

[Safeco Insurance Company vs. Parks](#)

Year: 2007

Court: California Court of Appeal, 2nd District

Case Number: B199364 (consolidated with B200267)

Disclosure Requirement—Under 10 Cal. Code Regs. Section 2695.4(a) mandates that when a claim is made to the insurer, the insurer must “disclose . . . all benefits, coverage, time limits or other provisions of any insurance policy issued by that insurer that may apply to the claim presented by the claimant. This provision should be applied as written. The only entity in the tripartite relationship among a liability claimant, an insured and the insurer who has the expertise and the information to locate any and all policies potentially applicable to the loss is the insurer. Imposing a duty on the insurer to disclose information it knows—or has ready access to—and which the insured may not understand or realize, restores the balance of power in the relationship and puts all parties on a level playing field.

UP's brief was written pro bono for United Policyholders by Sharon J. Arkin.