

Hardenbergh Dove Right In to Help A Local Swimming Pool Installation Contractor



The Challenge:

One of our insureds, a local swimming pool installation contractor, from time to time, uses subcontractors for part of the installation process. A particular subcontractor was used on several jobs and the work they performed resulted in property damage to the swimming pools. The insured filed a claim with the insurance carrier and received a denial from the insurer citing the exclusion under the Commercial General Liability Policy for "Your Work". This exclusion precludes coverage for damage to your work arising out of your work. This is a standard exclusion in all Commercial General Liability Policies. After receiving notice from the carrier, the insured contacted Hardenbergh Insurance Group to see what recourses were available.

The Strategy:

Upon receiving notice of the denial from the insured, Hardenbergh Insurance Group immediately pulled a copy of the policy to review the exclusion being cited as the grounds for denial by the insurance carrier.

While it is true that the policy does contain the "Your Work" exclusion it also contains an exception to this exclusion. When the damage to your work was caused by the work of a subcontractor, the exclusion does not apply.

Hardenbergh contacted the claims manager at the insurance carrier and explained this exception to them and provided the name of the subcontractor in question.

The Results:

After reviewing this information, the carrier agreed that this circumstance did in fact meet the requirements of the exception and provided coverage under the policy. Since there were several pools affected by the work of this subcontractor, each with damages in excess of \$10,000, having this claim paid by the carrier relieved the insured of a considerable financial burden.



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