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# Multifamily Selling and Servicing Guide

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### 503.03 Professional Liability Insurance

#### Requirements

If a Seniors Housing Property provides any level of healthcare, you must ensure the:

- Property has professional liability insurance covering
  - professional errors and omissions,
  - medical malpractice, and
  - all types of abuse; and
- coverage is at least
  - \$1 million per claim or per occurrence/\$2 million general aggregate limit, plus
  - excess/umbrella insurance as follows:

| If the number of licensed beds is... | The minimum excess/umbrella insurance coverage is... |
|--------------------------------------|--|
| 1 - 100                              | \$2 million  |
| 101 - 500                            | \$5 million  |
| 501 - 1,000                          | \$10 million   |
| Over 1,000                           | \$20 million   |

You must ensure:

- for a Property with Assisted Living beds, Independent Living beds are not counted when determining the minimum coverage limit;
- when general liability insurance and professional liability insurance coverages are combined under an excess/umbrella insurance policy, the coverage meets the higher minimum limit of the 2 underlying coverages; and
- the maximum deductible for professional liability insurance does not exceed the applicable maximum amount per [Part II, Chapter 5: Property and Liability Insurance, Section 503.02: Commercial General Liability Insurance](#).



## ➔ Guidance

If coverage is switched from a Claims-Made Policy to an Occurrence-Based Policy, consider adding retroactive or tail coverage to ensure past exposures remain protected.



## Glossary

### A

#### Assisted Living

Seniors Housing Property offering services limited to non-medical personal care, including ADL assistance, which are typically licensed and regulated by a state or local governmental authority.

#### **Synonyms**

- AL

### I

#### Independent Living

Seniors Housing providing limited programs of assistance for domestic activities (e.g. meals, housekeeping, activities, transportation, etc.), and typically resembles market rate units.

#### **Synonyms**

- IL

### P

#### Property

Multifamily residential real estate securing the Mortgage Loan, including the

- fee simple or Leasehold interest,
- Improvements, and
- personal property (per the Uniform Commercial Code).

#### **Synonyms**

- Properties
- Property's

### S



## Seniors Housing Property

Multifamily residential rental property with any combination of Independent Living, Assisted Living, Alzheimer's/Dementia Care, or Skilled Nursing units.

### **Synonyms**

- Seniors Housing
- Seniors Housing Properties