

# Insurance solutions for commercial lenders





It is a loan officer's biggest fear: A borrower defaults on a commercial real estate-backed loan and the collateral property is environmentally impaired.

Costs to the lender can escalate quickly. It loses the unpaid loan amount, plus interest and fees. After foreclosure, the lender also faces the cost of cleaning up the contaminated property and possibly third-party bodily injury and property damage claims arising from the location.

This scenario is not unusual, even when a lender does everything right. A lender may adhere to stringent loan underwriting guidelines and conduct Phase I environmental site assessments to identify any possibilities of environmental risk. It may also develop environmental policies and procedures in an attempt to manage environmental risk. It could also require financial collateral, including indemnities or escrows from the borrower, to manage further the potential environmental exposure.

Too often, hindsight shows that all of these risk management methods only added time and expense to the loan approval process. The lender still lacked the risk management tool it most urgently needed: sound environmental risk transfer protection.

### Building on experience

Zurich is dedicated to helping mid-size and large lenders and their insurance brokers address specialized and complex environmental risks. A decade ago we worked shoulder-to-shoulder with lenders to craft a risk transfer solution that decisively addresses the environmental exposure associated with commercial real estate-backed loans – plus easing and speeding up loan processing. The result is Lender Environmental Protection, a policy that responds to the wish list we heard from lenders nationwide.

Lender Environmental Protection enables lenders to:

- Shield assets by protecting collateral and insuring environmental liability arising from collateral properties

- Expedite loan processing and reduce costs by minimizing or eliminating traditional environmental due diligence processes
- Better manage cash flow in the event of a claim

As pioneers in creating this insurance, Zurich has been a strong, consistent market leader. We have helped our customers lower loan-processing fees, accelerate loan turnarounds, protect their assets – and gain a clear competitive advantage, year after year. In a turbulent marketplace Zurich has maintained its position as a market leader.

Because we have a deep understanding of our customers' environmental exposure, we also anticipate emerging issues and changing market needs – and regularly enhance lender environmental protection to address them. Our insight led us to offer lender environmental protection on a stand-alone and portfolio basis. It enables us to offer industry-leading program terms and conditions.

Our knowledge of customer needs was also the catalyst to development of the Lender Environmental Automated Processing (LEAP) system, our proprietary application processing system for portfolio accounts that lets lenders process coverage applications online at rapid-fire pace.

### Coverage designed to fit your risk

Zurich's Lender Environmental Protection is designed expressly for enterprises that hold or invest in loans backed by commercial real estate. Typical customers include commercial

banks; lenders and loan originators; financial institutions and investors; life insurance companies; pension funds and mortgage bankers. The policy provides collateral value protection in the event of a loan default and a newly discovered pollution event at the covered location. When this occurs, the policy can pay out one of two ways:

- The insured receives the lesser of the outstanding loan balance and extra expenses or the estimated cleanup costs<sup>1</sup>.
- The insured receives the outstanding loan balance and extra expenses.

In either case, foreclosure is not required prior to making a claim. The policy also provides coverage for:

- First-party cleanup costs for claims made after the lender has foreclosed on a covered location
- Third-party bodily injury and property damage claims, including defense costs, caused by a pollution event during the policy period

## Additional policy highlights

Zurich's policy includes numerous attractive features, including:

- A broad definition of default, including both monetary and technical default
- Coverage on a single transaction or master portfolio basis
- Multi-year policies, up to the term to maturity of the insured loan
- A waiver of subrogation against borrower in possession
- Assignment of interest freely assigned to successor lien holder
- Fast, 24/7 online processing of coverage applications through the Lender Environmental Automated Processing (LEAP) system
- No minimum deductible is required.

Up to \$25 million. Higher limits may be available subject to underwriting considerations. Lender environmental protection is purchased by the borrower for the named insured lender.

## Commitment grounded in financial strength

The worst environmental damage occurs slowly, seeping into the ground or water over time, and may go undetected for decades. This type of unseen hazard is the reason businesses need the protection of an insurer that has the staying power to be there when a claim occurs. In the long run, an insurer's protection is only as good as its financial strength. Zurich's financial strength ensures long-term protection to meet the environmental insurance needs of our clients.

Few insurers can match Zurich's technical knowledge, financial strength and commitment to environmental liability on all fronts. It is the reason Zurich has been a leader in the market for more than 17 years.

## For more information, please contact:

### Debra Hausser

Assistant Vice President  
5445 DTC Parkway, Suite 1200  
Englewood, CO 80111  
303-224-4071  
debra.hausser@zurichna.com



For more  
information, please  
visit our Web site at  
[www.zurichna.com/environmental](http://www.zurichna.com/environmental)

<sup>1</sup>subject to a 50 percent threshold that provides the insured the option of an estimated cleanup cost or outstanding loan balance claim payment if the estimated cleanup costs are 50 percent or more of the outstanding loan balance

**Zurich**

One Liberty Plaza, New York, New York 10006  
866 860 7292 [www.zurichna.com](http://www.zurichna.com)

This is intended as a general description of certain types of insurance and services available to qualified customers through the companies of Zurich in North America. Your policy is the contract that specifically and fully describes your coverage. The description of the policy provisions gives a broad overview of coverages and does not revise or amend the policy.

Insurance coverages underwritten by member companies of Zurich in North America, including Zurich American Insurance Company. Certain coverages not available in all states. Some coverages may be written on a nonadmitted basis through surplus lines brokers.

©2009 Zurich American Insurance Company



*Because change happenz* <sup>SM</sup>