



October 23, 2025

Insurance Commissioner Patty Kuderer
Office of the Insurance Commissioner
Olympia, WA 98504
Cc: Simon Casson, Hearings Officer
OIC Rules Coordinator

Re: R-2025-03 – Fire Loss Reporting (SSB 5419) Implementation rules & instructions
Sent via email

Dear Commissioner Kuderer,

On behalf of our insurance company members, who collectively underwrite the vast majority of personal and commercial lines vehicle and property insurance policies in force in Washington state today, our associations – the **American Property & Casualty Insurance Association (APCIA)** the **Northwest Insurance Council (NWIC)**, and the **National Association of Mutual Insurance Companies (NAMIC)** provide the following testimony in response to the proposed rules and insurer instructions proposed by the OIC to implement SSB 5419 (fire loss reporting).

General Comment:

This rulemaking poses a new and unique challenge for our associations and insurers generally. The rule change itself is straightforward and simply refers insurers to an OIC [website](#) (a web page presently in draft form). Commenting on the rule is a challenge because in this case, it is the *instructions* that pose the potential to raise questions, concerns and/or suggestions, not the *rule itself*. Further, it is not clear to us how the Commissioner views the permanence of the language included in the instructions.

It is our hope that the Commissioner and OIC staff will consider questions, comments and/or suggestions from the P&C industry that arise prior to final issuance of the fire loss reporting *instructions*, and that, once formally issued, insurers can rely on the instructions to remain unchanged unless a new rule change is also filed.

Instructions – comments/questions:

Regarding the Instructions for fire loss reporting, we acknowledge with appreciation the inclusion of this disclaimer:

“Authorized insurers already reporting to ISO ClaimSearch® fulfill the fire loss reporting requirements in RCW 48.05.320. These authorized insurers do NOT need to separately report to the OIC.”

And on the draft website page currently titled "Fire loss reporting requirements," we acknowledge with appreciation this statement:

“Insurers who already report fire loss information through ISO ClaimSearch® do NOT need to send separate fire loss reports or attestation forms to the OIC.”

Based on these statements, we understand that insurers that report fire loss data to ISO are not required to also file fire loss data and/or annual attestation forms with the OIC.

We have also had a member request for further clarification – either directly in the instructions, or in the form of an FAQ/guidance document – regarding the term “incendiary.” For reporting purposes, can the OIC confirm that “incendiary” refers to arson specifically?

Other terms used in the instructions may later be identified by insurers seeking clarity in order to ensure full compliance, and we would appreciate the opportunity to explore those with the OIC if they arise prior to the formal issuance of the instructions in January 2026.

Thank you for the opportunity to provide comments on this rulemaking. Please contact any of the trade association representatives if we can answer any questions.

Respectfully submitted,

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