# Texas Property and Casualty Insurance Guaranty Association

**Financial Report**
**with Additional Information**
**December 31, 2019**

# Contents

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## Independent Auditor's Report

To the Board of Directors
Texas Property and Casualty
Insurance Guaranty Association

We have audited the accompanying financial statements of Texas Property and Casualty Insurance Guaranty Association (the "Association"), which comprise the balance sheet as of December 31, 2019 and 2018 and the related statements of income and comprehensive income, equity, and cash flows for the years then ended, and the related notes to the financial statements.

### *Management's Responsibility for the Financial Statements*

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### *Auditor's Responsibility*

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### *Opinion*

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Texas Property and Casualty Insurance Guaranty Association as of December 31, 2019 and 2018 and the results of its operations and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Plante & Moran, PLLC

April 20, 2020

# Balance Sheet

**December 31, 2019 and 2018**

| | 2019 | 2018 |
|---|---|---|
| **Assets** | | |
| Investments in debt securities | $ 456,703,963 | $ 409,718,541 |
| Cash and cash equivalents | 39,673,285 | 6,270,468 |
| Accounts receivable - Other | 61,942 | 62,263 |
| Accrued interest income | 2,343,981 | 2,393,580 |
| Loans receivable - Net of allowance for uncollectible loans of $301,663,408 and $328,599,079 in 2019 and 2018, respectively | - | - |
| Property and equipment - Net | 269,217 | 317,061 |
| Collateral from securities lending | 70,657,689 | 10,637,242 |
| Total assets | **$ 569,710,077** | **$ 429,399,155** |
| **Liabilities and Equity** | | |
| **Liabilities** | | |
| Accounts payable and accrued expenses | $ 695,287 | $ 1,065,753 |
| Obligations under securities lending | 70,657,689 | 10,637,242 |
| Unpaid claims and claims adjustment expenses | 330,261,023 | 361,043,218 |
| Early access distributions | 51,562,245 | 18,720,731 |
| Payable for securities | - | 873,440 |
| Total liabilities | 453,176,244 | 392,340,384 |
| **Equity** | 116,533,833 | 37,058,771 |
| Total liabilities and equity | **$ 569,710,077** | **$ 429,399,155** |

See notes to financial statements.

## Texas Property and Casualty Insurance Guaranty Association

# Statement of Income and Comprehensive Income

**Years Ended December 31, 2019 and 2018**

| | 2019 | 2018 |
|---|---|---|
| **Revenue** | | |
| Distributions | $ 48,845,070 | $ 15,732,666 |
| Net investment income | 10,911,378 | 9,612,020 |
| Realized capital gains (losses) - Net | 2,992,832 | (2,643,158) |
| Gain on disposal of asset | - | 500 |
| Total revenue | 62,749,280 | 22,702,028 |
| **(Recoveries) Expenses** | | |
| Claims recovered - Net | (9,139,846) | (3,271,600) |
| Subrogation and salvage recoveries | (2,352,826) | (2,561,050) |
| Operating expenses | 5,743,296 | 6,110,589 |
| Total (recoveries) expenses | (5,749,376) | 277,939 |
| **Net Income** | 68,498,656 | 22,424,089 |
| **Other Comprehensive Income (Loss)** | | |
| Unrealized holding gains (losses) on securities arising during the year | 13,969,238 | (4,394,577) |
| Reclassification adjustment for (gains) losses included in net income | (2,992,832) | 2,643,158 |
| Total other comprehensive income (loss) | 10,976,406 | (1,751,419) |
| **Comprehensive Income** | **$ 79,475,062** | **$ 20,672,670** |

See notes to financial statements.

# Statement of Equity

**Years Ended December 31, 2019 and 2018**

| | Unassigned Funds | Accumulated Other Comprehensive (Loss) Income | Equity |
|---|---|---|---|
| **Balance** - January 1, 2018 | $ 18,579,745 | $ (2,193,644) | $ 16,386,101 |
| Net income | 22,424,089 | - | 22,424,089 |
| Other comprehensive loss | - | (1,751,419) | (1,751,419) |
| **Balance** - December 31, 2018 | 41,003,834 | (3,945,063) | 37,058,771 |
| Net income | 68,498,656 | - | 68,498,656 |
| Other comprehensive income | - | 10,976,406 | 10,976,406 |
| **Balance** - December 31, 2019 | **$ 109,502,490** | **$ 7,031,343** | **$ 116,533,833** |

See notes to financial statements.

# Statement of Cash Flows

**Years Ended December 31, 2019 and 2018**

| | 2019 | 2018 |
|---|---|---|
| **Cash Flows from Operating Activities** | | |
| Net income | $ 68,498,656 | $ 22,424,089 |
| Adjustments to reconcile net income to net cash and cash equivalents from operating activities: | | |
| Depreciation and amortization | 66,609 | 69,596 |
| Gain on disposal of asset | - | (500) |
| Net amortization of premiums and discounts on debt securities | 407,873 | 569,708 |
| Realized capital (gains) losses - Net | (2,992,832) | 2,643,158 |
| Changes in operating assets and liabilities that provided (used) cash and cash equivalents: | | |
| Accounts receivable - Other | 321 | (52,809) |
| Accrued interest income | 49,599 | 97,660 |
| Unpaid claims and claims adjustment expenses | (30,782,195) | (33,525,352) |
| Accounts payable and accrued expenses | (370,466) | (135,876) |
| Early access distributions | 32,841,514 | (1,359,629) |
| Net cash and cash equivalents provided by (used in) operating activities | 67,719,079 | (9,269,955) |
| **Cash Flows from Investing Activities** | | |
| Purchase of property and equipment | (18,765) | (86,055) |
| Proceeds from sale of assets | - | 500 |
| Purchases of investments | (480,362,588) | (202,639,003) |
| Proceeds from sales and maturities of investments | 446,065,091 | 208,641,268 |
| Net cash and cash equivalents (used in) provided by investing activities | (34,316,262) | 5,916,710 |
| **Net Increase (Decrease) in Cash and Cash Equivalents** | 33,402,817 | (3,353,245) |
| **Cash and Cash Equivalents** - Beginning of year | 6,270,468 | 9,623,713 |
| **Cash and Cash Equivalents** - End of year | **$ 39,673,285** | **$ 6,270,468** |
| **Significant Noncash Transactions** - Payable for securities | $ (873,440) | $ 873,440 |

See notes to financial statements.

## Note 1 - Nature of Business

Texas Property and Casualty Insurance Guaranty Association (the "Association") is a nonprofit organization formed under the Texas Property and Casualty Insurance Guaranty Act (the "Act"). The Association was formed to protect holders of covered claims, contracts of reinsurance, assumption of liabilities, or other insurance-related items arising from insolvent insurance companies within the state of Texas.

Membership in the Association is mandatory for any insurance company authorized in the state of Texas to transact any kind of insurance business to which the Act applies. Membership assessments are made by the board of directors of the Association based on estimates of amounts necessary to provide funds to carry out the purpose of the Act with respect to impaired insurers. Any amount in excess of guaranty obligations and continuing expenses of the Association may be refunded by an equitable method at the discretion of the board of directors. If the maximum assessment and the Association's other assets are insufficient in a year to make all necessary payments, the money available shall be prorated, and the Association shall pay the unpaid portion as soon as money becomes available.

## Note 2 - Significant Accounting Policies

***Basis of Presentation***

The financial statements of the Association have been prepared on the basis of generally accepted accounting principles (GAAP).

***Use of Estimates***

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates. Significant estimates in the financial statements include investment valuation, allowance for uncollectible loans, and unpaid claims and claims adjustment expenses.

***Cash and Cash Equivalents***

Cash consists of demand accounts, and cash equivalents include securities maturing within three months or less at the time of acquisition or amounts readily convertible to cash. The Association's cash equivalents consist of money market funds and U.S. Treasury debt securities reported at fair value.

***Early Access Distributions***

Early access distributions represent distributions from receiverships in excess of claims and claims adjustment expenses paid for the specific estate. These distributions are used to fund future claims and claims adjustment expense payments.

***Investments***

Debt securities purchased to be held for an indefinite period of time are classified as available-for-sale securities. Available-for-sale securities are reported at fair value with unrealized gains and temporary losses reported in other comprehensive income.

## Note 2 - Significant Accounting Policies (Continued)

Amortization of premiums and accretion of discounts on debt securities are determined using the effective interest method. Interest is recognized on an accrual basis. Realized capital gains and losses are determined using the specific identification method and include gains and losses on investment sales in addition to write-downs in value due to other-than-temporary declines in value, if any. Inflation adjustments on Treasury Inflation-Protected Securities (TIPS) are recognized as unrealized gains until such time as they are paid, at which time they are recognized as realized gains. Deflation adjustments are only recognized to the extent the inflation factor is not reduced to an amount less than 1.00, as the Association is guaranteed (by the U.S. government) to receive at least the par amount of the securities at maturity.

The Association's investments are exposed to various risks, such as credit, interest rate, and overall market volatility. Due to the level of risk associated with certain securities, it is at least reasonably possible that changes in the value of securities will occur in the near term and that such change could materially affect the amounts reported in the financial statements.

The Association's available-for-sale investments are subject to a periodic impairment review. Investments are considered to be impaired when the fair value of the security is less than its amortized cost. Impairments are then assessed to determine whether they are other than temporary.

When an other-than-temporary impairment of a debt security has occurred, the entire loss is recognized in earnings if the Association intends to sell the security or it is more likely than not that the Association will be required to sell the security before recovery of its amortized cost. If the Association does not intend to sell the security and it is more likely than not that the entity will not be required to sell the security before recovery of its amortized cost, the portion of the other-than-temporary impairment related to credit loss is recognized in earnings, and the amount of other-than-temporary impairment related to all other factors is recognized in other comprehensive income. Any subsequent recoveries in fair value of available-for-sale debt securities are recognized in other comprehensive income.

### *Securities Lending Arrangements*

The Association engages in transactions whereby certain securities in its portfolio are loaned to other institutions, generally for a short period of time. The Association enters into securities lending transactions and recognizes the collateral received and the corresponding liability to return the collateral. Cash received for collateral is reinvested in a fund managed by Northern Trust that consists of various short-term investments (primarily certificates of deposit and commercial paper). Noncash collateral consists of various U.S. Treasury securities and Federal National Mortgage Association mortgage-backed securities.

### *Property and Equipment*

The Association's policy is to depreciate or amortize the cost of property and equipment over the estimated useful lives of the assets using the straight-line method. The cost of leasehold improvements is amortized over the shorter of the estimated useful life of the asset at inception or the remaining lease term. The cost of maintenance and repairs is charged to expenses when incurred.

## Note 2 - Significant Accounting Policies (Continued)

***Unpaid Claims and Claims Adjustment Expenses***

Unpaid claims and claims adjustment expenses represent the estimated net cost of all reported claims incurred through December 31, 2019 and 2018. Once a member insurer becomes insolvent and is designated as impaired by the Commissioner of Insurance, the Association becomes responsible for processing its "covered claims." The unpaid claims and claims adjustment expenses are estimated using past experience and statistical analysis. These estimates are based upon the facts in each case and the Association's experience with similar cases. Establishing amounts for claims and claim adjustment expenses is an estimation process. Many factors can ultimately affect the final settlement of a claim and, therefore, the amount that is needed in establishing the liability. Although considerable variability is inherent in such estimates, management believes the unpaid claims and claim adjustment expenses are adequate. The estimates are continually reviewed and adjusted as necessary as experience develops or new information becomes known. Such adjustments are reflected in current operations as the need for such adjustments becomes apparent.

***Member Assessments***

The Association can fund its operations by assessing its member insurers and by then seeking reimbursement from the assets of the estate of the insolvent member insurer. There are two classes of assessment that may be made against member insurers: Class A (Administrative) and Class B (Insolvency).

- Class A assessments are made for the purpose of meeting general operating and administrative costs and expenses (e.g., general overhead expenses and "covered claims" adjustment expenses).
- Class B assessments are made against solvent member insurers in order to provide the funds needed that enable the Association to fulfill its statutory obligations to protect Texas residents against loss due to failure in performance of contractual obligations ("covered claims" payments) due to the insolvency of a member insurer.

Assessments are determined by the board of directors of the Association and are made in the proportion that the net direct written premiums of the insurer for the calendar year preceding the assessment bear to the net direct written premiums of all member insurers for that year. No assessments were issued in 2019 or 2018.

***Revenue Recognition***

The Association recognizes revenue when assessed to the members of the Association. Distributions from receiverships are recognized when received by the Association to the extent they are not in excess of cumulative claims and claims adjustment expense paid for the specific estate (early access distributions).

***Loans Receivables/Allowance for Uncollectible Loans***

Loans receivable represent claims and claim adjustment expenses made on behalf of receiverships for which a distribution has not been received. Due to the inherent uncertainty related to the collection of loans receivable, the Association has established an allowance for uncollectible loans equal to the balance of loans receivable as of December 31, 2019 and 2018. The Association writes off a loan receivable and its related allowance when a receivership is closed by the state. Repayments of loans receivable are recorded as revenue when received from receiverships.

***Income Taxes***

The Association is exempt from federal income tax under Section 501(c)(6) of the Internal Revenue Code. The Association is also exempt from payment of all fees and taxes levied by the State of Texas or any of its subdivisions, except taxes levied on real and personal property.

## Note 2 - Significant Accounting Policies (Continued)

***Other Comprehensive Income (Loss)***

Accounting principles generally require that recognized revenue, expenses, gains, and losses be included in net income. Certain changes in assets and liabilities, however, such as unrealized gains and losses on available-for-sale debt securities, are reported as a direct adjustment to the equity section of the balance sheet. Such items, along with net income, are considered components of comprehensive income.

***Upcoming Accounting Pronouncements***

In February 2016, the Financial Accounting Standards Board (FASB) issued Accounting Standards Update (ASU) No. 2016-02, *Leases (Topic 842)*, which will supersede the current lease requirements in Accounting Standards Codification (ASC) 840. The ASU requires lessees to recognize a right-of-use asset and related lease liability for all leases, with a limited exception for short-term leases. Leases will be classified as either finance or operating, with the classification affecting the pattern of expense recognition in the statement of operations. Currently, leases are classified as either capital or operating, with only capital leases recognized on the balance sheet. The reporting of lease-related expenses in the statements of income and comprehensive income and cash flows will be generally consistent with the current guidance. The new lease guidance will be effective for the Association's year ending December 31, 2021 and will be applied using a modified retrospective transition method to the beginning of the year of adoption. The effect of applying the new lease guidance on the financial statements is expected to increase long-term assets and long-term liabilities on the balance sheet. The changes in equity are not expected to be significant, as recognition and measurement of expenses and cash flows for leases will be substantially the same under the new standard.

In June 2016, the FASB issued ASU No. 2016-13, *Financial Instruments - Credit Losses (Topic 326): Measurement of Credit Losses on Financial Instruments*. The ASU includes changes to the accounting and measurement of financial assets, including the Association's accounts receivable and held-to-maturity debt securities by requiring the Association to recognize an allowance for all expected losses over the life of the financial asset at origination. This is different from the current practice where an allowance is not recognized until the losses are considered probable. The ASU also changes the way credit losses are recognized for available-for-sale debt securities. Credit losses are recognized through the recording of an allowance rather than as a write-down of the carrying value. The new guidance will be effective for the Association's year ending December 31, 2023. Upon adoption, the ASU will be applied using a modified retrospective transition method to equity to the beginning of the earliest period presented. A prospective transition approach is required for debt securities for which an other-than-temporary impairment had been recognized before the effective date. The Association is still evaluating the impact the new standard will have on its financial statements but does not expect it to be significant.

In March 2017, the FASB issued ASU No. 2017-08, *Receivables - Nonrefundable Fees and Other Costs (Subtopic 310-20)*. The ASU shortens the amortization period for certain purchased callable debt securities held at a premium to the earliest call date rather than maturity. The standard is effective for the Association's year ending December 31, 2020 and must be adopted on a modified retrospective basis. The Association is still evaluating the impact the new standard will have on its financial statements but does not expect it to be significant.

## Note 2 - Significant Accounting Policies (Continued)

***Subsequent Events***

The financial statements and related disclosures include evaluation of events up through and including April 20, 2020, which is the date the financial statements were available to be issued.

On March 11, 2020, the World Health Organization declared the outbreak of a respiratory disease caused by a new coronavirus a pandemic. First identified in late 2019 and now known as COVID-19, the outbreak has impacted thousands of individuals worldwide. In response, many countries have implemented measures to combat the outbreak that have impacted global business operations. As of the date of issuance of the financial statements, the Association's operations have not been significantly impacted, but the Association continues to monitor the situation. No impairments were recorded as of the balance sheet date; however, due to significant uncertainty surrounding the situation, management's judgment regarding this could change in the future. In addition, while the Association’s results of operations, cash flows, and financial condition could be negatively impacted, the extent of the impact cannot be reasonably estimated at this time.

## Note 3 - Investment Income

Investment income is composed of the following for the years ended December 31, 2019 and 2018:

| | 2019 | 2018 |
|---|---|---|
| Investment income: | | |
| Debt securities | $ 10,954,673 | $ 9,943,467 |
| Cash and cash equivalents | 118,357 | 86,871 |
| Gross investment income | 11,073,030 | 10,030,338 |
| Investment expenses | (161,652) | (418,318) |
| Net investment income | $ 10,911,378 | $ 9,612,020 |

## Note 4 - Investments

Investments in securities classified as available for sale mature as follows:

| | 2019 | | | |
|---|---|---|---|---|
| | Amortized Cost | Gross Unrealized Gains | Gross Unrealized Losses | Fair Value |
| Debt securities: | | | | |
| U.S. Treasury | $ 197,560,973 | $ 1,878,162 | $ (466,812) | $ 198,972,323 |
| U.S. government agencies | 30,005,568 | 391,562 | (35,346) | 30,361,784 |
| Corporate | 102,548,372 | 2,960,951 | (10,001) | 105,499,322 |
| Mortgage-backed U.S. government RMBS (primarily FHLMC and FNMA pools) | 52,861,693 | 862,039 | (76,994) | 53,646,738 |
| Municipal | 66,696,014 | 1,727,691 | (199,909) | 68,223,796 |
| Total | $ 449,672,620 | $ 7,820,405 | $ (789,062) | $ 456,703,963 |

## Note 4 - Investments (Continued)

| | 2018 | | | |
|---|---|---|---|---|
| | Amortized Cost | Gross Unrealized Gains | Gross Unrealized Losses | Fair Value |
| Debt securities: | | | | |
| U.S. Treasury | $ 162,315,076 | $ 785,990 | $ (1,510,276) | $ 161,590,790 |
| U.S. government agencies | 39,258,302 | 97,594 | (711,157) | 38,644,739 |
| Corporate | 95,541,049 | 102,099 | (2,010,606) | 93,632,542 |
| Mortgage-backed U.S. government RMBS (primarily FHLMC and FNMA pools) | 50,952,472 | 155,907 | (949,124) | 50,159,255 |
| Municipal | 65,596,731 | 556,059 | (461,575) | 65,691,215 |
| Total | $ 413,663,630 | $ 1,697,649 | $ (5,642,738) | $ 409,718,541 |

The amortized cost and fair value of the Association's investments in debt securities as of December 31, 2019 by contractual maturity are shown below. Actual maturities may differ from contractual maturities because borrowers may have the right to call or prepay obligations with or without call or prepayment penalties. Due to uncertainties related to prepayments of government residential mortgage-backed securities (RMBS), the Association does not project future cash flows for these securities.

| | Amortized Cost | Fair Value |
|---|---|---|
| Due in one year or less | $ 19,794,477 | $ 19,834,420 |
| Due after one year through five years | 169,784,119 | 171,574,196 |
| Due after five years through ten years | 206,367,331 | 210,498,578 |
| Due after ten years | 865,000 | 1,150,031 |
| U.S. government RMBS | 52,861,693 | 53,646,738 |
| Total | $ 449,672,620 | $ 456,703,963 |

During the years ended December 31, 2019 and 2018, sales proceeds, gross realized gains, and gross realized losses on securities classified as available for sale were as follows:

| | 2019 | 2018 |
|---|---|---|
| Sales proceeds | $ 424,939,507 | $ 159,721,055 |
| Gross realized gains | $ 3,086,287 | $ 31,463 |
| Gross realized losses | (93,455) | (2,674,621) |
| Net realized gain (loss) | $ 2,992,832 | $ (2,643,158) |

As of December 31, 2019 and 2018, the portfolio included 52 and 281 securities, respectively, that were in an unrealized loss position. Unrealized losses on securities were predominately due to changes in interest rates in the Association's U.S. Treasury and government securities, corporate securities, mortgage-backed U.S. government RMBS, and municipal securities. No other-than-temporary losses were recognized for any of the Association's investment securities during 2019 and 2018.

## Note 4 - Investments (Continued)

The following table shows the gross unrealized losses and fair value of the Association's investments with unrealized losses that are not deemed to be other-than-temporarily impaired. The amounts are segregated into those investments that have been in a continuous unrealized loss position for 12 months or greater and those in a continuous loss position for less than 12 months as of December 31, 2019 and 2018.

| | 2019 | | | | | |
|---|---|---|---|---|---|---|
| | Less Than 12 Months | | 12 Months or Greater | | Total | |
| | Unrealized Losses | Fair Value | Unrealized Losses | Fair Value | Unrealized Losses | Fair Value |
| Debt securities: | | | | | | |
| U.S. Treasury | $ (465,636) | $ 91,074,995 | $ (1,176) | $ 5,904,379 | $ (466,812) | $ 96,979,374 |
| U.S. government agencies | - | - | (35,346) | 10,591,157 | (35,346) | 10,591,157 |
| Corporate | - | - | (10,001) | 2,720,188 | (10,001) | 2,720,188 |
| Mortgage-backed U.S. government RMBS (primarily FHLMC and FNMA pools) | (34,611) | 5,301,785 | (42,383) | 10,886,911 | (76,994) | 16,188,696 |
| Municipal | (170,836) | 13,396,664 | (29,073) | 4,186,526 | (199,909) | 17,583,190 |
| Total | $ (671,083) | $109,773,444 | $ (117,979) | $ 34,289,161 | $ (789,062) | $ 144,062,605 |

| | 2018 | | | | | |
|---|---|---|---|---|---|---|
| | Less Than 12 Months | | 12 Months or Greater | | Total | |
| | Unrealized Losses | Fair Value | Unrealized Losses | Fair Value | Unrealized Losses | Fair Value |
| Debt securities: | | | | | | |
| U.S. Treasury | $ (59,228) | $ 15,656,645 | $ (1,451,048) | $ 77,669,489 | $ (1,510,276) | $ 93,326,134 |
| U.S. government agencies | (5,885) | 3,898,756 | (705,272) | 23,807,803 | (711,157) | 27,706,559 |
| Corporate | (875,137) | 50,765,483 | (1,135,469) | 30,500,122 | (2,010,606) | 81,265,605 |
| Mortgage-backed U.S. government RMBS (primarily FHLMC and FNMA pools) | (19,877) | 4,965,893 | (929,247) | 32,687,967 | (949,124) | 37,653,860 |
| Municipal | (87,563) | 18,410,030 | (374,012) | 27,578,187 | (461,575) | 45,988,217 |
| Total | $ (1,047,690) | $ 93,696,807 | $ (4,595,048) | $192,243,568 | $ (5,642,738) | $ 285,940,375 |

## Note 5 - Fair Value Measurements

Accounting standards require certain assets and liabilities be reported at fair value in the financial statements and provide a framework for establishing that fair value. The framework for determining fair value is based on a hierarchy that prioritizes the inputs and valuation techniques used to measure fair value.

The following tables present information about the Association's assets measured at fair value on a recurring basis at December 31, 2019 and 2018 and the valuation techniques used by the Association to determine those fair values.

Fair values determined by Level 1 inputs use quoted prices in active markets for identical assets that the Association has the ability to access.

Fair values determined by Level 2 inputs use other inputs that are observable, either directly or indirectly. These Level 2 inputs include quoted prices for similar assets in active markets and other inputs, such as interest rates and yield curves, that are observable at commonly quoted intervals.

## Note 5 - Fair Value Measurements (Continued)

Level 3 inputs are unobservable inputs, including inputs that are available in situations where there is little, if any, market activity for the related asset. These Level 3 fair value measurements are based primarily on management's own estimates using pricing models, discounted cash flow methodologies, or similar techniques taking into account the characteristics of the asset.

In instances whereby inputs used to measure fair value fall into different levels in the above fair value hierarchy, fair value measurements in their entirety are categorized based on the lowest level input that is significant to the valuation. The Association's assessment of the significance of particular inputs to these fair value measurements requires judgment and considers factors specific to each asset.

Investments that are measured at fair value using the net asset value (NAV) per share (or its equivalent) as a practical expedient are not classified in the fair value hierarchy below.

| | Assets Measured at Fair Value on a Recurring Basis at December 31, 2019 | | | |
|---|---|---|---|---|
| | Quoted Prices in Active Markets for Identical Assets (Level 1) | Significant Other Observable Inputs (Level 2) | Significant Unobservable Inputs (Level 3) | Balance at December 31, 2019 |
| Debt securities: | | | | |
| U.S. Treasury | $ - | $ 198,972,323 | $ - | $ 198,972,323 |
| U.S. government agencies | - | 30,353,338 | 8,446 | 30,361,784 |
| Corporate | - | 105,499,322 | - | 105,499,322 |
| Mortgage-backed U.S. government RMBS (primarily FHLMC and FNMA pools) | - | 53,646,738 | - | 53,646,738 |
| Municipal | - | 68,223,796 | - | 68,223,796 |
| Securities lending collateral - U.S. Treasury | - | 1,713,445 | - | 1,713,445 |
| Securities lending collateral - Mortgage-backed U.S. government RMBS (primarily FHLMC and FNMA pools) | - | 66,146,148 | - | 66,146,148 |
| Total debt securities | - | 524,555,110 | 8,446 | 524,563,556 |
| Securities lending collateral fund at NAV | | | | 2,798,096 |
| Cash equivalents: | | | | |
| Money market funds | 7,207,738 | - | - | 7,207,738 |
| U.S. Treasury | - | 9,524,745 | - | 9,524,745 |
| Total cash equivalents | 7,207,738 | 9,524,745 | - | 16,732,483 |
| Total assets | $ 7,207,738 | $ 534,079,855 | $ 8,446 | $ 544,094,135 |

## Note 5 - Fair Value Measurements (Continued)

| | Assets Measured at Fair Value on a Recurring Basis at December 31, 2018 | | | |
|---|---|---|---|---|
| | Quoted Prices in Active Markets for Identical Assets (Level 1) | Significant Other Observable Inputs (Level 2) | Significant Unobservable Inputs (Level 3) | Balance at December 31, 2018 |
| Debt securities: | | | | |
| U.S. Treasury | $ - | $ 161,590,790 | $ - | $ 161,590,790 |
| U.S. government agencies | - | 38,560,033 | 84,706 | 38,644,739 |
| Corporate | - | 93,632,542 | - | 93,632,542 |
| Mortgage-backed U.S. government RMBS (primarily FHLMC and FNMA pools) | - | 50,159,255 | - | 50,159,255 |
| Municipal | - | 65,691,215 | - | 65,691,215 |
| Securities lending collateral - U.S. Treasury | - | 5,598,183 | - | 5,598,183 |
| Securities lending collateral - Mortgage-backed U.S. government RMBS (primarily FHLMC and FNMA pools) | - | 4,334,778 | - | 4,334,778 |
| Total debt securities | - | 419,566,796 | 84,706 | 419,651,502 |
| Securities lending collateral fund at NAV | | | | 704,281 |
| Cash equivalents: | | | | |
| Money market funds | 3,699,803 | - | - | 3,699,803 |
| U.S. Treasury | - | 799,700 | - | 799,700 |
| Total cash equivalents | 3,699,803 | 799,700 | - | 4,499,503 |
| Total assets | $ 3,699,803 | $ 420,366,496 | $ 84,706 | $ 424,855,286 |

Fair values of debt securities are generally determined by a third-party valuation source. The Association performs periodic valuations of the fair value sourced from the independent pricing services. Such validation principally includes sourcing security prices from quoted market prices and other independent pricing services. The validation process provides the Association with information as to whether the volume and level of activity for a security has significantly decreased and assists in identifying transactions that are not orderly. Depending on the result of the validation, additional information may be gathered from other market participants to support the fair value measurements. A determination is made as to whether adjustments to the observable inputs are necessary as a result of investigation and inquiries about the reasonableness of the inputs used and the methodologies employed by the independent pricing services.

The following summarizes the valuation methodology used in determining fair value measurements of the significant classes of the Association's assets and liabilities measured at fair value on a recurring basis.

***Level 1 Measurements***

*Money Market Funds* - The fair value of these funds is based on unadjusted prices for the identical security in active markets that the Association can access.

## Note 5 - Fair Value Measurements (Continued)

***Level 2 Measurements***

*U.S. Treasury, U.S. Government Agencies, and Corporate* - The primary inputs to the valuation include quoted prices for identical or similar assets in markets that are not active, contractual cash flows, benchmark yields, and credit spread.

*U.S. Government RMBS (Primarily FHLMC and FNMA Pools)* - The primary inputs to the valuation include quoted prices for identical or similar assets in markets that are not active, contractual cash flows, benchmark yields, prepayment speeds, collateral performance, and credit spreads.

*Municipal* - The primary inputs to the valuation include quoted prices for identical or similar assets in markets that are not active. Other characteristics used in this process include section/subsector of issuance, credit quality, and structural elements (coupon, maturity, redemption provisions, etc.).

***Level 3 Measurements***

*U.S. Government Agencie*s - Primary inputs to the valuation are nonbinding broker quotes. Opinions of market participants, when available, are also used as inputs to pricing models. This is different from two-sided market data (noted above) in that dealer quotes are just bid quotes, whereas two-sided markets provide bid and ask quotes. Other information about markets, sectors, and individual issuers (i.e., credit events, benchmark curves, etc.) that is received through media sources may also be used as a factor in the determination of prices. For example, credit events that could affect an issue or issuer are considered in the price of a security.

Changes in Level 3 assets measured at fair value on a recurring basis for the years ended December 31, 2019 and 2018 are as follows:

| | U.S. Government Agencies |
|---|---|
| Balance at January 1, 2019 | $ 84,706 |
| Purchases, issuances, sales, and settlements - | |
| Sales and maturities | (76,251) |
| Total unrealized losses | (9) |
| Balance at December 31, 2019 | $ 8,446 |

| | U.S. Government Agencies |
|---|---|
| Balance at January 1, 2018 | $ 506,946 |
| Purchases, issuances, sales, and settlements: | |
| Sales and maturities | (420,285) |
| Amortization | (4,569) |
| Total unrealized gains | 2,614 |
| Balance at December 31, 2018 | $ 84,706 |

## Note 5 - Fair Value Measurements (Continued)

Fair value of Level 3 debt securities is generally determined by a third-party valuation source. The Association performs periodic validations of the fair value sourced from the independent pricing services. Such validation principally includes sourcing security prices from other independent pricing services or broker quotes. The validation process provides the Association with information as to whether the volume and level of activity for a security has significantly decreased and assists in identifying transactions that are not orderly. Depending on the results of the validation, additional information may be gathered from other market participants to support the fair value measurements. A determination will be made as to whether adjustments to the observable inputs are necessary as a result of investigations and inquiries about the reasonableness of the inputs used and the methodologies employed by the independent pricing services.

Both observable and unobservable inputs may be used to determine the fair value of positions classified as Level 3 assets and liabilities. As a result, the unrealized gains and losses for these assets and liabilities presented in the tables above may include changes in fair value that were attributable to both observable and unobservable inputs.

***Investments in Entities that Calculate Net Asset Value per Share***

The Association holds shares or interests in investment companies at year end whereby the fair value of the investment held is estimated based on the net asset value per share (or its equivalent) of the investment company. See Note 14 for further information.

## Note 6 - Property and Equipment

Property and equipment are summarized as follows:

| | 2019 | 2018 | Depreciable Life - Years |
|---|---|---|---|
| Telephone systems | $ 78,817 | $ 78,817 | 10 |
| Furniture and equipment | 1,009,423 | 1,000,087 | 10 |
| Computer software and equipment | 1,614,345 | 1,898,620 | 5 |
| Leasehold improvements | 310,558 | 310,558 | Life of lease |
| Total cost | 3,013,143 | 3,288,082 | |
| Accumulated depreciation | 2,743,926 | 2,971,021 | |
| Net property and equipment | $ 269,217 | $ 317,061 | |

Depreciation and amortization expense for 2019 and 2018 was $66,609 and $69,596, respectively.

## Note 7 - Membership Assessments

The Association is authorized by the Texas Insurance Code, Chapter 462, Subchapter D, to assess member insurers in amounts necessary to pay both claims and administrative expenses of the Association. The current annual assessment ability is estimated below using the applicable 2018 premium information available from the Texas Department of Insurance and the Texas Comptroller's Office:

| | Premium Base | Assessment Capability |
|---|---|---|
| Line of business: | | |
| Automobile | $ 22,058,371,376 | $ 441,167,428 |
| Other lines | 19,316,771,801 | 386,335,436 |
| Workers' compensation | 2,947,984,543 | 58,959,691 |
| Total | $ 44,323,127,720 | $ 886,462,555 |

In the event of a natural disaster or other catastrophic event, the Association may apply to the governor of Texas for authority to assess each member insurer that writes insurance coverage, other than motor vehicle or workers' compensation coverage, an additional amount not to exceed 2 percent of the insurer's net direct written premium for the preceding calendar year.

In the event that management believes the liabilities related to previous assessments have been successfully run down, refunds of prior member assessments will be redistributed back to members based upon the percentage of the member's original assessment. The refund assessment redistributed to members during 2019 and 2018 was $0.

## Note 8 - Unpaid Claims and Claims Adjustment Expenses

The Association established liabilities for unpaid claims and claim adjustment expenses on reported and unreported claims of insured losses. These liabilities are based on management's estimates of the ultimate cost to settle all claims incurred. The establishment of appropriate liabilities is an inherently uncertain process. Changes in prior year liability estimates, which may be material, are reflected in the results of operations in the period such changes are determined to be needed.

The following summarizes activity in the liability for unpaid losses and loss adjustment expenses as of December 31, 2019 and 2018:

| | 2019 | 2018 |
|---|---|---|
| Net balance at January 1 | $ 361,043,218 | $ 394,568,570 |
| Incurred (recovered) related to: | | |
| Current year | 5,984,453 | 45,733 |
| Prior years | (15,124,299) | (3,317,333) |
| Total recovered | (9,139,846) | (3,271,600) |
| Paid related to: | | |
| Current year | 540,950 | 5,900 |
| Prior years | 21,101,399 | 30,247,852 |
| Total paid | 21,642,349 | 30,253,752 |
| Net unpaid losses and loss adjustment expense as of December 31 | $ 330,261,023 | $ 361,043,218 |

## Note 8 - Unpaid Claims and Claims Adjustment Expenses (Continued)

The liability for unpaid claims and claims adjustment expenses consists of estimates to settle claims of insolvent insurers. Once a member insurer becomes insolvent and is designated as impaired by the commissioner of insurance, the Association becomes responsible for processing its "covered claims." Claim files from the insolvent company are forwarded to the Association for claim handling and adjusting. The increase in 2019 incurred losses is a result of larger new member insurer insolvencies designated as impaired by the commissioner of insurance during 2019. Losses incurred related to prior years decreased by approximately $15 million in 2019 as a result of favorable development in the workers' compensation line of business. Losses incurred related to prior years decreased by approximately $3 million in 2018 as a result of favorable development in the workers' compensation line of business. The Association believes it has, or has access to through its assessment authority, sufficient resources to fulfill its responsibilities with respect to member insurer insolvencies.

As noted in Note 7, the Association has the authority to assess members as necessary in subsequent years to meet its responsibility to pay claims of impaired companies. Assessment ability and recorded claims liability as of December 31, 2019 are as follows:

| | Claims Payable | Annual Assessment Capability |
|---|---|---|
| Line of business: | | |
| Automobile | $ 2,345,781 | $ 441,167,428 |
| Other lines | 4,090,614 | 386,335,436 |
| Workers' compensation | 309,640,673 | 58,959,691 |
| Loss adjustment expenses | 14,183,955 | No limit |
| Total | $ 330,261,023 | |

## Note 9 - Employee Benefit Plans

The Association sponsors a 401(a) plan that is open to all employees. The plan provides for the Association to match a portion of the employee's contributions based on a percentage of salary contributed by participants in the plan and may also contribute a discretionary amount for profit sharing. The Association's total contributions to the plan totaled $250,438 and $246,449 for the years ended December 31, 2019 and 2018, respectively.

## Note 10 - Operating Leases

The Association leases office space under an operating lease agreement for the period from December 1, 2014 through November 30, 2024. Rental expense was $672,084 and $608,230 for 2019 and 2018, respectively.

Future minimum annual commitments under these operating leases are as follows:

| Years Ending December 31 | Amount |
|---|---|
| 2020 | $ 578,356 |
| 2021 | 599,215 |
| 2022 | 601,111 |
| 2023 | 621,970 |
| 2024 | 570,139 |
| Total | $ 2,970,791 |

## Note 11 - Loans Receivable and Early Access Distributions

Loans receivable consist of advances to, claim payments made, and expenses paid on behalf of impaired insurers. Early access distributions consist of distributions from receiverships. An allowance is made for all loans receivable, which makes all loans expensed as claims are paid. Any repayments of loans to the Association are recorded as revenue when received. Loans receivable by line of business as of December 31, 2019 and 2018 are as follows:

| | 2019 | 2018 |
|---|---|---|
| Administrative | $ 20,835,646 | $ 14,968,391 |
| Automobile | 40,686,006 | 50,037,538 |
| Other lines | 88,725,246 | 99,824,059 |
| Workers' compensation | 151,416,510 | 163,769,091 |
| Total | 301,663,408 | 328,599,079 |
| Less allowance for uncollectible loans | (301,663,408) | (328,599,079) |
| Net loans receivable | $ - | $ - |

The following table represents collections on the loans receivable over the last 10 years. Collections on the loans receivable include distributions and subrogation and salvage recoveries, which are reported separately on the statement of income and comprehensive income. The variability of collection by year is significant and is affected by the composition of open estates as of the balance sheet date. Accordingly, and recognizing also the difficulty in estimation of collectible amounts in a given year, the Association elected to establish an uncollectible amount equivalent to the loan balance. This allows the Association to recognize revenue accurately per annum, as distributions are received from the receivership estates, which is consistent with revenue recognition criteria, as required by GAAP.

| | Receivable at Start of Year | Distributions/ Recoveries | Percentage |
|---|---|---|---|
| 2019 | $ 328,599,079 | $ 51,197,896 | 15.6 % |
| 2018 | 313,527,203 | 18,293,716 | 5.8 % |
| 2017 | 291,362,257 | 19,565,825 | 6.7 % |
| 2016 | 269,531,814 | 22,746,826 | 8.4 % |
| 2015 | 254,291,186 | 35,452,683 | 13.9 % |
| 2014 | 245,064,425 | 40,297,366 | 16.4 % |
| 2013 | 230,831,989 | 21,133,024 | 9.2 % |
| 2012 | 406,913,234 | 21,300,753 | 5.2 % |
| 2011 | 618,998,415 | 30,978,093 | 5.0 % |
| 2010 | 677,449,619 | 93,804,984 | 13.8 % |

## Note 12 - Custodial Credit Risk of Bank Deposits

The Association maintains cash balances at various financial institutions. Cash accounts are insured up to $250,000 per depositor. As of December 31, 2019 and 2018, the Association's cash balances totaled $27,716,955 and $6,929,611, respectively. During most of the year, the Association's cash balances are in excess of Federal Deposit Insurance Corporation (FDIC) insurance coverage. Management believes the Association's cash balances are held in high-quality institutions, and, therefore, the Association's credit risk is at an acceptable level.

## Note 13 - Concentrations

Most of the Association's business activity, assessment revenue, and advances are derived from the insurance industry in the state of Texas. At year end, all of the Association's loans receivable are from companies that are operating or have operated in Texas.

## Note 14 - Securities Lending

The Association participates in a securities lending program with Northern Trust, its custodian, primarily for its U.S. Treasury and agency obligations. These securities are loaned in exchange for collateral, which can be in the form of cash, U.S. Treasury securities, or Federal National Mortgage Association mortgage-backed securities. Collateral under the securities lending program is maintained at a minimum of 102 percent of the market value of the securities loaned. Both the collateral and the securities loaned are marked to market on a daily basis so that all loaned securities are more than fully collateralized at all times. Collateral received is invested in a segregated account managed by Northern Trust. The agreement term is indefinite; however, the Association may terminate a loan at any time, whereby Northern Trust shall deliver equivalent securities to the Association within (a) the customary delivery period for such securities, (b) five business days, or (c) the time negotiated for such delivery by the Association and Northern Trust, whichever period is least, and the Association shall concurrently therewith deliver collateral identical to the collateral provided by Northern Trust.

Although the Association's securities lending activities are collateralized as described above and the terms of the securities lending agreement with Northern Trust require Northern Trust to comply with government rules and regulations related to the lending securities held by the Association, the securities lending program involves both market and credit risk. In this context, market risk refers to the possibility that the borrower of securities will be unable to collateralize its loan upon a sudden material change in the fair value of the loaned securities or the collateral, or that Northern Trust's investment of collateral received from the borrowers of the Association's securities may be subject to unfavorable market fluctuations. Credit risk refers to the possibility that counterparties involved in the securities lending program may fail to perform in accordance with the terms of their contracts.

At December 31, 2019 and 2018, the fair value of securities loaned in the portfolio was $69,076,314 and $10,282,060, respectively. At December 31, 2019 and 2018, collateral held for securities lending was $70,657,689 and $10,637,242, respectively. Noncash collateral received in the form of U.S. Treasury securities was $1,713,445 and $5,598,183 as of December 31, 2019 and 2018, respectively, and noncash collateral in the form of Federal National Mortgage Association mortgage-backed securities was $66,146,148 and $4,334,778 as of December 31, 2019 and 2018, respectively. Cash collateral received was $2,798,096 and $704,281 as of December 31, 2019 and 2018, respectively, which was reinvested in a fund held by Northern Trust. This fund consists of various short-term investments (primarily certificates of deposit and commercial paper). The value of the collateral held and a corresponding liability to return the collateral have been reported on the accompanying balance sheet. The collateral can only be accessed in the event that the institution borrowing the securities is in default under the lending agreement. As a result of these restrictions, we consider our securities lending activities to be noncash investing and financing activities.

The remaining contractual maturities of our securities lending agreements disaggregated by class of collateral pledged are as follows as of December 31, 2019:

| | Overnight and Continuous |
|---|---|
| U.S. Treasury | $ 4,554,518 |
| U.S. government agencies | 62,499,950 |
| Corporate | 3,603,221 |
| Total | $ 70,657,689 |

# Additional Information

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## Independent Auditor's Report on Additional Information

To the Board of Directors
Texas Property and Casualty
Insurance Guaranty Association

We have audited the financial statements of Texas Property and Casualty Insurance Guaranty Association as of and for the years ended December 31, 2019 and 2018 and have issued our report thereon dated April 20, 2020, which contained an unmodified opinion on those financial statements. Our audits were performed for the purpose of forming an opinion on the financial statements as a whole. The schedule of operating expenses is presented for the purpose of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from, and relates directly to, the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

Plante & Moran, PLLC

April 20, 2020

## Texas Property and Casualty Insurance Guaranty Association

# Schedule of Operating Expenses

**Years Ended December 31, 2019 and 2018**

| | Year ended December 31 | |
|---|---|---|
| | 2019 | 2018 |
| Employment expenses | $ 4,151,795 | $ 4,496,543 |
| Employee relations | 7,855 | 9,012 |
| Education and staff development | 59,710 | 59,360 |
| Contract labor | - | 16,829 |
| Legal fees | 70,852 | 84,338 |
| Audit fees | 55,494 | 52,271 |
| Leasehold improvements | 4,238 | 6,406 |
| Office rent and overhead | 672,084 | 608,230 |
| Insurance - General | 70,401 | 72,688 |
| Furniture and equipment | 22,213 | 28,496 |
| Equipment rental | 2,516 | 2,360 |
| Computer systems | 275,910 | 304,248 |
| Telephone and telecommunications | 22,509 | 22,246 |
| Office supplies | 24,342 | 23,546 |
| Postage | 28,177 | 38,045 |
| Printing | 3,018 | 4,898 |
| Travel expenses | 16,386 | 22,325 |
| Professional meetings | 7,987 | 6,534 |
| Reference materials | 16,173 | 12,843 |
| Subscriptions and professional dues | 157,726 | 162,121 |
| Property taxes | 7,301 | 7,654 |
| Depreciation and amortization expense | 66,609 | 69,596 |
| Total operating expenses | $ 5,743,296 | $ 6,110,589 |