

## Message to October 2007 California Wildfire Victims

As most of the fires reach full containment and the ash begins to settle, our hearts go out to the many victims of the October 2007 Wildfires as they begin the monumental and sometimes overwhelming task of putting their lives back together.

Over the years we have had a great deal of experience working with victims of natural disasters and through those experiences, we have developed a check list that may assist victims of the 2007 Wildfires when it comes to working with their insurance companies.

It is always our hope that the insurance company will step up and do the right thing; however, it is also our experience that things do not always go as planned, or as promised.

It is our sincerest hope that this checklist is useful as you go through the claims process.

If you have questions about your coverage or are unable to find answers to your questions from the information below, forward your questions to [firehelp@sbd-law.com](mailto:firehelp@sbd-law.com).

### **What to do After the Fire:**

How to make sure your insurance company pays you what you are entitled.

- *Read your insurance policy and know your rights*, Insurance policies and their Declaration pages are complicated, but you are better off if you try to understand as much as you can regarding your coverage. As an insured, California law entitles you to information from the insurance company regarding your rights to a fair claim settlement. In addition, you can request from the insurance company a copy of the regulations insurers must follow when processing your claim.
- *Contact your insurance company ASAP to make a claim*. It doesn't matter if you are not exactly sure about the amount of damages or loss of property you have encountered, let your insurer or adjuster know right away that you have sustained a loss. It is also very important that you do this in writing. A paper trail provides documentation you may need later.

- *If you are unable to find your insurance documents or lost them in the fire.* Ask your insurance agent or company for a copy of your policy including the Declarations Page. It will be important for you to know your coverage and exclusions when filing your claim.
- *Organize and share information with others who have lost property.* Work with your neighbors who have lost property to form "carrier-specific" groups and share information throughout the claims process. United policyholders get faster and fairer settlements.
- *If you can, take pictures or video footage of all damage to your property.*
- *Keep a claim journal.* Do not take for granted that everything you say is being entered into your claim file. Every conversation by phone or in person with anyone from your insurance company should be written down. Write down everything, what you said, what the representative of the insurance company said. Write down the date and time. Remember, you are trying to get someone else to rebuild your life.
- *Keep a copy of everything.* If it is written to you or by you, it is important to keep a copy for your file. It is really important to get everything in writing. Remember a paper trail provides documentation of your claim that may come in handy. Make all your correspondence—questions, requests—to your insurance company in writing, and then make a copy for yourself. This includes letters, faxes and e-mail.
- *Receipts are important.* Keep a record for yourself of everything you have to purchase if you are forced to evacuate. "Additional Living Expenses" includes food, lodging, clothing, etc.
- *Make a list of every item damaged or lost in the fire.* You will not be compensated for items for which you do not submit a claim for.

- ***Estimate the value of your damaged or destroyed property.***  
 Estimate what it would cost to replace, and also what it was worth before it was damaged. Why the two different numbers? Insurance policies offer different kinds of coverage. Contractors can provide you with an estimate.
- *An adjuster will be assigned to you by your insurance company.* Remember, the adjuster is an employee paid by the insurance company and works for the company, not for you. Your assigned adjuster may not know all the details of your coverage and exclusions. If you think your adjuster is wrong, you can hire a "public adjuster" to help you out.
- *Understand the difference between "Replacement Cost Coverage," "Guaranteed Replacement Cost Coverage," and "Actual Cash Value Coverage."* If you are unfamiliar with these terms visit the Glossary under the *Consumer Resources* page at [www.sbd-law.com](http://www.sbd-law.com).
- *Get insurance company approval for repairs.* Don't start repairing or replacing property, or throw away damaged property, without your insurance company adjuster's approval.
- *You are rebuilding your life, take your time.* Don't feel pressured into agreeing to low-ball estimates, repairs or rebuilding. Give yourself time to review all the information and determine what is fair and acceptable.
- ***Get independent estimates and consider hiring your own contractor.*** You do not have to accept the insurance company's contractor or estimates.
- *Be cautious about signing releases or waivers.* If you have an undisputed claim, you should not be required to sign a release to settle your claim.
- *Know what you are entitled to and know your rights.* When dealing with the insurance companies it is important to be firm, but polite. Make sure the insurance company knows that you are aware of its obligations to you as the insured.
- *If your business was destroyed—everything mentioned above applies—plus you are entitled to coverage for business interruption.* However, it is important to know that business

interruption coverage only lasts for a specific amount of time. Check your policy. Make sure all your repairs are made prior to the date in which your business interruption coverage is exhausted. If you have questions regarding your coverage, forward them to [firehelp@sbd-law.com](mailto:firehelp@sbd-law.com).

- *Get professional help if you need it.* Particularly on large claims, you may need the help of a professional to recover your full insurance benefits. Attorneys and public adjusters, who specialize in representing policyholders, are available. Contingent and percentage fee agreements allow consumers economical access to professional. Always check references and professional standing.