

NEW MEXICO

Construction Defect as Occurrence

O'Rourke v. New Amsterdam Cas. Co., 362 P.2d 790 (N.M. 1961). Unpredictable rain in a normally dry month was an accident under a roofing contractor's policy when the rain damaged a house, the roof of which had not been completed.

Application of Property Damage Exclusions

Computer Corner, Inc. v. Fireman's Fund Ins. Co., 46 P.3d 1264 (N.M. App. 2002). Exclusion m, the Impaired Property Exclusion, Exclusion l, the Work Performed Exclusion, and Exclusion k, the Your Product Exclusion, did not apply to the damage to computers caused by the insured's computer repairer since the damage to the customers' files were not the insured repairer's own product or work.