

## Article - Insurance

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§11-402.

- (a) All title insurance rates shall be made in accordance with this section.
- (b) Rates shall be reasonable and adequate for the class of risks to which they apply.
- (c) Rates may not discriminate unfairly between risks that involve essentially the same hazards and expense elements.
- (d) Due consideration shall be given to:
  - (1) past and prospective loss experience within and outside the State;
  - (2) a reasonable margin for profit and contingencies;
  - (3) the cost of participating insurance;
  - (4) the percentage to be allocated to reserve;
  - (5) operating expenses; and
  - (6) all other relevant factors fairly attributable to the business of title insurance.
- (e) (1) Guarantees may be grouped by classifications for the establishment of rates and minimum premiums.
  - (2) A special or unusual guarantee that is more hazardous to the title insurer than ordinary title guarantees because of an alleged irregularity or a difference in interpretation or application of law that might affect marketability of title, may be classified individually and separately according to the circumstances peculiar to each case.

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