

- o DEERFIELD INSURANCE COMPANY
- o EVANSTON INSURANCE COMPANY
- o ESSEX INSURANCE COMPANY
- o MARKEL AMERICAN INSURANCE COMPANY
- o MARKEL INSURANCE COMPANY

**APPLICATION FOR SPECIFIED PROFESSIONS PROFESSIONAL LIABILITY INSURANCE AND  
 SERVICE AND TECHNICAL PROFESSIONAL LIABILITY INSURANCE  
 (Claims Made Basis or Claims Made and Reported Basis)**

If space is insufficient to answer any question fully, attach a separate sheet.

**I. GENERAL INFORMATION**

1. Full name of Applicant: \_\_\_\_\_
2. Principal business premise address: \_\_\_\_\_  
 \_\_\_\_\_ (Street) \_\_\_\_\_ (County)  
 \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip)
3. Address(es) of Branch Office(s): \_\_\_\_\_
4. Web Site Address(es): \_\_\_\_\_ 5. Phone Number: \_\_\_\_\_
6. Number of employees including principals: Full-time \_\_\_\_\_ Part-time \_\_\_\_\_ Seasonal \_\_\_\_\_ Total \_\_\_\_\_
7. Business is a: [ ] corporation [ ] partnership [ ] individual [ ] other \_\_\_\_\_
8. Date organized (MM/DD/YYYY): \_\_\_\_\_
9. Is the Applicant controlled by, owned by, or commonly owned, affiliated or associated with any other organization?  
 ..... Yes [ ] No [ ]  
 If Yes, are any services provided to such organization(s)? ..... Yes [ ] No [ ]  
 If Yes, to either of the above, provide details. \_\_\_\_\_
10. During the last year has the Applicant been involved in, or are they presently considering or contemplating:  
 (a) Any merger, consolidation or acquisition? ..... Yes [ ] No [ ]  
 If Yes, provide a complete explanation detailing liabilities assumed and any professional liability coverage purchased  
 by any predecessor organization. \_\_\_\_\_  
 (b) A change in the nature of business operations? ..... Yes [ ] No [ ]  
 If Yes, provide details. \_\_\_\_\_
11. During the last year has the name of the Applicant been changed ..... Yes [ ] No [ ]  
 If Yes, provide details. \_\_\_\_\_

**II. ADDITIONAL INFORMATION**

1. **If you are a new Applicant with this company**, attach:
  - (a) A list of owners, partners and officers and percentage of ownership of each of the Applicant(s) named in Part I Item 1. above.
  - (b) Latest annual financial statements (annual report or income statement and balance sheet). (Omit if gross revenues are \$500,000 or less.)
  - (c) Professional qualifications (i.e. resume or c.v.) of each of the owners, partners, officers and key employees of the Applicant(s) named in Part I Item 1. above.
  - (d) Professional societies and organizations to which the Applicant and its owners, partners, officers and key employees belong(s).

- (e) Advertisements, brochures, and descriptive literature on the Applicant's business.
- (f) Sample contract for services between the Applicant and its clients.
- (g) A list of and description of affiliations with any organization owned by any owner, partner or officer of any Applicant.

2. **If you are applying for renewal with this company, attach:**

- (a) A list of owners, partners and officers and percentage of ownership of each in the Applicant(s) named in Part I. Item 1. above.
- (b) Latest annual financial statements (annual report or income statement and balance sheet). (Omit if gross revenues are \$500,000 or less.)
- (c) Any changes in any items provided last year pursuant to Items (c), (d), (e), (f) or (g) above.

**III. PROFESSIONAL ACTIVITIES AND SPECIALTY**

1. Describe all professional services performed for others and indicate the percentage of gross revenues derived from each activity.

Professional Services	Percent of Gross Revenues
_____	_____ %
_____	_____ %
_____	_____ %

- 2. (a) Estimated annual gross revenues for the coming year: \$ \_\_\_\_\_
- (b) Percentage of annual gross revenues for the coming year:
  - (i) Domestic: \_\_\_\_\_ %
  - (ii) Foreign: \_\_\_\_\_ %
- (c) Annual gross revenues for the last three years:
  - (i) last twelve months: Year: \_\_\_\_\_ \$ \_\_\_\_\_
  - (ii) 1<sup>st</sup> prior year: Year: \_\_\_\_\_ \$ \_\_\_\_\_
  - (iii) 2<sup>nd</sup> prior year: Year: \_\_\_\_\_ \$ \_\_\_\_\_

3. Describe Applicant's five largest jobs in the last three years:

Client Name	Professional Services	Gross Revenues
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Is the Applicant engaged in any business or profession other than as described in Item 1 above? ..... Yes [ ] No [ ]  
If Yes, explain. \_\_\_\_\_

5. Were more than 50% of the Applicant's gross revenues for any of the last three years derived from any one contract? ..... Yes [ ] No [ ]  
If Yes, specify client, professional services and duration of contract. \_\_\_\_\_

6. Does the Applicant utilize the services of independent contractors or sub-consultants? ..... Yes [ ] No [ ]  
If Yes, indicate percentage of billings and whether a certificate of professional liability insurance is required of each. \_\_\_\_\_

7. (a) Does the Applicant, any of its subsidiaries and/or affiliates build, service, repair, install, manufacture or fabricate anything? ..... Yes [ ] No [ ]
- (b) Does the Applicant, any of its subsidiaries and/or affiliates sell any product other than computer software? ..... Yes [ ] No [ ]
- If Yes, to either (a) or (b) describe. \_\_\_\_\_

**IV. CLAIMS/HISTORY**

1. During the last five years, have there been any professional liability claims against the Applicant, its predecessors, subsidiaries, affiliates, employees and/or against any other person or entity proposed for this insurance? ..... Yes [ ] No [ ]
- If Yes, attach complete details including description of allegations, status of claim, amounts demanded or paid, date of claim, and action taken to prevent the same type of claim in the future.

2. Is (are) any person(s) or entity(ies) proposed for this insurance aware of any fact, circumstance or situation which might afford grounds for any claim, such as would fall under the proposed insurance? ..... [ ] Yes [ ] No
- If Yes, provide details. \_\_\_\_\_

3. Has any insurer cancelled, rescinded, nonrenewed or declined any similar insurance for the Applicant, its predecessors, subsidiaries, affiliates, employees and/or for any other person or entity proposed for this insurance in the last five years? ..... Yes [ ] No [ ]
- If Yes, attach a copy of such insurer's notice.

4. Has the Applicant and/or any of its directors, officers and/or employees its predecessors, subsidiaries, affiliates, employees and/or any other person or entity proposed for this insurance been involved in or have knowledge of any pending or completed governmental regulatory, investigative or administrative proceedings? ..... Yes [ ] No [ ]
- If Yes, attach a copy of the outcome of such proceedings.

5. Previous Professional Liability Insurance:

Policy Period	Insurer	Indicate whether Claims Made or Occurrence policy	Limits of Liability	Deductible	Retro Date

6. Does the Applicant carry General Liability Insurance? ..... Yes [ ] No [ ]
- If yes, provide: Insurer: \_\_\_\_\_ Limits: \_\_\_\_\_
- Does coverage include Products/Completed Operations Hazards? ..... Yes [ ] No [ ]

**NOTICE TO THE APPLICANT - PLEASE READ CAREFULLY**

No fact, circumstance or situation indicating the probability of a claim or action for which coverage may be afforded by the proposed insurance is now known by any person(s) or entity(ies) proposed for this insurance other than that which is disclosed in this application. It is agreed by all concerned that if there be knowledge of any such fact, circumstance or situation, any claim subsequently emanating therefrom shall be excluded from coverage under the proposed insurance.

The policy applied for is SOLELY AS STATED IN THE POLICY, if issued, which provides coverage on a "CLAIMS MADE" basis for ONLY THOSE "CLAIMS" THAT ARE FIRST MADE AGAINST THE INSURED DURING THE POLICY PERIOD, unless the extended reporting period option is exercised in accordance with the terms of the policy. The policy has specific provisions detailing claim reporting requirements.

Shand Morahan & Company, Inc. or the Company is authorized to make any inquiry in connection with this application. Signing this application does not bind the Company to provide or the Applicant to purchase the insurance.

This application, information submitted with this application and all previous applications and material changes thereto of which Shand Morahan & Company, Inc. receives notice is on file with Shand Morahan & Company, Inc. and is considered physically attached to and part of the of the policy if issued. Shand Morahan & Company, Inc. and the Company will have relied upon this application and all such attachments in issuing the policy. If the information in this application or any attachment materially changes between the date this application is signed and the effective date of the policy, the Applicant will promptly notify Shand Morahan & Company, Inc., who may modify or withdraw any outstanding quotation or agreement to bind coverage.

**WARRANTY**

I/We warrant to the Company, that I/We understand and accept the notice stated above and that the information contained herein is true and that it shall be the basis of the policy and deemed incorporated therein, should the Company evidence its acceptance of this application by issuance of a policy. I/We authorize the release of claim information from any prior insurer to Shand Morahan & Company, Inc. or the Company, Ten Parkway North, Deerfield, Illinois 60015.

Must be signed within 60 days of the proposed effective date.

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Title (Officer, partner, etc.)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

SPECIALTY SUPPLEMENT REQUIRED

- Building/Home Inspector
- Collection Agency
- Crane Inspector
- Employee Placement
- Escrow Only
- Freight Forwarder / Customs Broker
- Insurance Related Services
- Media Related Service
- Mortgage Broker
- Premium Finance
- Real Estate Agent, Appraiser, Property Manager
- Testing Lab
- Third Party Administrator
- Title, Escrow & Closing
- Travel Related Services

ALTERNATE APPLICATION REQUIRED

- Association
- Computer Related Other Than Consulting
- Environmental
- Franchisor
- Trustees

Our Supplements and Applications are available at [www.shand.com](http://www.shand.com) or by fax by calling (847) 572-6268.

**Notice to Applicants:** 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 the person to criminal and civil penalties.

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## DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE AND ELECTION FORM

RE:  
 Risk ID. No.:

You are hereby notified that under the Terrorism Risk Insurance Act of 2002 (the "Act"), effective November 26, 2002, that you now have a right to purchase insurance coverage for losses arising out of acts of terrorism, as defined in Section 102(1) of the Act ("Terrorism Coverage"): The term "act of terrorism" means any act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State, and the Attorney General of the United States—to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property; or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of an air carrier or vessel or the premises of a United States mission; and to have been committed by an individual or individuals acting on behalf of any foreign person or foreign interest, as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

You should know that Terrorism Coverage required to be offered by the Act for losses caused by certified acts of terrorism is partially reimbursed by the United States under a formula established by federal law. Under this formula, the United States pays 90% of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage. The premium charged for this Terrorism Coverage is provided below and does not include any charges for the portion of loss covered by the federal government under the Act.

### **SELECTION OR REJECTION OF TERRORISM INSURANCE COVERAGE**

**PLEASE ENTER "X" IN ONE OF THE BOXES BELOW AND SIGN AND DATE WHERE INDICATED BELOW.**

**Florida, Georgia and Oklahoma Applicants:** Please be advised that in the event a policy is purchased, the policy premium will include a 1% surcharge for Terrorism Coverage unless you elect to decline Terrorism Coverage. You need to enter an "X" below if you wish to decline Terrorism Coverage.

	I hereby elect to purchase the Terrorism Coverage required to be offered under the Act. I understand that my policy premium will include a 3% surcharge for this coverage.
	I decline to purchase the Terrorism Coverage required to be offered under the Act. I understand that my policy will be endorsed to exclude the Terrorism Coverage required to be offered under the Act.

\_\_\_\_\_  
 Name of Applicant

\_\_\_\_\_  
 Title (Officer, partner, etc.)

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Date

SIGNING this Disclosure Notice does not bind the Applicant or the Insurer or the Underwriting Manager to complete the insurance.

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**SUPPLEMENT FOR REAL ESTATE SERVICES**

All questions MUST be completed in full.

If space is insufficient to answer any question fully, attach a separate sheet.

1. Full name of Applicant: \_\_\_\_\_

2. Does the Applicant provide the following services? If Yes, provide the percentage of total services provided.

		<b>Percentage</b>
(a) Residential Real Estate Agent or Broker	[ ] Yes [ ] No	_____ %
(b) Commercial/Industrial Real Estate Agent or Broker	[ ] Yes [ ] No	_____ %
(c) Residential Property Management	[ ] Yes [ ] No	_____ %
(d) Commercial/Industrial Property Management	[ ] Yes [ ] No	_____ %
(e) Real Estate Leasing Agent	[ ] Yes [ ] No	_____ %
(f) Real Estate Appraisal *	[ ] Yes [ ] No	_____ %
(g) Construction Consultant	[ ] Yes [ ] No	_____ %
(h) Construction/Project Manager	[ ] Yes [ ] No	_____ %
(i) Real Estate Development	[ ] Yes [ ] No	_____ %
(j) Asset Management	[ ] Yes [ ] No	_____ %
(k) Other (specify) _____	[ ] Yes [ ] No	_____ %
<b>TOTAL</b>		<b>100%</b>

\* If Real Estate Appraisal services are rendered, attach a separate sheet detailing a percentage breakdown of the types of properties appraised, the number of appraisals and type of clients.

3. Does the Applicant provide real estate services on any property in which the Applicant or any other person proposed for this insurance or their spouses or family members, or any parent company or any subsidiary or affiliated or associated business enterprise of the Applicant has or have an ownership interest? .....[ ] Yes [ ] No  
 If Yes, attach a separate sheet detailing the percent of ownership interest for each property.

4. Does the Applicant use a Home Protection or Warranty program? .....[ ] Yes [ ] No  
 If Yes, what percentage of units sold include such programs? \_\_\_\_\_ %

5. Does the Applicant use an in-house office policy/procedures manual? ..... [ ] Yes [ ] No

6. Has the Applicant ever been the subject of disciplinary action by a regulatory agency resulting from the violation of any federal, state or local fair housing law? .....[ ] Yes [ ] No  
 If Yes, attach a separate sheet detailing the action(s), the result(s) and steps taken to mitigate future disciplinary actions.

7. Does the Applicant form, manage or organize group investments/syndications (i.e., limited partnerships, general partnerships, corporations, REITs, etc.) for the purpose of investing in real property? .....[ ] Yes [ ] No  
 If Yes, provide details.

\_\_\_\_\_

\_\_\_\_\_

8. Is the Applicant engaged in, owned by or controlled by any other business? .....[ ] Yes [ ] No  
 If Yes, provide details.

\_\_\_\_\_

\_\_\_\_\_

9. Does the Applicant own, control or engage in any other business? .....[ ] Yes [ ] No  
If Yes, provide details.

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10. Does any client represent more than 25% of the Applicants annual receipts?.....[ ] Yes [ ] No  
If Yes, provide details.

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Signing this Supplement does not bind the Company to provide or the Applicant to purchase the insurance.

It is understand that information submitted herein becomes a part of our application for insurance and is subject to the same declarations, representations and conditions.

Must be signed by director, executive officer, partner or equivalent (within 60 days of the proposed effective date).

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Name of Applicant

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Title

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Signature of Applicant

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Date