

**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
Nevada	Yes	<i>Gary G. Day Constr. Co. v. Clarendon America Ins. Co.</i> , 459 F. Supp. 2d 1039 (D. Nev. 2006). ⁱ	<i>McKellar Dev. v. Northern Ins. Co.</i> , 837 P.2d 858 (Nev. 1992). ⁱⁱ

ⁱ **Nevada:** *Gary G. Day Constr. Co. v. Clarendon America Ins. Co.*, 459 F. Supp. 2d 1039 (D. Nev. 2006). Water intrusion was an occurrence under a framing contractor's CGL policy since the damage was not expected, foreseen or intended by the contractor or the homeowners.

ⁱⁱ **Nevada:** *McKellar Dev. v. Northern Ins. Co.*, 837 P.2d 858 (Nev. 1992). The court applied the subcontractor exception to the BFPDE Work Performed Exclusion to a claim involving defective compacting of soil by a subcontractor. The Completed Operations Hazard Exclusion applied only to faulty work performed by the insured's subcontractor.