

**COMMERCIAL GENERAL LIABILITY COVERAGE FOR DEFECTIVE WORK
STATE-BY-STATE SURVEY
MARCH 15, 2007**

STATE	IS DEFECTIVE WORK AN OCCURRENCE?		PROPERTY DAMAGE EXCLUSIONS APPLIED?
	Status	Case Law	Case Law
Alaska	Yes	<i>Fejes v. Alaska Ins. Co.</i> , 984 P.2d 519 (Alaska 1999). ⁱ	<i>Fejes v. Alaska Ins. Co.</i> , 984 P.2d 519 (Alaska 1999); ⁱⁱ <i>Alaska Pacific Assur. Co. v. Collins</i> , 794 P.2d 936 (Alaska 1990). ⁱⁱⁱ

ⁱ **Alaska:** *Fejes v. Alaska Ins. Co.*, 984 P.2d 519 (Alaska 1999). An accident occurred under the insured contractor's CGL policy due to the defective installation of a curtain drain.

ⁱⁱ **Alaska:** *Fejes v. Alaska Ins. Co.*, 984 P.2d 519 (Alaska 1999). Property damage to a septic system due to a curtain drain failure was not excluded from coverage under the insured contractor's policy by the BFPDE exclusion for that particular part of property the repair of which was necessary because of the faulty workmanship of the insured.

ⁱⁱⁱ **Alaska:** *Alaska Pacific Assur. Co. v. Collins*, 794 P.2d 936 (Alaska 1990). The court interpreted and applied BFPDE work performed exclusion based upon the determination if the defective excavation and backfilling was performed by a subcontractor of the insured.