



**APPEAL PANEL DECISION FORM**

**I. CLAIMANT AND CLAIM INFORMATION**

<b>Claimant Name</b>	Last/Name of Business	First	Middle
	[REDACTED]		
<b>Claimant ID</b>	[REDACTED]	<b>Claim ID</b>	[REDACTED]
<b>Claim Type</b>	Business Economic Loss		
<b>Law Firm</b>	[REDACTED]		

**II. DECISION**

Select the Compensation Amount set forth in either BP's Final Proposal or the Claimant's Final Proposal as the final outcome on the claim and check the appropriate box to signify your decision.

<input type="checkbox"/> <b>BP's Final Proposal</b>	<b>Compensation Amount</b>	<b>\$14,763</b>
	<b>Risk Transfer Premium</b>	<b>2.50</b>
	<b>Prior Payment Offset</b>	<b>\$0</b>
<input checked="" type="checkbox"/> <b>Claimant's Final Proposal</b>	<b>Compensation Amount</b>	<b>\$68,616.01</b>
	<b>Risk Transfer Premium</b>	<b>2.50</b>
	<b>Prior Payment Offset</b>	<b>\$0</b>

**III. PRIMARY BASIS FOR PANELIST DECISION**

Please select the primary basis for your decision. You may also write a comment describing the basis for your decision.

- Error in documentation review.**
- Error in calculation.**
- Error in RTP multiplier.**
- Error in Prior Spill-Related Payment Amount.**
- No error.**

**Comment (optional):**

BP presents this appeal following an award to [REDACTED]. Claimant is a condo association which derives its revenues from fees and assessments paid by owners. BP contends the collection of assessments is akin to a pass through for repairs and is not intended to generate actual profit for the association. It should be noted that the Settlement Program excluded from revenue \$40,030.00 in special

assessments related to capital expenditures. However, beyond this item, there is no basis under the Settlement Agreement to exclude certain revenues because they do not fit into a more traditional compensation category. BP attempts to create a distinction based on a limitation tied to profit. No such qualification exists under the Settlement Agreement and countless appeal decisions have recognized that special assessments are to be considered revenue earned in the normal course of business for a condo association. The Settlement Agreement simply provides for subtracting the appropriate expenses from the monthly revenues. Moreover, the special assessment revenue herein was reported as gross receipts on the claimant's tax returns. BP's appeal is dismissed and the award in favor of this claimant is affirmed.