

CA homeowner stuck with \$50K bill after neighbor's tree crashes into her house. Insurer denies claim, argues it was 'unforeseeable.' Is that legit?

Moneywise

As extreme weather events become more frequent, homeowners are increasingly relying on property insurance as their last line of defense. But coverage can unravel quickly when an act of nature blurs legal boundaries.

That's what Castro Valley homeowner Angela Bereola recently discovered. Last year, heavy rain and 36 mile-per-hour winds toppled a large oak tree on her roof, according to ABC 7 On Your Side [1]. Unfortunately, the 100-year-old tree was rooted in Hayward Unified School District's yard, which complicated her insurance claim and left her with a \$51,399.97 bill.

Bereola's story is a cautionary tale for all homeowners about how seemingly straightforward cases of property damage can still turn into insurance disputes over coverage, liability and obligations.

Why it became a fight

According to a third-party estimate cited by ABC 7 On Your Side, the total damage to Bereola's roof was worth \$70,600.83. That estimate did not include any damages that occurred while removing the tree.

Since the tree was technically located in her neighbor's yard, the insurance adjuster offered to cover only \$19,200.86 of the total damage, leaving her liable for the rest: \$51,399.97.

Despite months of arguing with the school district's insurance authority, her claim was denied. "Based on

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our findings and applicable code, we have determined that the tree fall was an act of nature, and no liability attaches to the Hayward Unified School District,” said the school district’s property and cyber claims specialist in an email.

“This isn’t fair,” Bereola said. “It wasn’t like we were doing something that caused the tree to fall.”

Eventually, after ABC7’s consumer advocacy team reached out to the insurance company, the issue was resolved and Bereola received a supplemental payment to cover some of the costs. But most homeowners cannot afford to wait a year — or rely on media pressure — to resolve an insurance dispute. Here’s how you can protect yourself from a similarly complicated dispute.

Practical tips for homeowners

Getting a property insurance claim denied isn’t as unusual as you might think. In 2024, 14 of the largest property insurers across the country closed 40% to 51% of homeowner claims with no payment whatsoever, according to Weiss Ratings [2].

That’s a significant risk that all homeowners should be prepared to face. There are several ways you can limit the risk. The first step is to carefully review your policy documentation to understand what is covered and what isn’t. This should help you prepare for any unusual or murky situations.

When damage occurs, make sure you document as much of it as possible. Take photos and notes so that you are well-prepared for presenting your case to your insurer while filing the claim. If you make any temporary changes or repairs, make sure you keep all the receipts and include them as part of your claim.

You can also consider hiring an independent adjuster or licensed contractors to get a fair estimate of the damage and the costs to repair. Note, a public adjuster could cost roughly 15% of your total claim amount, according to United Policyholders, so you need to consider if the investment is worth it in your specific situation [3].

If your claim is denied, consider filing an appeal. The process is usually outlined in your insurance policy documentation, so read through it again to figure out how you can attempt an overturn of the denial.

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There's also usually a time limit on appeals, so it's important to act quickly.

Finally, you could consider hiring an attorney to fight your claim. Attorneys are expensive so this may be a last resort only in cases where the damage is extensive enough to justify the costs.

Storms and falling trees are inherently unpredictable, and even well-maintained properties can suffer sudden, severe damage. But homeowners who document the damage thoroughly, report claims promptly, and understand the scope of their insurance coverage and legal rights are far better positioned to avoid prolonged disputes, unexpected out-of-pocket costs, and the kind of financial and emotional strain that often follows major property losses.

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