

Accountants Professional Liability Insurance Application for:



AMBA is an agency that understands the risk management needs of accountants. Partnering with Berkley Select, we offer customized solutions for members of the Kentucky Society of Certified Public Accountants.

**Please submit this application including
appropriate documentation to:**

Association Member Benefits Advisors, LLC
P: 855.429.8834 | F: 212-948-5442 | plsales.service@mercer.com



Berkley Select is a member company of the W.R. Berkley Corporation
and operates as an Underwriting Manager for:

Carolina Casualty Insurance Company

Accountants Professional Liability Insurance

CLAIMS MADE WARNING FOR APPLICATION

THIS PROPOSAL FORM IS FOR A CLAIMS MADE AND REPORTED POLICY, RELATING TO CLAIMS MADE AGAINST THE INSURED DURING THE POLICY PERIOD OR ANY EXTENDED REPORTING PERIOD THAT MAY APPLY.

Whenever printed in this Proposal Form, the terms in boldface type shall have the same meanings as indicated in the Policy. This Proposal Form is to be completed with respect to the entire Applicant Firm.

Name of Applicant Firm

Street Address

Suite

City

County

State

Zip Code

Website Address (if applicable)

Federal Employer Identification Number (FEIN)

The person designated as agent of the Applicant Firm and of all **Insureds** to receive any and all notices from the **Insurer** or their authorized representatives concerning this insurance:

Contact Name

Title

E-mail Address

Telephone Number

Fax Number

Producer Information

Submitted by (Agency Name)

Dated

Agent's Name (Individual's Name)

Agent's License Number

Coverage Requested (Indicate all options desired)

Limits of Liability Desired (Each Claim and Annual Aggregate):

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> \$100,000 / \$100,000 | <input type="checkbox"/> \$100,000 / \$200,000 | <input type="checkbox"/> \$100,000 / \$300,000 | <input type="checkbox"/> \$250,000 / \$250,000 |
| <input type="checkbox"/> \$250,000 / \$500,000 | <input type="checkbox"/> \$500,000 / \$500,000 | <input type="checkbox"/> \$500,000 / \$1,000,000 | <input type="checkbox"/> \$1,000,000 / \$1,000,000 |
| <input type="checkbox"/> \$1,000,000 / \$2,000,000 | <input type="checkbox"/> Other: \$ _____ | | |

Deductible Desired (Each Claim):

- | | | | |
|-----------------------------------|-----------------------------------|-----------------------------------|--|
| <input type="checkbox"/> \$0 | <input type="checkbox"/> \$1,000 | <input type="checkbox"/> \$2,500 | <input type="checkbox"/> \$5,000 |
| <input type="checkbox"/> \$10,000 | <input type="checkbox"/> \$15,000 | <input type="checkbox"/> \$20,000 | <input type="checkbox"/> Other: \$ _____ |

First Dollar Claim Expense (Damages Only) Deductible:

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

Claims Expense:

- | | | |
|---|--|---|
| <input type="checkbox"/> Inside the Limit | <input type="checkbox"/> Outside the Limit | <input type="checkbox"/> Both Options Desired |
|---|--|---|

Current Insurance Information (Provide details to all "Yes" answers)

- List the professional liability insurance purchased by the Applicant Firm for each of the past year. If "None", so state.

<u>Insurance Carrier</u>	<u>Inception Date</u>	<u>Expiration Date</u>	<u>Limit of Liability</u>	<u>Deductible</u>	<u>Premium</u>
			\$	\$	\$
- Within the last 3 years, has the Applicant Firm, or any predecessor in business, ever had an insurer decline, cancel, refuse to renew, rescind, or accept only on special terms, any professional liability insurance policy? (NOT APPLICABLE IN MISSOURI) If "Yes", provide full details.

_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
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- Does the Applicant Firm's current or most recently expired professional liability insurance policy contain a retroactive date? If "Yes", indicate the date (Mo/Day/Yr):

_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
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General Information (Provide details to all "Yes" answers by attachment, when appropriate)

4. Form of Applicant Firm: Corporation Partnership Professional Corporation
 Limited Liability Corporation Professional Association Sole Proprietorship / Individual
 Limited Liability Partnership Other: _____
5. The Applicant Firm has been in continuous operation since: _____
6. (a) Does the Applicant Firm share office space with any other entity / person? Yes No
 (b) If "Yes", does the Applicant Firm keep separate files, employ separate staff and present itself as an independent practice to the public? Yes No
7. Within the last 3 years, has the Applicant Firm merged with or acquired, the business of any individual or entity? Yes No
8. Does the Applicant Firm have any affiliates and/or subsidiaries? Yes No
9. Indicate which professional association(s) the Applicant Firm or at least one member of the Application Firm is an active member of. If "None", so state. None
- AICPA State CPA Society National Society of Accountants
 National Association of Tax Professionals National Association of Enrolled Agents American Taxation Association
 American Payroll Association American Institute of Professional Bookkeepers

Current Staffing Information

10. Indicate the total number of personnel for the Applicant Firm by Full Time and Part Time (<1,250 hours). FT PT
- (a) Total number of Professional Staff, including owners, partners, officers, employed by the Applicant Firm. _____
- (b) Total number of Additional Staff, including all administrative and/or support staff for the Applicant Firm. _____

Nature of Practice Information

11. Indicate the Gross Annual Revenue for the Applicant Firm.
- | | <u>Prior Fiscal Year</u> | <u>Current Fiscal Year (estimated)</u> | <u>Projected Next Fiscal Year</u> |
|-------|--------------------------|--|-----------------------------------|
| \$ | \$ | \$ | \$ |
| _____ | | | |
12. Indicate the percentage of Gross Annual Revenue for the Prior Fiscal Year derived from the following areas of practice:
- | <u>Area of Practice</u> | <u>%</u> | <u>Area of Practice</u> | <u>%</u> |
|--|----------|--|-------------|
| Business Tax Services | _____ % | Litigation Support Services | _____ % |
| Estate Tax Services | _____ % | Business / Personal Management Services | _____ % |
| Individual Tax Services | _____ % | *Fiduciary Services: Trust Related | _____ % |
| Bookkeeping and Write-Up Services | _____ % | *Fiduciary Services: Non-Trust Related | _____ % |
| Payroll Accounting Services | _____ % | *Fiduciary Services: Employee Benefit Plan | _____ % |
| Audit / Review Services: Public Clients | _____ % | *Information Technology Services | _____ % |
| Audit Services: Non Public Clients (1) | _____ % | *Assurance Services | _____ % |
| Review Services: Non Public Clients | _____ % | Securities (Other than Audit) Services | _____ % |
| Compilation Services: Non Public Clients | _____ % | Other: _____ | _____ % |
| Projection and Forecast Services | _____ % | Other: _____ | _____ % |
| Business Valuation Services | _____ % | *Describe below. | TOTAL: 100% |

Complete the following Supplemental Form(s), as indicated above: (1) Non Public Client Audit Services (APL 28735)

- *Fiduciary Services: _____
 *Information Technology Services: _____
 *Assurance Services: _____

13. Within the last 5 years, have Audit or Business / Personal Management Services exceeded 30 percent of revenues? Yes No
14. Is the Applicant Firm, if required, properly licensed and in good standing for the state(s) in which it operates? Yes No
15. Within the last 5 years, has the Applicant Firm, any **Predecessor Firm**, or any member of the Applicant Firm:
- (a) performed services, other than tax, for a client that is contemplating or has declared or filed bankruptcy, defaulted on a debt obligation, or become insolvent? Yes No
- (b) performed services or consented to the use of the Applicant Firm's work product, in connection with public or private offerings of securities, real estate, or other investments? Yes No
- (c) exercised any discretionary control over client funds, other than as an executor or trustee? Yes No
- (d) participated in the management of any investment partnership, limited partnership, tax shelter or other investment ventures? Yes No
- (e) participated with clients in any investment or business? Yes No

16. (a) Does the Applicant Firm have a policy against suing for fees? Yes No
 (b) Does the Applicant Firm refer all collection matters concerning outstanding fees to an independent Collection Agency? Yes No
 (c) During the last 3 years, has the Applicant Firm, or any **Predecessor Firm** been involved in any disputes with respect to fees or other compensation, which may be due for professional services rendered? Yes No

General Practices and Procedures (Provide details to all "No" answers by attachment)

17. Indicate what loss prevention tools the Applicant Firm requires members to use.
 Engagement Letters are updated: Annually for all Engagements Annually for Audit, Review and Compilation Engagements
 Engagement Letters are not used As Engagement Changes Not Updated (Evergreen)
 Other: _____
18. Does the Applicant Firm have a written policy on Continuing Professional Education (CPE) training, including required courses and CPE hours per year? Yes No
19. Number of professionals (and documentation) who have attended an AICPA or other similar quality loss control seminar / self-study course in the last 3 years. _____
20. If the Applicant Firm is a sole practitioner, have arrangements been made for another CPA to perform a cold review and handle client deadlines in the event of an extended absence? N/A Yes No
21. Within the last 3 years, has a peer or on-site quality review under the sponsorship of the AICPA, any state CPA Society, or any other professional association or organization, been conducted? Yes No
 (a) If "Yes", indicate the opinion rendered: Unqualified / Unmodified Qualified / Modified* Adverse*
 *If Qualified / Modified or Adverse, provide a copy of the Peer Review Report as well as the Letter of Comments and the Applicant Firm's Letter of Response for this review and the Applicant Firm's prior peer or on-site quality review.
 (b) If "No", and the Applicant Firm provides compilation, review and/or audit services, indicate the anticipated date of review. _____

Litigation and Claim Information

22. Has the Applicant Firm, any **Predecessor Firm**, or any member of the Applicant Firm:
 (a) ever had his/her certificate, license, or permit to practice suspended or revoked? Yes No
 (b) ever been subjected to an investigation or disciplinary action by any state board of accountancy, State Society, the AICPA or any other state or federal regulators? Yes No
 If "Yes", provide full details. _____

23. During the last 5 years, has any professional liability claim or suit been made against the Applicant Firm, any **Predecessor Firm**, or partner, stockholder or professional staff person? Yes No
24. Is the Applicant Firm or any partner, stockholder or professional staff person in the Applicant Firm aware of any fact, circumstance, or situation that might reasonably be expected to result in any professional liability claim or suit against the Applicant Firm, any **Predecessor Firm**, or partner, stockholder or professional staff person in the Applicant Firm? Yes No

IF "YES" TO QUESTIONS 23. OR 24., PROVIDE FULL DETAILS ON THE CLAIM / INCIDENT SUPPLEMENTAL FORM (APL 28610). IT IS UNDERSTOOD AND AGREED THAT THE INSURER SHALL NOT BE LIABLE TO MAKE ANY PAYMENT FOR LOSS IN CONNECTION WITH ANY CLAIM MADE AGAINST ANY INSURED BASED UPON, ARISING OUT OF, DIRECTLY OR INDIRECTLY RESULTING FROM OR IN CONSEQUENCE OF, OR IN ANY WAY INVOLVING ANY LAWSUIT, ADMINISTRATIVE PROCEEDING, WRITTEN DEMAND, FACT, CIRCUMSTANCE, OR SITUATION SET FORTH OR THAT SHOULD HAVE BEEN SET FORTH IN THE INSURED'S RESPONSE TO QUESTIONS 22., 23., OR 24.

Documents Required (The following information must be submitted with the completed Proposal Form).

- Provide details to all "Yes" answers, when applicable below, or by attachment when additional space is required.
- Completed Supplemental Forms, where appropriate.

Provide Additional Information here

Please Read Carefully

The undersigned, acting on behalf of all **Insureds**, declare that the statements set forth herein are true and correct and that thorough efforts have been made to obtain sufficient information from each and every **Insured** proposed for this insurance to facilitate the proper and accurate completion of this Proposal Form.

The undersigned agree that the particulars and statements contained in the Proposal Form and any material submitted herewith are their representations and that they are material and are the basis of the insurance contract. The undersigned further agree that the Proposal Form and any material submitted herewith shall be considered attached to and a part of the Policy. Any material submitted with the Proposal Form shall be maintained on file (either electronically or paper) with the **Insurer** and shall be deemed to be attached hereto as if physically attached.

It is further agreed that:

- if any significant change in the condition of the applicant is discovered between the date of this Proposal Form and the Policy inception date, which would render this Proposal Form inaccurate or incomplete, notice of such change will be reported in writing to the **Insurer** immediately;
- any Policy, if issued, will be in reliance upon the truth of such representations;
- this Proposal Form has been completed as respects the entire Applicant Firm;
- the signing of this Proposal Form does not bind the undersigned to purchase the insurance.

Dated

Signature of Owner, Partner, Officer or Principal

Title

Owner, Partner, Officer or Principal (Print Name)

This Carolina Casualty Insurance Company Proposal Form, including any material submitted herewith, shall be held in strictest confidence.

A POLICY CANNOT BE ISSUED UNLESS THE PROPOSAL FORM IS PROPERLY SIGNED AND DATED.

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 NEW MEXICO, 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 APPLICANTS OF KENTUCKY: 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 APPLICANTS OF OKLAHOMA: ANY PERSON WHO KNOWINGLY, AND WITH INTENT TO INJURE, DEFRAUDS OR DECEIVES ANY INSURER OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM FOR THE PROCEEDS OF AN INSURANCE POLICY CONTAINING ANY FALSE, INCOMPLETE, OR MISLEADING INFORMATION OR CONCEALS FOR THE PURPOSE OF MISLEADING INFORMATION CONCERNING ANY FACT MATERIAL THERETO, IS GUILTY OF A FELONY AND IS SUBJECT TO CRIMINAL AND CIVIL PENALTIES.

NOTICE TO MAINE, MASSACHUSETTS, TENNESSEE, VIRGINIA, AND WASHINGTON 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 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 APPLICANTS OF FLORIDA: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER 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 ALABAMA, ARKANSAS, DISTRICT OF COLUMBIA, LOUISIANA, AND RHODE ISLAND 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 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.

NOTICE TO MARYLAND APPLICANTS: ANY PERSON WHO KNOWINGLY OR WILLFULLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR WHO KNOWINGLY OR WILLFULLY 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 OREGON 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 MAY BE COMMITTING A FRAUDULENT INSURANCE ACT, WHICH MAY BE A CRIME AND MAY SUBJECT THE PERSON TO PENALTIES.

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 KANSAS APPLICANTS: ANY PERSON WHO, KNOWINGLY AND WITH INTENT TO DEFRAUD, PRESENTS, CAUSES TO BE PRESENTED OR PREPARES WITH KNOWLEDGE OR BELIEF THAT IT WILL BE PRESENTED TO OR BY AN INSURER, PURPORTED INSURER, BROKER OR ANY AGENT THEREOF, ANY WRITTEN, ELECTRONIC, ELECTRONIC IMPULSE, FACSIMILE, MAGNETIC, ORAL, OR TELEPHONIC COMMUNICATION OR STATEMENT AS PART OF, OR IN SUPPORT OF, AN APPLICATION FOR THE ISSUANCE OF, OR THE RATING OF AN INSURANCE POLICY FOR PERSONAL OR COMMERCIAL INSURANCE, OR A CLAIM FOR PAYMENT OR OTHER BENEFIT PURSUANT TO AN INSURANCE POLICY FOR COMMERCIAL OR PERSONAL INSURANCE WHICH SUCH PERSON KNOWS TO CONTAIN MATERIALLY FALSE INFORMATION CONCERNING ANY FACT MATERIAL THERETO; OR CONCEALS, FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT AND MAY BE SUBJECT TO CRIMINAL AND/OR CIVIL FINES OR 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.