California moves to set nation's first smoke damage insurance standard

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One of the most common insurance complaints after a fire comes from people whose homes are still standing but covered in potentially toxic soot.

Because there is no state or federal standard for smoke damage, insurance companies often refuse to pay for cleanup, leaving victims on the hook for expensive remediation and testing.

Well, that may finally be about to change. The California Department of Insurance has commissioned a task force to develop a first-in-the-nation smoke damage standard that could be the blueprint for a national standard.

The team will set the guidelines to help solidify how insurers must cover smoke damage and how much remediation they must provide.

On July 1, the state announced the task force members, many of whom we had interviewed for our ongoing insurance investigation.

The task force includes high-profile insurance consumer advocate Amy Bach and Deputy Insurance Commissioner Tony Cignarale, along with public health experts, smoke remediation specialists, and representatives from the insurance industry.

Insurers often deny smoke damage claims unless you can prove there is permanent physical damage from smoke. But health experts warn that smoke damage can be invisible to the naked eye, leaving behind toxic levels of chemicals and heavy metals that may require expensive remediation to make the home safe to live in.

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Source: https://uphelp.org/california-moves-to-set-nations-first-smoke-damage-insurance-standard-2/ Date: September 8, 2026

We recently sat down to discuss the issue with California Insurance Commissioner Ricardo Lara.

“There’s no real set standards around these issues… You know what is the worst part of that? People come up to me and say, ‘I don’t know what’s worse, and I almost feel guilty saying this, but I almost prefer that my house was a total loss’ [instead of] having to deal with this smoke-claim issue,” Lara told CBS News California. “That’s horrible because there are no set standards for how you mitigate your home against wildfire smoke. And who benefits here? The insurance company.”

Aside from Bach and Cignarale, the rest of the task force includes:

Assistant State Public Health Officer Dr. Rita NguyenLos Angeles County Chief Medical Advisor Dr. Nichole QuickChief Frank Bigelow, Cal Fire’s deputy director for community wildfire preparedness and mitigationRichard Holober, Consumer Federation of California Education Foundation board treasurerSafeguard EnviroGroup CEO Brad KovarBlue Sky Environmental Consulting President Patrick MoffettAnderson Group International VP of Operations Kristofer GriffithHRA Environmental Consultants Principal Hamid ArabzadehMichelle Rosales, director of Environmental Health Services at Forensic Analytical Consulting ServicesAllison Adey, Personal Insurance Federation of California legislative advocateKaren Collins, VP of property and environmental at the American Property Casualty Insurance Association

We’ll be following up on their work as we continue investigating California’s insurance crisis.

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