

## REAL ESTATE SUPPLEMENT

### REAL ESTATE PRACTICE BREAKDOWN

1. What percentage of real estate practice receipts for the current year and preceding year have come from the following areas:

	Current Year	Previous Year
a. Purchase and Sale		
Residential	_____ %	_____ %
Commercial	_____ %	_____ %

Transactions on behalf of buyers or sellers, including negotiation and drafting of purchase agreements, option agreements, deeds and other closing documents, representation at closing and related activities.

What is the approximate number of transactions handled in the last 12 months?

Residential	_____
Commercial	_____

What was the largest value Real Estate Transaction in the last 12 months?

Residential	\$ _____	\$ _____
Commercial	\$ _____	\$ _____

Did any one commercial real estate client generate 10% or more of firm billings in the last 12 months?

Yes       No      If yes, please attach a narrative description.

b. Land Use/Development	_____ %	_____ %
Representation of landowners, developers and others in zoning, subdivision, wetlands and other development and land use processes.		
c. Mortgages and Deeds	_____ %	_____ %
Representation of lenders or borrowers in financing, refinancing or other real estate lending activities. Includes loan documentation.		
d. Foreclosures	_____ %	_____ %
Foreclosure of mortgages, or trustee's sales under deeds of trust and other exercises of remedies in the event of default		
e. Landlord/Tenant	_____ %	_____ %
Representation of landlords or tenants in drafting or negotiating lease terms. Includes litigation and eviction.		
f. Condominiums, Cooperatives and Town House	_____ %	_____ %
representation of developers, associations, cooperative boards, or individuals in issues arising out of common ownership and common rights of property ownership.		
g. Property Valuation/Real Estate Tax Abatement	_____ %	_____ %
representation of property owners before county/local agencies and courts in Proceedings to contest property Valuations or assessed value of real estate.		

h. Other (Please describe):

\_\_\_\_\_

\_\_\_\_\_

Total must equal 100%                      100%    100%

**TITLE WORK**

2. Indicate the total number of title opinions issued over the past 2 years:

Commercial: \_\_\_\_\_ Residential: \_\_\_\_\_

3. Please indicate the total number of title searches completed over the past 2 years by:

a. Attorneys in your firm: \_\_\_\_\_ c. Non-attorneys but employees of your firm: \_\_\_\_\_

b. Attorneys not in your firm: \_\_\_\_\_ d. Non-attorney subcontractors: \_\_\_\_\_

If numbers are indicated in c. or d., do you obtain certificate(s) of insurance from all of your subcontracted sources of title searches?  Yes  No

4. How many Real Estate Title Insurance policies has the firm issued in the last 12 months? \_\_\_\_\_

5. Do you make use of engagement letter when doing title opinions or title searches, specifying who your clients is and what services you are performing for that client?  Yes  No

**ENVIRONMENTAL REAL ESTATE**

6. Does the Applicant's legal services in connection with a property transfer or leasing transaction include documented procedures to review and address issues such as:

a. Whether the type of business in question creates or in the past may have created environmental issues and concerns?  Yes  No

b. Whether any real or personal property owned, or leased now or in the past, or property to be procured is or is likely to be contaminated by hazardous matters (e.g., asbestos, lead, pcbs, etc.)?  Yes  No

c. Whether any specific site locations owned or leased, operated now or in the past, or land or property to be acquired are located in, or contiguous to ecologically sensitive areas (such as wetlands, floodplains, aquifers, or conservations areas, etc.)?  Yes  No

d. Whether any corporate entity connected to the client including all past and present subsidiaries, divisions and spin-offs has ever been fined, penalized, cited, or sued for violating any federal, state, or local environmental law or regulations?  Yes  No

7. Do you require:

a. Research and analysis of potential real environmental risks before determination of price and other central terms and conditions?  Yes  No

b. A thorough review with the client of the economic impacts of known environmental implications and potential advantages of further verification or qualifications of environmental risks, in property transfer or leasing transactions with potential material environmental exposure?  Yes  No

If "NO" to any of the above, are all clients advised in writing to see independent professional evaluations of potential environmental exposures?

Yes

No

## Fraud Prevention – General Warning

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

**NOTICE TO CALIFORNIA APPLICANTS:** Pursuant to California Insurance Law, Sec. 1623, this application for insurance is being submitted by an insurance broker who is acting on behalf of an insured.

**NOTICE TO COLORADO APPLICANTS:** 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 policy holder or claimant for the purpose of defrauding or attempting to defraud the policy holder 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.

**NOTICE TO D.C. APPLICANTS: 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.

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

**NOTICE TO HAWAII APPLICANTS:** For your protection, Hawaii law requires you to be informed that presenting a fraudulent claim for payment of a loss or benefit is a crime punishable by fines or imprisonment or both.

**NOTICE TO KENTUCKY APPLICANTS:** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance 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.

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

**NOTICE TO MAINE APPLICANTS:** It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for purposes of defrauding the company. Penalties may include imprisonment, fines or a denial of insurance benefits.

**NOTICE TO MARYLAND APPLICANTS:** 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 may be guilty of insurance fraud.

**NOTICE TO MINNESOTA APPLICANTS:** A person who submits an application or files a claim with intent to defraud or helps commit a fraud against an insurer is guilty of a crime.

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

**NOTICE TO NEW MEXICO APPLICANTS:** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to civil fines and criminal penalties.

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

**NOTICE TO OHIO APPLICANTS:** 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 OKLAHOMA APPLICANTS: WARNING:** Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.

**NOTICE TO OREGON APPLICANTS:** Any person who makes an intentional misstatement that is material to the risk may be found guilty of insurance fraud by a court of law.

**NOTICE TO PENNSYLVANIA APPLICANTS:** 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 subjects such person to criminal and civil penalties.

**NOTICE TO TENNESSEE APPLICANTS:** 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.

**NOTICE TO TEXAS APPLICANTS:** Any person who makes an intentional misstatement that is material to the risk may be found guilty of insurance fraud by a court of law.

**NOTICE TO VIRGINIA APPLICANTS:** 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.

**NOTICE TO ALL OTHER STATE APPLICANTS:** Any person who knowingly includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

#### **Important Reminder**

The coverage for which you are applying is written on a CLAIMS-MADE basis. Only claims first made against you and reported to the Company during the policy period are covered, subject to the policy provisions. The limits of liability stated in the policy are reduced by defense expenses. Defense expenses may also be applied to the deductible, if any. If you have any questions about the coverage, please discuss them with your agent.

#### **Representation and Acknowledgement of Firm's Continuing Duty to Inform**

The undersigned is authorized by the firm to sign this application and represents and acknowledges that all information provided by the firm including the application, submits, its supplements, attachments, and answers to any questions our underwriter asks:

- will be relied upon the Company in determining whether to insure the firm and at what rate to insure it;
- are true, correct, accurate, and complete;
- and will be considered a part of any ensuing insurance contract.

Furthermore, the undersigned understands and agrees that the firm has a continuing duty through policy inception and throughout the life of any ensuing insurance contract to update this application, its supplements, attachments, and answers to any questions our underwriter asks.

**THE APPLICANT REPRESENTS THAT THE ABOVE STATEMENTS AND FACTS ARE TRUE AND THAT NO MATERIAL FACTS HAVE BEEN SUPPRESSED OR MISSTATED.**

**COMPLETION OF THIS FORM DOES NOT BIND COVERAGE. APPLICANT'S ACCEPTANCE OF THE COMPANY'S QUOTATION IS REQUIRED PRIOR TO BINDING COVERAGE AND POLICY ISSUANCE.**

**ALL WRITTEN STATEMENTS AND MATERIALS FURNISHED TO THE COMPANY IN CONJUNCTION WITH THIS APPLICATION ARE HEREBY INCORPORATED BY REFERENCE INTO THIS APPLICATION AND MADE A PART HEREOF.**

Applicant:

Title:

Applicant's Signature:

Date: