

BACH TALK: Crumbling foundation owners in CT await insurance rulings

ACME News

So many home foundations are crumbling in the state of Connecticut that the legislature passed a special law sealing their records, in part to protect their ongoing efforts to secure insurance coverage to help cover repairs and prevent collapse, damage and injuries. The widespread problem has gotten extensive media attention and the state's highest Court will hear arguments today (Dec. 18th, 2018) in three related cases against various insurers that have rejected property owner claims to cover repairs.

UP weighed in one of the cases, and the issue has been covered [twice](#) in Merlin Law Group's Property Insurance Law [blog](#). Bottom line: We want homeowners to have the financial resources to prevent imminent collapse and given that the crumbling foundations are widespread and accidentail - no fault of theirs - we hope Connecticut courts will ultimately do the right thing. For a detailed explanation of what is causing the deterioration and what's happened thus far, follow [this link](#). The state has taken various actions to help cover repairs. Even if the Court holds in favor of coverage in one or more of the pending coverage cases, insurance monies will only cover a portion of the work that needs to be done.

Ryan Suerth, the attorney who lead drafted [UP's friend of the court brief](#) in Karas v. Liberty Ins. Co. has advanced a strong theory for coverage and advanced in our brief the important principle that insurers should not be allowed to introduce extrinsic evidence to clarify an ambiguous term in the policy they wrote. We have done our part to assist the homeowners, their fate rests in their court's hands.