REAL ESTATE AND HOTEL PRACTICE

Willis VIEWS

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MIXED MESSAGES

The fortunes of the real estate industry are married to the health of the economy. Even though the economy exhibits some signs overall of a slow recovery (despite persistently high unemployment), the economic headwinds and tailwinds blowing simultaneously over the industry stir unease for many who fear a double-dip recession.

- The multifamily sector is, as many expected, recovering the fastest with vacancy rates dropping to 5.6% (a five-year low) according to a recent report by Reis.[1] We are seeing new development activity after a long period of almost no new project development. Immigration, household formation, the lack of new additions to inventory and the relocation of many from single family to multifamily are helping this sector's recovery.
- Retail vacancy rates in the largest 80 markets are 9.3% for malls and 11% for shopping centers, both historically high percentages.[2] The unemployment problem continues to cause real trouble for this sector.
- The industrial sector, benefiting from an uptick in global trade, is experiencing strong leasing activity and declining vacancy rates (which had been at 20-year highs) and positive net absorption.
- Offices, according to a recent report by Grubb and Ellis, saw vacancy rates nationwide fall by 40 basis points to 16.9% in the third quarter.[3]
- The state of the hotel industry (addressed in detail later in this newsletter) is improving in many key performance measures, including Rev Par, ADR and occupancy percentages.

In this edition of Views we report on the state of the insurance market. For many buyers, the news is good, as we experienced a sixth straight year of relatively quiet hurricane activity. Surplus and capacity is ample and, while the large rate declines of the past few years may not be in evidence in the aggregate numbers, the market remains relatively soft for many, thereby helping ease the pressure the economy is exerting on the bottom line.

We introduce our new Hotel Portal which is intended to share with our hotel clients best practices relative to loss control, safety, claim

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management, risk transfer and exposure identification and mitigation. We also include an explanation of the often misunderstood subject of the NFIP and flood insurance and how they should work in tandem.

Many clients are concerned about the state of the economy and its impact on their companies. We will continue our efforts to help them control insurance premium costs through best practices for minimizing their long-term cost of risk. If there are subjects you would like to see addressed in future issues, please contact **Brian Ruane** or **Steve Sachs.**

MARKET TRENDS

DETERIORATING COMBINED RATIOS + WORRISOME WORK COMP RESULTS + YTD CAT LOSSES + NEW CAT MODELING FACTORS = A MARKET IN TRANSITION

In the August Views, we suggested that the hurricane season would be a major determinant for the near-term direction of rates. Despite the property damage and human suffering caused by Hurricane Irene, we once again avoided a catastrophic hurricane season (which is not officially over at the time of this writing) since historically, the preponderance of major storms occur in August and September.

The relatively quiet hurricane season was a welcome respite from an unusually active first half of 2011 when U.S property/casualty insurers incurred $27 billion in pre-tax catastrophe losses (exceeding the $19.6 billion in losses for all of 2010 according to A.M. Best).[4] The Insurance Information Institute reported nine separate weather-related events – including five Midwestern tornadoes – generating at least $1 billion in economic losses and contributing to a hit on industry profits.[5]

We believe that the results of insurers' underwriting and investment performance, the introduction of the new RMS Catastrophe Model for windstorm-exposed accounts and the lack of growth, year over year, in surplus all suggest that the soft market may have bottomed out, and that for some accounts, rate increases may be in the offing.

For the first half of 2011, the industry combined ratio grew to 110%, up from 101.7% in the first half of 2010. This result was the worst combined ratio for the industry since 2001 according to ISO.[6] AM Best reported that net income for the industry fell 67% in the first half, to $6.9 billion.[7]

The growth or decline in industry surplus is a key determinant in market direction. The net effect of the first half results was no growth or reduction in surplus year over year. Surplus now stands at $556 billion.[8]

Reports from our placement specialists across the country, as well as our discussions with underwriters, suggest that some insurers are attempting to raise rates. This is particularly true for accounts exposed to windstorm, earthquake and flood perils and for those accounts with poor loss experience and uncontrolled exposures. A report by Towers Watson and Company stated that 74% of Property and Casualty CFOs see property rates hardening or bottoming out, and 87% see the casualty market as still soft and two years away from hardening.[9] Bruce Fell of Towers Watson stated, "…clearly there is a difference between the Property and Casualty Marketplace."[10] We agree with this assessment.

Market Scout reported that Property and Casualty rates did not change between September 2010 and September 2011 "perhaps signaling an end to the soft market."[11]

We are closely monitoring results in the Workers' Compensation line of coverage which, by premium volume, is the single largest line of coverage. Insurers, according to A.M. Best, will realize a combined ratio of 121.5% in 2011, up from 118.1% in 2010.[12] Edward Keane of A.M Best stated, "The deterioration that workers compensation insurance has seen during the past two years will continue at least until mid-2012."[13]

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It is important to begin the renewal process early. Discuss the intent of the underwriter. Once that is established, it may be appropriate to seek options.

As in most market cycles, insureds who, with their broker, make the most compelling case, demonstrate an interest in controlling exposures, manage their claims effectively and share key underwriting information achieve the optimum result.

HOTELIERS ARE OPTIMISTIC – AND CONCERNED

Even though the hotel industry is recovering from the biggest downturn in its history, most hoteliers remain concerned about the strength and sustainability of the economic recovery and its impact on the industry.

Key metrics point to an industry in full recovery mode. PKF Hospitality Research predicts that Rev Par will rise 7.2% this year to $ 60.54 and increase 7.3% next year. They also believe ADR will rise 3.2% this year, a sign that hotels are able, once again, to raise rates and regain some degree of pricing power.[14] Other metrics are lagging behind these results, according to PKF.

The industry will sell a record one billion room nights this year, and the volume of hotel sales is up 134%, year over year, as of June 30, signaling a relatively healthier appetite for hotel assets.[15]

Part of the reason for the improvement is due to the lack of supply growth. Many believe hotel supply, or room count, is in check.

So why the caution and concern? Hotels usually get hit faster and harder than most property types during tough economic times as travelers cut back quickly. Hotels operate on what are essentially daily leases, unlike other sectors of the real estate industry.

Some are worried that a double-dip recession will have a profound, negative impact on leisure and business travel as well as on key industry metrics: ADR, RevPar and occupancy percentages. There is also a correlation between stock indices and RevPar. A double-dip recession will only compound this challenge as stock indices decline in a recessionary environment.

We are aware of the cyclical nature of the hotel industry and understand the need to control costs, particularly in an unstable or weakening economy. Our goal is to reduce costs, educate our clients about risks inherent in their operation, help manage claims, offer safety advice (thereby lowering insurance costs), improve productivity and improve the guest experience.

We launched a portal for our hotel clients on November 1 to help us administer our clients' insurance programs and provide them with a wide array of information on best practices for risk identification and mitigation.

WILLIS ONLINE EXPANDS: NEW REAL ESTATE PORTAL FOR HOTEL & RESORT CLIENTS

Willis North America's Real Estate and Hotel and Strategic Outcomes Practices have created the Willis Online (WOL) Hotels & Resorts Real Estate Portal. This new tool offers a customized, secure website for our hotel and resort clients, delivering loss control tools designed for their industry and providing the means for a high level of communication between our clients and Willis account staff.

FEATURES

24/7 access to the Business and Legal Resources (BLR) safety website at **http://safety.blr.com.** BLR® is the leading provider of employment, safety and environmental compliance solutions.

Briefly, the BLR subscription offers:

- **TRAINING LIBRARY (TRAINING RESOURCES) –** BLR's carefully researched training solutions access more than 200 training customizable toolkits, including slides, speaker notes, quizzes, handouts, certificates and activities, many of which are available in Spanish.
- **COMPLIANCE ANALYSIS AND ASSISTANCE –** "Plain-English" safety and health regulatory analyses, interpretations, and regulatory activity notices of changes to federal and *your* state's OSHA regulations.
- **BEST SAFETY PRACTICES AND WHITE PAPERS –** Do it right the first time with best practices, OSHA case studies and white papers from leading safety experts.
- **NEWSLETTER WIZARD –** Create employee newsletters that can be emailed, printed or linked on your company intranet. With the Newsletter Wizard, you can edit an existing article, select another from an extensive article library or create your own with the built-in text editor.
- **SAFETY NEWS WEEKLY EZINE –** BLR's safety professionals save you time and trouble with valuable insight into new regulatory developments – updated daily!
- **ANSWERS FROM THE EXPERTS –** Get personalized answers to your safety questions in one business day from BLR's OSHA experts.

HOTEL CONCIERGE

The Hotel Concierge contains employee safety and operational risk management content focusing on hotel and resort issues. *As new content is added to this module, users can be automatically alerted if they choose this option.*

For example, the Hotel Concierge provides more than 25 draft exposure, loss control and self-assessment site surveys that can be used as a starting point by property managers to measure their loss exposures in order to meet their operational standards. The Hotel Concierge also provides 40 downloadable employee safety training PowerPoint presentations that cover a wide range of topics as shown below. These presentations can be branded and/or edited by our clients for distribution to their management teams.

These are just two examples of the content available in the Hotel Concierge.

WILLIS ONLINE (WOL) SITES

- Establish an ongoing Client Service Plan through the shared **ACTIONS** and **CALENDAR** functions.

- **SHARED DOCUMENTS –** Create one-stop access to all documents related to the client's property and casualty insurance programs – policies, contracts, forms and Willis deliverables – to cut down on transactional interactions with each client.

- Automatic client notification of **MARKET SECURITY REPORTS** on insurance carriers currently writing their program. Available by request.

- **SUB-SITES –** Create customized client self-assessment tools that focus on critical risk exposures at each property location that may impact the client's cost of risk. Available by request.

- Receive all publications created by the National Real Estate and Hotel Practice, such as our quarterly newsletter *Views,* through the **WILLIS PUBLICATIONS** portal.

- Available 24/7 from any location via the internet. Clients are provided a username and can set their own unique password.

CLIENT DISCOUNT PORTAL

The Discount Portal is provided to clients for the purchase of a select group of goods and services (e.g., Bed Bug Begone organic spray, CAP Index crime reports and StoveTop FireStop fire suppressor) at pre-negotiated discounts ranging from 21% to 38%.

ADDING VALUE AND IMPACT

This new tool delivers industry-leading value to our clients that will positively impact their long-term cost of risk. For example, an annual subscription to BLR for three users costs almost $3,000 if placed directly. ***This subscription is just one of the modules that make up the WOL Hotel & Resorts Real Estate Portal that is available to Willis clients.***

A video presentation that provides an overview of the basic features and capabilities of the portal is available **here (WOL Basic Tour Video - Real Estate Hotels & Resorts).**

Contact your Willis Real Estate or Strategic Outcomes Practice Professional if you would like to participate in an online demonstration of this product.

You may also contact one of the following Willis Real Estate and Hotel Practice professionals for more information.
Brian Ruane at 212 915 7971,
brian.ruane@willis.com;
Steve Sachs at 410 964 5800,
steve.sachs@willis.com; or
Ron Tucker at 410 964 5838,
ron.tucker@willis.com.

FLOOD RISK: CHALLENGES, TOOLS & SOLUTIONS

Flood exposure and coverage combine to form one of the biggest challenges in the property insurance world. Risk identification is daunting to start with due to the shifting flood zones as identified by FEMA. Then, arranging proper coverage that is seamless can be the next hurdle.

TOOLS FOR FLOOD RISK IDENTIFICATION

Many of our underwriters assert that Willis is doing more than most when it comes to the flood risk identification process. Here are the tools we have available:

RISKMETER

Not only do we have this tool but we also have the parcel geo-coding feature turned on and available to identify which flood zone the location is in, plus – if it is not in a high hazard zone – it can tell how close the location is to the nearest high hazard zone.

PICTOMETRY

Where RiskMeter has not determined the flood zone, this tool can use satellite feeds to drill down further to determine the flood zone.

ENSURING THAT YOUR PROPERTY POLICY DOVETAILS WITH UNDERLYING NFIP COVERAGE

MAIN ISSUES

The Master Property Policy is typically written to provide “broad” coverage as follows:

- Replacement Cost valuation
- Property Damage included and most Time Element coverages including Business Interruption and Extra Expense
- The Property Excluded section is usually minimized so that most property exposures are insured

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Flood Risk – continued from page 6

However, the NFIP policy is not intended to provide broad coverage, evidenced as follows:

- ACV valuation
- Property Damage included, but Time Element coverages, such as Business Interruption and Extra Expense are excluded
- The Property Excluded section can be onerous, with numerous property exposures excluded (see Property Excluded section under NFIP)

THE PROBLEM

How do you ensure that there are no gaps in coverage between two very different policy wordings?

THE SOLUTION

Negotiate wording to dovetail NFIP and Master Property Policy to add the following wording to the Master Property Policy:

> In the event that the Insured maintains underlying insurance through the National Flood Insurance Program, it is agreed that this policy excludes the peril of Flood to the extent of recovery under such National Flood Insurance Policy(ies). Should the amount of loss payable under such National Flood Insurance Policy(ies) exceed the applicable Flood deductible under this policy, then no deductible shall apply hereunder. However, if the amount to be paid under such National Flood Insurance Policy(ies) is less than the applicable Flood deductible under this policy, then the amount to be deducted hereunder shall not exceed the difference between the amount to be paid under the Insured's National Flood Insurance Policy(ies) and the applicable Flood deductible under this policy. Insurance maintained through the National Flood Insurance Program shall be considered Underlying Insurance.

THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

When purchasing NFIP coverage and structuring excess coverage, you need to be aware of many issues to ensure there are no surprises in how coverage will respond when a loss occurs. There are seven sections of the NFIP Standard Insurance Policy Form. Below are just a few potential surprises you may encounter.

SECTION III. PROPERTY COVERED

The policy insures buildings and personal property, and the main coverage section is broken down into A, B, C & D.

A Buildings (maximum $500,000 per building)

B Personal Property (maximum $500,000 per building)

C Other Coverages
1. Debris Removal
2. Loss Avoidance Measures – Preservation of Property ($1,000)
3. Pollution ($10,000)

D Increased Cost of Compliance, i.e., elevation, flood proofing, relocation or demolition (up to $30,000)

SECTION IV. PROPERTY NOT COVERED

There are 17 items in this section, and it is necessary to review them carefully to make sure the property you are trying to protect is not on this list. Some of the more noteworthy items are:

- Personal property not inside the building
- Open structures
- Recreational vehicles
- Self-propelled vehicles
- Land, land values, lawns, trees, shrubs, plants, growing crops or animals
- Accounts, bills, coins, currency, money
- Underground structures and equipment
- Walkways, decks, driveways, patios
- Containers
- Fences, retaining walls, sea walls, bulkheads, wharves, piers, bridges, docks
- Aircraft, watercraft
- Hot tubs, spas

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Flood Risk – continued from page 7

SECTION V. EXCLUSIONS

Much like Section IV, Property Not Covered, the list of items in Section V. Exclusions must be reviewed very carefully. The list is subdivided in A, B, C, D & E and some of the more noteworthy exclusions are:

- Loss of revenue or profits
- Loss of use
- Loss from interruption of business or production
- Any additional living expenses
- Cost of complying with any ordinance or law
- Any other economic loss

NFIP is not intended to address Business Interruption or Extra Expense losses.

SECTION VII. GENERAL CONDITIONS LOSS SETTLEMENT

NFIP will pay the least of the following:

1. Amount of insurance under the policy
2. Actual cash value
3. Amount to repair or replace the property with material of like kind and quality

The policy defaults to ACV in most situations.

NEXT STEPS?

Ok, you have:

1. Identified which locations are in high hazard zones
2. Purchased NFIP where necessary
3. Used proposed policy wording to ensure that NFIP wording and Master policy wording dovetail

Now what?

THE FINAL STEP

4. Schedule the list of high hazard flood locations and endorse the list of locations to the Master Property Policy to ensure there is contract certainty as respects which locations will have the high hazard flood deductible and limit. (If the location is not on the list, then it defaults to the main flood deductible and limit.)

Additional information on this subject can be found by **clicking here** for the November 2010 edition of "Property Perspectives titled Ensuring Your Flood Coverage Will Respond When You Need It."

For more information, contact **David Finnis,** Executive Vice President, National Property Practice Leader at **david.finnis@willis.com** or 404 302 3848.

THE TOP THREE STEPS FOR SECURITY DUE DILIGENCE IN SITE ACQUISITION

While most property owners and managers are rightfully concerned about crime occurring on their premises, many mistakenly view crime as an inevitable act of nature – much like hurricanes and other natural disasters – as opposed to a risk that can be actively managed. Although all crime cannot be prevented, making it a point to understand and monitor a property's vulnerability to crime, as well taking measures against that vulnerability, can greatly reduce the likelihood of violence.

Integrating crime and crime liability into a property's operations risk management can help owners see crime as one of many potential business risks. The following article offers recommendations for adopting a proactive mindset on premises crime and highlights three fundamental steps for conducting security due diligence in any site acquisition.

CONDUCT PRE-ACQUISITION DUE DILIGENCE

Crime and other threats in and around a property can greatly affect its current and eventual valuation. By factoring recent crime incidents with current social, economic and demographic trends, a prospective property owner can better understand where a neighborhood is headed, as well as compare it with other neighborhoods in terms of growth, stability and ultimately, property values.

A careful site risk assessment can determine the adequacy of current security and safety systems, given the risks – from locks and alarms on gates, doors and windows to lighting of parking and common areas. Important components of pre-acquisition due diligence include:

- Inspection of security and safety systems
- Review of crime and proximity risk information
- Inspection of incident logs
- Review of litigation history

INSTALL A CRIME AND LIABILITY RISK MANAGEMENT FRAMEWORK

The Achilles heel of most property security is documentation and measurement. Spending on security and safety systems tends to be piecemeal over time, and the comings and goings of private or contract security guards is inherently difficult to track. Efficient incident tracking, which ideally includes how each incident is ultimately resolved and any costs associated with the resolution, is rare, at best.

Property owners need a framework and a set of tools to deal with both premises crime and the collateral impact of other violent events. The components of a crime liability and risk

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The Top Three Steps for Security Due Diligence in Site Acquisition – continued from page 9

management framework may include:

- Site and neighborhood predictive crime mapping
- Site risk assessment (actual events, vulnerabilities and mitigation measures)
- Security and safety program documentation
- Crisis management plan and resident education
- Risk management strategy

MEASURE CRIME AND LIABILITY RISK MANAGEMENT PERFORMANCE

Developing a crime and liability risk management process and implementing the needed tools is not always difficult or particularly expensive. It does, however, require management commitment; focus on getting it done and then a workable procedure for documenting the process. Without documentation of everything – from security officer training to review and modification policies and procedures – the process and investment are less defensible and compelling.

Key components of performance measurement include:

- Incident tracking and response
- Budget rationale and ROI

The above framework and process can be as readily applied to a 500-room hotel as to a 200-unit multi-family community. The key is that they are applied consistently and rigorously across properties so that both crime-related risk and cost of risk can be measured along with the impact of proactive investments in security and safety and other risk management strategies.

CAP Index CRIMECAST Reports can assist you in evaluating crime potential at proposed location(s) at **http://capindex.com** and can be purchased at a significant discount by Willis Online Multifamily and Hotel Portal clients through the Willis Online Discount Portal.

For more information, contact **Jon Groussman,** President and COO of CAP Index, Inc. at **jdg@capindex.com** or 800 227 7475.

NO UNION, NO NOTICE, NO WAY!

On August 25, 2011 the National Labor Relations Board (NLRB) announced its final rule on the Notification of Employee Rights under the National Labor Relations Act (NLRA). This is a reminder to many employers that, even if non-unionized, certain sections of the NLRA are applicable to all workplaces. The new rule addresses the concern of the NLRB that many employees and employers are unaware of their respective rights and obligations under the NLRA.

Thus, effective January 31, 2012 (the implementation date was originally November 14, 2011, but the NLRB announced a delay on October 5, 2011), employers are required to post notices to employees informing them of their NLRA rights, together with NLRB contact information and information concerning basic enforcement procedures. The **required notice** is now available for download from the NLRB website.

Under the NLRA, an employee has a right to:

- Form, join or assist a union
- Discuss terms and conditions of employment or union organizing with co-workers or a union
- Take action with one or more co-workers to improve working conditions, by among other things, raising work-related complaints directly with an employer or with a government agency and seeking help from a union
- Strike and picket, depending on the purpose or means of the strike or the picketing

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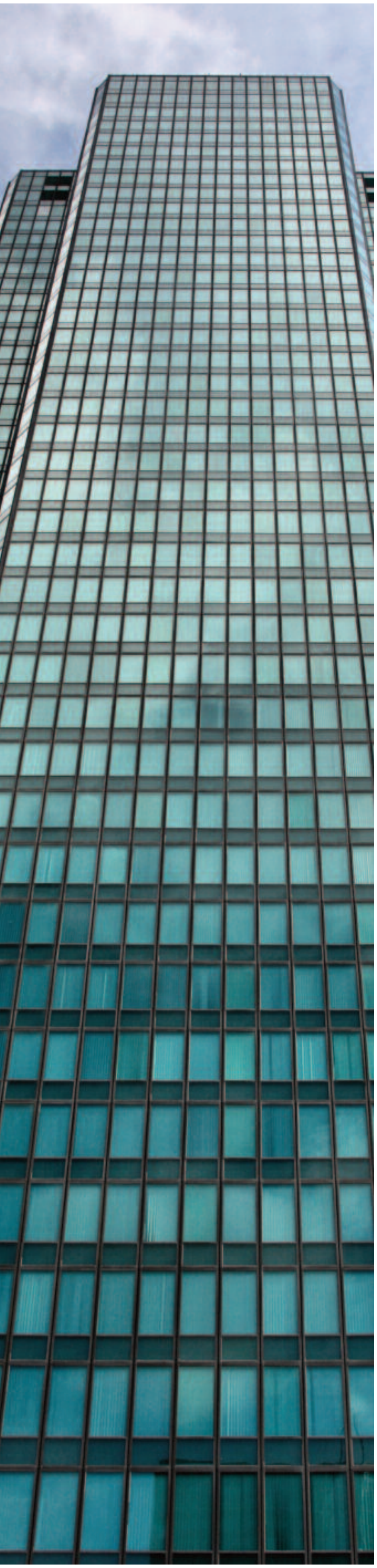

No Union, No Notice, No Way! – continued from page 10

- Organize a union to negotiate with an employer concerning wages, hours and other terms and conditions of employment
- Bargain collectively through representatives of employees' own choosing for a contract with the employer setting wages, benefits, hours, and other working conditions
- Choose not to do any of these actions, including joining or remaining a member of a union

Private-sector employers within the NLRB's jurisdiction will be required to display the poster where other workplace notices are posted. Employers who customarily post personnel rules or policies on an internet or intranet site must also provide a link to the rights poster from those sites. The rule excludes public sector employers, employers of agricultural and domestic workers, independent contractors, family-owned businesses only employing children or a spouse, air and rail carriers covered by the Railway Labor Act, and the U.S. Postal Service. Although federal contractors are also subject to the posting requirement, if the federal contractor complies with the Department of Labor's notice of employee rights posting, it will satisfy the NLRB rule. The rule also provides an exception for very small employers whose annual business does not have more than a *de minimis* effect on interstate commerce.

The rule requires that the notice be posted in English and any other language if at least 20% of employees are not proficient in English. For a detailed discussion of which employers are covered by the NLRA, and what to do if a substantial share of the workplace speaks a language other than English, visit the NLRB's website for **Frequently Asked Questions.**

Although the general remedy for a violation of this rule will be a Board order to post the notice, an employer's failure to post the notice may be treated as an unfair labor practice under the NLRA.

ASBESTOS: STILL A LURKING DANGER

- Do the real estate properties that you own, operate, lease or manage contain asbestos?
- Do you have protocols in to place properly manage your asbestos exposure?
- Does your current insurance program leave you bare on this peril?

Asbestos Containing Material (ACM) is present in many public, private and commercial buildings built before the mid-to-late 1970s. ACM was widely used due to physical properties that make it excellent for insulation, fireproofing, and sound proofing and was typically used in pipe insulation, wallboard, tiles, flooring and roofing materials. Throughout the 1970s and culminating in 1989, asbestos in commercial products was generally phased out due to severe adverse human health effects from exposure. Asbestos, when it becomes friable or easily pulverized into a dust, can get into the body via inhalation and create serious long-term health issues. The adverse health effects from ACM exposure are linked to lung cancer, asbestosis and mesothelioma.

Although ACM has been phased out in many materials in the U.S., the asbestos exposure still exists for many real estate owners and operators. Many key buildings and marquee landmarks that were constructed prior to the 1980s contain various levels of ACM. Adding to the ACM concerns is that the cost to litigate and settle these claims continues to be astronomical.

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Asbestos: Still a Lurking Danger – continued from page 11

The first and foremost defense in managing ACM exposure is proper risk management and maintenance. Asbestos risk management involves identifying where in buildings ACM is located and putting proper protocols in place to continually monitor the asbestos, record its condition, and execute corrective measures if needed. A properly trained environmental consultant is the resource to turn to, to develop such a procedure. A second layer of defense against asbestos exposures is through an environmental insurance product, which typically readily accepts asbestos exposures. Coverage under the environmental policy is generally for third-party bodily injury and property damage claims as well as clean up for asbestos in soil, surface water, and groundwater. Many carriers have now expanded their definition of bodily injury to include medical monitoring costs, which is vital in evaluating the extent of the exposure. Additionally, carriers have become willing to assist their insureds in developing ACM protocols through their internal environmental resources as a valued-added service at no cost to the insured.

Real estate owners and operators are faced with many risk management challenges on a daily basis and exposure of their tenants and residents to ACM is certainly one of them. Although this dangerous product has largely been phased out of new construction the exposure in older buildings remains high, but there are options to reduce this exposure through prudent risk management, proper maintenance protocols and environmental insurance products.

For more information, please contact **Rick Hawkinberry** at **rick.hawkinberry@willis.com** in our Environmental Practice or **Steve Sachs** or **Brian Ruane** in our Real Estate and Hotel Practice.

CONTACTS

For additional information on the topics discussed in this issue, or any others for which our Real Estate & Hotel Practice might provide assistance, please visit our **website** at **willis.com**.

Brian Ruane
Director
212 915 7971
brian.ruane@willis.com

Steve Sachs
Director
410 964 5800
steve.sachs@willis.com

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[1] Bloomberg at **www.bloomberg.com/news/2011-10-06/u-s-apartment-vacancies-drop-to-five-year-low-as-demand-begins-to-slow.html#**

[2] Colliers International Summer Survey 2011 **www.colliers.ch/en/about-us/about-us.html**

[3] REBusiness Online, October 11, 2011 **www.rebusinessonline.com/main.cfm?id=20533**

[4] *Risk and Insurance,* October edition page 6 News and Notes

[5] *Risk and Insurance,* Oct 10 2011

[6] Ibid.

[7] Ibid.

[8] Bus Insurance, Sept 30

[9] Bus Insurance, Sept 21 ,

[10] Ibid.

[11] *Bus Ins,* Sept 30

[12] Advisen, Oct 10 , 2011

[13] Ibid.

[14] *USA Today,* Sept 27, 2011

[15] *NY Times,* Sept 27 2011