

## AGENT ADVISORY

**Number:** 2009-103

**Publication Date:** April 13, 2009

**Effective Date:** Immediately

**TO:** All agents licensed and appointed to sell First Symetra National Life Insurance Company of New York fixed annuities

**RE:** Suitability in Fixed Annuity Sales

Due to the increased scrutiny regarding suitability, we have developed a form (**LP-1514/NY**) to help you determine suitability prior to taking an application for a fixed annuity. This form can be found under 'Forms' on our [Advisories and Regulatory training web page](#).

This form includes information you and your clients should discuss prior to taking the application and will assist you and your clients in determining if the product they are purchasing is suitable for their needs. It should also help protect you from post sale complaints, concerns and misunderstandings while ensuring that we, First Symetra, are complying with the industry best practices regarding suitability. This form will be required with all applications for a First Symetra fixed annuity after June 1, 2009, except for the following exemptions:

### Exemptions

Contracts used to fund:

- Employee pension or welfare benefit plan covered by ERISA
- Plans described by Sections 401(a), 401(k), 403(b), 408(k) or 408(p) of the IRS code of 1986, if established or maintained by an employer
- Government or church plans defined in Section 414 of the IRS Code of 1986; or a deferred compensation plan of a state or local government or tax-exempt organization under Section 457 of the IRS Code of 1986
- Structured Settlements

If you have questions, please contact our Sales Center at 1-800-706-0700.

Sincerely,

Michael Murphy  
Assistant Vice President  
Compliance Dept.  
First Symetra National Life Insurance Company of New York