



GOVERNMENT OF PUERTO RICO
Office of the Commissioner of Insurance

January 13, 2020

RULING LETTER NO. CN-2020-256-D

TO ALL INSURERS THAT ARE AUTHORIZED TO CONTRACT INDIVIDUAL OR COMMERCIAL PROPERTY AND CASUALTY INSURANCE IN PUERTO RICO, THEIR GENERAL AGENTS, AUTHORIZED REPRESENTATIVES, AND GENERAL PUBLIC

SEISMIC EVENTS IN JANUARY 2020 – EXCLUSIONS OF COVERAGE FOR UNOCCUPIED OR VACANT PROPERTY

Dear Sirs and Madams:

On January 7, 2020, the Governor of Puerto Rico, Hon. Wanda Vázquez-Garced, issued Executive Order Number OE-2020-001, decreeing a state of emergency due to the earthquakes that have occurred in Puerto Rico. As a consequence of this seismic activity, residents of Puerto Rico, particularly in the southwest area, have been relocated or otherwise forced to temporarily abandon their belongings and/or properties.

Therefore, under the powers and functions vested in the Commissioner of Insurance under the provisions of Section 2.030 of Act No. 77, enacted on June 19, 1957, as amended, the Office of the Commissioner of Insurance, for the protection of the best interest of public safety and in furtherance of a sound and a reasonable public administration is providing that all insurers that are authorized to contract property and casualty insurance in Puerto Rico may not deny any claim of an insured who has been relocated from their home or property by any competent state or federal authority or who has been forced to temporarily abandon their home or property under reasonable circumstances, which would otherwise be covered, because the property was unoccupied or vacant. Any provision in the insurance contract regarding exclusion of coverage because of the property being unoccupied or vacant will not be applicable under the aforementioned circumstances.

This Ruling Letter will not be applicable to insureds who had abandoned their properties permanently, before January 6, 2020. The guidelines established herein will be in effect from the date of this Ruling Letter until the end of the state of emergency or when the Commissioner of Insurance suspends the effect thereof, whichever occurs first.

The aforementioned insureds are advised that this ruling does not exempt them from compliance with the remaining provisions of the Insurance Code, Act No. 77-1957, *supra*, insofar as they do not contravene the guidelines and criteria set forth herein. Strict compliance with these guidelines is hereby required. Failure to comply with the guidelines will entail the imposition of severe sanctions.

Very truly yours,

Javier Rivera Ríos, LUCTF
Commissioner of Insurance

