MICHAEL L. AVERILL, CPCU, MBA

**CV**

**SUMMARY**

Experienced in all Personal, Commercial and Specialty Lines of insurance including Program Business with admitted and non-admitted carriers. Involved in substantive leadership and managerial roles. Have established relationships with regulators, legislators, carriers, reinsurers and trade and service organizations. Had been licensed as an insurance producer and surplus lines broker in several states.

**OVERVIEW**

**Consultant, Bedford, NH** 2002 – Present

* Provided expert opinions and testified on coverage issues in over 80 cases for clients. This has included opinions on contractual enhancements, agency contracts, collections, coverage availability, relationships between insurers, agents, and insurers, coverage intent and interpretation and rating and statistical coding. Have been deposed over seventy (70) times and provided testimony at Arbitration Hearings and in Federal and State courts. Has represented both plaintiffs and defendants (insureds, insurers, agents, and reinsurers).
* Reconstructed policies for clients that may have been in effect in the 1940s, 1950s, 1960s, and 1970s where copies of policies were no longer found in insurer files.
* Have created and started operations for P&C and A&H companies and MGAs. Reviewed and recommended IT and Claims systems. Handled placement of reinsurance.
* Developed, and handled implementation of, rating systems.
* Developed specialized programs for selected risks, for example, worked with a client on a special businessowners program for internet sellers and one for travel insurance.
* Have provided product maintenance and enhancement for clients. Activities include:
1. Review of competitor coverage and rating programs. Provided recommendations for liability and property coverages individually as well as combined.
2. Development of new coverage and rating concepts unique to individual classes and/or insureds. Property and liability coverage and rating programs include, but are not limited to: BOP products for on-line sellers, travel (including associated exposures), craft breweries, body care services, self-storage facilities, janitorial operations, home business, household services, household pet services, dry cleaners, commercial roadside assistance, artisan craftsmen, trailers, commercial fertilizer operations, and specific pollution hazards. Developed educational materials for internal and external use.
3. Review of company data for development of recommendations for rating and classification changes.
4. Development of tiering programs for use within a single company to allow different rating algorithms to be used.
5. Review and development of programs to provide the use of credit scores including explanatory material to insureds and possible capping programs to limit impacts.
6. Creation of Risk Purchasing Groups (RPGs) and managed their registration in specific states or regions or countrywide.
7. Development of SERFF filings for all materials developed and necessary explanations to insurers, agents, and insureds.
* Developed and implemented revised independent policy forms, endorsements, and rating rules for programs and individual accounts for commercial, professional, environmental, and specialty business to reduce compliance costs by 90%.
* Responsible for regulatory compliance activities for several clients. Developed, reformatted, and reworded independent material for clients to tailor coverage for selected risks and major accounts. Completed Proof of Claims filings for businesses insured by insurance companies placed into liquidation.
* Developed and implemented rating programs to enhance program business.
* Responsible for the development, submission and implementation of Form A filings to expand clients’ licenses or in the startup of new insurers and reinsurers. Assisted clients in moving from one insurance service organization to a different insurance service organization, simplifying statistical reporting, and updating rating and coverage programs to follow current rate/rule/form filings.
* Worked with clients on the need for, creation of, and maintenance of captive insurance programs. Developed coverage programs for captives as needed. Assisted a captive in purchasing a “clean” P&C shell and moving captive insureds to the new insurer. Also advised a MGA on the purchase of a shell and moving its business from a fronting carrier to its solely owned insurer.
* Assisted in the creation of insurance agencies and their licensing.
* Assisted in the creation of Government Entities Mutual Insurance Company (a reinsurer for a specific layer of excess coverage) and acted as its underwriter and claims adjuster.
* Supervised the run-off of The Home Insurance Company on behalf of the New Hampshire Insurance Department. Monitored and approved claims payments, new contracts, and commutations. With the Commissioner, placed The Home into rehabilitation and then liquidation.
* Established the New Hampshire Operations Center for The Home Insurance Company in Liquidation. Responsible for staffing, all operations, and all collection activities.
* Formed a Managing General Agency and was its licensed agent and surplus lines broker.
* Educational presentations on personal and commercial insurance at the Oster Lifelong Learning Center of the University of New Hampshire.

**New Hampshire Insurance Department**, Concord, NH 2001

# Assistant Commissioner

* Responsible for all P&C operations including the review and approval of all rules and forms filings. Operated as the Department’s P&C Actuary for an extended period.
* Oversight responsibility for administrative rules; insurer operational, financial and market review; and all licensing operations.
* Responsible for communication with state and federal regulators, New Hampshire legislators, company executives, and the press on behalf of the Department.
* Analysis and approval of insurer business plans, Form A filings, control of insurers and payment of dividends.

**Syndicated Services Company, Inc. (“SSC”),** Manchester, NH 1994 - 2000

Vice President

* Responsible for all product development and implementation for program business insured through the SSC Lloyd’s market written by selected and approved MGAs.
* Reviewed MGA rating and coverage programs, recommended enhancements, reviewed recommendations with underwriting and MGAs and developed and implemented changes to enhance MGA program competitiveness.
* Briefed Lloyds Underwriters on regulatory and business issues in the United States.
* Developed underwriting guidelines and conducted regulatory and underwriting audits.
* Responsible for agent licensing and appointments, rating justification, policy issuance by agents, compliance with law and regulation, monitoring of competitor programs, and response to market conduct examinations and the relationship with regulators, legislators, and trade and rating organizations.
* Ensure compliance with insurance law and regulation.
* During the 6 years with SSC, program business increased from $3M at the end of 1994 to over $150M at the end of 2000.
* Worked with MGAs in purchase and implementation of policy rating and issuance systems and internally on statistical capture and reporting.

**The Home Insurance Companies,** New York, NY 1987 – 1994

Vice President – All seven of The Home P&C Companies

* Implemented a new Government and Industry Relations Department at The Home. Responsible for all state filings for The Home’s programs, The Home’s licensing activities, and all government and regulatory affairs.
* Responsible for The Home’s compliance with all enacted insurance legislation and regulation in the United States.
* Was as Officer of all seven of The Home’s P&C insurance companies.
* Developed a Unit with responsibility for creation of all Home independent rates, rating rules, policy forms and endorsements and maintenance for compliance with state laws and regulations. Developed new rating and coverage techniques to improve The Home’s competitiveness in the market. Worked with the Major Accounts Department in tailoring coverage for individual accounts.
* Developed a Unit with responsibility for obtaining, handling, and distribution of all residual market information. Based on changes implemented in accounting systems the Home’s residual market losses were cut 50% from 1987 through 1993
* Responsible for The Home’s handling of and response to all market conduct examinations.
* Represented The Home at ISO meetings and on the International Insurance Council, on the IIAA Presidential Committee, and on the Board of Directors of six state associations.

**Insurance Services Office, Inc.,** New York, NY 1971 – 1987

# Manager

* Experienced in Personal Lines, Commercial Property and Commercial Casualty.
* Worked in Personal Auto from 1971 through 1980. Developed the Special Package Auto Policy and wrote the Personal Auto Policy. Represented ISO on industry committees including several on the implementation of enacted no-fault laws. Became the Assistant Manager of Commercial Property in 1980. Responsible for coverage and rating for mono-line and multi-line property programs. Promoted to Manager in Commercial Casualty in 1983.
* Had overall responsibility from 1984 through 1987 for all Commercial Casualty lines of insurance including the development and implementation of the Commercial Lines Simplification Program – rates, rating, classifications, rules, policy forms and endorsements. Wrote the occurrence and claims-made versions of the CGL Coverage Forms.
* Wrote and introduced the first on-premises total pollution exclusion and later the absolute pollution exclusion. Developed the asbestos exclusion and punitive damages exclusion. Developed the amendatory endorsement to provide that claims payments would be treated within liability limits for commercial general liability.
* Chaired the ISO General Liability Committee and the Commercial Auto Committee. Reported to and attended all Commercial Lines Committee meetings.
* Involved with rate reviews, policy form and endorsement development, rating rules, response to legislation, statistical changes and reports, NAIC reviews, and coverage initiatives.
* Was the Commercial Casualty senior representative with ISO participating insurers and industry associations.

## EDUCATION

Master’s in Business Administration, with High Distinction, Rivier University, Nashua, New Hampshire 2000

Bachelor’s degree - Economics/Math, Saint Peter’s University, Jersey City, New Jersey 1971

Chartered Property Casualty Underwriter Designation, 1980

## AFFILIATIONS

Past President - New England Chapter, Association of Insurance Compliance Professionals

Past Officer - New Hampshire Chapter of CPCU Society