Governor
Mary Fallin

Insurance Commissioner
John D.Doak

Request for Exemption from the Oklahoma Service Warranty Act

Mailing Address
5 Corporate Plaza
3625 NW 56th Street, Suite 100
Oklahoma City, OK 73112

Print or type all information. Additional sheets/copies, using the same format, may be attached if necessary.

Instructions: Pursuant to 15 O.S. § 141.7(E) each Service Warranty Association as defined by 15 O.S. § 141.2(17) claiming an exclusion from the Service Warranty Act pursuant to 15 O.S. § 141.2(17), shall complete this form and submit the form along with all required documents. A Service Warranty Association shall not be considered exempt until a request is filed with all required documents and acted upon by the Commissioner. Any unlicensed or previously exempt Service Warranty Association conducting service warranty business without filing the required documents when requested by the Commissioner and receiving an approved Exemption from the Commissioner shall be conducting business in violation of the Oklahoma Service Warranty Act.

Section 1: General Information

Association Name: _____

DBA being used in Oklahoma (if applicable): _____

For DBAs used in Oklahoma, please submit a fictitious name report from the Oklahoma Secretary of State.

DBA being used in other state(s): _____

Mailing Address: _____

Statutory Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Contact Person: _____

Federal tax I.D.: ___ _____ Email: _____

State of Domicile: _____

Section 2: Exemption

Each association claiming an exemption must fill out the Request for Exemption from the Oklahoma Service Warranty Act and also provide the previous year's audited financial statements for the company requesting the exclusion; a list of the names and addresses of each current director or officer of the association; and the listed supporting documentation required for each particular exemption. **Please note that audited financials need to be for the service warranty association and cannot be combined with affiliated companies.**

Oklahoma Insurance Department, Financial Division
(405) 521-3966 (405) 522-4160

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Oklahoma Service Warranty Act
Exemption Form

Association Name: _____

(Please check the appropriate exemption and provide any additional documents required).

Exempt Status	Place X	Statutory Ref. Title 15 O.S.	Description of Exemption
1	☐	Exempt under § 141.2(17)(a)	Maintenance service contracts under the terms of which there are no provisions for indemnification.
2	☐	Exempt under § 141.2(17)(b)	Service warranty contracts issued solely by the manufacturer, distributor, importer or seller of the product or any affiliate or subsidiary of the forgoing entities. ***Enclose copy of the contractual liability insurance policy covering 100% of all claim exposure on all contracts written without being predicated on the failure to perform under such contracts. Please see the contractual liability check list.***
3	☐	Exempt under § 141.2(17)(c)	Service contracts entered into between consumers and nonprofit organizations or cooperatives the members of which consist of condominium associations.
4	☐	Exempt under § 141.2(17)(d)	Warranties, guarantees, extended warranties, extended guarantees, or contract agreements issued by a company performing at least 70% of the service work and has been selling and honoring such contracts in Oklahoma for at least twenty (20) years. ***Enclose substantiating historical data showing a 20 year history of such service.***
5	☐	Exempt under § 141.2(17)(e)	Service warranties issued by a service warranty association which has net assets in excess of $100,000,000.00. A service warranty association may use the net assets of a parent company to qualify under this section if the net assets of the association issuing the policy total at least $25,000,000.00. ***Enclose a copy of the parent company's audited financial statement if relying on the assets of the parent.***

Section 3: Net Assets

Pursuant to 15 O.S. § 141.2(12) "net assets" means the amount by which the total assets of an association, excluding goodwill, franchises, customer lists, patents or trademarks, and receivables from or advances to officers, directors, employees, salesmen, and affiliated companies, exceed the total liabilities of the association.

Section 4: Affidavit

Under exemption status of 1 through 5, as proper officer or trustee of the Service Warranty Association, I hereby certify and affirm that to the best of my knowledge and in good faith, the Association is exempt as indicated above.

Subscribed and sworn to before me this __/__/__ , by _____

_____	_____	_____
Signature	**Print Name and Title**	**Date**
_____	_____	_____
Signature	**Print Name and Title**	**Date**

Seal

_____
Notary Public

My commission expires:
Commision No:

Oklahoma Insurance Department, Financial Division
(405) 521-3966 (405) 522-4160