

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION – DESIGNATED RESIDENTIAL CONSTRUCTION – CONDOMINIUM, TOWNHOUSE, ROW HOUSE OR TRACT HOMES HOA EXCEPTION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

- A. The following Exclusion is added to **SECTION I – COVERAGES**, paragraph 2. **Exclusions of COVERAGE A – BODILY INJURY AND PROPERTY DAMAGE LIABILITY**, paragraph 2. **Exclusions of COVERAGE B – PERSONAL AND ADVERTISING INJURY LIABILITY**:

2. Exclusions

This insurance does not apply to:

Condominium, Townhouse, Row House or Tract Home Construction Projects

Any "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 "condominium project," "townhouse project," "row house project" or "tract home project" performed by or on behalf of you, or by or on behalf of any other person or entity. We have no duty to investigate, adjust or defend, or to 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 relating to:

- a. "Repair or remodeling work" performed by or on behalf of you on a single unit of "residential property" (such as one home, one condominium unit or other singular dwelling unit) provided that the unit is certified for occupancy prior to the commencement of the repair or remodel work; or,
- b. "Repair or remodeling work" operations when performed by or on behalf of you pursuant to a contract between you and either a condominium owner's association or a townhome owner's association; or,
- c. Maintenance, service, or non-structural repairs to common areas of a completed and occupied "condominium project," "townhouse project," "row house project" or "tract home project".

- B. The following are added to **SECTION V – DEFINITIONS**:

"Condominium project" means:

A housing development in which individual units are located within one or more buildings or structures containing multiple units, with each individual unit being owned separately and with other parts or portions of the overall development, including buildings, structures, land and other such common elements being owned in common by all owners of the separate individual units, either with or without the establishment of a corporate entity or unincorporated association to oversee and manage the common elements.

"Location" means:

Premises involving the same or connecting lots, or premises whose connection is interrupted only by a street, roadway, waterway or right-of-way of a railroad.

"Mixed use structures" means:

Structures intended for use or used both as a "Residential property" and for one or more other purposes.

"Repair or remodeling work" means

Work or operations limited to the maintenance, repair, renovation, restoration, improvement, betterment, alteration, modification or the addition to or extension of an existing structure, including partial demolition of that structure if required for such maintenance, repair, renovation, restoration, improvement, betterment, alteration or modification.

"Residential property" means:

1. Structures intended for use or used, in whole or in part, as human dwellings, including but not limited to condominiums, town homes, townhouses, villas, co-operative housing, master-planned housing, tract homes, mass-produced single family homes, custom-built single family-homes, and "mixed use structures;" and includes structures initially intended for another kind of use, but subsequently converted by anyone for use, in whole or in part, as a human dwelling.
2. "Residential property" does not include apartments, student housing, dormitories, assisted living facilities, hotels or military housing.

"Row house project" means:

A series of five or more individual housing units sharing common sidewalls between them, without co-ownership of other parts or portions of any building, structure, or land in addition to the shared sidewalls between units.

"Townhouse project" means:

A development of two or more individual housing units connected to one another by one or more walls, with other parts or portions of the overall development, including buildings, structures, land and other such common elements being owned in common by all owners of the separate individual housing units, either with or without the establishment of a corporate entity or unincorporated association to oversee and manage the use and maintenance of common elements.

"Tract home project" means:

A development of fifteen (15) or more individual and freestanding houses which share common or similar design elements, floor plans, blueprints, and/or architectural details, and/or which are constructed at the same or consecutively, on the same parcel, adjacent parcels or parcels so located within one geographic area to be considered a single project.