

**NEW YORK
EXCESS
PRODUCER MANUAL**

Pacific Employers Insurance Company

Updated 02/01/16

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General Rules

Eligibility

Only an individual, husband and wife residing in the same household, or two people who cohabitate, own property together, and are both listed as Named Insured on the primary homeowners policy are eligible for coverage.

Coverage

The Prestige Excess Liability Policy provides coverage for legal liability losses:

in excess of the required limits of primary insurance; or
in excess of any retained limit when there is coverage, but no primary insurance is required.

Limits of Liability

Single Limit Liability coverage may be provided for one million and higher. These limits are applicable to each occurrence in excess of the primary insurance or the retained limit.

Optional Coverages

The following exposures may be covered for the additional premiums shown in the rate section of this manual.

- Additional Automobiles
- Recreational Vehicles
- Secondary/Seasonal Residences
- Residential Rentals - 1 to 4 family Dwellings
- Incidental Farming
- Business Pursuits
- Incidental Office Occupancy
- Boats

Primary insurance must be provided.

Policy Term

The policy term will be for a period of one year.

Whole Dollar Premium

The premium for each exposure shall be rounded to the nearest whole dollar. A premium involving \$50 or more shall be round to the next higher whole dollar. This rule applies to all transactions.

Automatic Debit of Policy Premium

An additional charge of \$10.00 shall be payable each time the funds are not available to cover the automatic debit of policy premium.

Installments

If the policy is on an Installment Payment Plan, an additional charge of \$10.00 shall be payable with each installment per policy. This charge is waived when the policy premium is automatically debited from a bank account. The availability of installment plans will vary by premium level.

If the Excess policy is written in conjunction with any other policy, the billing is combined and the installment charge is applied to the entire account.

For any check returned by the bank unpaid, a non-sufficient funds fee of up to \$20.00 may be charged.

General Rules

Changes

A. All changes requiring premium adjustments shall be computed on a pro-rata basis, including any premium which was subject to the minimum premium requirement.

B. No charge will be made and no refunds given when the net change amounts to less than \$3.00.

Exception: On direct-billed policies with any installment payments remaining for the current policy period, charges or refunds of less than \$3.00 will be included in the next regularly scheduled installment billing.

Optional Endorsements

Refer to rate section of manual for premium credit or charge, if applicable.

- Additional Insured (Excess1008)
- Additional Insured – Legal Entity (Excess1023)
- Automobile Liability Losses Not Covered (Excess1002)
- Automobile / Corporate Car / Recreational Vehicle Losses Not Covered (Excess1024)
- Automobile / Boat / Corporate Car / Recreational Vehicle Losses Not Covered (Excess1012)
- Specific Automobile / Boat / Recreational Vehicle Losses Not Covered (Excess1010)
- Boat Operator Losses Not Covered (Excess1022)
- Corporate Car Losses Not Covered (Excess1014)
- Crisis Management Coverage (Excess1021)
- Directors & Officers Losses Not Covered (Excess1003)
- Specific Directors & Officers Losses Not Covered (Excess1007)
- Employers Liability Losses Not Covered (Excess1011)
- Employment Practices Liability (Excess1025)
- Family Trust Management Practices – Defense Within Limits Coverage (Excess1019)
- Farm Losses Not Covered (Excess1004)
- Firefighters Professional Liability Coverage (Excess1026)
- Location Losses Not Covered (Excess1017)
- Nonprofit Director and Officer Liability (Excess1020)
- Personal Injury Losses Not Covered (Excess1005)
- Private Counsel Coverage (Excess1018)
- Rental Property Losses Not Covered (Excess1006)
- Residence Held in Trust (Excess1016)
- Specific Rental Property Losses Not Covered (Excess1009)
- Uninsured / Underinsured Liability Coverage (Excess1015)
- U. S. Territorial Limitation (Excess1013)

General Rules

Primary Insurance Requirements

Minimum limits of underlying primary insurance are required for the following exposures:

Automobile Liability	\$250,000/\$500,000 B.I. and \$100,000 P.D. or \$300,000/\$500,000 B.I. and \$100,000 P.D.
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Note: Corporate cars not covered by a personal automobile policy require minimum \$500,000 CSL.

Uninsured/Underinsured Motorist Coverage

Coverage requires the same U/L insurance limits as for Automobile Liability

Personal Liability (Liability Section of Homeowners Policy or Dwelling Liability)	\$300,000
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Boat Liability:

Boats under 26 feet	\$300,000
Boats 26-50 feet	\$500,000
Boats greater than 50 feet	\$1,000,000.

Recreational Motor Vehicle Liability - If covered under an Automobile Policy or a Recreational Motor Vehicle Policy, refer to limits requirements under Automobile Liability. If covered under a Personal Liability Policy, refer to limits requirements under Personal Liability.

Employers Liability	\$300,000 (where applicable).
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Business Activities (those incidental business activities that can be added to a homeowners or Dwelling Liability policy)	\$300,000
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General Rules

Rating Procedure

1. Determine Rating Territory from Table 1 based upon the location of the primary residence.
2. Obtain the basic charge from Table 2 for a single limit of \$1,000,000 for each occurrence.
3. Apply appropriate charges and/or credits from Table 3 to determine the annual premium for a \$1,000,000 limit.
4. For limits higher than \$1,000,000 apply the factor shown in Table 4 to the total annual premium.
5. Apply appropriate additional charges and/or credits from Table 5 to determine the total annual premium.

a. **Auto Underlying Option**

There is no additional charge for automobiles or licensed recreational vehicles with minimum underlying limits of \$500,000 CSL.

For automobiles and licensed recreational vehicles with underlying option:
\$250,000/\$500,000 B.I. and \$100,000 P.D. or
\$300,000/\$500,000 B.I. and \$100,000 P.D.

Add the appropriate charge from Table 5.

b. **Uninsured/Underinsured Liability Coverage**

If this coverage is selected, add the appropriate charge from Table 5.

c. **Optional Coverages**

If any of these coverages are selected, add the appropriate charge(s) from Table 5. Apply Increased Limits Factor if needed.

1. Crisis Management Coverage
2. Employment Practices Liability
3. Family Trust Management Practices
4. Nonprofit Directors and Officers Liability
5. Private Counsel Coverage
6. Uninsured/Underinsured Liability Coverage

Territories and Rates

TABLE 1 - RATING TERRITORY

	TERRITORY
Bronx	01
Kings, Manhattan, Nassau, Queens, Richmond and Suffolk	02
Remainder of State	03

TABLE 2 - BASIC CHARGE

The basic charge contemplates these exposures:

- 1-An initial owner-occupied 1, 2, 3, or 4 family residence not a foreign residence or used for farming.
 - 2-Two additional residences not used for farming and owned, occupied, leased, or rented.
 - 3-One automobile owned, leased, or furnished for regular use. Basic charge also includes coverage for automobiles rented/borrowed for less than 31 days.
 - 4-Boats and recreational vehicles as defined and automatically covered (without endorsement) by the underlying homeowners or comprehensive personal liability policies.
 - 5-A retained limit of "0".
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Basic Charge TABLE 3 -

	TERRITORY		
	01	02	03
Basic Charge	\$312	\$262	\$225

TABLE 3 - ADDITIONS AND REDUCTIONS**AUTOMOBILES AND RECREATIONAL VEHICLES**

Automobiles, including corporate cars owned, leased, or furnished for regular use and recreational vehicles licensed for road use, charge per vehicle in excess of 1 is:

44	37	30
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Unlicensed recreational vehicles owned, leased, or regularly used, charge per vehicle:

30	30	30
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Collector Automobiles and Recreational Vehicles

Refer to Company

OPERATORS (charge per driver)

Operators less than 21 years old:

176	148	120
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Operators age 21 to 24:

88	74	60
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Mature operators age 75 to 79:

44	37	30
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Mature operators age 80 or older:

88	74	60
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Major conviction in previous 5 years.

Refer to Company

Territories and Rates

RESIDENCES AND FARMS

Additional residences owned, occupied, leased, or rented, charge per residence unit (Note: A duplex is two units):	7	7	7
Each foreign residence	20	20	20
Each farm premises	23	23	23
Each foreign residence other than incidental	40	40	40

ADDITIONS AND REDUCTIONS

	01	02	03
BUSINESS ACTIVITIES			
Business Pursuits, Incidental Business Liability, Incidental Office Occupancy, or Limited Liability Corporation (LLC), charge for each exposure.	14	14	14

MOTORIZED BOATS

Less than 26 feet:			
Inboard or inboard-outboard, or outboard over 50 horsepower, charge per boat:	80	80	80
26 feet - 50 feet	100	100	100
51 feet - 80 feet	150	150	150
81feet - 100 feet	200	200	200
Over 100 feet	Refer to company		

Speed Surcharge

Inboard or inboard-outboard, or outboard charge per boat:			
50 - 59 MPH	100	100	100
60 MPH or greater	150	150	150

SAILBOATS

26 feet - 50 feet	100	100	100
51 feet - 80 feet	150	150	150
81 - 100 feet	200	200	200
Over 100 feet	Refer to company		

Territories and Rates

OPTIONAL ENDORSEMENTS – LOSSES NOT COVERED

Automobile Liability Losses Not Covered For use when no coverage is desired for automobile exposures	53	45	38
Automobile/Corporate Car/Recreational Vehicle For use when no coverage is desired for these exposures.	58	50	43
Automobile/Boat/Corporate Car/Recreational Vehicle For use when no coverage is desired for these exposures.	58	50	43
Boat Operator Losses Not Covered Use to exclude all liability when permissive use exposure is unacceptable	5	5	5
Directors & Officers Losses Not Covered Use to exclude all D&O exposures when coverage is not desired or organizations present unacceptable exposures.	10	10	10
Specific Directors & Officers Losses Not Covered Use to exclude a specific D&O organization that presents an unacceptable exposure. (Total credit for one or more exposures)	5	5	5
Employer's Liability Losses Not Covered For use when no coverage is desired for this exposure.	5	5	5
Farm Losses Not Covered Use to exclude farm and ranch exposures.	10	10	10
Location Losses Not Covered Use to exclude a specific location when it presents an unacceptable exposure.	7	7	7
Personal Injury Losses Not Covered Use to exclude personal injury for high profile exposures.	10	10	10
Rental Property Losses Not Covered	10	10	10
United States Territorial Limitation Used to restrict coverage to the U.S> when foreign exposures are more than incidental*	5	5	5

TABLE 4 – INCREASED LIMITS

For Prestige ExcessSM limits greater than \$1,000,000, multiply the \$1,000,000 annual premium by the appropriate factor.

LIMIT	FACTOR
\$ 2,000,000	1.75
3,000,000	2.10
4,000,000	2.30
5,000,000	2.40
6,000,000	2.80
7,000,000	3.20
8,000,000	3.60
9,000,000	4.00
10,000,000	4.45

Territories and Rates

TABLE 5 - ADDITIONAL CHARGES/CREDITS**\$250,000/\$500,000/\$100,000 AUTO UNDERLYING OPTION**

If primary automobile or licensed recreational vehicle limits of \$250,000/\$500,000 B.I. and \$100,000 P.D. or \$300,000/\$500,000 B.I. and \$100,000 P.D. are requested for any number of automobiles and licensed recreational vehicles on the policy, multiply the number of automobiles and licensed recreational vehicles by \$16.

Note: This option is subject to a maximum charge of \$48.

UNINSURED/UNDERINSURED MOTORIST COVERAGE - ALL TERRITORIES

LIMIT OF LIABILITY	POLICY PREMIUM
\$1,000,000	\$185
\$2,000,000	\$281
\$3,000,000	\$357
\$4,000,000	\$426
\$5,000,000	\$485
\$6,000,000	\$592
\$7,000,000	\$688
\$8,000,000	\$775
\$9,000,000	\$855
\$10,000,000	\$931

CRISIS MANAGEMENT COVERAGE - ALL TERRITORIES

LIMIT OF LIABILITY	POLICY PREMIUM
\$50,000	\$25
100,000	\$50
250,000	\$100

PRIVATE COUNSEL COVERAGE - ALL TERRITORIES

LIMIT OF LIABILITY	POLICY PREMIUM
\$50,000	\$25
100,000	\$50
250,000	\$100

FAMILY TRUST MANAGEMENT LIABILITY

Limit of Liability	Under \$50 Million in Assets	\$50 Million or Greater in Assets
\$1,000,0000	\$50	\$100

Higher Limits Available - Refer to Company

Territories and Rates

NONPROFIT DIRECTOR & OFFICERS LIABILITY

LIMIT OF LIABILITY	POLICY PREMIUM		
	One Organization	Two Organizations	3+ Organizations
\$ 1,000,000	\$300	\$400	\$500

Higher Limits Available - Refer to Company

EMPLOYMENT PRACTICES LIABILITY

LIMIT OF LIABILITY		Policy Charge	
Per Occurrence	Annual Aggregate	Five or less Employees	Rate per Additional Employee > 5
\$250,000	\$500,000	\$650	\$200
\$500,000	\$500,000	\$975	\$350
\$1,000,000	\$1,000,000	\$1,150	\$350
\$2,000,000	\$2,000,000	\$2,000	\$425
\$3,000,000	\$3,000,000	\$2,500	\$500
\$4,000,000	\$4,000,000	\$2,900	\$575
\$5,000,000	\$5,000,000	\$3,200	\$650

New York Excess Forms

<u>Form Number</u>		<u>Form Name</u>
ACE01	0413	ACE Group of Companies U.S. Privacy Notice
ACE250	0515	New York Policyholder Message (Third Party Designee)
ALL-20887	1006	ACE Producer Compensation Practices and Policies
ALL-21101	1106	Trade or Economic Sanctions Endorsement
CC-24180c	0314	Signature Endorsement
EXCESS1000 ACE	0515	ACE Prestige Excess Policy
EXCESS1001 ACE	0515	Policy Conditions – New York
EXCESS1002 ACE	0515	Automobile Liability Losses Not Covered
EXCESS1003 ACE	0515	Directors and Officers Losses Not Covered
EXCESS1004 ACE	0515	Farm Losses Not Covered
EXCESS1005 ACE	0515	Personal Injury Losses Not Covered
EXCESS1006 ACE	0515	Rental Property Losses Not Covered
EXCESS1007 ACE	0515	Specific Directors and Officers Losses Not Covered
EXCESS1008 ACE	0515	Additional Insured Endorsement
EXCESS1009 ACE	0515	Specific Rental Property Losses Not Covered
EXCESS1010 ACE	0515	Specific Automobile/Boat/Corporate Car/Recreational Vehicle Losses Not Covered
EXCESS1011 ACE	0515	Employer's Liability Losses Not Covered
EXCESS1012 ACE	0515	Automobile/Boat/Corporate Car/Recreational Vehicle Losses Not Covered
EXCESS1013 ACE	0515	Territorial Limitation
EXCESS1014 ACE	0515	Corporate Car Losses Not Covered
EXCESS1015 ACE	0515	Uninsured/Underinsured Liability Coverage
EXCESS1016 ACE	0515	Residence Held in Trust or by Legal Entity
EXCESS1017 ACE	0515	Location Losses Not Covered
EXCESS1018 ACE	0515	Private Counsel Coverage – Increased Limits Endorsement
EXCESS1019 ACE	0515	Family Trust Management Practices
EXCESS1020 ACE	0515	Nonprofit Organization Directors and Officers Liability Coverage
EXCESS1021 ACE	0515	Crisis Management Coverage – Increased Limits Endorsement
EXCESS1022 ACE	0515	Boat Operator Losses Not Covered
EXCESS1023 ACE	0515	Additional Insured – Legal Entity
EXCESS1024 ACE	0515	Automobile/Corporate Car/Recreational Vehicle Losses Not Covered
EXCESS1025 ACE	0515	Employment Practices Liability Endorsement
EXCESS1026 ACE	0515	Firefighters Professional Liability Coverage Endorsement