

I-WAYS MAGAZINE

IIAAWNY | JUNE 2018

Promoting the value of **independent insurance agents** in Western New York



PRESIDENT'S MESSAGE



Tamara Storch, ACSR, AINS
President IIAAWNY

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www.wnyagent.com/officers-directors/

Hard to believe how quickly time does fly! I hope all are taking time from their business schedules to enjoy some quality moments with family and friends! I was speaking with someone recently and said how with all the technology and advancements we have now, it seems we should have recouped more free time for ourselves to get things done, but in truth it feels like the opposite. I cannot remember the last time I just sat and enjoyed a book or just listened to the world around me. Yet I had that option before I had my cellphone - food for thought!

We would like to congratulate **Louis Atti of The Evans Insurance Agency** who was installed on May 10th as Chairman of the Big I NY Board. We wish him much success in his new role!

This year IIAAWNY was awarded the **Association of the Year for 2018**. Your local Association was recognized for our involvement in the community and with our members and affiliates for support through



our Trusted Choice/Safeco tv commercials, our State and National Legislative Advocacy, community support through our Project InVest including the Roger Gurney Memorial Golf Outing, Food Bank of WNY, ChangeMS, Keys to Progress and many more, CE courses to our members, and supporting our young professionals through NeXtGen. I would like to thank all of our Officers and Directors and their committees for the hard work they put in to make these events and programs happen. This is definitely a great Board to be a part of and together we make a huge difference! Thank you!!

We just don't stop! In April, Ashley Engl, Kathleen Rapasadi, Matt Saxe, and myself attended the National Legislative Conference in Washington DC and met with our State Congressmen Chris Collins and Brian Higgins. We had the opportunity to meet with Chris Collins personally - bonus! We also met with Senate staff members for Charles Schumer and Kirsten Gillibrand on the topics of Flood Insurance, Crop Insurance, Tax Reform, Insurance Regulatory Reform, Health Care, and Cybersecurity. Summary of the issues that were discussed can be found [here](#).

PRESIDENT'S MESSAGE

On May 17th at Bada Bings downtown we had CE Trivia night with NeXtGen and let me tell you we had a lot of fun at this. Very informal, had food and drinks, spent a couple of hours and received 1 hour of CE. For those who have busy schedules this is a great event to go to. Our team won and we will definitely be doing this event again so come see if you can beat us! Thank you, teammates: Sara Haak, Gina Rutecki, & Kate McDonnell - we rock! Go Deuces!

Buffalo I-Day this year was another great opportunity for all in the industry to come together. I really enjoy that day. Especially when I had the opportunity to welcome the students from Hamburg who attended this year through our Project InVest Program headed up by our Director Theresa Crisp of Walsh Duffield. The students were given the task of introducing themselves to insurance professionals and asking questions regarding the industry and their professions. The feedback we received was fantastic. The students truly enjoyed the opportunity. We would like to thank the Insurance Club of Buffalo and Philadelphia Insurance for providing the tickets for these students!



Speaking of Project InVest, our Roger Gurney Memorial Golf Outing is June 25th and we have only a few openings left for golfers. We still have plenty of openings for the dinner for those who rather come and enjoy the fun with our basket raffle. This outing has been very popular for our Project InVest program. See our website to register for either the golf or just for dinner. If you don't have a partner let me know I would be happy to golf with you! As always we can definitely use volunteers to help out in many different areas. If you cannot make it, provide those in your office with an opportunity to enjoy the day for the great effort they have continuously put forth in your business!

ANNOUNCEMENT COMING: You do not want to miss the exciting news we will be announcing at our Golf Outing so [get your tickets now](#) and be the first to hear!

We also have another [CE class on June 14](#) with Tim Dodge, who always provides us with great topics to learn about!

It is that time of year when we have nominees for upcoming Board Director openings, please view the nominees listed in this newsletter and watch for our agent voting.

Hoping to see you out at one of our functions! As always, our Board is here for you. Please let us know if we can assist you with any questions, concerns or if you have suggestions for Programs.

Thank you and have a great summer!

Tamara Storch, ACSR, AINS
President IIAAWNY

UPCOMING
CLASS



Insurance, I.T., and Innovation

THREE (3) CE ALL LICENSES-EXCEPT TITLE INS. AGTS

[Tim Dodge of Big I New York](#) will present many different topics that might very well impact the insurance industry in the near future. Some things you might be somewhat familiar with (text messaging, autonomous motor vehicles, 3D printing, Social Media and remote employment), but you've probably not thought of them in the same light that Tim will bring up. Then there will be some topics that if you haven't read about, you will in the near future (Insurtech, Nanotechnology, Blockchain, Internet of Things, website accessibility discrimination claims).

Changes are on the horizon, stay ahead of the curve with Tim's presentation. To top it all off, he's going to cover the things on the horizon for the NY Cybersecurity Regulation (you knew you weren't done, right?).

This is a fast-paced class that will generate a lot of discussion!

Date Thursday, June 14, 2018

Time 8 am registration and breakfast | class 8:30 am – 11:30 am

Place The Westin Buffalo, 250 Delaware Ave, Buffalo, NY 14202

Cost \$35 members; \$45 non members

[REGISTER HERE](#)

IIAAWNY Roger Gurney Memorial Golf Outing

June 25, 2018 | Crag Burn Golf Club

Schedule: 10:00 am Registration | 11:00 am Lunch | 12:00 pm Golf
Benefiting the IIAAWNY/InVest Roger Gurney Scholarship Fund



***All reservations are first come, first serve basis.
Don't delay – We can only accept 120 golfers!***

Full Day (golf, lunch, cocktails & dinner): \$180 per golfer

Cocktails & Dinner Only: \$60 per person

50/50 Raffle | Bloody Mary Bar | Live Music | Basket Raffle

Registration Deadlines: Golf: June 11, 2018 | Dinner only: June 18, 2018

Register Here:

<http://www.wnyagent.com/events/2018-roger-gurney-memorial-golf-outing/>

IIAAWNY

ROGER GURNEY MEMORIAL GOLF OUTING

SPONSORSHIP REQUEST FORM

June 25th, 2018
12:00 PM Shotgun
Crag Burn Golf Club

NOTE: All requests must be received by June 8th to be able to get your name in our brochure.

Act Fast! Sponsorships are assigned on a first come,

☐ **Diamond Sponsor: \$2,000**

- 4 Golfers (Golfing & Dinner)
- Full Page Program Ad
- Recognition at Dinner
- 2 Tickets to IIAAWNY Holiday Party in December
- An ad in the IIAAWNY newsletter
- Tee Sponsor
- Driving Range or Golf Cart Sponsor (*please circle one*)

☐ **Platinum Sponsor: \$1,000**

- 2 Golfers (Golfing & Dinner)
- Full Page Program Ad
- Recognition at Dinner or Reception or Score Card Sponsor
- 2 Tickets to IIAAWNY Holiday Party in December
- An ad in the IIAAWNY newsletter
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☐ **Gold Sponsor: \$500**

- 1/2 Page Program Ad
- Recognition at Dinner
- An ad in the IIAAWNY newsletter
- Tee Sponsor
- Par 3 Challenge OR Lunch/Program/Beverage Station Sponsor (*please circle one*)

☐ **Silver Sponsor: \$250**

- 1/4 Page Program Ad
- Recognition at Dinner
- Tee Sponsor

☐ **Bronze Sponsor: \$100**

- Name listed in Program
- Tee Sponsor

☐ **Stars: Prizes Needed for Golf Contests & Drawings**

- Name listed in Program
- Item(s) _____

NOTE: Diamond, Platinum and Gold sponsors are allowed to display signage or a banner in appropriate areas. Please send your text and logo for the program to IIAAWNY.

Company Name: _____

Contact Name: _____

Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

Email: _____

Return completed form along with check payable to: IIAAWNY @ PO Box 983, Orchard Park, NY 14127
For more information please contact: Jeanne Hellert, Executive Secretary @ 716-207-3886 or iaaawny@gmail.com

BOARD NOMINEES

Each year IIAAWNY must elect new Board Members as terms expire. We are excited to welcome the following individuals who have volunteered to hold a position on our Board for 2018-2019.

Patrick O'Donnell, Commercial Lines Account Executive, M&T Insurance Agency
Russell Rizzuto, Marketing Representative, Philadelphia Insurance Companies
Christopher Ryan, Senior Sales Representative, The Hartford

These individuals will represent the interests of IIAAWNY members very well.

When you see them, please welcome them to our Association and thank them for their dedication.

The board members that are leaving are: Mark O'Brien, Lawley Insurance and yours truly. I would like to personally thank Mark for his contributions and leadership.



Matthew Saxe, M&T Insurance Agency
IIAAWNY - Chairman of the Board 2017-2018

About our nominees:



Patrick O'Donnell is a Commercial Lines Account Executive in the Buffalo, NY office of M&T Insurance Agency. He started his insurance career as a Commercial Lines Assistant Account Manager with M&T in 2009. Patrick graduated with a Bachelor's of Science from the University at Buffalo School of Management and maintains his New York State Property & Casualty Broker's license. Within his time in the industry, Patrick has obtained his CLCS (Commercial Lines Coverage Specialist) designation.



Russell Rizzuto is a marketing representative for the Philadelphia Insurance Companies since 2016. He's very goal-oriented and has extensive insurance experience working in the industry essentially right out of college. Russ began his insurance career at M&T Insurance Agency, Inc where he was an account manager in the small business unit. This position provided him with a strong foundation in the insurance industry. Russ seized an opportunity in 2013 to become an account executive/marketer at Vanner Insurance Company, which also provided him with a strong foundation due to him

being given the opportunity to work on large accounts with much higher exposures. Russ' success in the industry is based on understanding his client's needs, providing outstanding customer service and learning from the knowledgeable people that he surrounds himself within the industry.



Christopher Ryan is Senior Sales Representative for The Hartford. He has been with The Hartford since 2014. Prior to joining The Hartford, Chris was a Commercial Lines Producer at Niagara National. Chris has his Bachelor of Science, Business Management and Economics from the University at Buffalo. Chris has been serving on the IIAAWNY Board this past year as an Interim Director.

EVENTS & UPDATES



Save the Date: IIAAWNY President Installation

Please save date! Thursday, September 27, 2018 - 5:30 PM at The Grapevine Banquet Hall - Dick Rd Depew NY. Kathleen Rapasadi, The Evans Agency, will be installed as President of IIAAWNY!!

Update: Public Relations

Our refreshed television commercial airing on WIVB and WNLO became effective May 2, 2018 and is running in the mornings, afternoons and evenings featuring our Board of Directors.

We participated in the Big I New York – TC Stories series at The Food Bank of WNY. Big I NY asked our local chapter to participate in a “TC Story”. TC has a dual meaning as it stands for Trusted Choice / Two Connected stories and it showcases how our local association is involved in a charity. The TC story focuses on our local association’s authentic side and emphasizes how we’re engaged in the community. Our story features our work with the Food Bank. We have been involved with donating to the Food Bank for almost 20 years and have provided over 95,000 meals to those in need.

Our story will be available at <http://www.tcstories.com/> in the near future.



Update: Project InVest

We just wrapped our last classes for the school year. The students enjoyed all the speakers and were very appreciative of those who took the time to speak with them. 20 of the students also received a ticket to I-Day where they networked and learned even more about this industry. A special thank you to all our volunteers!

The students also have the opportunity to win scholarships each year, sponsored by IIAAWNY. They have all just finished their entries and next month we will feature the \$1,000 scholarship winner. Stay tuned!

If you are interested in volunteering time for the next school year, please contact Theresa Crisp at tcrisp@walshins.com for opportunities! Classes run in the Fall and the Spring!





NeXtGen Trivia & Happy Hour

On Thursday May 17th, 2018 NeXtGen Buffalo held a CE Trivia and Happy Hour event at Bada Bing Bar and Grill. Those who attended enjoyed food, drinks, and networking while earning 1 CE credit by participating in an hour of Insurance Trivia. Lots of fun was had by all!

ADVOCACY



National Legislative Conference in Washington DC

FAULTY WORKMANSHIP EXCLUSION PRECLUDES COVERAGE FOR INSURED IN ROOF DAMAGE CASE

Recently, a United States District Court granted summary judgment in favor of an insurer finding that the insurer's denial predicated on the wear and tear and faulty workmanship exclusion was proper. See *Ajanta, Inc., d/b/a Quality Inn of Rome v. Erie Insurance Company*, 6:16-cv-00309 (BKS-TWD) (W.D.N.Y. March 8, 2018). The insured, a hotel, procured a contract of insurance with its insurer. During the policy period, the hotel's interior, exterior, and roof sustained damage after snow melted from a prior storm. Shortly after the damage occurred to the property, the insured submitted a claim to the insurer.

The insurer retained an experienced architect to determine the cause of the damage. Upon inspection, the architect concluded that the roof had not been well-maintained, with some of the deficiencies stemming from the roof area's original installation. These deficiencies, including insufficient pitch, rotting wood, improper patching materials, and lack of patching were clear evidence of maintenance and installation problems that predated the loss. These problems ultimately allowed the melted snow to leak through. Relying on the expert's report, the insurer issued a partial payment to the insured for damage to the exterior and interior, but not damage to the roof. The insurer denied coverage for the roof damage on the basis that the damage was not caused by weather conditions, but by poor maintenance and prior wear and tear, which specifically was excluded from coverage under the insurance policy.

Following the insurer's partial disclaimer, the insured commenced a lawsuit. In its motion for summary judgment, the insurer argued that the actual cause of the roof damage was "not a single storm, but years of wear and tear, deterioration, faulty workmanship,

and improper maintenance," all of which are not covered by the policy, and which was recognized by the court to be "long-held, legitimate justifications for an insurer's denial of coverage." The court sided with the insurer, with the court specifically noting that "[i]n considering the uncontroverted evidence that the roof damage was caused by wear and tear and poor maintenance, and the policy's exclusion for such damage, there were no material issues of fact requiring trial."

Practice Pointer: The *Ajanta* case should prompt insurance agents to consider gathering pertinent information about a property's roof prior to issuing a policy, and to provide appropriate warning to the prospective insured(s) that there may not be coverage due to the age and corresponding wear and tear to the roof. Here, the roof at issue was estimated by the insurer's expert to be at least 24 years-old at the time of the inspection, and had not been maintained or installed properly. Whenever an agent encounters a commercial or residential property with a roof of this age, prior wear and tear is more likely to become a factor, especially in areas where inclement weather is prevalent and the roof may be more prone to property damage. By advising your insured of these issues at the forefront of securing coverage, and documenting your file accordingly, an agent may be able to shield itself from any potential liability claims should the insured later become dissatisfied with a disclaimer of coverage.

For answers to your legal questions, feel free to contact Marco Cercone, Esq. or Robert Zielinski, Esq. at Rupp Baase Pfalzgraf Cunningham LLC, 1600 Liberty Building, Buffalo, New York 14202, 716-854-3400, www.ruppbaase.com.

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