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Protect against the risks of horizontal exhaustion: Being an additional insured is no longer enough, New York Real Estate Journal

By Andrew L. Richards
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Property owners and developers engaged in construction must take every precaution to guard against liabilities from construction accidents. This is especially important in New York, where owners (and general contractors) can be held "strictly liable" for certain injuries under New York's Labor Law. Simply said, owners may be liable for injuries sustained by workers on their property even if that owner is not negligent. Given the heightened risk to owners, it is imperative that they take the steps identified below to protect themselves.

Owners typically procure primary and excess commercial general liability (CGL) coverage for themselves. CGL insurance protects against liabilities arising from bodily injuries and property damage. Merely procuring CGL coverage, however, is not enough. If an accident results in liabilities which exceed an owner's coverage limits, its personal assets may be at risk. Further, if an owner's insurer pays on a claim, it may affect future premiums.

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