

Insurance solutions



DUAL
Asset

DUAL Asset can provide transactional insurance solutions to streamline and add value in:

- ✔ **Distressed Real Estate**
- ✔ **Non-Performing Loan Portfolios**
- ✔ **Mergers & Acquisitions for real estate and operational transactions.**

Transactions involving **insolvent** or **distressed** sellers present unique challenges; seller information can be unclear, warranties unreliable or unavailable and timing can be critical.

DUAL Asset Underwriting, part of the DUAL Group – the world’s largest international underwriting agency – provides specialist insurance products to help bring certainty, liquidity and enhanced value to the trading of distressed real estate assets, loan books and in mergers and acquisitions.

The insurance process is speculative and generally comes with no up-front costs.

We offer world class, market leading transactional insurance which can:

- Significantly speed up the sales/acquisition process
- Enable the seller to offer the real estate asset(s) for sale with warranties and increase the sale price to maximise the return for creditors
- Provide buyers of insolvent assets with “warranties” that are not otherwise available
- Include insurance for existing known issues
- Reduce the financing costs for buyers
- Protect a buyer against fundamental warranty breaches or where no warranties are available and provide comfort around share ownership
- Insure 100% of the asset value for the full term of ownership, unlike traditional W&I cover
- Provide buyers of loan books with certainty of mortgage enforceability

Insurance solutions

Expert underwriting. It's what we do.

DUAL Asset was formed in 2013 by a group of likeminded, innovative professionals to pioneer changes and improve the way the traditional legal indemnity and title insurance market worked. Since then, the team has grown substantially and includes insurance professionals, property experts and qualified lawyers to ensure we provide the best possible solutions and service to our clients.

Our products

✔ **Specific Risk policies**

Insure red flag issues identified during the due diligence process

✔ **All Risk policies**

Insure unknown risks and warranties to provide a title guarantee

✔ **Lender All Risk policies**

Insure the risk that the mortgage is not enforceable and does not have the correct priority

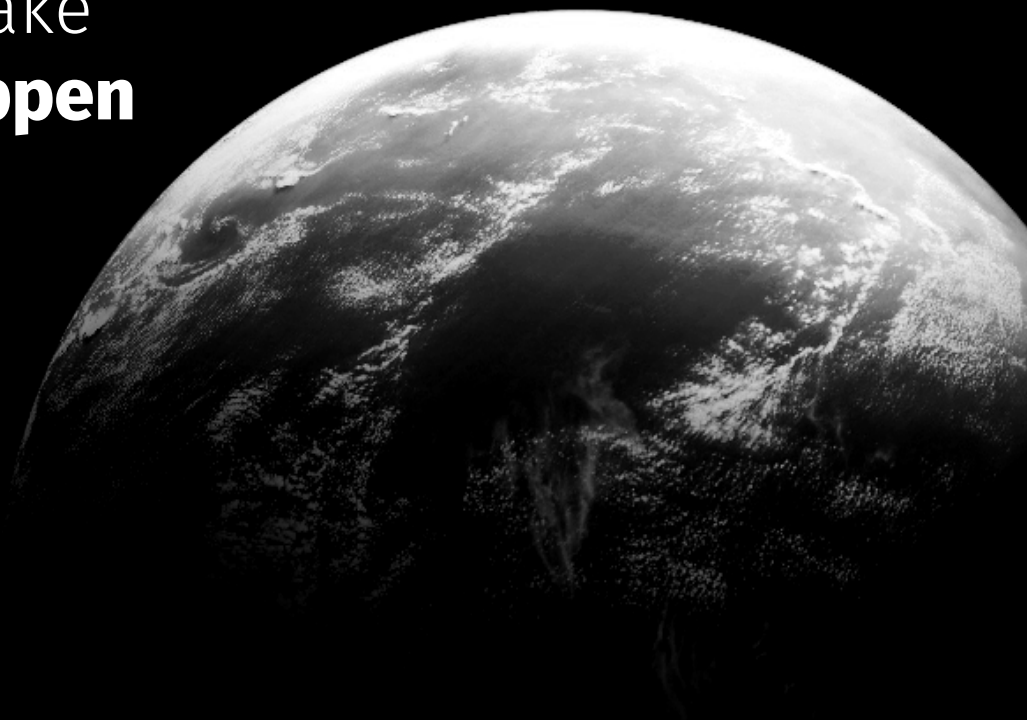
✔ **Title to Shares and Real Estate policies**

Protection for ownership of the target company and the real estate assets

✔ **Title to Shares and Fundamental Warranty policies**

Insure purchasers with comfort around seller ownership and capacity to sell

Products to make
your deals **happen**



How our products can help **you**

✔ Real estate acquisitions/sales

Information is often scarce or out of date. Our extensive range of **Specific Risk** policies can bridge that information gap or manage specific problems identified during due diligence. Loan terms or finance costs can often be better managed if the lender will take comfort from the additional collateral, which our insurance can provide. Our wide range of policies can facilitate easier negotiations with counter-parties and with real estate lenders.

Specific Risk policies can insure, amongst other things: violation of planning/zoning; inadequate easements or servitudes; violation of legal restrictions; missing deeds and mortgage certificates; breach of public procurement or tender rules; infringements of rights of light; restitution and expropriation of land; breach of inheritance laws, including Italian donation risk .

The **All Risks** policy can be used to replace fundamental warranties and indemnities, which are missing or unreliable. Sellers can significantly improve the asset quality and potentially enhance the sale value by offering the assets with the benefit of the policy. Buyers will benefit from the comfort of guaranteed ownership and potentially enhanced lending terms.

In **portfolio** transactions, the **All Risks** policy can also be used to speed up the process by removing the need for lengthy due diligence and provide substantial cost savings.

✔ Mergers and acquisitions

Title to Shares policies protect buyers for issues around seller ownership and capacity to sell.

Our **Title to Shares and Real Estate** policies protect against unknown risks to title and fundamental warranty breaches, or when warranties are not available. Any red flag issues identified can be covered too, subject to underwriting.

Policies can be arranged with an excess in conjunction with Warranty and Indemnity (W&I) policies to provide protection for the full 100% of the asset value, either sitting in excess of a W&I policy or as a standalone policy. These policies remain in force for the full length of ownership and are not time limited like traditional W&I policies. Zero excess and de minimis options are also available.

✔ Refinancing and restructuring debt

Lender All Risks policies can make restructuring and refinancing distressed debt easier and quicker.

Policies can assist lenders in 'tidying up' existing security, where problems are discovered in security reviews or when refinancing, by improving the asset quality, guaranteeing title and mortgage enforceability of every loan.

Policies can allow more efficient restructuring of syndicated mortgages and onward sales or securitisation.

✔ Loan book acquisitions/sales

The **Lender All Risk** policy enables a buyer to reduce the amount of due diligence it carries out and not have to 'take a view' on the vast majority of the loan book that is not likely to be examined due to time and cost pressures. Using our insurance can save significant time and place the buyer in a stronger position where mortgage enforceability is guaranteed on every single loan in the portfolio and avoids having to rely on warranties, if available, from the seller.

The seller benefits from being able to offer the portfolio with a set of 'A' rated warranties and achieves a clean exit, avoiding any contingent liabilities or buy backs where security problems can subsequently arise.

✔ Exit strategies

Sellers ideally want a clean exit and to avoid contentious negotiations, contingent liabilities and involvement in escrow arrangements.

Our **Specific Risk** policies can help prepare difficult assets for sale, and provide buyers with the comfort they need to proceed.

Our **All Risk** policies replace title related warranties and our **Title to Shares** and **Title to Shares and Real Estate** policies complement traditional W&I policies. This can allow for more efficient transaction structuring or to replace and enhance otherwise inadequate warranties.

Get in touch



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For more information about DUAL Asset Underwriting's **Transactional Insurance for Distressed Assets**, please contact our team directly to discuss your requirements, or to arrange a meeting.



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