



Non-Profit Community Associations Insurance Application Directors' & Officers' Liability (D&O), Crime & Fidelity, and Excess and Umbrella Liability

This is an application for D&O, Crime and Umbrella Insurance Coverage. Please note that the D&O is written on a claims-made policy, which, subject to its provisions, applies only to any Claim first made against the Insureds during the Policy Period. No coverage exists for Claims first made after the end of the Policy Period unless, and to the extent, the Extended Reporting Period applies. Umbrella coverage will be quoted based on the following information and acknowledgements of underwriting requirements.

Applying for: Directors' & Officers' Liability Crime & Fidelity Umbrella Liability

I. APPLICANT NON-PROFIT ASSOCIATION INFORMATION

Association Name			
Mailing Address		City	State Zip Code
Physical Address	<input type="checkbox"/> Check if same as mailing address		
City	State	Zip Code	Telephone
Email Address			Fax Number

ASSOCIATION TYPE

Please Select: Condominium Homeowners Association Cooperative
 Commercial/Business Community Association Timeshare (interval) Association Master Association
 Other: _____

PROPERTY MANAGER INFORMATION (if applicable)

Company Name			
Mailing Address	<input type="checkbox"/> Check if same as Association physical address		
City	State	Zip Code	Telephone
Email Address			Fax Number
Website, if Applicable: _____		<input type="checkbox"/> Check if Entity does <u>Not</u> have a Property Manager	

II. ASSOCIATION LIABILITY (D&O) UNDERWRITING INFORMATION

Proposed Effective Date: _____ Date Association Established: _____ Number of Units in the Entity Currently Built: _____
 Is association still being developed? Yes No If yes, date completion expected: _____ Total Number of Units at Build-Out: _____
 Name of the Developer: _____ Does the Developer have more than 50% representation on the Board of Directors Yes No
 Commercial Occupancy? (other than the office of the Property Manager) Yes No If yes, percentage of commercial occupancy: _____%
 Describe the type of Other Commercial Occupancy: _____
 Yes No Are any of the units part of a Rental Pool? If Yes, what percentage of units participate? _____%
 Yes No Does the association have **armed** security services or an **armed** neighborhood watch person?

Does the association have any of the following exposures? Please note that the association may not be eligible for the program and/or additional underwriting information may be required. None

- Nightclub/Bar Liquor Store Church Daycare School Hotel Airstrip/Hangars Government/Political Offices
 Hospitals/Healthcare Clinics/Centers (other than doctor's offices) Water/Sewage Treatment

Yes No Does the **Entity** have a Positive Fund Balance? **If the fund balance is negative, please include financials and an explanation.**

Yes No Has the association been in receivership or filed for bankruptcy in the last 3 years?

Yes No Has there been an assessment increase or special assessment in the last 12 months or pending?

If yes, what percentage was assessment increase? _____% Total amount of special assessment: \$_____

Yes No Are greater than 20% of unit owners more than 90 days delinquent on association dues? *If yes, what percentage? _____%*

Yes No Have any government fines or fees been assessed in the last 2 years?

Yes No Is the Average Unit Value in excess of \$1,000,000?

of Entity Employees: _____

Is the association an "Over 55" Community? Yes No

Does the Assn have an employee manual or handbook? Yes No

How many of the following Amenities or Recreational Facilities does the association own and/or manage? None

# of Sport Courts:	# of Pools/ Spas:	# of Lakes/ Ponds:	# of Playgrounds:	# of Fitness Rooms:	# of Community Centers/Rooms:	If vacant land, sq. footage: _____
# of Golf Courses:	# of Docks:	Marina: _____ If Marina exists, are fuel services provided? <input type="checkbox"/> Yes <input type="checkbox"/> No			# of Diving Boards:	# of Pool Slides:

Does the association provide or contract with a third party to provide beachfront or on water activities (i.e. parasailing, snorkeling, scuba)? Yes No *If Yes, please describe: _____*

Is there an association sponsored swim team? Yes No Describe any *other* Amenities/Recreation: _____

Are any of the above open to the public? Yes No

EXPIRING D&O INSURANCE INFORMATION *(if applicable)*

Expiring Insurance Company: _____ Policy Period: _____ to _____

Limit: \$ _____ Deductible: \$ _____ Premium: \$ _____

D&O DESIRED LIMITS/OPTIONS

\$1,000,000 aggregate limit of liability each policy year/\$1,000,000 defense limit

\$2,000,000 aggregate limit of liability each policy year/\$2,000,000 defense limit

\$3,000,000 aggregate limit of liability each policy year/\$3,000,000 defense limit

Other: \$ _____

(Up to \$5,000,000 available. Financials required for limits exceeding \$3,000,000)

D&O LIABILITY LOSS/CLAIM HISTORY

In the past three years, has a claim been made, or is a claim now pending against, the Entity or any person in his or her capacity as a director, officer, trustee, employee, volunteer of the Entity?

Yes No

If yes, please provide details of each claim on a separate page.

Are any of the persons or entities to be insured under the policy responsible for or has knowledge of any Wrongful Act or fact, circumstance or situation which s(he) has reason to suppose might result in a future claim?

Yes No

If yes, please provide details of each responsive claim on a separate page.

It is agreed by all concerned that if any of the persons or entities to be insured under the policy are responsible for or has knowledge of any Wrongful Act, fact, circumstance, or situation not described above, any Claim subsequently emanating therefrom shall be excluded from coverage under the proposed insurance as to such persons or entities. Such responsibility or knowledge shall not be imputed to any other persons or entities to be insured under the policy for the purpose of determining the availability of coverage.

Has any Directors' & Officers' Insurance, or other form of insurance similar to the proposed Policy, on behalf of the Entity been declined, canceled or not renewed? *(Question is not applicable in the state of Missouri)*

Yes No

If yes, please provide details of each responsive claim on a separate page.

If applying for D&O only, please go to PAGE 5 for Signature.

III. CRIME & FIDELITY UNDERWRITING INFORMATION

Proposed Effective Date: _____ Date Association Established: _____

Total Number of Individuals who are Authorized to Handle Funds: _____ **(NOTE: Property Manager = 1)**

CRIME - INTERNAL CONTROLS & PROCEDURES

How often does the Association have a Financial Statement prepared?

Financial Statements Not prepared Monthly Quarterly Annually

Who prepares the Financial Statement?

Independent Certified Public Accountant Independent Public Accountant
 Internal Bookkeeper Property Manager Other (specify): _____

What is the Scope of the Financial Statement?

Audit with opinion of Auditing Firm Review Compilation

Is a Countersignature required on all checks issued by the applicant?

Yes No *in excess of \$* _____

Does the Association utilize a positive pay* service with their bank?

Yes No

*Positive pay is a service whereby the association electronically shares its check register of all written checks with the bank. The bank therefore will only pay checks listed in that register, with exactly the same specifications as listed in the register (amount, payee, serial number, etc.) This system dramatically reduces check fraud.

Are Bank Accounts Reconciled by someone not authorized to deposit or withdraw therefrom?

Yes No

If "no", provide name, position, and equity interest in Applicant of any reconcilers who may deposit or withdraw: _____

Does the Property Manager have discretionary authority over the association's reserve fund?

Yes No

If yes, up to what limit? \$ _____

Does the Board of Directors review bank statements and reserve fund balance at least quarterly?

Yes No

CRIME - PRIOR CRIME & FIDELITY INSURANCE INFORMATION

Current Insurance Company: _____ Policy Period: _____ to _____

Limit: \$ _____ Deductible: \$ _____ Premium: \$ _____

CRIME - LOSS/CLAIM HISTORY *If No Loss History for the Past 3 Years check the Box*

Date Loss Discovered	Type of Loss	Amount of Loss	Amount Recovered from Insurance
_____	_____	_____	_____

Describe Circumstances of Loss and Action Taken to Help Prevent Repetition: _____

CRIME & FIDELITY COVERAGE AND DESIRED LIMITS/DEDUCTIBLES **Note some limits/deductible combinations may not be available*

Employee Theft: _____ / _____

Forgery or Alteration _____ / _____

Theft Disappearance & Destruction
 (Premises & Transit; Includes Robbery & Safe Burglary) _____ / \$0

Computer Fraud & Wire Transfer **If selected, automatically matches Employee Theft Limit*

If applying for Crime & Fidelity only, please go to PAGE 5 for Signature.

IV. EXCESS AND UMBRELLA LIABILITY

Proposed Effective Date: _____ Expiration Date: _____ D&O Effective Date: _____

Limit(s) Requested: \$1,000,000 \$2,000,000 \$5,000,000 \$10,000,000 \$15,000,000* \$25,000,000*

*D&O sub-limited to \$10,000,000 for \$15M and \$25M Limits

WARRANTY OF UNDERLYING COVERAGE: (Required at Binding)

Umbrella coverage is being quoted based on the following minimum underlying coverages and limits in place with effective dates that are concurrent with the quoted umbrella effective dates. Changes to the insurer or underlying limits of insurance or failure to purchase the underlying coverages referenced will change the pricing and/or coverage structure of the umbrella, and may affect our decision to offer any Umbrella coverage. Binding this coverage indicates an acknowledgement of the information shown below. Any change during the policy period must promptly be reported to us and may result in cancellation of coverage.

Schedule of Underlying Insurance – Excess of various underlying insurance Note: If the carrier information is not filled in, your quotation is subject to your completion of this form indicating coverage with an admitted carrier with a rating of A-VII or better by A.M.Best.

Underlying Insurer Policy Number Policy Period	Underlying Insurance	Coverages	Insured's Underlying Limits

LOSS HISTORY – NOTE: 3 YEARS CURRENTLY VALUED LOSS RUNS REQUIRED WITHIN 10 DAYS OF BINDING

- Yes No Have there been more than 3 liability (CGL, Auto, D&O, etc.) losses in the last 12 months?
- Yes No Has this association incurred any liability (CGL, Auto, D&O/EPL, etc.) losses with \$50,000 or more paid or reserved in the past 3 years?
- Yes No In the past 5 years, have there been any prior losses involving: death, brain damage, burns over 50% of the body, substantial disfigurement of the body, spinal cord injuries involving any degree of paralysis, any injury to a minor child, any estimate of damages in excess of 50% of the underlying limit?

If Yes was answered on any of the above, submit currently valued loss runs with application for underwriting review.

Check here to CONFIRM THAT THIS ASSOCIATION MEETS THE FOLLOWING ELIGIBILITY /REQUIREMENTS FOR PROGRAM:

The Insured Requires all Vendors, Suppliers and Contractors to:

1. Maintain General Liability Limit of Liability of a minimum of \$1,000,000 Per Occurrence Limit
2. Hold harmless and indemnify the Insured
3. Provide Certificates of Insurance adding property owner as an Additional Insured

The Insured maintains Certificates of Insurance from vendors, suppliers and contractors and updates them annually upon their expiration.

If swimming pools are present, please confirm the following:

1. All outdoor swimming pools are fenced with self-latching gates; indoor swimming pools have a self-locking door with key card access or doorman.
2. All swimming pools must be in compliance with the Virginia Graeme Baker Act and meet all federal, state and local governing codes and regulations.
4. All swimming pools must have clearly marked signs with hours of operation, rules and swim at your own risk.
5. Depth markers must be clearly visible
6. All swimming pools have lifesaving equipment

If lakes, ponds, docks, marinas or other bodies of water are present, please confirm that the association:

1. Posts signage for no swimming and/or thin ice dangers (if applicable)

Program building/life safety eligibility requirements (association owned buildings):

1. All buildings and building systems (electric, plumbing) must be in compliance with all applicable State, City, Town, etc. building and facility codes with no outstanding fire code violations for any buildings
2. Carbon monoxide detectors installed and maintained (as required by law)
3. All buildings with aluminum wiring are not eligible for this program—Note: if remediation has been completed, submit details with application for review and approval.
4. All buildings must have 70% or more occupancy (no vacant buildings are eligible)
5. Buildings over 3 stories must comply with the following: 2+ means of egress from each floor, smoke detectors/alarm systems ringing to a centralized location, visible signs instructing proper evacuation procedures, defined evacuation plans and routine drills, noncombustible and smoke free stairwells, tested fire escape protocols and equipment including emergency lighting, illuminated exit signs, etc., communication system established to communicate with authorities, sprinkler systems installed and tested, and manual pull alarms.

If there is any vacant land on the association owned property, please confirm the following:

1. Land should not be any permissible use by third parties and it should not be used for Hunting, Horseback Riding, Pedal or Motorized vehicles.

If the insured provides any of the following amenities/activities, the association is not eligible for this program:

1. Equestrian facilities, horseback riding
2. Tanning beds

BUILDING/LIFE SAFETY: Check here if - NO OWNED BUILDINGS

Clubhouse/Community Building/Other

Occupancy: _____ # Buildings: _____

Year Built _____ # of Stories: _____ Square Ft.: _____

% Sprinklered: _____ Type of fire alarm: _____

Building Construction: FRM JM NC MNC MFR FR

Condo/Cooperative Building(s)

Buildings: _____ Year Built _____

of Stories: _____ Square Ft.: _____

% Sprinklered: _____ Type of fire alarm: _____

Building Construction: FRM JM NC MNC MFR FR

OTHER

How many autos does the association own? _____ Please list each Auto Type and Use (attach separate vehicle schedule if needed):

1. _____ / _____ 2. _____ / _____ 3. _____ / _____

Does the association own a public garage or parking facility? Yes No Is the garage/parking managed by a third party? Yes No

How many watercraft does the association own? _____ # of Motorized: _____ Size/Type: _____

of Non-Motorized: _____ Size/Type: _____

EXPIRING EXCESS/UMBRELLA INFORMATION

Expiring Carrier: _____ Expiring Policy Period: _____ to _____

Expiring Limit: \$ _____ Expiring Premium: \$ _____ Target Premium: \$ _____

V. APPLICATION SIGNATURE

The undersigned declares that to the best of his/her knowledge the statements set forth herein are true and correct. Signing of this Application does not bind the undersigned to complete the insurance, but it is agreed that this Application shall be the basis of the contract should a Policy be issued. It is agreed that this Application, a copy of which will be attached to the proposed Policy, and any materials submitted or required (which shall be maintained on file by the Insurer and be deemed attached as if physically attached to the proposed Policy), are true and are the basis of the proposed Policy and are to be considered as incorporated into and constituting a part of the proposed Policy. If between the date of this Application and the proposed effective date of the Policy there is a material change in the condition of the Entity or occurrence of an event which could substantially change the underwriting evaluation of the Applicant, then the Applicant must notify Continental Casualty Company. Upon receipt of such notice, Continental Casualty Company reserves the right to modify the final terms and conditions of the proposed policy upon review of the information received in satisfaction of the aforementioned conditions. In addition, any outstanding quotations may be modified or withdrawn at the sole discretion of the Insurer.

The undersigned declares that the employees of the applicant have all, to the best of the applicant's knowledge and belief, while in the service of the applicant, always performed their respective duties honestly, There has never come to its notice or knowledge, except as stated herein, any information which in the judgment of the applicant indicates that any of the said employees are dishonest. Such knowledge as any officer signing for the applicant may now have in respect to his or her own personal acts or conduct, unknown to the applicant, is not imputable to the applicant.

It is understood that the first premium upon the policy applied for, and subsequent premiums hereon, are due at the beginning of each premium period, that the company is entitled to additional premiums because of any unusual increase in the number of employees and that the applicant agrees to pay all such premiums promptly.

Date: _____ By: _____
Authorized Association Representative *Print Name & Title*

Submitting Broker Name: _____ Contact: _____

Address: _____

Telephone Number: _____ Broker is properly licensed to produce this insurance? Yes No

Applicable in AL, AR, DC, LA, MD, NM, RI and WV:

It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties (may) include imprisonment, fines and denial of insurance benefits. *Applies in ME Only.*

Applicable in CO:

It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Applicable in FL and OK:

Any person who knowingly and with intent to injure, defraud, or deceive any insurer files a statement of claim or an application containing any false, incomplete, or misleading information is guilty of a felony (of the third degree). *Applies in FL Only.*

Applicable in KS:

Any person who, knowingly and with intent to defraud, presents, causes to be presented or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer, broker or any agent thereof, any written statement as part of, or in support of, an application for the issuance of, or the rating of an insurance policy for personal or commercial insurance, or a claim for payment or other benefit pursuant to an insurance policy for commercial or personal insurance which such person knows to contain materially false information concerning any fact material thereto; or conceals, for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act.

Applicable in KY, NY, OH and PA:

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties (not to exceed five thousand dollars and the stated value of the claim for each such violation)*.*

**Applies in NY Only.*

Applicable in ME, TN, VA and WA:

It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties (may) include imprisonment, fines and denial of insurance benefits. *Applies in ME Only.*

Applicable in NJ:

Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

Applicable in OR:

Any person who knowingly and with intent to defraud or solicit another to defraud the insurer by submitting an application containing a false statement as to any material fact may be violating state law.

Applicable in PR:

Any person who knowingly and with the intention of defrauding presents false information in an insurance application, or presents, helps, or causes the presentation of a fraudulent claim for the payment of a loss or any other benefit, or presents more than one claim for the same damage or loss, shall incur a felony and, upon conviction, shall be sanctioned for each violation by a fine of not less than five thousand dollars (\$5,000) and not more than ten thousand dollars (\$10,000), or a fixed term of imprisonment for three (3) years, or both penalties. Should aggravating circumstances [be] present, the penalty thus established may be increased to a maximum of five (5) years, if extenuating circumstances are present, it may be reduced to a minimum of two (2) years.



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