



Professional Indemnity

Claims examples

Design and engineering

Fire safety and building surveying engineer

- 6 staff
- \$700,000 fees

Background

The insured certified the design of an apartment building in which a significant fire subsequently occurred.

Outcome

The insured was covered for legal costs incurred in relation to responding to the investigation.

Payment: \$35,000

Land surveyor, town planning, building surveyor

- 5 staff
- \$600,000 fees

Background

A claim for loss and damage was made against the insured in regards to providing incorrect advice on the potential subdivision of a property a client of the insured had purchased.

Outcome

The insured was covered for legal defence costs and settlement.

Payment: \$250,000

Mechanical engineer

- 7 staff
- \$400,000 fees

Background

A claim was made against the insured for work they did to a property involving cantilevered roof and supports. It appeared that some of the rafters had deformed and welds had cracked. The claimant sought damages of \$200,000 as a result of having to rectify the property.

Outcome

DUAL appointed lawyers to defend the claim as well as an expert engineer to act as a loss adjuster. The expert engineer was able to determine the reasonable cost of the loss, and the lawyers were able to secure a fair settlement.

Payment: \$185,000

Land surveyor

- 12 staff
- \$2.4m fees

Background

A claim was made against the insured by one of their clients alleging that a survey was conducted on the wrong basis. The claimant alleged that they relied upon the survey to enter into a fixed-price contract for earthmoving works. As a result of the incorrect survey, the earthworks costs \$160,000 more than anticipated and the client sought reimbursement of these extra costs from the insured.

Outcome

After investigations were carried out, it was determined the insured made an error when completing the survey. DUAL appointed lawyers to defend the claim and the matter was settled.

Payment: \$129,000

Building surveyor consultants

- 55 staff
- \$230,000 fees

Background

A client of the insured served proceedings against them, alleging that the insured approved building work which was defective and, following demolition and re-start, approved new building work which was also defective. They further alleged that the insured approved revisions to plans without their authority or consent.

Outcome

DUAL appointed lawyers to act on the defence of the insured. The matter settled in favour of the client.

Payment: \$143,000

Accountant

Accounting firm

- 20 staff
- \$2m fees

Background

A former client made a claim against the insured regarding negligent advice in regards to making contributions into their superannuation fund. The client's financial planner had prepared a statement of advice recommending the superannuation contributions which the insured approved. As a result, the claimant had to pay \$150,000 in excess contributions liability.

Outcome

The insured claimed under the policy. Commercial settlement was reached between the parties and a deed of release was signed.

Payment: \$99,000

Accounting consulting firm

- 7 staff
- \$1m fees

Background

A client alleged that their income tax returns the insured had prepared, were incorrect. As a result, they suffered a loss and sought reimbursement of \$120,000.

Outcome

The insured was able to claim indemnity under the policy.

Payment: \$130,000

Consultant

Crop adviser

- 15 staff
- \$460,000 fees

Background

The insured was hired to provide advice to a customer regarding the correct management of their crops. The insured failed to consider the soil residual herbicide that had been applied to the crops in the year prior and, as a result, the crops failed. The client sought reimbursement for loss of income and yield loss from the insured.

Outcome

The insured claimed under the policy and DUAL appointed lawyers to assess the loss of the claim. Payment was made to the client subject to them signing a deed of release.

Payment: \$60,000

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