



## 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 ("obligor") 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, motor vehicle service contract providers must submit all proposed forms for approval to our Rates and Forms Division. See our [website](#) for information on filing motor vehicle service contracts.

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

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 can 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 Instructions:**

1. Complete the application, answer all questions, and provide all requested documents. Applications must be completed in full upon submission.
2. Print and have the completed application form signed by an authorized officer and notarized.

The Office of the Insurance Commissioner will accept documents notarized via remote online notarization (RON). See the OIC Notice for the requirements of a compliant RON [here](#).

3. Combine the application, the required supplemental documents, and any cover letter into a single Adobe® PDF document for electronic submission via email.

**NOTE:** All information in this application submission is a matter of public record. Marking any material as "private" or "confidential" does not preclude its availability or status as a public document. See our [website](#) for more information regarding public records.

4. Submit your application:

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

We acknowledge applications upon receipt.

**Registration Process:**

- Applications are assigned to analysts in the order received. Once assigned, the analyst will reach out to the contact identified in Question 8.  
If correspondence should be directed elsewhere (or if an additional person should be contacted), please include their contact information in your submission.
- If your company does not meet the financial requirements to register per RCW 48.110.078(1), the review will cease, and the application will be closed.
- If all deficiencies are cured, and the company meets all requirements for registration, a Certificate of Registration will be issued by email.

**\$250.00 Fee Payment**

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

*Mailing Address:*

Attn: Company Supervision Division  
Office of the Insurance Commissioner  
PO 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

Please make checks payable to: Office of the Insurance Commissioner

*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](#).

**Certificate Holder Obligations:**

- 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). In order to either demonstrate its financial responsibility or assure the faithful performance of the service contract provider's obligations to its service contract holders, every non-vehicle service contract provider shall comply with the requirements of one of the following:
  - Insure all service contracts under a reimbursement insurance policy issued by an insurer holding a certificate of authority from the commissioner or a risk retention group. RCW 48.110.050(2)(a)
  - Maintain a funded reserve account for its obligations under its service contracts issued and outstanding in this state and place in trust with the commissioner a financial security deposit, having a value of not less than

five percent of the gross consideration received, less claims paid, on the sale of the service contract for all service contracts issued and in force, but not less than twenty-five thousand dollars. RCW 48.110.050(2)(b)

- Maintain, or its parent company maintain, a net worth or stockholder's equity of at least one hundred million dollars. RCW 48.110.050(c)
- Motor vehicle Service contracts shall not be issued, sold, or offered for sale in this state or sold to consumers in this state unless the motor vehicle service contract provider insures all service contracts under a reimbursement insurance policy (CLIP) issued by an insurer holding a certificate of authority from the commissioner or a risk retention group properly registered with the commissioner. RCW 48.110.075
- All service contract forms covering motor vehicles being used, issued, delivered, sold, or marketed in this state or to residents of this state by motor vehicle manufacturers or import distributors or wholly owned subsidiaries thereof must be filed with the commissioner for approval within sixty days after the motor vehicle manufacturer or import distributor or wholly owned subsidiary thereof begins using the service contracts forms. RCW 48.110.073
- Filings are made electronically via SERFF. See [here](#) for filing instructions. Filing-related questions should be directed to the Rates & Forms Help Desk at 360-725-7111 or [RFHelpDesk@OIC.WA.Gov](mailto:RFHelpDesk@OIC.WA.Gov)
- Every certificate holder must file a completed annual report before March 1<sup>st</sup> of each year. RCW 48.110.040(1)(a)
- A certificate holder must pay a \$20 annual filing fee, Payments are due by March 1st of each year. RCW 48.110.040(2)
- Registration is valid unless surrendered, suspended, or revoked by the commissioner, or not renewed for so long as the service contract provider continues in business in this state and remains in compliance with this chapter. A registration is subject to renewal annually on July 1st and payment of a fee of two hundred dollars, if not so renewed, the registration expires June 30th next preceding.

### **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.

## COMPANY INFORMATION

**1. Legal Name:**

*DBA or fictitious names are not permitted in WA under this registration. RCW 48.110.080(2).*

**2. Domicile Address:**

*Address where company was legally formed.*

**3. Physical Address:**

**4. Mailing Address:**

**5. Website URL:**

**6. Federal ID# (FEIN):**

**8. Application Contact Person:**

*Name, Phone, & Email Address required.*

**9. Compliance Officer:**

*Name, Phone, & Email Address required.*

**10. 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?**

No - Proceed to #11.

Yes - Identify your business type below (*check only one*), then proceed to #14 as you are exempt under RCW 48.110.902 and not required to provide additional documentation.

Vehicle manufacturer or import distributor.

Publicly traded motor vehicle manufacturer or publicly traded import distributor.

Wholly owned subsidiary of a motor vehicle manufacturer or import distributor.

## TYPES OF SERVICE CONTRACTS

**11. Select the type of service contracts the applicant will issue to residents of Washington:**

Motor Vehicle - Mechanical Breakdown only (Reimbursement insurance policy required, see #13 Option 1)

Non-Vehicle (check the appropriate sub-item):

Tire & Wheel

Motor Vehicle Windshield Chip/Crack Repair/Replacement

Paintless Dent Removal

Motor Vehicle Key or Key Fob Replacement

Residential Utilities (check the appropriate sub-item):

Water

Sewer

Other (explain):

Personal Property

Type of personal property (explain):

REQUIRED DOCUMENTATION	
<p><b>12.</b> Applicants who answered "No" to #10 (not exempt under RCW 48.110.902) must provide the following documents. Please use the checkbox to indicate the enclosure of the information:</p>	Relevant RCW
<input type="checkbox"/> <b>A.</b> All legal Formation Documents (such as Articles of Incorporation, Certificate of Formation, or LLC Certificate). Include all amendments.	48.110.030(2)(a)
<input type="checkbox"/> <b>B.</b> Internal Governance Documents (such as current By-Laws and Operating/Managing Agreement). Include all amendments.	48.110.030(2)(a)
<input type="checkbox"/> <b>C.</b> A current Certificate of Good Standing (Certificate of Registration or Certificate of Formation) issued by the Washington Secretary of State.	48.110.030(2)(a)
<input type="checkbox"/> <b>D.</b> A current Certificate of Good Standing from the domiciliary Secretary of State.	48.110.030(2)(a)
<input type="checkbox"/> <b>E.</b> A completed Service of Process designation, located at the end of this application.	48.110.030(3)
<input type="checkbox"/> <b>F.</b> A complete external organization chart showing <u>all</u> affiliates of the applicant, and the percentage of ownership of every company in the chart.	48.110.030(2)(a)
<input type="checkbox"/> <b>G.</b> A list of the names and official positions of each executive officer or officers directly responsible for the service contract provider's contract business. <i>For each individual, attach their completed Biographical Affidavit. Use the prescribed Form 11 available through the <a href="#">NAIC Website</a>.</i>	48.110.030(2)(b) 48.110.030(4)
<input type="checkbox"/> <b>H.</b> If more than fifty percent of the service contract provider's gross revenue is derived from the sale of service contracts, identify the service contract provider's directors and stockholders having beneficial ownership of ten percent or more of any class of securities. <i>For each individual, attach their completed Biographical Affidavit. Use the prescribed Form 11 available through the <a href="#">NAIC Website</a>.</i>	48.110.030(2)(b) 48.110.030(4)

REQUIRED INDEMNIFICATION & FINANCIAL ABILITY
<p><b>13. Select from Option 1 through 4 (<i>choose only one</i>) to identify the method by which the applicant will rely on to assure faithful performance of its obligations under its service contracts:</b></p>
<input type="checkbox"/> <b>Option 1: Reimbursement Insurance Policy (CLIP).</b> <ul style="list-style-type: none"> <li>A reimbursement insurance policy, also known as a contractual liability insurance policy (CLIP) <u>is required</u> if the applicant will issue Motor Vehicle - Mechanical Breakdown service contracts. RCW 48.110.075(2)(a)</li> <li>An applicant may use a reimbursement insurance policy (CLIP) for Non-Vehicle, Personal Property, or Residential Utilities service contracts. RCW 48.110.050(2)(a)</li> <li>A reimbursement insurance policy (CLIP) must be issued by a qualified (as outlined in the statute) insurer or risk retention group (RRG).</li> </ul> <p>IMPORTANT: If issuing more than one type of service contract and using a reimbursement policy (CLIP), all obligations must be covered under the same reimbursement insurance policy (CLIP). RCW 48.110.060(2)</p> <p><b><u>Required Policy Documents</u></b></p> <p>Please use the checkbox to indicate the enclosure of the information:</p> <input type="checkbox"/> A <u>complete</u> copy of the reimbursement insurance policy (CLIP) in its entirety; and <input type="checkbox"/> A recent letter from the insurer or RRG 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.

### **Required Financial Documents**

The applicant must provide financial statements that prove they have and maintain a minimum net worth or stockholders' equity of \$200,000 or more calculated in accordance with RCW 48.110.078(1) and have the ability to pay its debts when debts become due. RCW 48.110.030(2)(c)(i)

*IMPORTANT: 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.*

#### **The applicant's financial statements are (choose one):**

- The most recent audited annual financial statement; or
- The most recent annual financial statements that are certified as accurate by two (or more) officers of the applicant. *If submitting unaudited financial statements, the commissioner's prescribed [form](#) for certifications is required. An altered or incomplete form is invalid.*
- As a start-up (in operation less than one fiscal year only), the most recent audited financial statements; or
- As a start-up (in operation less than one fiscal year only), the most recent financial statements that are certified accurate by two (or more) officers of the applicant. *If submitting unaudited financial statements, the commissioner's prescribed [form](#) for certifications is required. An altered or incomplete form is invalid.*

### **Option 2: Reserve and Trust.** RCW 48.110.050(2)(b)

*This option is for applicants issuing non-vehicle or other service contracts only. Applicants issuing Motor Vehicle – Mechanical Breakdown service contracts must elect Option 1.*

- The applicant will maintain a funded reserve account and place a deposit with the Commissioner. RCW 48.110.050(2)(b)
- If using a surety bond, you must include a completed Bond form from our [website](#).

### **Required Financial Documents**

The applicant must provide financial statements that prove they have and maintain a minimum net worth or stockholders' equity of \$200,000 or more calculated in accordance with RCW 48.110.078(2) and have the ability to pay its debts when debts become due. RCW 48.110.030(2)(c)(i)

*IMPORTANT: 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.*

#### **The applicant's financial statements are (choose one):**

- The most recent audited annual financial statement; or
- As a start-up (in operation less than one fiscal year only), the most recent audited financial statements.

### **Option 3: The applicant is relying on maintain a net worth or stockholder's equity of at least \$100 million.** RCW 48.110.050(2)(c)

*This option is for applicants issuing non-vehicle or other service contracts only. Applicants issuing Motor Vehicle - Mechanical Breakdown service contracts must elect Option 1.*

- The applicant, on a stand-alone basis, has and will maintain a minimum net worth or stockholder equity of \$100 million.

**Required Financial Documents**

The applicant must provide financial statements that proves they maintain 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. RCW 48.110.030(2)(c)(ii)

*IMPORTANT: 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.*

**The applicant's financial statements are (choose one):**

- The most recent audited **annual** financial statement; or
- As a start-up (in operation less than one fiscal year only), the most recent audited financial statements; or
- The most recent Form 10-K or Form 20-F filed with the SEC.

**Option 4: Parent company will maintain a net worth or stockholder's equity of at least \$100 million.** RCW 48.110.050(2)(c)

*This option is for applicants issuing non-vehicle or other service contracts only. Applicants issuing Motor Vehicle – Mechanical Breakdown service contracts must elect Option 1.*

- The applicant's parent company has and will maintain a minimum net worth or stockholder equity of \$100 million.

**Required Documents**

Please use the checkbox to indicate enclosure of the required information:

- A completed Parental Agreement and Guarantee form from our [website](#). This must be the originally completed form, not a copy. An altered or incomplete form will be considered invalid.

**Required Financial Documents**

The applicant must provide financial statements which proves 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. RCW 48.110.030(2)(c)(ii)

**The parent's financial statements are (choose one):**

- The most recent audited **annual** financial statement; or
- As a start-up (in operation less than one fiscal year only), the most recent audited financial statements; or
- The most recent Form 10-K or Form 20-F filed with the SEC.

**GENERAL QUESTIONS**

Please answer "Yes" or "No" to each of the following questions. *For any "Yes" answer, attach information and documentation explaining this response.*

<b>14.</b> Are there any formal or informal regulatory actions, pending or which have been taken, against the applicant by any governmental agency? RCW 48.110.030(4), RCW 48.110.130(1)(g)	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>15.</b> 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? RCW 48.110.030(4)	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>16.</b> 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? RCW 48.110.030(4)	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>17.</b> Has the applicant solicited or issued service contracts to residents of Washington prior to application? RCW 48.110.030(1)	<input type="checkbox"/> Yes <input type="checkbox"/> No
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**STATEMENTS OF UNDERSTANDING**

- 18.** The following statements are provided to direct the applicant to additional regulations in applying for and operating as a Service Contract Provider in Washington state.
- A.** The Service Contract Provider understands the application fee of \$250.00 is non-refundable. RCW 48.110.030(2)(d)
  - B.** 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
  - C.** 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
  - D.** The Service Contract Provider understands that it must conduct all business in its own legal name. RCW 48.110.080(2)
  - E.** 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)
  - F.** 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)
  - G.** 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.
  - H.** 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)



**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.



**STATE OF WASHINGTON  
OFFICE OF THE INSURANCE COMMISSIONER  
APPOINTMENT OF ATTORNEY TO ACCEPT SERVICE**

Entity Legal Name: \_\_\_\_\_

Home Office Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ WA OIC # \_\_\_\_\_

The Entity is authorized to transact business in Washington under Title 48 RCW as a:

	<i>Licensee/Registrant Type</i>	<i>Statute governing the appointment</i>
<input type="checkbox"/>	Service Contract Provider	RCW 48.110.030
<input type="checkbox"/>	Protection Product Guarantee Provider	RCW 48.110.055
<input type="checkbox"/>	Life Settlement Provider	RCW 48.102.011
<input type="checkbox"/>	Reinsurance Intermediary Broker/Manager	RCW 48.94.010
<input type="checkbox"/>	Healthcare Discount Plan Organization	RCW 48.155.020
<input type="checkbox"/>	Charitable Gift Annuity Issuer	RCW 48.38.010
<input type="checkbox"/>	Risk Purchasing Group	RCW 48.92.080
<input type="checkbox"/>	Risk Retention Group	RCW 48.92.040
<input type="checkbox"/>	Health Care Benefit Manager	RCW 48.200.060

The Entity is duly organized under the laws of the State of \_\_\_\_\_. The Entity hereby appoints the Insurance Commissioner of the State of Washington, and any successor in office, as its lawful attorney to receive service of all legal process issued against it in the state of Washington upon causes of action arising within the state of Washington. Service upon the Commissioner as attorney constitutes service upon the Provider.

The Entity designates the following natural or corporate person to whom the Commissioner must forward legal process so served on him or her:

Legal Name: \_\_\_\_\_

Email Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

The appointment of the Insurance Commissioner of the State of Washington as attorney is irrevocable, binds any successor in interest or to the assets or liabilities of the Entity, and remains in effect for as long as there could be any cause of action against the Entity arising out of any of the Entity's contracts, transactions or obligations in this state. This designation will remain in place until the Entity files a new designation. Any service of process will be accomplished and processed in accordance with RCW 48.02.200.

I acknowledge that I am authorized to execute and am executing this document on behalf of the Entity.

IN WITNESS OF THIS APPOINTMENT, the Entity has caused this instrument to be executed in its name by the undersigned at the City of \_\_\_\_\_, in the State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Authorized Person: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_