

# NEW RESIDENTIAL CONSTRUCTION LIMITATION AND EXCLUSION ENDORSEMENT

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**This endorsement modifies insurance provided under the following: BUSINESS OWNERS  
COVERAGE**

The following Exclusion is added to **SECTION II – LIABILITY**

## **B. Exclusions**

This insurance does not apply to:

### **Specified Construction Work Performed on Residential Property**

*Bodily injury, property damage or personal and advertising injury* which, in whole or in part, directly or indirectly, arises out of or is related to any past, present, continuing or future *construction work* performed by or on behalf of an *insured*, or by or on behalf of any other person or entity, on *residential property*. We have no duty to investigate, adjust or defend, or pay any investigation, adjustment or defense costs, including attorney's fees, with respect to a claim or *suit* seeking damages for such injury or damage.

This exclusion does not apply to *bodily injury, property damage or personal and advertising injury* arising out of or related to:

- a. work or operations in any way concerning the building of a new *custom single family residential property* performed either:
  - i. pursuant to a contract between you and the individual owner(s) of that *custom single family residential property*; or
  - ii. for the purpose of building that *custom single family residential property* on real property that you own and your subsequent sale of that unit to a third party.
- b. *repair or remodeling work* performed on an existing single unit of *residential property* or other dwelling that qualifies as *residential property* pursuant to a contract between you and the individual owner(s) of that unit or dwelling.

The following are added to **F. Liability And Medical Expenses Definitions:**

*Construction work* means all work or operations in any way related to the development, design or building of a new structure or the addition to or extension of an existing structure, the maintenance, repair, remodeling, renovation, restoration, improvement, betterment, alteration or modification of an existing structure, and the demolition or removal in whole or in part, of an existing structure; and includes:

- a. work or operations regarding the real property on which the new or existing structure is located;
- b. materials, parts or equipment furnished in connection with the work or operations; and
- c. warranties or representations made, and warnings and instructions provided or not provided, regarding the work or operations.

*Custom single family residential property:*

- a. means only single family homes intended for use or used as human dwellings; and
- b. does not include any other structures. For example, *custom single family residential property* does not include multi-family housing, condominiums, town homes, townhouses, row houses, co-operative housing, master-planned housing, tract homes, commercial structures, or mixed use structures.

*Residential property* means single family dwellings and single units of residential properties, including condominiums, town homes, townhouses, row houses, co-operative housing, multi-family housing, and includes *custom single family residential property*.

*Repair or remodeling work* means work or operations limited to the maintenance, repair, renovation, restoration, improvement, betterment, alteration or modification of an existing structure, including partial demolition of that structure if required for such maintenance, repair, renovation, restoration, improvement, betterment, alteration or modification; and does not include conversion of any apartment unit or building to one or more condominiums, townhouses or mixed use structures.