Sample Letter Requesting Extension of Policy Benefits for Building Code Upgrades (CA)

NOTE: This letter is a sample that must be customized to fit the facts of your individual situation and claim. All bracketed and underlined portions must be completed or revised before sending. Use this letter to request that your insurer pay for code coverages (also known as "Ordinance or Law") that would have been required on the home you **lost**, up to the coverage limit. (PRINT THIS LETTER AS A PDF.)

(Date)

(Name of adjuster or highest-ranking ins. co. employee)

(Name of Insurance Co.)

(Address)

Re: Claim Number: _____

Date of Loss: _____

Name of Insured: _____

Address of Insured Property: _____

The information presented in this publication is for general informational purposes and is not a substitute for legal advice. If you have a specific legal issue or problem, United Policyholders recommends that you consult with an attorney. Guidance on hiring professional help can be found in the "Find Help" section of www.uphelp.org. United Policyholders does not sell insurance or certify, endorse or warrant any of the insurance products, vendors, or professionals identified on our website.
Source:
https://uphelp.org/claim-guidance-publications/sample-letter-requesting-collecting-policy-benefits-for-building-code-upgrades/
Date: September 11, 2026

Dear _____,

We are continuing to do our best to document our loss and cooperate with your company to reach a fair and full settlement. We are writing to confirm that building code upgrades we would be required to make if we replicated our destroyed dwelling are part of the dwelling replacement cost owed to us, regardless of whether we rebuild or buy a replacement home. And further, the legislature made clear that we do not need to actually ***incur*** code upgrade costs for them to be included in our dwelling settlement.

Please confirm that you will pay the **costs that would have been incurred due to code upgrades, had we rebuilt the insured house.** Payment under code coverage should not be based on any valuation of the replacement home at a new location, but rather, the home we **lost**.

[You may choose to insert facts about your particular case – i.e. that an adjuster has suggested you are not entitled to code coverage or that code coverage was going to be based on upgrades to the replacement home.]

The California Insurance Code states that we are entitled to this amount under §2051.5 (C). The section states:

(c) In the event of a total loss of the insured structure, a policy issued or delivered in this state shall not contain a provision that limits or denies, on the basis that the insured has decided to rebuild at a new location or to purchase an already built home at a new location, payment of the building code upgrade cost or the replacement cost, including any extended replacement cost coverage, to the extent those costs are otherwise covered by the terms of the policy or any policy endorsement. However, the measure of indemnity shall not exceed the replacement cost, **including the building code upgrade cost and any extended replacement cost coverage, if applicable, to repair, rebuild, or replace the insured structure at its original location.** (emphasis added)

Thank you in advance for following California law and agreeing to pay for building code upgrades that would have been required to rebuild the insured premises at the site of the loss.

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Sincerely,

YOUR NAME

MAILING ADDRESS

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