

2/15/2023

RE: Foxhall Community Association General Liability

The General Liability policy is in place to cover Foxhall Community Association, its officers, association members and property owners as named insured's. This coverage is intended to respond legally on your behalf should a situation arise where bodily injury or property damage occurs on association common areas, including parks and trails in the event the association is found negligent.

As every claim is inherently different and would need to be reviewed accordingly, I cannot say everything will be covered. There is not an insurance policy available that covers everything. As I have stated before, this policy is not intended to cover Foxhall sponsored teams, but if kids are playing in the park which is a common area and a suit arises, the policy will provide legal defense until Foxhall is proven negligent. I have said in the past if the Association is doing its due diligence, having appropriate signage, obtaining a Hold Harmless and Certificate of Insurance from the Equine operator and reasonable maintenance, then it will help to mitigate any claims. Using the trails comes with certain risks and the individuals participating should be relying on their own health insurance for any injuries. I will say again that the trails, the parks and their usage are contemplated(included) on the policy and if a claim arises and Foxhall is found negligent, the policy would respond. Liberty Mutual has documented the private use 7 mile trail that is used for pedestrian walking, equestrian(walking pace), occasional pedal bicycle use and people with disabilities utilizing motorized wheelchairs that usually go at a slower pace (5 miles/hr).

With relation to the Parks or Playgrounds classification, this is contemplated(included) in the classification for a homeowners association and is no longer listed separately. They may be equipped with playground equipment and athletic fields for use by the association. This also applies to trails as long as they are maintained by the insured.

Thank you,

A handwritten signature in blue ink, appearing to read 'Ben Houk', with a horizontal line drawn through it.

Ben Houk  
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