

STATE OF INDIANA )  
 ) SS: BEFORE THE INDIANA  
COUNTY OF MARION ) COMMISSIONER OF INSURANCE

IN THE MATTER OF: )  
 )  
**National Insurance Association** )  
**175 Berkeley Street** )  
**Boston, MA 02116** )

Examination of: **National Insurance Association**


**NOTICE OF ENTRY OF ORDER**

Enclosed is the Final Order entered by Stephen W. Robertson, Commissioner of the Indiana Department of Insurance, after fully considering and reviewing the Verified Report of Examination of National Insurance Association, any relevant examination work papers, and any written submissions or rebuttals. The Verified Report of Examination, as sent to you on July 2, 2020, has been adopted by the Commissioner.

Pursuant to Ind. Code § 27-1-3.1-12(b), within thirty (30) days of receipt of the Final Order, each director of National Insurance Association shall file an affidavit with the Indiana Department of Insurance stating that he/she has received a copy of the Verified Report of Examination and the Final Order.

The Final Order is a final administrative decision that may be appealed pursuant to Ind. Code § 4-21.5-5.

July 15, 2020  
Date

  
Roy Eft  
Chief Financial Examiner

**CERTIFIED MAIL NUMBER: 7017 3040 0000 9294 9599**

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Examination of: **National Insurance Association**

### FINDINGS AND FINAL ORDER

The Indiana Department of Insurance conducted an examination into the affairs of the National Insurance Association (hereinafter "Company") for the time period January 1, 2014 through December 31, 2018.

The Verified Report of Examination was filed with the Commissioner of the Department of Insurance (hereinafter "Commissioner") by the Examiner on June 10, 2020.

A copy of the Verified Report of Examination, along with a Notice of Opportunity to Make Written Submission or Rebuttal, was mailed to the Company via Certified Mail on July 2, 2020 and was received by the Company on July 2, 2020.

The Company did not file any objections.

NOW THEREFORE, based on the Verified Report of Examination, I hereby make the following **FINDINGS**:

1. That the Verified Report of Examination is a true and accurate report of the financial condition and affairs of the National Insurance Association as of December 31, 2018.
2. That the Examiner's Recommendations are reasonable and necessary in order for the National Insurance Association to comply with the laws of the State of Indiana.

Based on the FINDINGS, the Commissioner does hereby ORDER:

1. Pursuant to Ind. Code § 27-1-3.1-11(a)(1), the Verified Report of Examination is adopted and shall be filed. Hereafter the Verified Report of Examination, may constitute prima facie evidence of the facts contained therein in any action or proceeding taken by the Indiana Department of Insurance against the Company, its officers, directors, or agents.
2. The Company shall comply with the Examiner's Recommendations enumerated in summary form and throughout the text of the Verified Report of Examination. A written response to these recommendations should be provided to the Department within 30 days of receipt of this order.
3. Compliance with the Examiner's recommendations shall be completed on or before the filing of the subsequent annual statement. In the event it is not feasible to comply with a recommendation before the filing of the subsequent annual statement, the Company shall submit a written explanation as to why it was not feasible with the filing of the annual statement.

Signed this 15 day of  
July, 2020.

*Stephen W. Robertson*

Stephen W. Robertson  
Insurance Commissioner  
Indiana Department of Insurance

## ABOUT AFFIRMATIONS

The following pages for affirmations need to be signed by each Board Member and returned to the Indiana Department of Insurance within thirty (30) days in accordance with I.C. §27-1-3.1-12(b).

If your affirmations list individuals that are no longer on your Board of Directors, you may simply retype the form on plain white paper with the correct names and a line to the right for signature. If the names are misspelled, you may do the same, simply re-type the corrected form with a line to the right for signature.

Should you have any questions or difficulties with these forms or you require additional time past the thirty (30) day requirement, please do not hesitate to contact this department at (317) 232-2390.

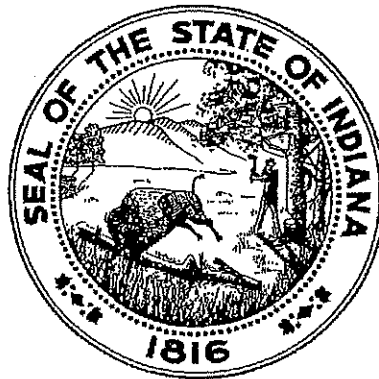
**STATE OF INDIANA**  
**Department of Insurance**  
**REPORT OF EXAMINATION**  
**OF**

**NATIONAL INSURANCE ASSOCIATION**

NAIC Co. CODE 27944  
NAIC GROUP CODE 0111

As of

December 31, 2018



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# STATE OF INDIANA

ERIC J. HOLCOMB, GOVERNOR

## Indiana Department of Insurance

Stephen W. Robertson, Commissioner  
311 W. Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787  
Telephone: 317-232-2385  
Fax: 317-232-5251  
Website: [in.gov/idoi](http://in.gov/idoi)

June 10, 2020

Honorable Stephen W. Robertson, Commissioner  
Indiana Department of Insurance  
311 West Washington Street, Suite 300  
Indianapolis, Indiana 46204-2787

Dear Commissioner:

Pursuant to the authority vested in Appointment Number 4012, an examination has been made of the affairs and financial condition of:

**National Insurance Association**  
175 Berkeley Street  
Boston, Massachusetts 02116

hereinafter referred to as the "Company", or "NIA", an Indiana domestic reciprocal, property, and casualty insurance company. The examination was conducted at the corporate offices of the Company in Boston, Massachusetts.

The Report of Examination, reflecting the status of the Company as of December 31, 2018, is hereby respectfully submitted.

ACCREDITED BY THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS

AGENCY SERVICES	COMPANY COMPLIANCE	CONSUMER SERVICES	FINANCIAL SERVICES	MEDICAL MALPRACTICE	COMPANY RECORDS	STATE HEALTH INSURANCE PROGRAM
317-232-2389	317-232-3495	317-232-2395/1-800-622-4461	317-232-2390	317-232-2402	317-232-5692	1-800-452-4800

## SCOPE OF EXAMINATION

The Company was last examined by representatives of the Indiana Department of Insurance (INDOI) and covered the period from January 1, 2010 through December 31, 2013. The present risk focused examination was conducted by Noble Consulting Services, Inc., and covered the period from January 1, 2014 through December 31, 2018, and included any material transactions and/or events occurring subsequent to the examination date and noted during the course of this examination.

The examination was conducted in accordance with the NAIC *Financial Condition Examiners Handbook* (Handbook). The Handbook requires that we plan and perform the examination to evaluate the financial condition, assess corporate governance, identify current and prospective risks of the Company, and evaluate system controls and procedures used to mitigate those risks. An examination also includes identifying and evaluating significant risks that could cause an insurer's surplus to be materially misstated both currently and prospectively.

The examination of the Massachusetts domestic insurance companies of the Liberty Mutual Group (LMG) was called by the Massachusetts Division of Insurance (Division) in accordance with the Handbook guidelines, through the NAIC's Financial Examination Electronic Tracking System. The Division served as the lead state on the examination, and the INDOI served as a participant state.

Risk & Regulatory Consulting LLC, appointed by the Division, provided all actuarial services throughout the examination and conducted a review of the Company's actuarial related risks as of December 31, 2018.

All accounts and activities of the Company were considered in accordance with the risk-focused examination process. This may include assessing significant estimates made by management and evaluating management's compliance with Statutory Accounting Principles. The examination does not attest to the fair presentation of the financial statements included herein. If, during the course of the examination an adjustment is identified, the impact of such adjustment will be documented separately following the Company's financial statements.

This examination report includes significant findings of fact, as in the Indiana Code (IC) 27-1-3.1-10 and general information about the insurer and its financial condition. There may be other items identified during the examination that, due to their nature (e.g., subjective conclusions, proprietary information, etc.), are not included within the examination report but separately communicated to other regulators and/or the Company.

## HISTORY

The Company was organized in accordance with Indiana Code (IC) 27-6-6-1 through 27-6-6-15 and commenced business on March 2, 1973. NIA is managed by The National Corporation (the Corporation), an attorney-in-fact incorporated in the state of Indiana. On May 2, 1994, the Corporation's stock was purchased by GRE-USA Corporation (GRE-USA), a Delaware insurance holding company.

On May 10, 1999, Liberty Mutual Insurance Company (LMIC) acquired control of Guardian Royal Exchange Holdings, Inc. (GRE Holdings) and GRE-USA through the purchase of all issued and outstanding voting securities of GRE Holdings. GRE Holdings was subsequently renamed Liberty Insurance Holdings, Inc. and GRE-USA was renamed Liberty-USA Corporation (Liberty-USA). In 2001, Liberty Mutual Holding Company Inc. (LMHC), a Massachusetts mutual holding company, was formed as part of the mutual holding company reorganization of LMIC. As a result of the reorganization, LMHC became the new ultimate parent.



### CAPITAL AND SURPLUS

A guaranty fund certificate in the amount of \$10 million issued by NIA to an affiliated company, Peerless Indemnity Insurance Company, a wholly-owned subsidiary of Liberty-USA, remains outstanding. The issue date of the certificate was January 2, 1997. INDOI approval has been granted on all such advances. The certificate has a stated maximum interest rate of prime plus 3/4%, not to exceed 10%. No interest was incurred in 2018 on the guaranty fund certificate.

### DIVIDENDS TO STOCKHOLDERS

The Company is a reciprocal and does not pay dividends. In addition, the Company did not make or receive any capital contributions during the examination period.

### TERRITORY AND PLAN OF OPERATION

The Company is licensed to conduct business in twenty-nine (29) states. On January 19, 2018, the LMG announced the realignment of its businesses to enhance its ability to meet the changing demands of consumer and business customers and conducts substantially all of its operations through two businesses: Global Retail Markets and Global Risk Solutions. Each business unit operates independently of the other and has dedicated actuarial, claims, financial, information technology, sales and underwriting resources.

NIA is a reciprocal and specializes in writing non-standard automobile business. The Company's business is in runoff and no business has been written since 2007. The Corporation serves as attorney-in-fact for the Company.

### GROWTH OF THE COMPANY

The following exhibit summarizes the financial results of the Company during the examination period:

<u>Year</u>	<u>Admitted Assets</u>	<u>Liabilities</u>	<u>Surplus and Other Funds</u>	<u>Premiums Earned</u>	<u>Net Income</u>
2018	\$ 13,955,479	\$ 9,028	\$ 13,946,451	\$ -	\$ 202,144
2017	13,755,336	2,029	13,753,307	-	252,980
2016	13,591,346	2,019	13,589,327	-	149,738
2015	13,470,652	2,063	13,468,588	-	173,153
2014	13,362,344	1,905	13,360,439	-	155,415

The financial results of the Company reflect the operating results of the Liberty Mutual Pool. NIA cedes 100% of its direct written premium to the Liberty Mutual Pool and the participation percentage for the Company was 0% throughout the examination period.

## MANAGEMENT AND CONTROL

### Directors

The Corporation's Bylaws provide that the business affairs of the Company are to be managed by a Board of Directors (Board) consisting of no less than five (5) and no more than eleven (11) directors. Directors shall be elected at the first annual shareholders' meeting and at each annual meeting thereafter. A director need not be a shareholder.

The following is a listing of persons serving as directors as of December 31, 2018, and their principal occupations as of that date:

<u>Name and Address</u>	<u>Principal Occupation</u>
Matthew Paul Dolan Avon, Connecticut	President, North America Specialty Liberty Mutual Group Inc.
Alison Brooke Erbig Stoneham, Massachusetts	Senior Vice President and Comptroller Liberty Mutual Group Inc.
Michael Joseph Fallon Bedford, Massachusetts	President, National Insurance Liberty Mutual Group Inc.
Julie Marie Haase Boston, Massachusetts	Chief Financial Officer, Global Retail Markets Liberty Mutual Group Inc.
James Michael MacPhee Boston, Massachusetts	President and Chief Operating Officer, Global Retail Markets-U.S. Liberty Mutual Group Inc.
Sean Bulman McSweeney Ashland, Massachusetts	Deputy General Counsel Liberty Mutual Group Inc.
Elizabeth Julia Morahan Newtonville, Massachusetts	Deputy General Counsel Liberty Mutual Group Inc.
Francis William Robinson, Jr. North Andover, Massachusetts	Chief Financial Officer, Global Risk Solutions Liberty Mutual Group Inc.
Craig Kendall Sanford Carmel, Indiana	Underwriting Manager Liberty Mutual Group Inc.
Mark Charles Touhey Scituate, Massachusetts	Senior Vice President and Corporate Secretary Liberty Mutual Group Inc.

### Officers

The Corporation's Bylaws state that the elected officers of the Corporation shall consist of a President, a Secretary, and a Treasurer. Each of these officers is elected by the Board and shall hold office for one (1) year or until such time as they might be removed. The President or Chairman may appoint the number of Vice Presidents, Assistant Secretaries, Assistant Treasurers or any such officer as the President or Chairman may determine is required in the best interest of NIA.

The following is a list of key officers and their respective titles as of December 31, 2018:

<u>Name</u>	<u>Office</u>
James Michael MacPhee	President and Chief Executive Officer
Neeti Bhalla Johnson	Executive Vice President and Chief Investment Officer
James Francis Kelleher	Executive Vice President and Chief Legal Officer
Christopher Locke Peirce	Executive Vice President and Chief Financial Officer
Mark Charles Touhey	Senior Vice President and Secretary
Laurance Henry Soyer Yahia	Senior Vice President and Treasurer
Alison Brooke Erbig	Senior Vice President and Comptroller

### CONFLICT OF INTEREST

Directors and officers are required to review and sign Conflict of Interest statements annually. It was determined that all directors and officers listed in the Management and Control section of this Report of Examination have reviewed and signed their statements as of December 31, 2018.

### CORPORATE RECORDS

#### Articles of Incorporation

There were no amendments made to the Articles of Incorporation of the Corporation during the examination period.

#### Bylaws

There were no amendments made to the Bylaws of the Corporation during the examination period.

#### Minutes

The Board meeting minutes were reviewed for the period under examination through the fieldwork date. Significant actions taken during each meeting were noted.

The Company is organized as a reciprocal, under IC 27-6-6-1, and therefore IC 27-1-7-7(b), which states an annual meeting of shareholders, members, or policyholders shall be held within five (5) months after the close of each fiscal year of the Company and at such time within that period as the Bylaws may provide, is not applicable.

The committee meeting minutes for LMHC during the examination period, and through the fieldwork date, were reviewed for the following committees: Audit Committee, Compensation Committee, Community Investment Committee, Executive Committee, Investment Committee, Nominating and Governance Committee, and Risk Committee.

## AFFILIATED COMPANIES

### Organizational Structure

The following abbreviated organizational chart shows the Company's parent and subsidiaries as of December 31, 2018:

	<u>NAIC Co. Code</u>	<u>Domiciliary State/Country</u>
Liberty Mutual Holding Company Inc.		MA
LMHC Massachusetts Holdings Inc.		MA
Liberty Mutual Group Inc.		MA
Liberty Mutual Insurance Company	23043	MA
<b>LM Property and Casualty Insurance Company</b>	<b>32352</b>	<b>IN</b>
Ohio Casualty Corporation <sup>A</sup>		OH
The Ohio Casualty Insurance Company	24074	NH
<b>West American Insurance Company</b>	<b>44393</b>	<b>IN</b>
Liberty Insurance Holdings, Inc.		DE
Liberty Mutual Agency Corporation		DE
Peerless Insurance Company	24198	NH
Liberty-USA Corporation		DE
<b>The National Corporation</b>		<b>IN</b>
<b>National Insurance Association</b>	<b>27944</b>	<b>IN</b>
<b>Indiana Insurance Company</b>	<b>22659</b>	<b>IN</b>
<b>Consolidated Insurance Company</b>	<b>22640</b>	<b>IN</b>
Safeco Corporation		WA
<b>American States Insurance Company</b>	<b>19704</b>	<b>IN</b>
General Insurance Company of America	24732	NH
<b>Safeco Insurance Company of Indiana</b>	<b>11215</b>	<b>IN</b>
<b>American States Preferred Insurance Company</b>	<b>37214</b>	<b>IN</b>
<b>American Economy Insurance Company</b>	<b>19690</b>	<b>IN</b>
American States Insurance Company of Texas	19712	TX

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<sup>A</sup> 78% owned by Liberty Mutual Insurance Company, 8% Owned by Employers Insurance Company of Wausau, 8% Owned by Peerless Insurance Company, 6% Owned by Liberty Mutual Fire Insurance Company

### Affiliated Agreements

The following affiliated agreements and transactions were disclosed as part of the Form B – Holding Company Registration Statement and were filed with the INDOI, as required, in accordance with IC 27-1-23-4.

#### *Power of Attorney and Subscribers' Agreement*

Pursuant to the Power of Attorney and Subscribers' Agreement incorporated within all applications for insurance policies issued by NIA, the Corporation may charge a management fee up to 15% of all premiums written and investment income collected by NIA.

*Investment Management Agreement*

Effective July 1, 2011, NIA entered into an Investment Management Agreement with Liberty Mutual Group Asset Management Inc. (LMGAM). The Agreement was filed with the INDOI on May 18, 2011 and was not disapproved on June 15, 2011. Pursuant to the terms of this Agreement, NIA paid management fees to LMGAM of \$24,224 in 2018.

*Management Services Agreement*

Effective January 1, 2013, NIA entered into a Management Services Agreement with LMIC under which LMIC provides risk underwriting, claims processing, claims adjustments, policyholder services, contract management, administration, and other services determined to be reasonably necessary or desirable. The Management Services Agreement was submitted to the INDOI on November 13, 2012 and was not disapproved on December 27, 2012. Pursuant to the terms of this Agreement, NIA paid no fees in 2018.

*Cash Management Agreement*

Effective January 1, 2016, NIA entered into a Cash Management Agreement with LMIC whereby LMIC will provide short-term cash liquidity pool management services to the Company. A Form D was filed with the INDOI on October 7, 2015 and was not disapproved on December 21, 2015. Pursuant to the terms of this Agreement, NIA paid no fees in 2018.

**FIDELITY BOND AND OTHER INSURANCE**

The Company protects itself against loss from any fraudulent or dishonest acts by any employees through a fidelity bond issued by Colonial American Casualty and Surety Company. The bond has a single loss coverage limit of \$15 million, with a \$50 million deductible. The fidelity bond is adequate to meet the prescribed minimum coverage specified by the NAIC.

The Company had additional types of coverage in-force as of December 31, 2018, including but not limited to automobile liability, commercial general liability, financial institution bond, miscellaneous professional liability, specialty risk, and umbrella liability.

**PENSION, STOCK OWNERSHIP, AND INSURANCE PLANS**

The Company does not have any direct employees, and therefore does not have any direct obligations for a defined benefit plan, deferred compensation arrangements, compensated absences, or other postretirement benefit plans. Services for the operation of the Company are provided under provisions of the Management Services Agreement.

## SPECIAL AND STATUTORY DEPOSITS

The Company reported the following deposits as of December 31, 2018:

<u>State</u>	<u>Book Value</u>	<u>Fair Value</u>
For All Policyholders:		
Florida	\$ 222,244	\$ 220,914
Indiana	2,160,873	2,150,387
All Other Special Deposits:		
Georgia	24,964	24,742
New Mexico	350,087	346,731
Total Deposits	<u>\$ 2,758,168</u>	<u>\$ 2,742,774</u>

## REINSURANCE

### Reinsurance Pool

Prior to January 1, 2013, LMIC was organized with two (2) separate and distinct intercompany reinsurance pools: the Liberty Mutual Pool and the Peerless Pool. Effective January 1, 2013, the Peerless Pool was merged into the Liberty Mutual Pool and thus dissolved.

Effective January 1, 2013, NIA entered into the Second Amended and Restated Intercompany Reinsurance Agreement (Intercompany Reinsurance Agreement) covering all of its direct writings with participation being the percentage indicated in the table below. The Agreement was filed with the INDOI on November 13, 2012 and was not disapproved on December 27, 2012.

Per the terms of the Intercompany Reinsurance Agreement, each affiliated member company, other than Wausau Business Insurance Company, Wausau General Insurance Company, and Wausau Underwriters Insurance Company, cedes to LMIC and LMIC accepts 100% of each company's risks arising out of its policies. LMIC cedes to each affiliated member company and each of the companies accepts its respective share of the Liberty Mutual Pool risks. Each company shall reimburse the ceding company for its share of the assessments, expenses, losses, policyholder dividends, and taxes. Also, each company shall maintain reserves for its share of the ceding company's liabilities.

Effective July 1, 2017, NIA is party to Addendum 1 to the Intercompany Reinsurance Agreement. Addendum 1 amends the Agreement to add two new affiliates, Ironshore Specialty Insurance Company and Ironshore Indemnity Inc., which were acquired on May 1, 2017. A Form D was filed with the INDOI on April 29, 2017 and was not disapproved on May 26, 2017.

Following is a list of the companies within LMG receiving a share of the Liberty Mutual Pool and its respective contract percentage:

Name of Pool Members	Percentage of Pool	Domiciliary State
Liberty Mutual Insurance Company	50.0%	MA
Peerless Insurance Company	20.0%	NH
Employers Insurance Company of Wausau	8.0%	WI
Liberty Mutual Fire Insurance Company	8.0%	WI
The Ohio Casualty Insurance Company	8.0%	NH
Safeco Insurance Company of America	6.0%	NH
American Economy Insurance Company <sup>A</sup>	0.0%	IN
American States Insurance Company <sup>A</sup>	0.0%	IN
American States Preferred Insurance Company <sup>A</sup>	0.0%	IN
Consolidated Insurance Company <sup>A</sup>	0.0%	IN
Indiana Insurance Company <sup>A</sup>	0.0%	IN
National Insurance Association <sup>A</sup>	0.0%	IN
Safeco Insurance Company of Indiana <sup>A</sup>	0.0%	IN
West American Insurance Company <sup>A</sup>	0.0%	IN
Total	<u>100.0%</u>	

<sup>A</sup> Indiana domiciled insurers that are party to the Intercompany Reinsurance Agreement, but do not participate in the retrocession of pool business.

### ACCOUNTS AND RECORDS

The Company's accounting procedures, practices, account records, and supporting data were reviewed and tested to the extent deemed necessary. The trial balances prepared from the Company's general ledger for the years ended December 31, 2017 and December 31, 2018, were agreed to the respective Annual Statements. The combined Annual Statements of the Liberty Mutual Pool for the years ended December 31, 2014 through December 31, 2018, were agreed to each year's independent audit report of the Liberty Mutual Pool without material exception. The Company's accounting procedures, practices, and account records were deemed satisfactory.

## FINANCIAL STATEMENTS

### NATIONAL INSURANCE ASSOCIATION

#### Assets

As of December 31, 2018

	<u>Per Examination*</u>
Bonds	\$ 13,674,908
Cash, cash equivalents and short-term investments	<u>220,234</u>
Subtotals, cash and invested assets	13,895,142
Investment income due and accrued	52,006
Current federal and foreign income tax recoverable and interest thereon	<u>8,331</u>
Total assets excluding Separate Accounts, Segregated Accounts and Protected Cell Accounts	13,955,479
Totals	<u>\$ 13,955,479</u>

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\* There were no adjustments to the as-filed financial statements, therefore the Annual Statement amounts agree to the examination amounts.



NATIONAL INSURANCE ASSOCIATION  
 Liabilities, Surplus and Other Funds  
 As of December 31, 2018

	Per Examination*
Net deferred tax liability	\$ 7,000
Payable to parent, subsidiaries and affiliates	2,028
Aggregate write-ins for liabilities	-
Total liabilities excluding protected cell liabilities	9,028
Total liabilities	9,028
Surplus notes	10,000,000
Unassigned funds (surplus)	3,946,451
Surplus as regards policyholders	13,946,451
Totals	\$ 13,955,479

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\* There were no adjustments to the as-filed financial statements, therefore the Annual Statement amounts agree to the examination amounts.

NATIONAL INSURANCE ASSOCIATION  
Statement of Income  
For the Year Ended December 31, 2018

INVESTMENT INCOME	<u>Per Examination*</u>
Net investment income earned	\$ 263,890
Net realized capital gains (losses) less capital gains tax	<u>(15,599)</u>
Net investment gain (loss)	<u>248,291</u>
Net income, before dividends to policyholders, after capital gains tax and before all other federal and foreign income taxes	<u>248,291</u>
Net income, after dividends to policyholders, after capital gains tax and before all other federal and foreign income taxes	248,291
Federal and foreign income taxes incurred	<u>46,147</u>
Net income	<u>\$ 202,144</u>

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\* There were no adjustments to the as-filed financial statements, therefore the Annual Statement amounts agree to the examination amounts.

NATIONAL INSURANCE ASSOCIATION  
Capital and Surplus Account Reconciliation

	2018	2017	2016	2015	2014
Surplus as regards policyholders, December 31 prior year	\$ 13,753,310	\$ 13,589,330	\$ 13,468,592	\$ 13,360,439	\$ 13,020,024
Net income	202,144	252,980	149,738	173,153	155,415
Change in net deferred income tax	(3,000)	(89,000)	(29,000)	(65,000)	(54,000)
Change in nonadmitted assets	(6,000)	-	-	-	239,000
Change in surplus as regards policyholders for the year	193,144	163,980	120,738	108,153	340,415
Surplus as regards policyholders, December 31 current year *	<u>\$ 13,946,454</u>	<u>\$ 13,753,310</u>	<u>\$ 13,589,330</u>	<u>\$ 13,468,592</u>	<u>\$ 13,360,439</u>

\* Exhibit includes immaterial rounding adjustments.

## COMMENTS ON THE FINANCIAL STATEMENTS

There were no recommended adjustments to the financial statements as of December 31, 2018, based on the results of this examination.

### OTHER SIGNIFICANT ISSUES

#### Reinsurance

LMG is not in compliance with SSAP No. 62R Revised Property and Casualty Reinsurance and SSAP No. 63 Underwriting Pools for recording reinsurance balances on a gross basis at the individual LMIC Pool member levels, other than LMIC. LMG is incorrectly recording nonaffiliated external assumed reinsurance contracts for certain LMIC Pool members, other than LMIC, directly to LMIC, which is the lead company in the LMIC Pool. LMG's accounting practices also create an inaccurately reported Schedule F in the Annual Statement.

As a result, certain LMIC Pool participants (other than LMIC) are not correctly recording all of their assumed underwriting results on a gross basis whereby the participant's portion of premiums, losses, expenses (including intercompany related expenses), and other operations of the pools are recorded separately in each participant's financial statements rather than netted against each other within LMIC.

It is recommended that LMG correct its current reinsurance accounting practices to comply with SSAP No. 62R and SSAP No. 63 requirements for recording reinsurance balances on a gross basis for each affected individual pool member.

In addition, it is recommended LMG:

- Document its amended accounting practice in a formal reinsurance accounting policy memo.
- Review its reinsurance process narratives / flowcharts and controls and update such, as necessary, for any changes in its reinsurance accounting practice and processes.
- Evaluate and amend the Liberty Mutual Second Amended and Restated Reinsurance Agreement for any provisions that are not in compliance with SSAP No. 62R and SSAP No. 63.
- Prospectively correct Schedule F for the revised gross reporting basis for each individual pool member as necessary.

#### Related Party Transactions

LMG's related party documentation supporting its internal controls, monthly calculations and recording of related party fees/expenses, settlement of intercompany receivables/payables, and evaluation of non-admitted intercompany receivables should be significantly enhanced.

It is recommended that LMG ensure appropriate key controls and documentation are in place associated with the different agreement types, monthly calculations and recording of related party fees/expenses, settlement of intercompany receivables/payables, and evaluation of non-admitted intercompany receivables. In addition, LMG should reevaluate all related party investment agreements and other related party contracts that are based on a method other than a cost-allocation to ensure compliance with SSAP No. 25 Affiliates and Other Related Parties.

## SUBSEQUENT EVENTS

On April 15, 2019, LMG announced the acquisition of the global surety and credit reinsurance operations of AmTrust Financial Services, Inc. LMG will acquire four AmTrust businesses: AmTrust Surety which provides contract, commercial, and subdivision bonds primarily in the western U.S.; AmTrust Insurance Spain which offers surety bonds in Spain and Latin America; Nationale Borg which provides surety, worker disability, and home purchase bonds in the Netherlands and Belgium; and Nationale Borg Reinsurance, a global provider of surety, trade credit and political risk reinsurance. On May 31, 2019, LMG completed the acquisition of the business and operations of AmTrust Surety, the U.S. surety operations of AmTrust Financial Services, Inc. On October 2, 2019, LMG completed the AmTrust Insurance Spain, Nationale Borg, and Nationale Borg Reinsurance portion of the acquisition.

On November 5, 2019, LMIC entered into a reinsurance transaction with National Indemnity Company on a combined aggregate excess of loss agreement for certain Global Retail Markets U.S. Business Lines and Global Risk Solutions National Insurance workers compensation liabilities, commercial auto liability and general liability excluding umbrella and warranty. The first layer of the contract attaches at \$0.3 billion below applicable held reserves at inception of approximately \$8.3 billion of combined aggregate reserves. The second layer of the contract provides adverse development coverage for \$1 billion above a retention equal to approximately \$8.7 billion. The contract includes a sublimit of \$0.1 billion for certain general liability liabilities. The contract will be accounted for as retroactive reinsurance.

In March 2020, the World Health Organization declared Coronavirus disease (COVID-19) a pandemic. As of the date of this report, there was significant uncertainty on the effect the pandemic would have on the insurance industry, economy, and society at large. Any impact to the Company will take time to assess and will be specific to the class and mix of business they underwrite. The INDOI will continue to monitor how the pandemic might impact the Company.



**AFFIDAVIT**

This is to certify that the undersigned is a duly qualified Examiner-in-Charge appointed by the Indiana Department of Insurance and that she, in coordination with staff assistance from Noble Consulting Services, Inc., and actuarial assistance from Risk and Regulatory Consulting LLC, performed an examination of National Insurance Association, as of December 31, 2018.

The Indiana Department of Insurance is accredited under the National Association of Insurance Commissioners Financial Regulation Accreditation Standards.

This examination was performed in accordance with those procedures required by the NAIC Financial Condition Examiners Handbook and other procedures tailored for this examination. Such procedures performed on this examination do not constitute an audit made in accordance with generally accepted auditing standards and no audit opinion is expressed on the financial statements contained in this report.

The attached Report of Examination is a true and complete report of condition of National Insurance Association as of December 31, 2018, as determined by the undersigned.



Nadine Treon, CFE  
Noble Consulting Services, Inc.

Under the Supervision of:



Jerry Ehlers, CFE, AES  
Examinations Manager  
Indiana Department of Insurance

State of: Indiana  
County of: Marion

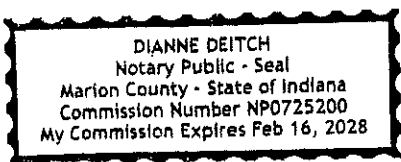
On this 13 day of July, 2020, before me personally appeared, Nadine Treon and Jerry Ehlers, to sign this document.

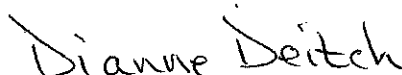
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal in said County and State, the day and year last above written.

My commission expires: Feb. 16, 2028



Notary Public





Notary Public

