

Filing at a Glance

Companies: American Zurich Insurance Company, American Guarantee and Liability Insurance Company, Colonial American Casualty & Surety Company, Fidelity and Deposit Company of Maryland, Zurich American Insurance Company of Illinois, Zurich American Insurance Company, Empire Fire and Marine Insurance Company

Product Name: Exterior Insulation and Finish Systems Exclusion for the ISO Commercial General Liability Coverage Part SERFF Tr Num: ZURC-125246566 State: Arkansas

Product Name: Exterior Insulation and Finish Systems Exclusion for the ISO Commercial

General Liability Coverage Part

TOI: 17.0 Other Liability - Claims

SERFF Status: Closed

State Tr Num: AR-PC-07-025604

Made/Occurrence

Sub-TOI: 17.0001 Commercial General Liability Co Tr Num: CW GL 26325

State Status:

Filing Type: Form

Co Status: Not Applicable

Reviewer(s): Betty Montesi, Edith Roberts, Brittany Yielding

Author: Patricia Chudik

Disposition Date: 08-01-2007

Date Submitted: 07-27-2007

Disposition Status: Approved

Effective Date Requested (New): 09-01-2007

Effective Date (New):

Effective Date Requested (Renewal): 09-01-2007

Effective Date (Renewal):

General Information

Project Name: CW GL 26325 - Exterior Insulation and Finish Systems Status of Filing in Domicile: Pending

Exclusion for the ISO Commercial General Liability Coverage Part

Project Number: CW GL 26325

Domicile Status Comments:

Reference Organization: NA

Reference Number: NA

Reference Title: NA

Advisory Org. Circular: NA

Filing Status Changed: 08-01-2007

State Status Changed: 07-27-2007

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

The purpose of this filing is to introduce our new endorsement, the Exterior Insulation and Finish Systems on Residential or Frame Buildings Exclusion.

This new endorsement will be offered to our contractor market.

Please see the explanatory memorandum for a complete description of this filing.

We request that this filing becomes effective September 1, 2007, or as soon as statutes permit.

Company and Contact

Filing Contact Information

Patricia Chudik, Product Analyst
1400 American Lane
Schaumburg, IL 60196-1056
pat.chudik@zurichna.com
(847) 605-7714 [Phone]
(847) 605-7768[FAX]

Filing Company Information

American Zurich Insurance Company
1400 American Lane
Schaumburg, IL 60196
(847) 605-6000 ext. [Phone]
CoCode: 40142
Group Code: 212
Group Name:
FEIN Number: 36-3141762
State of Domicile: Illinois
Company Type:
State ID Number:

American Guarantee and Liability Insurance
Company
1400 American Lane
Schaumburg, IL 60196
(847) 605-6000 ext. [Phone]
CoCode: 26247
Group Code: 212
Group Name:
FEIN Number: 36-6071400
State of Domicile: New York
Company Type:
State ID Number:

Colonial American Casualty & Surety Company
1400 American Lane
Schaumburg, IL 60196
(847) 605-6000 ext. [Phone]
CoCode: 34347
Group Code: 212
Group Name:
FEIN Number: 52-1096670
State of Domicile: Maryland
Company Type:
State ID Number:

Fidelity and Deposit Company of Maryland
1400 American Lane
Schaumburg, IL 60196
(847) 605-6000 ext. [Phone]
CoCode: 39306
Group Code: 212
Group Name:
FEIN Number: 13-3046577
State of Domicile: Maryland
Company Type:
State ID Number:

Zurich American Insurance Company of Illinois
1400 American Lane
Schaumburg, IL 60196
(847) 605-6000 ext. [Phone]
CoCode: 27855
Group Code: 212
Group Name:
FEIN Number: 36-2781080
State of Domicile: Illinois
Company Type:
State ID Number:

Zurich American Insurance Company
1400 American Lane
Schaumburg, IL 60102
(847) 605-6000 ext. [Phone]
CoCode: 16535
Group Code: 212
Group Name:
FEIN Number: 36-4233459
State of Domicile: New York
Company Type:
State ID Number:

Empire Fire and Marine Insurance Company
13810 FNB Parkway
Omaha, NE 68154-5202
(402) 963-5000 ext. [Phone]
CoCode: 21326
Group Code: 212
Group Name:
FEIN Number: 47-6022701
State of Domicile: Nebraska
Company Type:
State ID Number:

Filing Fees

Fee Required? Yes
Fee Amount: \$50.00
Retaliatory? No
Fee Explanation: Arkansas's fee is \$50 per form filing.
Per Company: No

CHECK NUMBER	CHECK AMOUNT	CHECK DATE
3400282557	\$50.00	07-25-2007

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	08-01-2007	08-01-2007

Disposition

Disposition Date: 08-01-2007

Effective Date (New):

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

Created by SERFF on 08-01-2007 03:30 PM

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	Explanatory memorandum	Approved	Yes
Form	Exclusion - Exterior Insulation and Finish Systems on Residential or Frame Buildings	Approved	Yes

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Exclusion - Exterior Insulation and Finish Systems on Residential or Frame Buildings	U-GL-1265-A CW	07 07	Endorsement/Amendment/Conditions	New	0.00	U-GL-1265.pdf

Exclusion – Exterior Insulation and Finish Systems on Residential or Frame Buildings



Policy No.	Eff. Date of Pol.	Exp. Date of Pol.	Eff. Date of End.	Producer No.	Add'l. Prem	Return Prem.

Named Insured / Mailing Address:

Producer:

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies insurance provided under the:

Commercial General Liability Coverage Part

- A.** This insurance does not apply to "bodily injury", "property damage" or "personal and advertising injury" arising out of, caused by, or attributable to, whether in whole or in part, the following:
 - 1. The design, manufacture, construction, fabrication, preparation, distribution and sale, installation, application, maintenance or repair, including remodeling, service, correction or replacement, of any "exterior insulation and finish system" or any part thereof, or any substantially similar system or any part thereof, including the application or use of conditioners, primers, accessories, flashings, coatings, caulking or sealants in connection with such a system, on any "residential building" or "frame building"; or
 - 2. "Your product" or "your work" with respect to any exterior component, fixture or feature of any structure if an "exterior insulation and finish system", or any substantially similar system, is used on the part of that "residential building" or "frame building" containing that component, fixture or feature.
- B.** The following definitions are added to the **Definitions** Section:
 - 1. "Exterior insulation and finish system" means a non-load bearing exterior cladding or finish system, and all component parts therein, used on any part of any "residential building" or "frame building", and consisting of:
 - a. A rigid or semi-rigid insulation board made of expanded polystyrene and other materials;
 - b. The adhesive and/or mechanical fasteners used to attach the insulation board to the substrate;
 - c. A reinforced or unreinforced base coat;
 - d. A finish coat providing surface texture to which color may be added; and
 - e. Any flashing, caulking or sealant used with the system for any purpose.
 - 2. "Residential building" means:
 - a. Any single family dwelling, including but not limited to, houses, or townhomes; or
 - b. Any multi-family dwelling, including but not limited to, condominiums, cooperatives, duplexes, triplexes or fourplexes; or
 - c. Any structure that combines any other use with residential dwellings including but not limited to those listed in a. or b. above; or

- d. Any other structure or improvement which is attached to or ancillary to any structure identified in **a.**, **b.** or **c.** above;

constructed, reconstructed, remodeled or repaired with the intent that title to each individual dwelling or dwelling unit will be transferred separately to each owner.

"Residential building" does not include any structure that functions as an apartment, a time-share, a hotel, a motel, a nursing home, an assisted living housing care facility, a college campus dormitory, or government housing on military bases.

- 3. "Frame building" means any structure that includes or contains any exterior cladding or structural load-bearing components that are made of wood or comprised of wood products.

Rate Information

Rate data does NOT apply to filing.

Supporting Document Schedules

Satisfied -Name:	Uniform Transmittal Document- Property & Casualty	Review Status: Approved	08-01-2007
Comments:			
Attachment:	NAIC transmittal.pdf		
Satisfied -Name:	Explanatory memorandum	Review Status: Approved	08-01-2007
Comments:			
Attachment:	Forms only EIFS Explanatory Memorandum GL.pdf		

Property & Casualty Transmittal Document

1. Reserved for Insurance Dept. Use Only	2. Insurance Department Use only	
	a. Date the filing is received:	
	b. Analyst:	
	c. Disposition:	
	d. Date of disposition of the filing:	
	e. Effective date of filing:	
	New Business	
	Renewal Business	
	f. State Filing #:	
	g. SERFF Filing #:	
h. Subject Codes		

3. Group Name	Group NAIC #
Zurich North America	212

4. Company Name(s)	Domicile	NAIC #	FEIN #	State #
American Guarantee and Liability Insurance Company	NY	26247	36-6071400	
American Zurich Insurance Company	IL	40142	36-3141762	
Colonial American Casualty and Surety Insurance Company	MD	34347	52-1096670	
Empire Fire and Marine Insurance Company	IL	21326	47-6022701	
Fidelity and Deposit Company of Maryland	MD	39306	13-3046577	
Zurich American Insurance Company	NY	16535	36-4233459	
Zurich American Insurance Company of Illinois	IL	27855	36-2781080	

5. Company Tracking Number	CW GL 26325
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Contact Info of Filer(s) or Corporate Officer(s) [include toll-free number]

6.	Name and address	Title	Telephone #s	FAX #	e-mail
	Patricia E. Chudik Regulatory Services Analyst Zurich North America 1400 American Lane Schaumburg, Illinois 60196	Regulatory Services Analyst	847 605-7714	847 605-7768	pat.chudik@zurichna.com

7.	Signature of authorized filer	<i>Patricia E. Chudik</i>
8.	Please print name of authorized filer	Patricia E. Chudik

Filing information (see General Instructions for descriptions of these fields)

9.	Type of Insurance (TOI)	17.0000
10.	Sub-Type of Insurance (Sub-TOI)	17.0001
11.	State Specific Product code(s)(if applicable)[See State Specific Requirements]	
12.	Company Program Title (Marketing title)	Exclusion - Exterior Insulation and Finish Systems on Residential or Frame Buildings for use with the Commercial General Liability Coverage Part

13. Filing Type	<input type="checkbox"/> Rate/Loss Cost <input type="checkbox"/> Rules <input type="checkbox"/> Rates/Rules <input checked="" type="checkbox"/> Forms <input type="checkbox"/> Combination Rates/Rules/Forms <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other (give description)		
14. Effective Date(s) Requested	New:	09-01-2007	Renewal: 09-01-2007
15. Reference Filing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
16. Reference Organization (if applicable)	NA		
17. Reference Organization # & Title	NA		
18. Company's Date of Filing	07-27-2007		
19. Status of filing in domicile	<input type="checkbox"/> Not Filed <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Authorized <input type="checkbox"/> Disapproved		

PC TD-1 pg 1 of 2

Property & Casualty Transmittal Document—

20. This filing transmittal is part of Company Tracking #	CW GL 26325
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21. Filing Description [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]
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In accordance with the filing requirements of your state, we enclose for your review and approval our new exclusion, Exterior Insulation and Finish Systems on Residential or Frame Buildings.

This exclusion will be used with the ISO Commercial General Liability Coverage Part.

Please see the explanatory memorandum for a complete description of this filing.

We request an effective date of September 1, 2007, for new and renewal business, or as soon as statutes permit.

22. Filing Fees (Filer must provide check # and fee amount if applicable)
[If a state requires you to show how you calculated your filing fees, place that calculation below]

Check #: 3400282557
Amount: \$50.00

Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.

*****Refer to the each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)**

PC TD-1 pg 2 of 2

FORM FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes forms)
 (Do not refer to the body of the filing for the forms listing, unless allowed by state.)

1.	This filing transmittal is part of Company Tracking #	CW GL 26325
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2.	This filing corresponds to rate/rule filing number <small>(Company tracking number of rate/rule filing, if applicable)</small>	NA
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3.	Form Name /Description/Synopsis	Form # Include edition date	Replacement Or withdrawn?	If replacement, give form # it replaces	Previous state filing number, if required by state
01	Exclusion - Exterior Insulation and Finish Systems on Residential or Frame Buildings	U-GL-1265-A CW (07/07)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	NA	NA
02			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
03			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
04			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
05			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
06			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
07			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
08			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
09			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		
10			<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn		

PC FFS-1

EXPLANATORY MEMORANDUM
Exclusion – Exterior Insulation and Finish Systems on Residential or Frame Buildings
Form U-GL-1265-A CW (07 07)
CW GL 26325

The purpose of this filing is to submit a new endorsement to be offered to our contractor market.

Our experience has shown that the vast majority of past and current claims arising out of Exterior Insulation and Finish Systems are or were from Frame Buildings and/or Residential buildings. Thus, we have created this new optional endorsement that is a partial exclusion. It excludes all loss arising out of or from Exterior Insulation and Finish Systems, but only when it is used on frame or residential buildings.

This exclusion will be used with the ISO Commercial General Liability Coverage Part.

We request an effective date of September 1, 2007, for new and renewal business.