.
SVP, Chief Claims Counsel
Stewart Title Guaranty Company

A handwritten signature in dark ink, appearing to read "John P. Crowley". The signature is stylized, with the first name "John" written in a large, bold, cursive script, followed by the last name "Crowley" in a more compact, cursive style.

John P. Crowley, Esq.
Senior Regulatory and Compliance Counsel
Stewart Legal Services