

# Webinar | Expert Industry Panel

## Restaurant Insurance 2.0

Addressing the Evolving Needs of  
Today's Modern Restaurants

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Ritchie Vener:

All right, I think we're about ready to go. Hello, everyone, and thank you for joining our webinar, Restaurant Insurance 2.0, Addressing the Evolving Needs of Today's Modern Restaurants. My name is Ritchie Vener, and I'm the Chief Marketing Officer of Distinguished Programs.

I'm very excited to be leading a discussion today with members of our restaurant program. We pride ourselves on having the experience, flexibility, and depth of expertise to help brokers get their deals done, and this is a team that really exemplifies that.

To make sure everyone has easy access to what we're going to talk about today, we'll be sending all registrants a copy of the slides, the webinar recording, and a PDF with all the questions and answers from today's session. Even if we don't get to the questions that everyone has today, we'll answer them afterward and send them out to everybody to make sure we answer all of your questions. If you have a question during the presentation, please use the Q&A button on the bottom of your screen and we'll either get to them live or as I said, in our follow-up depending on the time.

Distinguished Programs is a leading national insurance program manager providing specialized insurance programs, real estate, community associations, executive lines, hotels, restaurants, fine art and collectibles and environmental and construction professional. Our restaurant program offers umbrella package and cyber coverage. During this 30 minute session, we'll focus on the evolving needs of today's modern restaurants and especially the importance of cyber coverage. Are we ready to become a go-to expert in today's modern restaurant insurance needs? All right, so let's get started. All right, we've got a great panel today.

Joining us are Heidi Strommen. Heidi, the President of our Primary Hospitality Program is well-known in the industry. Heidi oversees the overall strategy and management of distinguished primary programs for restaurants and hotels. Heidi joined Distinguished in April 2019 with our acquisition of Pro Host USA, a Program Administrator specializing in restaurants which she served as President. She has an extensive background in building programs for restaurants and related risks. She's also a past President of the Target Market Program Administration Association, and is currently on their advisory board. She's authored numerous articles about ensuring restaurant exposures for various industry magazines including Risk and Insurance, Insurance Journal, Agent and Broker, and Rough Notes. Heidi earned a BA in government from Cornell and an MBA from Metropolitan State University.

Also joining us today is Haley Cagle. Haley joined Distinguished in January 2022 as our Cyber Product Manager. She previously worked under her Program Manager for Lloyd's of London, and has been in the professional liability insurance industry as a wholesale surplus line broker and underwriter for 14 years. She has specialized in cyber tech and miscellaneous ENO, and now focuses solely on cyber. She also recently obtained her cyber professional liability practitioner, CPLP designation, which she adds to her RPLU and her ASLI designations.

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All right, so let's jump right in. So the first thing is a question that I have for both of you. Just to ground us a little bit, could you tell us a little bit about the Restaurant Program and the Cyber Liability Coverage that you're in charge of?

Heidi Strommen: Certainly, and thank you, Ritchie. We really pride ourselves at Distinguished offering an end-to-end solution for restaurants. The foundational piece of that is our Restaurant Package Program, which provides everything from property, GL, liquor liability, EPLI, in the form of an endorsement, cyber, that we're going to get into shortly, can be both a part of that package or it also can be a separate policy. We have a couple options and we'll talk in detail more about that.

Our package program also includes many restaurant specific enhancements, lots of those bells and whistles that brokers and restaurant clients are looking for that demonstrate that this is not a generic product, but it is something that is designed specifically for restaurants.

In addition, we have our monoline umbrella program. We can offer that in conjunction with our own package and we can also write it over other carriers. We have limits available up to 140 million on the umbrella side, and that makes us also quite unique in the marketplace. I will let Haley talk a little bit about what we offer on the cyber side.

Ritchie Vener: Great. Thank you, Heidi.

Haley Cagle: Thanks, guys, and great to be here today. I manage the Monoline Cyber Liability for Distinguished. Cyber Liability is really designed to protect businesses from the cost of cyber threats and breaches. It provides insurance coverage for things like lawsuits. For stolen records, you have to notify your effective parties, there's PR cost involved, that all has to do with reputational harm, and you just really got to let your visitors know that the data is safe in your hands.

Cyber insurance can kick in when an attack freezes a company's systems. This includes responding to cyber interruption and lost profits due to system failure. We'll talk about the importance of cyber coverage as we go along through these slides.

Ritchie Vener: Okay. All right, thank you, Haley. Heidi, there's always so much going on and influencing the restaurant industry. I was hoping you could let us know a little bit about what are some of the current global trends.

Heidi Strommen: Absolutely, and you are totally right Ritchie. It's such an interesting industry. I've been working in restaurant insurance for too many years than I really care to recall, but the evolution of the industry has been so exciting in the last few years, especially I would say it is one of the most entrepreneurial industries out there.

Restaurant owners had to be so adapting of new ideas, especially during the pandemic, but it started before that and I would say it's just accelerated. That's both wonderful, and it also presents some challenges in terms of insurance and we're going to talk a little bit about that.

Just to go through some of the trends I think are the most dominant right now that we're seeing contactless dining technology that's going across many different types of restaurants these days. That can include robotics, both back of house and front of house, online delivery, online ordering... It's not really online delivery, it's more like online ordering for the purposes of delivery.

Various takeout platforms, takeout is an area that I think everybody recognizes came to new heights and importance during the pandemic. Many restaurants that hadn't done takeout before started and they haven't stopped. They've recognized the value of takeout as a revenue stream in their operation and that's been vastly expanded in the last few years.

CBD in food and drinks is certainly a hot trend and an interesting topic, pop-up restaurants, which are temporary restaurant locations. A lot of brick and mortar restaurants that have their own premise also do popups at different unique places. They might have a popup in conjunction with a brewery, or it could be any place outside of their regular base of operations. It's also something that maybe somebody that doesn't have a brick and mortar restaurant of their own might do. That can take different forms.

Experimentation with entertainment. It's still a very competitive industry, restaurants are always competing for business and the whole entertainment area is one that a lot of restaurateurs dabble in, and it could be anything from a background piano player to live bands to ax throwing. There's a whole range of things there, and accompanying that range is a whole range of insurance questions and potential challenges.

Menu offerings for restricted or specialized diets. I think we are all getting much more accustomed when we go to a restaurant to seeing different notations on the menu. Vegetarian, vegan, contains nuts. It can be anything from allergies to dietary preferences and that's something that restaurants are wanting and needing to do more and more of as there are more people that subscribe to different dietary... Either voluntarily or involuntarily. They have dietary restrictions.

Cocktail lounges and speakeasy type venues. A lot of restaurants have expanded, so perhaps they have a high-end cocktail lounge in the basement or on the rooftop. Maybe they have an old-fashioned speakeasy that's in a back room where you only know about it by word of mouth and you have to know the password. That's been a really hot trend in a lot of areas. That's another thing that we're seeing a lot of these days from existing clients and from prospective clients.

Ritchie Vener: Heidi, when you say that, a lot of things pop into my mind but could you take us through a little bit... How do these trends impact the insurance needs of restaurants?

Heidi Strommen: It's a very critical question and I think I would like to start my answer to that question by urging all our broker partners and prospective broker partners that are on this call to as they're thinking about this, consider how often am I in contact with my restaurant clients? Because restaurant owners, as I mentioned, are quite entrepreneurial and they may very well decide to make changes to their operation that they will not understand have insurance implications, and they won't talk to you about them proactively.

Not because they're trying to hide them from you, but just because it doesn't really occur to them that this could have insurance implications. It highlights the need for brokers to be proactive and reaching out regularly to their restaurant clients, checking in with them, are you doing anything new? Is there anything that we should talk about? Maybe you should be checking their social media to see what they're up to because a lot of times, that's where it's going to show up first that they're trying something new.

Having said that, things to watch out for, and I think brokers will understand this and it's a matter of educating your clients about it. Most insurers have a cannabis exclusion on their policy. If you have a client that is providing food or drink that is CBD enhanced, you're going to need to discuss that with them and perhaps look for some additional coverage for them outside of a traditional package policy.

Those pop-up restaurants are another situation where an exclusion may apply depending on the policy you have in place, but a lot of companies use the designated premise endorsement and their coverage is going to be limited to the premise that is identified on the policy. If they decide let's dabble in some offsite catering and they have that exclusion on their policy, they may not have coverage or if they decide to do a popup.

Those are a couple examples. It may turn out that based on something that's newly added, they may not have adequate limits to cover, whether it's new equipment that they've added, maybe they've invested in some robotics, that can be quite expensive. You need to revisit their various limits on their policy.

Depending on what they've added, they may be in jeopardy of being canceled or non-renewed. Their carriers have their underwriting guidelines and if they say no entertainment and all of a sudden there's ax throwing, they're probably not going to want to stay on that risk. I know that's an extreme example, but it happens. What could go wrong? Liquor, axes, I don't see a problem with it, but some people do.

Also just the example of the high-end cocktail lounge, the speakeasy, that may bring in more sales and it may enhance profitability, but it may also increase your liquor sales versus food sales to the point where you are not an acceptable account anymore for some restaurant markets. Maybe you become considered more of a bar tavern risk.

Those are some of the areas I think where these insurance issues may develop and the important thing is communicate, communicate, communicate between restaurant client, broker and your underwriter.

Ritchie Vener:

Thank you, Heidi. That's very interesting. Haley, I'm going to ask you a question and some of this spurred on by what Heidi was talking about, but whether they want it or not, technology is increasingly becoming part of the day-to-day in restaurants. What are some of the current cyber threats that modern restaurants are facing and how can they proactively address or overcome these challenges?

Haley Cagle:

Going off of what Heidi said, modern restaurants, they're changing so quickly. There's so much more new technology that's being used today that wasn't even used in the last few years. It's growing so rapidly, the security and the training for some of these features is still catching up and this just provides so many more opportunities for these bad actors to come in and try to attack our systems.

Especially in the pandemic, we saw so much more of the contactless payment methods, mobile apps, tabletop payment systems, just so many different ways to take credit cards and just another way for a bad actor to come in. Social engineering is evolving to bypass MFA, which is multifactor authentication, phishing schemes, they're getting smarter here as well.

It's no longer just email. We have to look out for calls now, that's called vishing, and I'm sure everybody's gotten their text messages lately over the holidays. We're looking at text messages too, that's called smishing. They want you to click on these bad links and then that's how they get your information.

Attacks on the third party vendors affect restaurants especially. Just to give you some idea of what's going on out there, this is very recent. There was a very large ransomware attack that effect a point of sale vendor that provides financial services from restaurants and over 100,000 restaurants use a particular processor. Some of these restaurants, they couldn't accept payments, they couldn't accept their loyalty or gift cards, some of them couldn't even process their payroll or access their inventory systems.

Attack on a third party vendor really, really hurts a restaurant, especially a small restaurant. What can we do? What can we do about it? Employee training is key. We have to keep current on phishing training and proper data handling. Securing our network is super important, strong passwords, firewalls, encrypting and backing up our data.

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When we're using third party vendors, we want to make sure the point of sale vendor is using the best cyber practices and that your contract with your vendors includes security requirements. With all of that, a cyber attack can still happen. Even with your best security practices, they still occur.

Obtaining a cyber policy that's comprehensive is essential. You need coverage for social engineering, ransomware, network liability, PCI costs, business interruption. There's so many different aspects of cyber, and we'll go into a little bit more of these in a later slide.

Ritchie Vener: Okay. Haley, many restaurants and restaurant owners still consider cyber coverage optional. How risky is it for a restaurant to self-insure for cyber?

Haley Cagle: It's very risky to self-insure, especially for a small restaurant. Especially like I talked about earlier, post pandemic, we're seeing more and more businesses report cyber attacks and data breaches. Businesses like restaurants, hotels, a lot of the hospitality, with having a large number of clients, they process payments through online portals with credit and debit cards and you're looking at a \$3 million average cost of a claim for the hospitality industry for a data breach.

You may think maybe my claim won't be that much. Even if it's not that much, you're still spending tens of thousands of dollars. You have to upgrade your security system, all the business you lose when you cannot accept your payments, so a good cyber insurance package can really help mitigate these risks and cover the cost of some of these attacks.

Ritchie Vener: Given what you've just talked about, what kind of program have we put together at Distinguished to offer brokers to sell to the customers that are essential for restaurants?

Haley Cagle: We offer coverage through Beazley, the monoline product, and there's so many variations in the cyber market, what's covered and what's not. I feel like we provide a very comprehensive policy. Beazley's an extremely well known name in Cyber insurance.

First of all, notifications are very important and you want to note that we have notification expenses outside the limit. When you're looking at an average cost of a record for about \$150 per record, that really adds up considering how many payment methods that restaurants are taking in every day. You've got your breach response costs, your forensic PR, crisis management, all this has to do with reputational harm, repairing your reputation if something happens, and also figuring out how the breach started.

You've got ransomware costs or cyber extortion. I know that's a hot topic out there right now, ransomware, for sure. You want to make sure we've got business interruption and that that business interruption also includes dependent business interruption. That would be like if it affects your third party vendors.

We've got data network liability, then we've got penalties for things like regulatory and PCI, liability and cost, payment card liability and cost, media liability if you have a website you're advertising on. Certain types of fraud, also covered. Funds, transfer, telephone fraudulent instruction, which we're seeing a lot more of recently. Finally, there's a supplement for criminal reward.

I think even more importantly, in the event of a cyber attack, that policy holders also have access to a breach response team. That's really going to help them pinpoint where the system has been compromised. It's going to give these businesses a 24/7 hotline to where they can contact somebody if they think a cyber event's occurred.

When you're a restaurant manager and you're panicking and you think you've got a breach, you contact the breach response team and they're really your first responders. They help you every step of the way.

Ritchie Vener: All right, I just want to dig into a little bit more. To the extent that you haven't covered it, talking about the coverages, a big question for a lot of restaurants they have for the brokers, what is the restaurant required to do or pay if there's a breach?

Haley Cagle: Right, we're running a little bit low on time, so I won't spend too much here, but I will say it's a lot of stuff. You can look in just our bullet points right here.

They've got to figure out how it happened, we talked about notifications, they've got to notify regulators, they've got to notify their clients, their customers that they've had a breach. There's fines and penalties if you happen to not be in compliance with your certain state laws or federal laws, you have to offer credit monitoring.

Again, public relations, something to repair your reputation, customer support you have to help your customers. There's assisting those that are affected by the breach. You've got to pay your premiums if you do have cyber insurance in place, business interruption cost is huge, especially for restaurants.

When you can't accept bookings, you can't accept payments, you're losing so much business. Third party liability, you've got to train your team to improve your cybersecurity awareness. Our Cyber Liability coverage protects establishments in the event of a data breach or other cyber attacks, so a lot of this is going to be covered.

Ritchie Vener: Okay. What's the best way for a broker to successfully sell cyber liability insurance?



Haley Cagle: Selling cyber can be a little tricky. Technology's not everybody's first go-to here. It can be a little less obvious. It's important to not just sell the insurance, but explain what the risks are and how they can threaten your client's business.

Data is a super important tool to help make the case and convince your clients. We talked about it earlier, the average breach claim for the hospitality industry is \$3 million and the average cost for a stolen record is \$150. It really starts adding up.

Second, you need to educate your clients on the common risk associated with their business and their responsibilities during a breach. You look at the last slide and just that long list that we had, that's all the things that a restaurant's going to have to do or be responsible for paying in the event of a breach. Many restaurants, especially small restaurants, they can't handle this type of loss on their own.

Finally, giving them real life samples, something that they can really latch onto. There's that point of sale vendor ransomware attack we discussed earlier on in the presentation. We're seeing more attacks on mobile apps and websites.

Another recent claim that just not with us, but another recent attack that occurred, it was a large chain restaurant where personal information was stolen and was being sold in the black market through their mobile app. It's really interesting to see how these attackers, they just keep coming through different avenues.

I would say finally, payment card fraud is so important for restaurants due to the large amount of credit card payments being accepted. You can see the bad actors are coming after these restaurants from all sides.

Ritchie Vener: I understand how a large restaurant could see the need for this, but do small restaurants also need this kind of coverage?

Haley Cagle: Yes. Small restaurants, it may even be more important. Cyber criminals, they don't care that you're a small restaurant. It's a game of numbers for them, how many targets they can go after. Small restaurants are even more dependent on third party applications and other vendors. Small restaurant owners are just not investing the time and the money in cybersecurity and that really makes them a prime target, an easy target.

There was one study done by Barracuda Networks that showed that small businesses will actually experience 350% more social engineering attacks than a larger business. Ransomware attacks are also on the rise because these attackers know that they have weaker web security. Small businesses are just not equipped to deal with the effects of a cyber attack even in the first weeks.

Combined with the lost profits and data, possible fines and penalties on top of that, the harm to the reputation, few restaurants can really recover from it. Data shows that 60% of small businesses go out of business within six months of a data breach.

Ritchie Vener: Wow. That's a figure. Wow. I'm going to ask a broader question now because we're talking specifically about restaurants. Heidi, how does Distinguished customized insurance solutions across all lines of business? Is it everything for everybody or how do we do it?

Heidi Strommen: I'm going to answer that question, but I want to add one thing to what Haley was just talking about on the subject of selling cyber. That is my observation, and this is a bit of a challenge that I'm going to pose to the brokers that are on this call, is one thing I observe from proposals that we see where we get copies of the proposals that brokers are presenting to their insurers.

There are still way too many that are showing cyber in that optional section on the proposal. I think brokers need to change that conversation. This should not be in your optional coverage section, it really should be in the you need to have this section of your proposal. That's my advice. I think that it changes the mindset when you present it that way because after you look at these risks that we've been talking about, it's really hard to think of it as something that should be optional. I just wanted to put that little plug in there.

How does Distinguished customized insurance solutions across all lines of business? One of the ways we do this is we make it easy for the broker because you have one point of contact for all these different coverages. Cyber is... Haley is our expert on that. She is working directly with our restaurant core underwriting team. When a broker sends us a restaurant submission, it's going to get handled by one underwriter and they're going to be dealing with that one person and that is going to be a very seasoned restaurant underwriter. All they do all day is underwrite restaurants.

They're not a generalist, they're not trying to keep up to date on a whole bunch of different industries. They're all about restaurants and they understand the difference between a large fine dining restaurant and a fast casual restaurant, a larger entity, a smaller entity, different coverage needs, depending on if they're a tenant or a building owner where they're located. There's all kinds of different variables. We're doing business all across the country with all different types of restaurants and that's what allows us to bring that expertise to bear on each account that you send us.

Ritchie Vener: Okay, that's great. Thank you, Heidi. I hate to say it because this has been a great conversation. We're actually already running out of time for our half hour time slot. I want to remind everybody that we are going to send out... We gathered some frequently asked questions ahead of time. We had a lot of people submit questions to us.

We'll be talking about, in the package that we'll send you after this, ghost kitchens, who our partners are, how you submit business. Everyone who's been on this webinar will get a PDF, a transcript of this, and a link to the video.

I'd just like to thank everybody who has tuned in. Any questions that have been submitted, we'll make sure to answer those also and send them out. Especially, I'd like to thank Heidi and Haley for spending so much time with us today talking about this. They're always available to speak to broker partners to help you sell through to your customers. Any final words that you'd like to say on the topic, Heidi or Haley?

Heidi Strommen: I just want to thank all the brokers that joined us today. We have so many great broker partners. I know a lot of them are on this call. I'm sure there's some that haven't done business with us and I hope this has encouraged you to give us a try. We love to get to know new brokers and work to help solve some of your problems and challenges perhaps with some of your restaurant clients. We'd love to hear from you.

Ritchie Vener: All right. Any final words of advice, Haley?

Haley Cagle: Just cyber insurance is so important, even for small restaurants. I'd love to discuss cyber insurance with you guys. You can give me a call or you can also send me an email. I'd be happy to help set you up with some highlight sheets, whatever you need to help you sell the cyber.

Ritchie Vener: Okay. All right. Thank you, Heidi and Haley. Thank you, everyone for joining us. As you can see, it's a topic with... There's just so many facets to it and we'd love to talk to you further about it. All right, thank you everyone for joining us.

Heidi Strommen: Thank you.

# Restaurant Insurance 2.0

Below are additional attendee questions we could not address during the session.

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## General Questions

**Q: What are the top 3 insurance concerns that a restaurant owner doesn't understand and therefore, probably doesn't get sufficient limits/coverages?**

A:

**1) Cyber** - Many restaurants still do not buy any cyber coverage.

**2) Umbrella with Adequate Limits** - There is no magic formula to determine adequate limits but we see even multi-location restaurants that are only carrying a \$1M or \$2M umbrella which is certainly not adequate.

**3) Property Values** - Many restaurants and brokers have not kept up with inflation in terms of the valuations and limits of buildings, improvements & betterments, and contents.

**Q: We currently are appointed agents for another Distinguished program. Are we able to access the restaurant program?**

A: Yes!

**Q: Do we submit accord apps, or can enter on your Portal?**

A: You can find our applications and submission instructions by visiting the Distinguished website: [Submit Business Page - Distinguished](#)

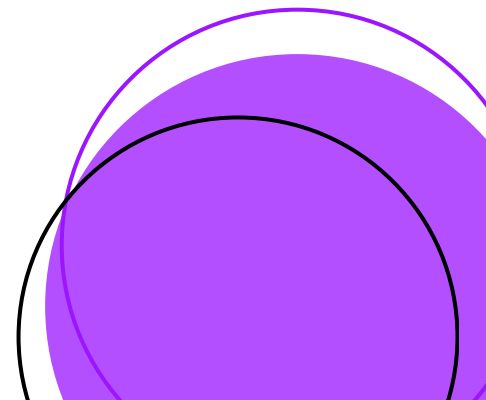
**Q: What Carrier are you using to place the restaurants?**

A:

1. Arch Insurance for the Package Program
2. Beazley for Monoline Cyber
3. ACE/Chubb for the Monoline Umbrella

**Q: What states is this available in?**

A: Restaurant Umbrella and Cyber Liability are available in all states. Restaurant package is available in all states except Alaska.



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## Coverage Details

**Q: Does your program have an appetite for the entertainment mentioned in the webinar? That has become a major roadblock for restaurant clients lately.**

A: We have an appetite for low-key, background entertainment only.

**Q: Do you accept Karaoke business? Is closing at 2am ok? Offer Liquor Liability or EPLI?**

A: We do not write restaurants with karaoke or restaurants that close later than 1:00 a.m.

**Q: Eligibility for fine dining with higher alcohol revenue due to higher sales price drinks?**

A: Yes.

**Q: Hired and non-owned, how does Uber Eats etc. affect this line?**

A: In our program, we do offer HNOA if the restaurants use third-party delivery services. We do not offer the coverage if there is first-party delivery.

**Q: Wind coverage? What are your wind restrictions for GA, FL, AL, MS, LA, and Texas?**

A: We do not write any wind coverage in Florida. In the other states, we do not write first tier wind coverage and may also require a wind deductible beyond the first tier.

**Q: Can you share more about coverage for Ghost Restaurants and food businesses which utilize shared kitchens?**

A: We provide similar coverages for ghost kitchens as we do for other restaurants. The lack of customer foot traffic on-premises at ghost kitchens means that rates are lower than for restaurants with on-premises dining. We do not insure entities that are functioning as the landlord/lessor of a shared kitchen space. We will consider entities that are leasing space and operating a restaurant as a ghost kitchen.

# Restaurant Insurance 2.0

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## **Q: Does the policy have an Assault and Battery Exclusion?**

A: No, and we also do not write bars or other establishments that are at a higher risk for an assault or battery claim.

## **Q: Would you be able to look at a restaurant/banquet house that also has docks?**

A: No.

## **Q: Why do carriers put a limitation on liquor receipts even when it is a high-end restaurant and the bottle of wine cost more than the entire?**

A: We do make allowances for fine dining restaurants that have a higher percentage of liquor due to the pricing of wine/cocktails. These are underwritten on a case-by-case basis.

## **Q: Eligibility for restaurants with Food Trucks?**

A: We are not currently able to offer food truck coverage.

## **Cyber Questions**

### **Q: For Business interruption, 3rd party vendor coverage, is the "vendor" only for data vendors, or can it include "suppliers of meat/fish/vegetables"?**

A: Coverage for dependent business interruption loss for Breaches and System Failures is not limited to data vendors. Dependent Business means any entity that is not a part of the Insured Organization but which provides necessary products or services to the Insured Organization pursuant to a written contract.

### **Q: What part of the forensic expenses are you covering and what is the limit?**

A: Limits for Legal, Forensic & Public Relations/Crisis Mgt are up to policy limits. **Forensic Expenses** means reasonable and necessary expenses incurred by the Insured Organization to investigate the source or cause of a Business Interruption Loss.

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