

April 16, 2024

## **RE: USE OF NEW AFFIDAVIT PART C REMINDER** **Declination Reporting Requirements Reduced**

Most retail brokers have been using the new Affidavit Part C form which went into effect as of January 1, 2023. However, ELANY still occasionally receives excess line transaction documentation that contains the old Part C Form.

Wholesale excess line brokers should advise all retail brokers to use the new Part C affidavit form. This new form can be found on the ELANY website in the “Forms” section under (<http://www.elany.org/forms.aspx>)

After July 1, 2024, **ELANY will only be accepting form NYSID Form 41C-W (Edition January 2023).**

While Declinations and Affidavits must still be filed with ELANY and all other affidavit and reporting elements must be completed, recent legislation driven by ELANY eliminated three reporting elements from both the Part A and Part C excess line affidavits. **The following information should no longer be reported for declinations:**

- Affiliation of Representative: Company Employee, Agent, Other (specify)
- Name of Representative Declining Risk
- The insurer declined to underwrite the risk because:
  1. Insurer presently lacks adequate capacity to write this risk.
  2. Specific underwriting reason.
  3. Other (Specify)

If you have any questions, please email [ElanyInfo@elany.org](mailto:ElanyInfo@elany.org). Please ensure the domain @elany.org is not blocked by your spam filter.

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