



- Deerfield Insurance Company
- Evanston Insurance Company
- Essex Insurance Company
- Markel American Insurance Company
- Markel Insurance Company
- Associated International Insurance Company

**DESIGNED PROTECTION®
APPLICATION FOR ARCHITECTS, ENGINEERS AND GREEN AND SUSTAINABLE DESIGN
PROFESSIONAL LIABILITY INSURANCE – NEW YORK**

Notice: This application is for claims-made coverage. There shall be no coverage for “Claims” arising out of “Wrongful Acts” which took place prior to the “Retroactive Date”. Upon termination of coverage for any reason, a sixty-day Automatic Extended Reporting Period will apply. For an additional premium, an Optional Extended Reporting Period of thirty-six months can be purchased. There is no coverage for “Claims” first made against the Insured after the “Policy Period” or Automatic Extended Reporting Period unless the Optional Extended Reporting Period is purchased. Gaps in coverage may arise if the policy is not replaced with comparable claims-made coverage upon expiration of either the policy or Optional Extended Reporting Period, if purchased.

During the first several years of claims-made coverage, claims-made rates are comparatively lower than occurrence rates, and the insured can expect substantial annual premium increases, independent of overall rate level increases, until the claims made risk reaches full maturity.

The policy for which this application is made contains provisions that reduce the limits of liability stated in the policy by the costs of legal defense and permit legal defense costs to be applied against the deductible, unless the policy is amended by endorsement.

If space is insufficient to answer any question fully, attach a separate sheet.

I. GENERAL INFORMATION

1. (a) Full name of Applicant (if corporation or LLC provide entity name): _____

 (b) Principal business premises address: _____
 _____ (Street)
 _____ (City) _____ (County) _____ (State) _____ (Zip)
 (c) Secondary practice locations: _____

 (d) Phone Number: _____ (e) Website address: _____
 (f) Applicant is a: [] corporation [] sole proprietorship [] limited liability company [] other: _____
 (g) Date organized (MM/DD/YY): _____
2. Has/have there been any predecessor entity(ies) prior to the organization of the Applicant? [] Yes [] No
 (a) If Yes, provide name(s) and date(s) organized: _____

3. Is the Applicant affiliated with any other organization through common ownership? [] Yes [] No
 (a) If Yes, provide details of ownership structure and details on any services performed on any projects together:

4. During the last five years has the Applicant:
 (a) Been involved in, or are they presently considering any merger, consolidation or acquisition? [] Yes [] No
 (b) Changed its name?..... [] Yes [] No

(c) If Yes to either of the above, provide details: _____

5. Does the Applicant or any subsidiary, parent organization or affiliated organization engage in construction / installation / environmental remediation or subcontract construction / installation / environmental remediation on the Applicant's own projects? [] Yes [] No
If Yes, complete the Supplement for Construction Related Services (MAAE 6001).
6. Does the Applicant or any subsidiary, parent organization or affiliated organization engage in manufacturing, fabrication or assembly or subcontract manufacturing, fabrication or assembly, for which any design or engineering, and/or professional consulting is performed? [] Yes [] No
If Yes, please describe and provide the most recent audited interim and annual financial statements.

II. FINANCIAL AND STAFFING INFORMATION

1. Provide the following:

	Last Year MM/YY	Present Year MM/YY	Projected for Upcoming Year MM/YY
	From _____ To _____	From _____ To _____	From _____ To _____
Total Gross Annual Fees:	\$ _____	\$ _____	\$ _____
Total Construction Values:	\$ _____	\$ _____	\$ _____
Total Gross Annual Payroll:	\$ _____	\$ _____	\$ _____
Number of Staff/Design Professionals:	____ / ____	____ / ____	____ / ____

2. Provide the following for each of the Applicant's key professionals:

Name and Title	University/Degree/Year	States in Which Licensed/Registered	Years With Applicant

3. How many BIM (Building Information Modeling) in-house user licenses does the Applicant have? _____
4. How many staff are BIM Certified? _____
5. How many staff are LEED (Leadership in Energy and Environmental Design) Accredited? _____
6. What Professional Associations does the Applicant and/or its staff members belong to? _____

III. PROFESSIONAL DISCIPLINES AND SERVICES

1. Provide the percentages of the Professional Disciplines in which the Applicant is engaged. (TO EQUAL 100%)

Architecture	_____ %	Engineering: Chemical.....	_____ %
Construction Management		Civil	_____ %
Agency.....	_____ %	Electrical	_____ %
At-Risk	_____ %	Fire Protection	_____ %
Environmental Consulting or Testing....	_____ %	HVAC.....	_____ %
Interior Design.....	_____ %	Mechanical	_____ %
Landscape Architecture	_____ %	Process.....	_____ %
Land Surveying	_____ %	Soils / Geotechnical.....	_____ %
Naval Architecture.....	_____ %	Structural	_____ %
Other (provide details): _____	_____ %		
Other (continued): _____	_____ %		
		TOTAL	100%

2. Does the Applicant subcontract any of the above professional services?..... [] Yes [] No
 If Yes, answer the following.
 (a) What percentage of work for the above professional disciplines is subcontracted to others? %
 (b) Which professional disciplines are subcontracted? _____
 (c) Are Certificates of Insurance for Professional Liability Insurance and General Liability Insurance obtained from and maintained for all subcontractors and consultants? [] Yes [] No
3. Provide the approximate percentage of Specialty Services performed by the Applicant (NEED NOT EQUAL 100%)
- | | | |
|---|----------------------------------|---|
| Building Information Modeling.. _____% | LEED Certified Projects.. _____% | Construction Materials Testing..... _____% |
| Construction Staking..... _____% | Mapping _____% | Soils/Geotech Testing Lab _____% |
| Equipment / Machinery Design _____% | Master Planning..... _____% | Testing/Inspection of pipelines, storage tanks or structural steel.. _____% |
| Expert Witness / Forensic..... _____% | Permitting..... _____% | Other (describe): _____ |
| Foundation/Retaining Wall Design _____% | Product Design / Testing _____% | _____ % |
| Land Use Planning..... _____% | Sustainable Architecture _____% | _____ % |
4. Provide the approximate percentage of the Scope of Services performed by the Applicant (TO EQUAL 100%)
- | | |
|---|---|
| Design with Construction Observation/Administration..... _____% | Feasibility Studies/Reports..... _____% |
| Design without Construction Observation/Administration _____% | Inspection/Certification..... _____% |
| Construction Observation/Administration without Design _____% | Consulting Not Resulting in Construction _____% |
| TOTAL 100% | |
5. Provide the approximate percentage of each of the following Project Delivery Methods (TO EQUAL 100%)
- | |
|--|
| Design-Bid-Build (traditional) (Includes design only services)..... _____% |
| Design-Build (with construction / installation performed by the Applicant)..... _____% * |
| Design-Build (with construction / installation subcontracted by the Applicant)..... _____% * |
| Agency Construction Management..... _____% ** |
| At-Risk Construction Management _____% ** |
| Consulting and activities that do not result in Design or Construction..... _____% |
| TOTAL 100% |
- * If the applicant uses the Design-Build project delivery method, complete section I. of the Supplement for Construction Related Services (MAAE 6001).
 ** If the applicant performs Construction Management, complete section II. of the Supplement for Construction Related Services (MAAE 6001).

IV. PROJECTS AND CLIENTS

1. Provide the approximate percentage of work performed during the last two years for each of the following project sizes based on the project's total Construction Value: Less than \$1,000,000 _____%
 \$1,000,000 - \$25,000,000 _____% \$25,000,000 - \$100,000,000 _____% More than \$100,000,000 _____%
2. Based on the total Construction Values, provide the approximate percentage of work during the last two years for each of the following based on the contractual timeframe for completion of projects:
 < 1 year _____%; 1 year to 3 years _____%; > 3 years _____%
3. (a) Based on total Construction Values, provide the percentage of work in each of the three largest states:
 State _____ % State _____ % State _____ %
- (b) Does the Applicant work on any projects outside of the United States? [] Yes [] No
 If Yes, provide largest projects: name, location, construction value and the Gross Annual Fees for each project:
- | | |
|--|-------------------|
| 1) _____ | Gross Annual Fees |
| 2) _____ | \$ _____ |
| 3) _____ | \$ _____ |
| Gross Annual Fees for all remaining foreign projects (inclusive) | \$ _____ |
4. Does the Applicant Specialize in specific types of projects? [] Yes [] No
 If Yes, provide details. _____

(b) Provide the following information for each of the three largest CURRENT projects:

Project Name	Location	Construction Value	Date Design Began	Scheduled Completion Date

V. BUSINESS PRACTICES AND RISK MANAGEMENT

1. Has the Applicant ever entered into, or do they anticipate entering into, any joint venture contracts?..... Yes No
 Note: The Policy Excludes Coverage Arising Out Of Joint Ventures. If coverage is to be requested, complete the Joint Venture Supplement (MAAE 6005).
2. Has the Applicant ever provided, or does the Applicant expect to provide, any professional services on any project in which the Applicant or any employee of the Applicant, or in which any related entity of the Applicant through related ownership had, has or will have any ownership interest? Yes No
 If Yes, complete the Equity Interest Supplement (MAAE 6006).
3. Does the Applicant:
 - (a) Employ a full time office administrator or business manager? Yes No
 - (b) Have a program of continuing education for all employees?..... Yes No
 - (c) Use Association approved standard contracts for at least 75% of its work? Yes No
 - (d) Have all contracts for each new project reviewed by legal counsel? Yes No
 - (e) When possible, include limitation of liability clauses in contracts? Yes No
 - (f) Obtain subrogation waivers? Yes No
 - (g) Have at least 75% of its projects in the last three years:
 - (i) been with repeat clients? Yes No
 - (ii) been with repeat consultants and contractors? Yes No
 - (h) Avoid providing warranties or guaranties of the success and/or certification of any project? Yes No
 - (i) Pre-qualify the financial viability of all clients, consultants and subcontractors?..... Yes No
 - (j) Have written:
 - (i) Risk Management procedures in place? Yes No
 - (ii) In-house quality control procedures in place? Yes No
 - (iii) Change order procedures?..... Yes No
 - (iv) Screening / pre-qualification procedures in place for clients, consultants, and contractors? Yes No
 - (v) Green Design and Sustainability quality control procedures?..... Yes No
 - (vi) BIM (Building Information Modeling) quality control procedures and guidelines?..... Yes No

VI. INSURANCE AND CLAIMS HISTORY

1. (a) Limits of Liability - Indicate from the following options:
 \$300,000/\$300,000 \$500,000/\$500,000 \$1,000,000/\$1,000,000 \$2,000,000/\$2,000,000
 \$500,000/\$1,000,000 \$1,000,000/\$2,000,000 \$3,000,000/\$3,000,000 \$5,000,000/\$5,000,000
- (b) Deductible - Indicate from the following options:
 \$5,000 \$10,000 \$25,000 \$50,000 other _____

THE COMPANY DOES NOT GUARANTEE TO OFFER ANY OF THE ABOVE LIMITS AND/OR DEDUCTIBLES.

2. List current and prior Architects and Engineers Professional Liability Insurance for each of the last five years:
 If NONE, check here

Insurance Company	Limits of Liability	Deductible	Premium	Inception/ Expiration Dates (MM/DD/YYYY)	Retroactive/ Prior Acts Date

3. List current (in force) Project Insurance policies, if any, with the name and address of the project(s):

Project Name	Project Address	Insurance Company	Limits of Liability	Policy Term
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NOTE: SEPARATELY INSURED PROJECTS WOULD BE EXCLUDED FROM COVERAGE.

4. Provide details of the Applicant's current General Liability Insurance and Umbrella Insurance:
If NONE, check here []

	Insurance Company	Limits of Liability	Inception/ Expiration Dates (MM/DD/YYYY)
General Liability Insurance	_____	_____	_____
Umbrella Insurance	_____	_____	_____

5. Has any insurer declined, canceled, or non-renewed any Architects and Engineers Professional Liability Insurance or any similar insurance on behalf of any person(s) or entity(ies) proposed for this insurance? (Missouri Applicants need not reply.) [] Yes [] No
If Yes, provide details. _____

6. Has the Applicant or any of its employees ever been the subject of disciplinary action by any authority as a result of their professional activities? [] Yes [] No
If Yes, provide details. _____

7. Has/have any suit(s) for collection of fees been filed by the Applicant against any client or any other party during the last two years?..... [] Yes [] No
If Yes, how many collection suits has the Applicant filed in the last 2 years? _____

8. Have any of the Applicant's projects during the last five years:

- (a) Been abandoned or stopped prior to completion of either design, or construction/installation? [] Yes [] No
 - (b) Been foreclosed, or has a client, contractor or consultant gone into bankruptcy or receivership?..... [] Yes [] No
 - (c) Been involved in any litigation or arbitration proceedings? [] Yes [] No
 - (d) Been subject to any unresolved compensation dispute between the Applicant and any party? [] Yes [] No
 - (e) Been subject to a regulatory, building code, or certification dispute by any municipality or any other party? [] Yes [] No
 - (f) Been subject to any dispute over proprietary design plans or other intellectual property issues? [] Yes [] No
 - (g) Had any party to a contract threaten to make a claim or demand based on actual or alleged cost overruns, excessive costs, delays, or any failure to meet the contract's price or time frame? ... [] Yes [] No
 - (h) Had a death or permanent disability occur during construction or installation? [] Yes [] No
 - (i) Have a General Liability Insurance claim reserved for or that was paid for at least \$500,000?..... [] Yes [] No
 - (j) Resulted in the Applicant filing a claim or suit (other than for fees) against any client? [] Yes [] No
 - (k) Been damaged in any way, or delayed in completion, due to a windstorm, hurricane, flood or any other kind of weather related event? [] Yes [] No
 - (l) Been damaged in any way, or delayed in completion, due to an earthquake, earth subsidence, building or wall collapse, or any other kind of geologic or seismic event? [] Yes [] No
 - (m) Been damaged in any way, or delayed in completion, due to non-conforming or deficient building materials? [] Yes [] No
- If Yes to any of the above, provide details including the current status of the project and contract.

9. Has (have) any Professional Liability claim(s) been made against the Applicant or any person or entity? .. [] Yes [] No
If Yes, provide details in Part VII. of the application and attach currently valued loss runs from the current insurer and any prior insurers.

10. Is (are) any person(s) or entity(ies) proposed for this insurance aware of any fact, circumstance or situation that might provide grounds for any claim under the proposed insurance? [] Yes [] No
If Yes, provide details in Part VII. of the application.

VII. CLAIMS DETAILS

If Yes to Question 9. or 10. in Part VI., provide details below for each claim, fact, circumstance or situation. If more space is needed, attach additional pages.

1. Date Claim Made: _____ Date of Alleged Error: _____
Current Status/Date settled: _____ Claim, Suit or Incident: _____
Name and Location of Project: _____
Claimant(s)/Plaintiff(s): _____
Additional Defendant(s) (if any): _____
Nature of Claim and Allegations: _____

Date Reported to Insurance Company and Name of Insurance Company: _____

Amount Reserved (Loss/ Expense): \$ _____ / \$ _____ Amount Paid (Loss/Expense): \$ _____ / \$ _____

2. Date Claim Made: _____ Date of Alleged Error: _____
Current Status/Date settled: _____ Claim, Suit or Incident: _____
Name and Location of Project: _____
Claimant(s)/Plaintiff(s): _____
Additional Defendant(s) (if any): _____
Nature of Claim and Allegations: _____

Date Reported to Insurance Company and Name of Insurance Company: _____

Amount Reserved (Loss/ Expense): \$ _____ / \$ _____ Amount Paid (Loss/Expense): \$ _____ / \$ _____

3. Date Claim Made: _____ Date of Alleged Error: _____
Current Status/Date settled: _____ Claim, Suit or Incident: _____
Name and Location of Project: _____
Claimant(s)/Plaintiff(s): _____
Additional Defendant(s) (if any): _____
Nature of Claim and Allegations: _____

Date Reported to Insurance Company and Name of Insurance Company: _____

Amount Reserved (Loss/ Expense): \$ _____ / \$ _____ Amount Paid (Loss/Expense): \$ _____ / \$ _____

NOTICE TO THE APPLICANT - PLEASE READ CAREFULLY

No fact, circumstance or situation indicating the probability of a "Claim" or action for which coverage may be afforded by the proposed insurance is now known by any person(s) or organization(s) proposed for this insurance other than that which is disclosed in this application. It is agreed by all concerned that if there is knowledge of any such fact, circumstance or situation, any "Claim" subsequently emanating therefrom shall be excluded from coverage under the proposed insurance.

For the purpose of this application, the undersigned authorized agent of the person(s) and organization(s) proposed for this insurance declares that to the best of his/her knowledge and belief, after reasonable inquiry, the statements in this application and in any attachments, are true and complete. The underwriting manager, Company and/or affiliates thereof are authorized to make any inquiry in connection with this application. Signing this application does not bind the Company to provide or the Applicant to purchase the insurance.

This application, information submitted with this application and all previous applications and material changes thereto of which the underwriting manager, Company and/or affiliates thereof receives notice is on file with the underwriting manager, Company and/or affiliates thereof and is considered physically attached to and part of the policy if issued. The underwriting manager, Company and/or affiliates thereof will have relied upon this application and all such attachments in issuing the policy.

If the information in this application and any attachment materially changes between the date this application is signed and the effective date of the policy, the Applicant will promptly notify the underwriting manager, Company and/or affiliates thereof, who may modify or withdraw any outstanding quotation or agreement to bind coverage.

The undersigned declares that the person(s) and organization(s) proposed for this insurance understand that:

- (i) the policy for which this application is made applies only to "Claims" first made during the "Policy Period" or the Automatic Extended Reporting period unless the Optional Extended Reporting Period is exercised. If the Optional Extended Reporting Period is exercised, the policy shall also apply to "Claims" first made during the Optional Extended Reporting Period;
- (ii) unless amended by endorsement, the limits of liability contained in the policy shall be reduced, and may be completely exhausted by "Claim Expenses" and, in such event, the Company will not be liable for "Claim Expenses" or the amount of any judgment or settlement to the extent that such costs exceed the limits of liability in the policy; and
- (iii) unless amended by endorsement, "Claim Expenses" shall be applied against the "Deductible".

For the purpose of this application, the undersigned authorized agent of the person(s) and entity(ies) proposed for this insurance declares that to the best of his/her knowledge and belief, after reasonable inquiry, the statements in this application and in any attachments, are true and complete. The Company or its underwriting manager, on behalf of the Company, is authorized to make any inquiry in connection with this application. Signing this application does not bind the Company to provide or the Applicant to purchase the insurance.

Note: This application is signed by undersigned authorized agent of the Applicant(s) on behalf of the Applicant(s) and its, owners, partners, directors, officers and employees

Must be signed by the owner, principal, partner, executive officer or equivalent (within 60 days of the proposed effective date).

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 also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

Name of Applicant

Title

Signature of Applicant

Date



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SUPPLEMENT FOR CONSTRUCTION RELATED SERVICES

All questions MUST be completed in full.

If space is insufficient to answer any question fully, attach a separate sheet.

Full name of Applicant: _____

I. DESIGN-BUILD (To be completed if the Applicant uses the Design-Build project delivery method.)

1. For how many years has the Applicant provided design-build as a project delivery method? _____
2. Does any organization that is affiliated through common ownership (Affiliated Organization) provide design-build as a project delivery method? [] Yes [] No
If Yes,
(a) List the name(s) and address(es) of any such Affiliated Organization. _____

(b) Provide the design/engineering services that are provided by such Affiliated Organization. _____

3. On how many completed projects has the Applicant and/or any Affiliated Organization provided design-build as a project delivery method in each of the last two years? Current Year _____ Last Year _____
4. What percentage of design-build projects undertaken by the Applicant and/or any Affiliated Organization involve subcontracting all construction or installation? _____%
5. Complete the following for all projects that the Applicant and/or any Affiliated Organization provided design and/or construction services to during the last two years:

	<u>Year</u>	<u>Total Construction Value</u>	<u>Total Project Design Fees</u>
Design and Construction	_____	\$ _____	\$ _____
	_____	\$ _____	\$ _____
Design Only/No Construction	_____	\$ _____	\$ _____
	_____	\$ _____	\$ _____
Construction Only/No Design	_____	\$ _____	
	_____	\$ _____	

6. Has the Applicant and/or any Affiliated Organization been a party to any claim or suit alleging faulty or defective workmanship or construction defects on any of its design-build projects? [] Yes [] No
If Yes, provide details. _____

7. Has the Applicant and/or any Affiliated Organization or any subcontractor:
 - (a) Defaulted on or failed to complete a design-build contract? [] Yes [] No
 - (b) Had any liquidated damages assessed against them? [] Yes [] No
 If Yes to (a) or (b) above, provide details. _____

8. Does the Applicant and/or any Affiliated Organization undertake design-build projects on a "Fast-Track" basis? [] Yes [] No
 If Yes,
 (a) What percentage in the last two years? _____ %
 (b) What percentage of such projects has been completed on schedule and within budget? _____ %
9. Has the Applicant signed any contract to complete a project within a Guaranteed Maximum Price (GMP)? [] Yes [] No
 If Yes,
 (a) Have any of the Applicant's completed GMP projects not been completed within the guaranteed maximum price? [] Yes [] No
 (b) Is the Applicant aware of any GMP projects that may not be completed within the guaranteed maximum price? [] Yes [] No
 If Yes to (a) or (b) above, provide details. _____
-
10. (a) Does the Applicant obtain all necessary surety bonds for each of its design-build projects? [] Yes [] No
 If Yes, provide the name of the surety company that is primarily used to provide such surety bonds. _____
- (b) What is the average contact bond amount? \$ _____
11. Has any surety company ever declined to provide the Applicant a surety bond? [] Yes [] No
 If Yes, provide details. _____
-
12. Does the Applicant have an established line of credit with a financial institution? [] Yes [] No
 If Yes, provide the dollar amount of the line of credit and the name of the financial institution. \$ _____
-

II. CONSTRUCTION MANAGEMENT (To be completed if the Applicant provides Construction Management.)

1. Does the Applicant provide construction management, other than construction administration/observation in conjunction with the Applicant's own design, as a project owner's representative under a specific agreement (e.g. AIA-CM Series)? [] Yes [] No
 If Yes, complete Questions 2. – 5. below.
2. What percentage of the Applicant's construction management services involve:
 (a) **"Agency" Construction Management** – fee based services with responsibility to the owner to act in the owner's interest at every project stage? %
 (b) **"At-Risk" Construction Management** – a project delivery method that commits to deliver a project within a Guaranteed Maximum Price (GMP)? %
- If the Applicant's Construction Management Services involve "At-Risk" Construction Management:
 (i) Have any of the Applicant's completed GMP projects not been completed within the guaranteed maximum price? [] Yes [] No
 (ii) Is the Applicant aware of any GMP projects that may not be completed within the guaranteed maximum price? [] Yes [] No
 If Yes to (a) or (b) above, provide details. _____
-

3. Does the Applicant and/or any Affiliated Organization provide construction management on "Fast-Track" projects? [] Yes [] No
 If Yes,
 (a) What percentage in the last two years? _____%
 (b) What percentage of such projects have been completed on schedule and within budget? _____%
4. During the last two years, has the Applicant performed construction management on any projects where they also entered into a design-build contract?..... [] Yes [] No
 If Yes, what percentage of their contracts? _____%
5. Is the Applicant a member of the Construction Management Association of America (CMAA)? [] Yes [] No

Signing this Supplement does not bind the Company to provide or the Applicant to purchase the insurance.

It is understood that information submitted herein becomes a part of our application for insurance and is subject to the same declarations, representations and conditions.

Must be signed by owner, principal, partner, executive officer or equivalent within 60 days of the proposed effective date.

 Name of Applicant

 Title

 Signature of Applicant

 Date

Notice to District of Columbia 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 containing any false, incomplete, or misleading information is guilty of a felony of the third degree.

Notice to Maine 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 may include imprisonment, fines, or denial of insurance benefits.

Notice to New Hampshire 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 the person to criminal and civil penalties.

Notice to Vermont Applicants: Any person who knowingly presents a false statement in an application for insurance may be guilty of a criminal offense and subject to penalties under state law.