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Local Agents  
 Serving Main Street America™

**INSURANCE AGENTS AND BROKERS  
 ERRORS & OMISSIONS INSURANCE APPLICATION  
 (Claims-Made and Reported Policy Form)**

**I. GENERAL INFORMATION**

1. Complete Name of Applicant: \_\_\_\_\_  
 Principal Business Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Website Address(es): \_\_\_\_\_ Insured E-Mail Address: \_\_\_\_\_

2. Date applicant firm was established: \_\_\_\_\_ *If less than three years, attach resume for each principal.*

3. Applicant's Organization Type:  Individual  Partnership  Corporation  LLC  Other: \_\_\_\_\_

4. DESIRED EFFECTIVE DATE: \_\_\_\_\_ REQUESTED RETROACTIVE DATE: \_\_\_\_\_

5. Check the limit of liability desired: Check the deductible option desired:  
 \$1,000,000/\$1,000,000  \$2,500.00  
 \$1,000,000/\$2,000,000  \$5,000.00  
 \$2,000,000/\$2,000,000  \$10,000.00  
 Other \$ \_\_\_\_\_  Other \$ \_\_\_\_\_

6.a. Does applicant have additional names or locations?  
*If yes, please provide a list including the complete name and address of each entity and location.*

	Yes	No
b. Is the agency, in whole or in part, owned, controlled by or associated with any other business?	Yes	No
c. Has the name or ownership of the agency changed in the past two years?	Yes	No
d. Has the agency acquired, merged with or purchased any agency within the past two years, or anticipate such changes within the next 12 months?	Yes	No
e. Has the agency participated in a cluster/alliance arrangement within the past two years?	Yes	No
f. Does the agency or any agent hold a position or have vested interest in any Broker/Dealer organization or insurance company?	Yes	No

*If yes to any of questions#6(a-f) above, please attach an explanation*

**II. PERSONNEL/LICENSURE**

1. Please list all owners and officers below. *Attach separate sheet if necessary.*

Name	Date first insurance license issued?	Percentage of Ownership %

2. a. Number of employed agents/producers? \_\_\_\_\_
- b. Number of Exclusive Non-Employee agents/producers? \_\_\_\_\_
- c. Number of Non-Exclusive Non-Employee agents/producers? \_\_\_\_\_
- d. Do you desire coverage for Non-Exclusive Non-Employee agents/producers?    Yes    No *(If yes, provide a list of agents)*
- e. Number of Customer Service Representatives/Support Staff? \_\_\_\_\_
- f. Number of Other Employees (not included in question 1 or 2a above)? \_\_\_\_\_  
Please describe the responsibilities of the "other" employees: \_\_\_\_\_
- g. Number of staff members that hold insurance designations (CPCU, CLU etc...)? \_\_\_\_\_
- e. Are you a member of any insurance associations?    Yes    No *(If yes, provide a list)*

**III. PREMIUM VOLUME/COMMISSION (PRIOR 12 MONTH PERIOD)**

1.	Gross Written Premium Volume	Gross Commission or Fees
a. Total P&C Products:		
b. Total Life Products:		
c. Total Accident & Health Products:		
d. Other Revenue <i>(including fees)</i> :		
<b>Total:</b>		

Provide a description of *Other Revenue* indicated in #1d above: \_\_\_\_\_

2. Do you anticipate greater than 25% increase or decrease in Written Premium Volume in the current year?    Yes    No  
*If yes, please attach an explanation*

**IV. INSURANCE PLACEMENTS**

1. Please indicate the percentage (%) of P&C business placed:
- |   |          |   |
|---|----------|---|
| As Agent                                  | %        | <i>(Retail business placed directly with insurance companies)</i>                 |
| Through Broker/MGA (not Surplus Lines):   | %        | <i>(Admitted business placed through an intermediary)</i>                         |
| Through Broker/MGA (Surplus Lines):       | %        | <i>(Surplus Lines business placed through an intermediary)</i>                    |
| As Wholesaler/Broker (not Surplus Lines): | %        | <i>(Accepting business from other agents/brokers for placement)</i>               |
| As Surplus Lines Broker                   | %        | <i>(Accepting Surplus Lines business from other agents/brokers for placement)</i> |
| As MGA/MGU/Program Administrator:         | %        | <i>(Accepting program business direct from other agent/brokers for placement)</i> |
| Other: _____                              | %        | <i>Describe: _____</i>  |
| <b>Total (Must equal 100%):</b>           | <b>%</b> |   |

2. Please list the agency's top five brokers, MGAs or insurance intermediaries by annual premium:

Name of Broker, MGA or Intermediary	Type of Products Placed	Annual Premium (\$)

**V. PRODUCT MIX**

1. Please indicate the type and percentage of insurance placed. P&C Commercial Lines and P&C Personal Lines must equal 100%. Separately Life Insurance/Financial Products and A&H must equal 100%.

<b>P&amp;C Commercial Lines</b> (% based on premium volume)	<b>Current Year (%)</b>	<b>Prior Year (%)</b>
Aviation (Commercial)		
Aviation (Private)		
Bonds (other than Surety)		
BOP/CGL/Package		
Commercial Auto-Standard		
Commercial Auto-Nonstandard		
Commercial Multiperil		
Commercial Property-Standard		
Crop		
Directors & Officers		
Energy		
Entertainment		
Flood/Wind/Earthquake		
Inland Marine		
Livestock Mortality		
Long Haul Trucking		
Medical Malpractice		
Pollution/Environmental		
Professional Liability (non-medical)		
Surety Bonds		
Umbrella/Excess		
Marine-Ocean		
Workers Compensation		
Other:		

<b>Life Insurance/Financial Products and A&amp;H</b> (% based on commissions)	<b>Current Year (%)</b>	<b>Prior Year (%)</b>
Annuities – Fixed		
Annuities – Variable		
Individual Life – Variable*		
Individual Life – Fixed*		
Life - Group		
Mutual Funds		
Financial Products		
Health Group (Carrier insured)		
HMO/PPO/DSP		
Health - Individual		
Other: _____		
<b>Life and A&amp;H Total:</b>		

**LA&H must = 100%**

<b>P&amp;C Personal Lines</b> (% based on premium volume)	<b>Current Year (%)</b>	<b>Prior Year (%)</b>
Auto-Standard		
Auto-Assigned Risk/Nonstandard		
Property/Homeowners-Standard		
Property/Homeowners-Assigned Risk/Nonstandard		
Farmowners		
Flood/Wind/Earthquake		
Umbrella		
Watercraft		
Other:		
<b>Total:</b>		

**P&C Commercial + P&C Personal must = 100%**

2. a. Does the agency provide professional services to clients who are domiciled in states other than the applicant's state of domicile or clients located outside of the United States? Yes    No

b. If yes, please list all states and or countries with % in each: \_\_\_\_\_

3. a. Does the agency place insurance for any entity (other than the applicant agency) in which the agency or agency personnel have greater than 10% ownership interest or hold a managerial or officer position? Yes    No

b. If yes, please provide list of entity(s): \_\_\_\_\_

4. a. Does the agency place coverage for any high-profile clients such as Fortune 1000 companies, college or professional sports teams or athletes, or clients in the entertainment industry? Yes    No

b. If yes, please list all clients: \_\_\_\_\_

5. Please list the top five agency-contracted P&C insurers by annual premium:

Name of Insurance Carrier	Years Represented	Annual Premium (\$)

*If the above list of carriers does not represent >80% of P&C premium volume, please attach a list of all P&C carriers.*

6. Please list the top five agency-contracted Life and A&H insurers by annual commissions:

Name of Insurance Carrier	Years Represented	Annual Commissions (\$)

*If the above list of carriers does not represent >80% of Life A&H commission revenue, please attach a list of all Life A&H carriers.*

7. Have any of the agency's contracts with insurance carriers been terminated in the past five years for reason other than low production? *If yes, please provide details including carrier, date of termination and reason for termination.* Yes    No
8. Does the agency place business with any carriers rated below B+ (V) by A.M. Best? *If yes, please answer questions #9-13 below. Please use a separate attachment if necessary.* Yes    No
9. What percentage of business placed is with carriers rated below B+ (V) by A.M. Best: \_\_\_\_\_
10. Does the agency have written procedures to follow that require the agency to obtain and retain, prior to placement, the insured's written acknowledgement of a carrier's financial status for any placement with a carrier rated below B+ (V) by A.M. Best? Yes    No
11. Does the agency have written procedures to follow if a major rating agency downgrades a carrier below a B+ rating or "secure" status? Yes    No
12. If yes, does the agency use a standardized notification letter advising client of the options available and requesting written direction from the client on the action to be taken? Yes    No
13. Does the agency have written procedures in place that require obtaining and retaining written disclosure of a company's financial status prior to placement? Yes    No

**VI. OTHER PROFESSIONAL SERVICES**

1. In the past three years has the agency provided any services other than the placement of insurance products for a commission? Yes    No  
*If yes, please complete Other Services Supplement.*
2. In the past three years has any agent within the agency provided services as Investment Advisor or Financial Planning Consultant (other than the sale of mutual funds and/or fixed or variable life and annuities products)? Yes    No
3. In the past three years has any agent within the agency had discretionary control over clients' funds or performed any money management services? Yes    No

4. In the past three years has the agency placed or otherwise been involved with:

	Yes	No	Annual Premium (\$)	Program Name or Company Name
Captive Management				
Reinsurance				
Self-Insured Captives				
Risk Retention Groups (RRGs) / Risk Purchasing Groups (RPGs)				
Multiple Employer Trusts				
Multiple Employer Welfare Arrangements				
Off Shore or Alien Companies				

**VII. RISK MANAGEMENT CONTROLS/ OFFICE PROCEDURES**

1. Is there an agency procedure for documenting:
    - a. Date incoming mail was received? Yes No
    - b. Telephone conversations? Yes No
    - c. Client or Carrier meetings? Yes No
    - d. Refusal of Recommended Coverage or Limits? Yes No
    - e. Reduction in Coverage or Limits? Yes No
  2. Expiration/Renewal Lists:
    - a. Does the agency use a computerized expiration list? Yes No  
*If no, attach details on method used to maintain policy expiration list.*
    - b. Is the expiration list maintained and backed up? Yes No
    - c. How many days prior to expiration are renewals started? \_\_\_\_\_
    - d. Does the agency confirm that all expirations are bound for renewal or confirmed non-renewals? Yes No
  3. a. Does the agency use a diary, suspense, or follow-up system? Yes No
    - b. If yes, is it automated? Yes No
  4. Is there a procedure to periodically review renewal risks for needed changes in coverage? Yes No
  5. Are all applications, policies and endorsements checked for accuracy before mailing? Yes No
  6. Are files marked to ensure certificate holders and regulatory agencies are notified of cancellation or material change? Yes No
  7. Do you have the authority to issue Certificates of Insurance on behalf of your carriers? Yes No
  8. Does the agency have written procedures for handling Certificates of Insurance (COI)? Yes No
  9. Does the agency follow published ACORD instructions and procedures for all Certificates of Insurance completed, verify all information represented on the Certificate of Insurance before signing, and send copies of completed Certificates of Insurance to all listed carriers? Yes No
  10. Are all requests for non-standard or extraneous language on Certificates of Insurance referred to the insurance carrier for review and signature by a carrier employee? Yes No
  11. Does the agency have a current Office Procedures manual? Yes No
  12. Does the agency have a documented orientation program or manual for new employees? Yes No
- If you have responded "No" to any of the Risk Management questions above (except #7), please attach an explanation.*
13. If the agency writes Excess & Surplus Lines (E&S) business, please complete the following:  
Check here if the agency does not place any Excess & Surplus Lines business: N/A
    - a. Does the agency obtain and retain the required number of legitimate written declination letters from carriers before placing business in the E&S market? Yes No
    - b. Does the agency provide a written explanation of the difference between an admitted carrier and a

non-admitted carrier whenever you place business with an E&S carrier, and retain such documentation?

Yes No

c. Does the agency ensure and retain documentation that required stampings are present on policies prior to mailing and that required filings are made and taxes are paid for all E&S business?

Yes No

**VIII. CLAIMS ACTIVITY AND DISCIPLINARY PROCEDURES**

**IMPORTANT NOTICE:** All known claims and/or potential claim circumstances that could result in an Errors & Omissions claim are specifically excluded from coverage. Report all such claims and/or circumstances to your current insurer. Failure to disclose such claim, act, error or omission or circumstance may result in the proposed insurance being void and/or subject to rescission.

1. After inquiry of all agency personnel, is there any known circumstance, situation, act, error or omission which could reasonably be expected to result in an errors and omissions claim being made against the agency, its predecessor in business or any past or present producer of the firm? Yes No
2. After inquiry of all agency personnel, have any errors and omissions claims or suits been made against the agency, its predecessor in business or any past or present producer of the firm, within the past five years? Yes No
3. Has the agency ever paid an uninsured loss out of agency funds? Yes No
4. After inquiry of all agency personnel, has any past or present agency personnel been the subject of a complaint, investigation, disciplinary action, revocation or suspension of a license by an insurance or other professional regulatory authority or agreed to surrender any license? Yes No
5. After inquiry of all agency personnel, has any past or present licensed personnel been convicted of a felony criminal activity? Yes No

**IF YES TO QUESTIONS 1-5 ABOVE, A CLAIM/DISCIPLINARY SUPPLEMENT IS REQUIRED FOR EACH INCIDENT AND CARRIER PROVIDED LOSS RUN REPORTS ARE ALSO REQUIRED (PAST FIVE YEARS).**

**IX. INSURANCE HISTORY/COVERAGE REQUESTED**

1. Please provide the following on the agency's prior five years of professional liability insurance: (Check here if None )

Name of Carrier	Effective Date	Expiration Date	Limit	Deductible Each Claim	Premium Paid (\$)	Policy Retroactive Date

2. Are there any entities specifically excluded on the agency's current policy? Yes No  
*If yes, attach a copy of the endorsement.*

3. Has any policy or application for errors and omissions insurance on behalf of the applicant or any of its past or present owners, officers, partners or employees or solicitors, ever been declined, canceled or renewal refused within the past five years? Yes No  
*If yes, please attach full details including the year and reason (claim experience, carrier withdrew from market, agency operations, etc.) carrier provided loss run reports are also required (past five years).*

***If applicant requests prior acts coverage, the agency must submit a copy of the current Declarations Page and copy of prior acts endorsement (endorsement required only if retroactive date is not included on agency's Declarations Page).***

## NOTICES AND SIGNATURES

By signing this Application, the applicant represents and agrees to each of the following five (5) items:

1. The applicant agency has made a comprehensive internal inquiry or investigation to determine whether anyone in your agency is aware of any actual or alleged fact, circumstance, situation, act, error or omission which may reasonably be expected to result in a claim, and have fully and completely divulged any and all such situations in Section VIII. of this application; and
2. Each of the statements and answers given in this Application, and in each of the applicable Supplemental Applications above, are:
  - a. Accurate, true and complete to the best of your knowledge and no material facts have been suppressed or misstated;
  - b. Representations you are making on behalf of all persons and entities proposed to be insured;
  - c. A material inducement to the insurance company to provide insurance, and any policy issued by the insurance company is issued in specific reliance upon these representations.
3. This Application, along with each of the Supplemental Applications above, are hereby deemed to be attached to the policy contract, and incorporated into the policy contract, whether or not any of the Supplemental Applications are physically attached to a particular copy of the policy contract, and regardless of whether any of the Supplemental Applications are signed or dated.
4. The applicant agrees to promptly report to the Company, in writing, any material change in your operations, conditions, or answers provided in this Application, or any Supplemental Application, that may occur or be discovered after the completion date of said Application(s), but before the inception date of the policy. Upon receipt of any such written notice, the Company has the right, at its sole discretion, to modify or withdraw any proposal for insurance.
5. The applicant acknowledges that this information will be used by All Risks for underwriting purposes and/or to provide wholesale insurance services.

**COLORADO FRAUD WARNING:** 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.

**DISTRICT OF COLUMBIA (DC) FRAUD WARNING:** WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

**FLORIDA FRAUD WARNING:** Any person who knowingly and with intent to injure, defraud, or deceive any insurance company files a statement of claim containing any false, incomplete, or misleading information is guilty of a felony of the third degree.

**MAINE FRAUD WARNING:** 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 or denial of insurance benefits

**MARYLAND FRAUD WARNING:** Any person who knowingly or willfully presents a false or fraudulent claim for payment of a loss or benefit or who knowingly or willfully presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**NEW JERSEY FRAUD WARNING:** Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

**NEW YORK FRAUD WARNING:** 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 shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

**OHIO FRAUD WARNING:** Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.

**NOTICE TO PENNSYLVANIA APPLICANTS-FRAUD WARNING:** Any person who knowingly, and with the intent to defraud any insurance company or other person, files an application for insurance or statement of claim containing any material false information or conceals for the purposes 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

**VIRGINIA FRAUD WARNING:** It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.

**VERMONT FRAUD WARNING:** Any person who knowingly presents a false statement in an application for insurance may be guilty of a criminal offense and subject to penalties under state law.”

**FRAUD WARNING (all other states):** Any person who knowingly and with the 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 purposes 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.



**Notice to California Applicants:**

**NOTICE:**

1. THE INSURANCE POLICY THAT YOU ARE APPLYING TO PURCHASE, OR, IF APPLICABLE, HAVE PURCHASED, IS BEING ISSUED BY AN INSURER THAT IS NOT LICENSED BY THE STATE OF CALIFORNIA. THESE COMPANIES ARE CALLED "NONADMITTED" OR "SURPLUS LINE" INSURERS.
2. THE INSURER IS NOT SUBJECT TO THE FINANCIAL SOLVENCY REGULATION AND ENFORCEMENT WHICH APPLIES TO CALIFORNIA LICENSED INSURERS.
3. THE INSURER DOES NOT PARTICIPATE IN ANY OF THE INSURANCE GUARANTEE FUNDS CREATED BY CALIFORNIA LAW. THEREFORE, THESE FUNDS WILL NOT PAY YOUR CLAIMS OR PROTECT YOUR ASSETS IF THE INSURER BECOMES INSOLVENT AND IS UNABLE TO MAKE PAYMENTS AS PROMISED.
4. CALIFORNIA MAINTAINS A LIST OF ELIGIBLE SURPLUS LINE INSURERS APPROVED BY THE INSURANCE COMMISSIONER. ASK YOUR AGENT OR BROKER IF THE INSURER IS ON THAT LIST, OR VIEW THAT LIST AT THE WEB SITE OF THE CALIFORNIA DEPARTMENT OF INSURANCE: WWW.INSURANCE.CA.GOV.
5. FOR ADDITIONAL INFORMATION ABOUT THE INSURER YOU SHOULD ASK QUESTIONS OF YOUR INSURANCE AGENT, BROKER, OR "SURPLUS LINE" BROKER OR CONTACT THE CALIFORNIA DEPARTMENT OF INSURANCE, AT THE FOLLOWING TOLL-FREE TELEPHONE NUMBER: 1-800-927-HELP (4357).
6. IF YOU, AS THE APPLICANT, REQUIRED THAT THE INSURANCE POLICY YOU HAVE PURCHASED BE BOUND IMMEDIATELY, EITHER BECAUSE EXISTING COVERAGE WAS GOING TO LAPSE WITHIN TWO BUSINESS DAYS OR BECAUSE YOU WERE REQUIRED TO HAVE COVERAGE WITHIN TWO BUSINESS DAYS, AND YOU DID NOT RECEIVE THIS DISCLOSURE FORM AND A REQUEST FOR YOUR SIGNATURE UNTIL AFTER COVERAGE BECAME EFFECTIVE, YOU HAVE THE RIGHT TO CANCEL THIS POLICY WITHIN FIVE DAYS OF RECEIVING THIS DISCLOSURE. IF YOU CANCEL COVERAGE, THE PREMIUM WILL BE PRORATED AND ANY BROKER FEE CHARGED FOR THIS INSURANCE WILL BE RETURNED TO YOU.

**Notice to Rhode Island Applicants:**

THIS INSURANCE CONTRACT THAT YOU ARE APPLYING TO PURCHASE, OR, IF APPLICABLE, HAVE PURCHASED, HAS BEEN PLACED WITH AN INSURER NOT LICENSED TO DO BUSINESS IN THE STATE OF RHODE ISLAND BUT APPROVED AS A SURPLUS LINES INSURER. THE INSURER IS NOT A MEMBER OF THE RHODE ISLAND INSURERS INSOLVENCY FUND. SHOULD THE INSURER BECOME INSOLVENT, THE PROTECTION AND BENEFITS OF THE RHODE ISLAND INSURERS INSOLVENCY FUND ARE NOT AVAILABLE.

**Notice to South Carolina Applicants:**

This company has been approved by the director or his designee of the South Carolina Department of Insurance to write business in this State as an eligible surplus lines insurer, but it is not afforded guaranty fund protection

**IMPORTANT NOTICE:** Failure to report any claim made against you during your current policy term, or facts, circumstances or events which may give rise to a claim against you to your current insurance company BEFORE expiration of your current policy term may create a lack of coverage.

**Completion of the application or tendering of premium does not bind coverage.**

**An authorized representative who is an active owner, officer, or partner of your firm must sign this application within sixty (60) days prior to the policy inception date if you are applying as new business or within 120 days of the expiration date if you are applying for renewal of an existing policy.**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

(Please print)