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INSURANCE LAW

The Insurance 'Top 62': Annual Rankings

We are privileged once again to report upon the "Annual Ranking of Automobile Insurance Complaints," prepared by the New York State Department of Financial Services (formerly the New York State Department of Insurance).



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2011 Annual Ranking

The 2011 "Annual Ranking of Automobile Insurance Complaints," which is based upon data for the calendar year 2010, ranks all 179 automobile insurance companies doing business in New York State. As was the case last year, this year's report ranks the individual companies themselves, rather than just the corporate groups of which those companies may be members. This change is intended to give consumers a more accurate picture of their insurers' performance.

As in the past, insurers are ranked based upon a complaint ratio, which is determined by the number of private passenger automobile insurance complaints upheld against them and closed by the Department of Financial

Services in 2010, divided by their 2009-2010 average private passenger automobile premium volume in New York State. All companies with at least \$10 million in average premiums in 2008-2009 are included in the ranking. Insurers with less than \$10 million in premiums are included only if they had 10 or more complaints.

In 2010, the Insurance Department's Consumer Services Bureau received a total of 6,426 private passenger auto insurance complaints (down from 7,600 the year before), of which 621 (down from 966) were upheld. Neither commercial auto complaints nor complaints made directly to the insurer are included in determining the complaint ratios. Complaints not upheld by the Insurance Department or withdrawn by the consumer are also not included in the ratio. An upheld complaint occurs when the department agrees with a consumer that

an auto insurer made an inappropriate decision.

Typical complaints are those involving such issues as delays in the payment of no-fault claims. This includes no-fault arbitration complaints that are ruled in favor of the consumer and are not appealed or paid by the insurance company within 30 days. Other common complaints involve insurers that do not renew policies.

The 2010 average complaint ratio for all companies or groups, including those with less than \$10 million in premiums, was 0.0619 per \$1 million in premiums (down from 0.10 the previous year). This equates to approximately one upheld complaint for every \$9.7 million in premiums paid to insurance companies. This average ratio was derived by dividing the number of complaints upheld against all companies in 2010 (621) by the average premium for 2009-2010 for all companies (\$10,027.522 million, or \$10.027 billion). The average number of upheld complaints per company was 3.5 (down from 5.8 the previous year).

Charts

The first chart lists the "Top 62," i.e., the 62 companies with the fewest upheld complaints against them, or, the best performers of

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The 62 Best Performers of 2010

	Company or Group	2010 Complaint Ratio	2010 Complaint Total	2010 Upheld	2009-10 Avg. Premium (Millions)
1.	Erie	0.00	18	0	64.096
2.	Kemper Indep.	0.00	16	0	52.083
3.	Phoenix	0.00	6	0	34.032
4.	Great Northern	0.00	3	0	33.769
5.	Main Street America	0.00	7	0	32.562
6.	Commerce & Industry	0.00	6	0	21.788
7.	First Liberty	0.00	6	0	20.462
8.	Farmington Cas.	0.00	15	0	19.803
9.	IDS Property Cas.	0.00	2	0	19.802
10.	USAA General Ind.	0.00	4	0	16.659

SOURCE: New York State Department of Financial Services

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2010—all of which achieved a complaint ratio of 0.00. Although these companies all have the same complaint ratio, they are ranked differently because of the differences in their average annual premiums.

The second chart reveals the opposite side of the spectrum; it lists the 25 auto insurers with the worst performance record for the calendar year 2010, i.e., the "Bottom 25." In this chart, the company with the highest (worst) ratio is ranked first; the company with the lowest ratio is ranked last.

Copies of the Department of

Financial Services' annual Consumers Guide to Automobile Insurance and the annual ranking may be obtained free of charge by calling the department's toll-free telephone number (800) 342-3736. In addition, both publications are accessible on the Internet at the department's website address: <http://www.dfs.ny.gov/insurance/cauto.htm>.

The 62 Best Performers of 2010

Company or Group	2010 Complaint Ratio	2010 Complaint Total	2010 Upheld	2009-10 Avg. Premium (Millions)
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11.	Utica National	0.00	4	0	15.747
12.	Charter Oak	0.00	4	0	13.334
13.	Bankers Standard	0.00	1	0	13.087
14.	Republic-Franklin	0.00	1	0	11.985
15.	Foremost	0.00	4	0	11.640
16.	Essentia	0.00	1	0	11.609
17.	Old Dominion	0.00	0	0	10.780
18.	Hartford Acc. & Ind.	0.00	15	0	8.946
19.	Encompass Prop. & Cas.	0.00	1	0	8.111
20.	Ins. Co. Of Pa.	0.00	2	0	7.953
21.	Encompass Home & Auto	0.00	6	0	7.538
22.	Chubb National	0.00	1	0	7.030
23.	National Liab. & Fire	0.00	7	0	6.743
24.	Assoc. Indem.	0.00	1	0	6.397
25.	Response Worldwide Direct	0.00	2	0	6.338
26.	National General	0.00	0	0	6.337
27.	AutoOne Select	0.00	6	0	6.326
28.	National General	0.00	4	0	6.160
29.	Response Worldwide	0.00	2	0	6.109
30.	Unitrin Advantage	0.00	5	0	5.946
31.	Standard Fire	0.00	2	0	5.856
32.	Vigilant	0.00	0	0	5.850
33.	Nationwide Prop. & Cas.	0.00	10	0	5.694
34.	Central Mut.	0.00	1	0	5.178
35.	Travelers Cas.	0.00	2	0	5.051
36.	Utica Mut.	0.00	8	0	4.919
37.	American Auto.	0.00	1	0	4.878
38.	American Bankers	0.00	3	0	4.677
39.	Ameriprise	0.00	1	0	4.599
40.	Blue Ridge Ind.	0.00	0	0	4.211
41.	National Merit	0.00	4	0	3.867
42.	Countryway	0.00	3	0	3.697
43.	American Family Home	0.00	1	0	3.388
44.	Drivers	0.00	8	0	3.290
45.	Prop. & Cas. Ins. Co. of Hartford	0.00	4	0	3.289

46.	Privilege Underwriters	0.00	0	0	2.806
47.	Graphic Arts Mut.	0.00	3	0	2.552
48.	Integon Preferred	0.00	0	0	2.211
49.	Federal	0.00	4	0	2.183
50.	Utica National	0.00	6	0	2.179
51.	National Surety	0.00	1	0	2.173
52.	Fireman's Fund	0.00	1	0	2.103
53.	MIC Prop. & Cas.	0.00	1	0	1.953
54.	21st Century Preferred	0.00	2	0	1.934
55.	Integon National	0.00	1	0	1.816
56.	Sterling	0.00	0	0	1.788
57.	Cim	0.00	0	0	1.684
58.	Titan Ind.	0.00	3	0	1.633
59.	Pacific Ind.	0.00	0	0	1.536
60.	American Reliable	0.00	0	0	1.288
61.	Nationwide Assurance	0.00	0	0	1.237
62.	Harleysville Worcester	0.00	0	0	1.181

SOURCE: New York State Department of Financial Services

The 25 Worst Performers of 2010

	Company or Group	2010 Complaint Ratio	2010 Complaint Total	2010 Upheld	2009-10 Avg. Premium (Millions)
1.	Clarendon National	280.4459	12	2	.007
2.	One Beacon	128.0041	3	2	.016
3.	Greater N.Y. Mut.	74.5379	1	1	.013
4.	Chartis Prop. Cas.	33.7096	9	4	.119
5.	Infinity Cas.	31.5686	1	1	.032
6.	National Union Fire	25.7674	4	2	.078
7.	National Continental	10.3004	8	1	.097
8.	Hudson	6.8039	2	1	.147
9.	Illinois National	6.2547	2	1	.160
10.	Pacific Specialty	3.4159	2	1	.293
11.	Hanover	2.8907	10	6	2.076
12.	Meritplan	2.7751	4	2	0.721
13.	AIU	2.1424	4	1	0.467
14.	Trumbull	2.0170	1	1	0.446
15.	Balboa	1.3248	2	1	0.755
16.	American Home	1.3084	3	1	0.764
17.	Allstate Ind.	1.2310	26	10	8.124
18.	Unitrin Direct	0.9908	4	2	2.019
19.	21st Century	0.9431	24	1	1.060
20.	Philadelphia Indem.	0.8494	2	2	2.355
21.	Permanent General	0.8171	25	6	7.343
22.	Dairyland	0.7283	3	2	2.746
23.	Infinity	0.6902	2	1	1.449
24.	Travelers Ind.	0.5906	29	5	8.467
25.	Travelers Ind. of America	0.3909	2	1	2.558

SOURCE: New York State Department of Financial Services