

**Donald Gaddis Company, Inc.**  
Phone: 312-853-0071 Fax: 312-853-1033  
www.gaddiscompany.com

**APPLICATION FOR PROFESSIONAL LIABILITY ERRORS & OMISSIONS INSURANCE**

**IF COVERAGE IS ISSUED, IT WILL BE ON A CLAIMS-MADE BASIS**

**NOTICE: THIS INSURANCE COVERAGE PROVIDES THAT THE LIMIT OF LIABILITY AVAILABLE TO PAY JUDGEMENTS OR SETTLEMENTS SHALL BE REDUCED BY AMOUNTS INCURRED FOR LEGAL DEFENSE. FURTHER NOTE THAT AMOUNTS INCURRED FOR LEGAL DEFENSE SHALL BE APPLIED AGAINST THE DEDUCTIBLE AMOUNT.**

1. NAME OF APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

2. LIMIT OF LIABILITY DESIRED:

\$500,000 \_\_\_\_\_ \$1,000,000 \_\_\_\_\_ \$2,000,000 \_\_\_\_\_ Other \_\_\_\_\_

3. DEDUCTIBLE:

\$5,000 \_\_\_\_\_ \$10,000 \_\_\_\_\_ \$25,000 \_\_\_\_\_ Other \_\_\_\_\_

4. Please describe in detail the professional activities for which coverage is desired:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Is the applicant engaged in any business or profession other than as described in Item 4? \_\_\_\_\_  
If yes, please attach an explanation and estimated revenues.

6. List the total gross revenues for the past two years derived from those activities in Question 4. In addition, please list projected revenues for the current year.

<b>YEAR</b>	<b>AMOUNT</b>
a) Current Projected	\$ _____
b) _____	\$ _____
c) _____	\$ _____

7. For the revenues listed in question 6a), please give the approximate percentage derived from each of the activities listed in Question 4:

ACTIVITY	% OF 6a) REVENUES
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

8. Applicant is: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual \_\_\_\_\_

9. Year Established: \_\_\_\_\_.

10. Is the Applicant Firm controlled, owned or associated with any other firm, corporation or company? YES \_\_\_\_\_ NO \_\_\_\_\_. If yes, attach an explanation. Are any activities listed in Question 4 provided to such business enterprise? YES \_\_\_\_\_ NO \_\_\_\_\_

11. a) Number of principals, partners, officers and professional employees directly engaged in providing services to clients: \_\_\_\_\_

b) Number of non-professional employees (clerks, secretaries, etc.): \_\_\_\_\_

12. Please provide the following:

Name in full of ALL Partners/Principals/ Key Employees.	PROFESSIONAL QUALIFICATIONS	DATE QUALIFIED	HOW LONG IN PRACTICE	HOW LONG AS PARTNER/ PRINCIPAL
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

13. To what professional association(s) does the Applicant Firm belong?

\_\_\_\_\_

14. Please include a list of Applicant Firm's five (5) largest jobs or projects during the past three (3) years. Please give, in detail: 1) project/client name; 2) the nature of the services performed for the client; and 3) the revenues obtained from those services.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. Does the Applicant Firm use a written contract with client? \_\_\_\_\_ In all cases \_\_\_\_\_ Sometimes \_\_\_\_\_ Never

Please attach a copy of your standard contract(s).

16. What percentage of the Applicant Firm's business involves subcontracting of work to others? \_\_\_\_\_%. Does the Applicant Firm provide professional services to business entities in which it retains an ownership interest Yes \_\_\_\_\_ No \_\_\_\_\_. If yes, please explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

17. Has any similar insurance ever been declined or cancelled? Yes \_\_\_\_\_ (If yes, attach explanation.) No \_\_\_\_\_.

18. Is similar insurance currently in force? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, please provide:

Description of services being covered: \_\_\_\_\_

Name of Insurer: \_\_\_\_\_

Expiration Date: \_\_\_\_\_ Prior Acts/Retro. Date: \_\_\_\_\_

Limit: \$ \_\_\_\_\_ Deductible: \$ \_\_\_\_\_ Premium: \$ \_\_\_\_\_

Length of time coverage has been in force: \_\_\_\_\_

19. Attach most recent audited financial statements (or recent tax returns) and descriptive or promotional materials.

(A) Estimated Gross receipts for current fiscal period: \$ \_\_\_\_\_

(B) Estimated Cost of Goods Sold for current fiscal period: \$ \_\_\_\_\_

20. Have any of the individuals listed in question No. 12 ever been the subject of disciplinary action by authorities as a result of their professional activities? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

21. Does any person to be insured have knowledge or information of any act, error or omission which might reasonably be expected to give rise to a claim against him/her. YES \_\_\_\_\_ NO \_\_\_\_\_ If yes, please complete a Supplemental Claim Information form for each.

22. After inquiry have any claims been made against any proposed Insured(s) during the past three (3) years? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please complete a supplemental Claims Information form for each claim. Also, how many claims have been made in the last three (3) years? \_\_\_\_\_

*It is understood and agreed that with respect to questions 20, 21 and 22 above, that if such knowledge or information exists any claim or action arising therefrom is excluded from this proposed coverage.*

**NOTICE TO NEW YORK APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE CONTAINING ANY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME.**

The Applicant hereby acknowledges that he/she/it is aware that the limit of liability shall be reduced, and may be completely exhausted, by the costs of legal defense and, in such event, the Insurer shall not be liable for the costs of legal defense or for the amount of any judgement or settlement to the extent that such exceeds the limit of liability.

The Applicant hereby further acknowledges that he/she/it is aware that legal defense costs that are incurred shall be applied against the deductible amount.

I HEREBY DECLARE that, after inquiry, the above statements and particulars are true and I have not suppressed or misstated any material fact and that I agree that this application shall be the basis of the contract with the Underwriters.

Signature of person authorized to execute on behalf of the Applicant:

\_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

This Application Form duly completed, together with any supplementary information, must be signed in ink by the person indicated.

Signing of this form does not bind the Applicant or the Underwriters to complete the insurance.

THIS APPLICATION MUST BE SUBMITTED TO:

PROFESSIONAL INDEMNITY AGENCY, INC.  
PROFESSIONAL INDEMNITY AGENCY, INC. OF N.Y.  
37 Radio Circle Drive - P.O. Box 5000  
Mount Kisco, New York 10549-5000  
Attention: Edward D. Donnelly, CPCU

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**REAL ESTATE OPERATIONS SUPPLEMENTAL APPLICATION**

1. Please complete the appropriate sections stating the annual gross commissions and/or fees earned during the last twelve months:

- (a) Real Estate Sales/Brokerage \$ \_\_\_\_\_  
 Number of Transactions \_\_\_\_\_
  - (b) Real Estate Property Management \$ \_\_\_\_\_  
 Types of Properties Managed \_\_\_\_\_
  - (c) Real Estate Appraisals \$ \_\_\_\_\_  
 Number of Appraisals \_\_\_\_\_
  - (d) Mortgage Brokerage \$ \_\_\_\_\_  
 Number of Loans Placed \_\_\_\_\_
  - (e) Real Estate Consulting \$ \_\_\_\_\_  
 Number of Contracts \_\_\_\_\_
  - (f) Syndication/Partnerships \$ \_\_\_\_\_  
 (Attach sample offerings, agreements,  
 description of activities)
  - (g) Property Development and/or  
 Construction  
 (Attach detailed description of  
 operations)
  - (h) Real Estate Leasing Services \$ \_\_\_\_\_
- Total Commission/Fees \$ \_\_\_\_\_

2. Indicate the percentage of total income derived from the following:

- Commercial \_\_\_\_\_ %
- Residential \_\_\_\_\_ %
- Industrial \_\_\_\_\_ %
- Agricultural \_\_\_\_\_ %
- Undeveloped Land \_\_\_\_\_ %
- Other (describe) \_\_\_\_\_ %

3. Are sales personnel employees or independent contractors? \_\_\_\_\_  
If independent contractors, please provide us with a sample contract.

Please complete the following if you manage properties:

- (a) Is a budget plan prepared for each property managed? \_\_\_\_\_  
If not, explain \_\_\_\_\_
- (b) Is firm involved in space merchandising? \_\_\_\_\_ If yes,  
please give details \_\_\_\_\_
- (c) Are credit reports obtained on prospective tenants? \_\_\_\_\_  
If so, explain \_\_\_\_\_
- (d) Are you responsible for negotiating, effecting or  
maintaining insurance coverage on properties managed? \_\_\_\_\_  
If yes, explain \_\_\_\_\_
- (e) Indicate percentage of management fees derived from  
commercial property:  
Commercial \_\_\_\_\_% Residential \_\_\_\_\_%
- (f) Attach a sample property management contract/agreement.

4. Does the applicant or any person for whom insurance is being  
requested have any ownership or equity interest in any  
property being managed or held for sale? ( ) YES ( ) NO If  
YES, please attach a schedule of such properties and interests.

5. Do you offer any home warranty/protection plans? ( ) YES ( ) NO  
If YES, advise name of plans and percentage of transactions  
involving such plans.

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6. Do you have procedures in place designed to prevent fair housing claims? ( ) Yes ( ) No  
If Yes, please describe.
7. Do you wish to have a quote including fair housing coverage?  
( ) Yes ( ) No

It is understood and agreed that this supplemental application shall become part of the application for Professional Liability Errors & Omissions Insurance.

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Signature of person authorized  
to execute on behalf of the  
Applicant