

(3) THE RATIOS OF COMMISSION EXPENSE, GENERAL INSURANCE EXPENSE, POLICY BENEFITS AND ~~REVERSE~~ RESERVE INCREASES AS TO ANNUAL PREMIUM, AND NET INVESTMENT INCOME WHICH COULD LEAD TO AN IMPAIRMENT OF CAPITAL AND SURPLUS;

(4) WHETHER THE INSURER'S ASSET PORTFOLIO, WHEN VIEWED IN LIGHT OF CURRENT ECONOMIC CONDITIONS, IS NOT OF SUFFICIENT VALUE, LIQUIDITY, OR DIVERSITY TO ASSURE THE INSURER'S ABILITY TO MEET ITS OUTSTANDING OBLIGATIONS AS THEY MATURE;

(5) THE ABILITY OF AN ASSUMING REINSURER TO PERFORM, INCLUDING CONSIDERATION OF WHETHER AN INSURER'S REINSURANCE PROGRAM PROVIDES SUFFICIENT PROTECTION FOR THE INSURER'S REMAINING SURPLUS, AFTER TAKING INTO ACCOUNT THE INSURER'S CASH FLOW, THE CLASSES OF BUSINESS WRITTEN, AND THE FINANCIAL CONDITION OF THE ASSUMING REINSURER;

(6) WHETHER AN INSURER'S OPERATING LOSS IN THE LAST 12-MONTH PERIOD OR ANY SHORTER PERIOD OF TIME (INCLUDING NET CAPITAL GAIN OR LOSS, CHANGE IN NON-ADMITTED ASSETS, AND CASH DIVIDENDS PAID TO SHAREHOLDERS) IS GREATER THAN 50% OF THAT PORTION OF THE INSURER'S POLICYHOLDER SURPLUS THAT IS IN EXCESS OF THE MINIMUM REQUIRED;

(7) WHETHER ANY AFFILIATE, SUBSIDIARY, OR REINSURER IS INSOLVENT, THREATENED WITH INSOLVENCY, OR DELINQUENT IN THE PAYMENT OF ANY MONETARY OR OTHER OBLIGATION;

(8) CONTINGENT LIABILITIES, PLEDGES OR GUARANTEES THAT, EITHER INDIVIDUALLY OR COLLECTIVELY, INVOLVE A TOTAL AMOUNT WHICH THE COMMISSIONER BELIEVES MAY AFFECT THE SOLVENCY OF THE INSURER;

(9) WHETHER ANY CONTROLLING PERSON OF AN INSURER IS DELINQUENT IN THE TRANSMISSION OR PAYMENT OF NET PREMIUMS TO THE INSURER;

(10) THE AGE AND COLLECTIBILITY OF RECEIVABLES;

(11) WHETHER THE MANAGEMENT OF AN INSURER, INCLUDING OFFICERS, DIRECTORS, OR ANY OTHER PERSON WHO DIRECTLY OR INDIRECTLY CONTROLS THE OPERATION OF THE INSURER, FAILS TO POSSESS AND DEMONSTRATE THE COMPETENCE, FITNESS, AND REPUTATION DEEMED NECESSARY TO SERVE THE INSURER IN SUCH POSITION;

(12) WHETHER THE MANAGEMENT OF AN INSURER HAS FAILED TO RESPOND TO INQUIRIES RELATIVE TO THE CONDITION OF THE INSURER OR HAS FURNISHED FALSE AND MISLEADING INFORMATION CONCERNING AN INQUIRY;

(13) WHETHER THE MANAGEMENT OF AN INSURER HAS:

(I) FILED ANY FALSE OR MISLEADING SWORN FINANCIAL STATEMENT;