



BRICKYARD COVE MARINA

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Insurance Requirements - Frequently Asked Questions

Up-dated April 20, 2012

In November 2006 Brickyard Cove Marina (BCM) began a policy of requiring its tenant boat owners to provide proof that they maintained Watercraft Liability insurance on their boats. In addition, BCM began requiring its tenant boat owners to endorse their Watercraft Liability policies with BCM as an “additional insured” Landlord/Lessor. Minimum Watercraft Liability limits were specified at \$300,000 per occurrence. Over the years, we have had several questions regarding that policy. We have summarized those most Frequently Asked Questions with our responses. Should you not find an answer here, please call the office directly: 510-236-1933.

FAQ: Why does BCM require its tenant boat owners maintain Watercraft Liability insurance?

BCM is in the business of providing exceptional and hospitable moorage and dry storage for its tenant boat owners. As a practical matter, BCM cannot [nor is it inclined to] exercise complete control over its tenants’ behavior, its tenants’ guests’ behavior or its tenants’ maintenance, use and operation of their boats. In that connection, BCM wishes to protect itself from such potential negligent acts or behavior arising from its tenants’ or their guests to the extent that BCM has no complicit liability.

FAQ: Why does BCM require being endorsed “additional insured” to its tenants’ Watercraft Liability insurance?

BCM’s requirement for “additional insured” status under its tenant boat owners’ Watercraft Liability policies is strictly limited to BCM’s status as a Landlord/Lessor. BCM wishes to avoid [responding to] becoming embroiled in claims of negligence BUT FOR the tenancy and behavior of its tenant boat owner or the boat owner’s guests. BCM maintains its own Liability insurance for circumstances in which it may find itself in any way negligently liable.

FAQ: My boat is worth a lot less than \$300,000. Why does BCM require insurance for more than the boat is worth?

BCM does not currently require its tenant boat owners’ to maintain Hull coverage, insurance covering physical loss or damage to the boat and/or its equipment. BCM is not in the business of vessel appraisal or valuation and cannot and does not specify Hull limits. In that connection, BCM has no “first party” insurable interest in the vessel’s market or replacement cost value. At this writing, BCM makes no requirement for its tenant boat owners’ to maintain Hull and Equipment coverage on their vessels.

BCM’s requirement for insurance is for Watercraft Liability coverage that will defend and indemnify the tenant boat owner AND BCM as “additional insured”, from claims brought by third parties for damages stemming from the negligent maintenance, operation or use of tenant’s vessel or a tenant’s guest’s behavior.



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FAQ: I have Brickyard Cove Marina listed on my Watercraft Liability policy as “additional interest”; is that sufficient?

No. Many insurance policies have various definitions of insured status including; “additional interest”, “other interested party”, “certificate holder”, “co-insured,” etc. The only definition that qualifies as “additional insured” is: “additional insured”. A clear statement on a Certificate of Insurance should read as follows: “Certificate holder is named “additional insured” as Landlord/Lessor of the premises as their interests may appear.

FAQ: My insurance company will not list BCM [or any marina] as “additional insured.” Must I change insurance companies?

Most insurance companies providing boat insurance [Watercraft Liability] will agree to the “additional insured” endorsement request. If your insurance company refuses your request, you may not be insured for Watercraft Liability, which is the type of insurance BCM requires. A Homeowners policy must contain a Watercraft Liability endorsement to meet BCM’s requirements.

FAQ: My boat is under 26’ feet and covered by my Homeowner’s policy. Is that acceptable?

Yes, provided your Homeowner’s policy contains a Watercraft Liability endorsement, the insurance company is willing to add BCM as an “additional insured” and the policy provides the minimum \$300,000 of Liability limits.