

What's UP with Trees, Shrubs, and Landscaping Insurance Coverage?

If you have damage to your trees, shrubs, and/or landscaping, you probably have questions about what's covered and what's not. Here are some tips to help you navigate this coverage.

Will my policy cover the damage?

- Know the cause of damage. Fire or lightning, vandalism, and vehicle damage are typically covered under a homeowners' policy, and are the most common causes of damage to trees, shrubs, and landscaping. (If you have damage and you have photos of the damage - preferably before and after - these can help support your claim.)
- Read your policy. Under the Additional Coverages section in your policy, it will explain that trees, shrubs, plants, or lawns will be covered for direct loss caused by fire or lightning, explosion, riot or civil commotion, aircraft, vehicles (not owned or operated by a resident of the residence premises), vandalism or malicious mischief, or theft. Construction-related damage is also usually covered. And, if your home is on leased land, you will still have coverage for trees, shrubs and landscaping. Review your policy as some also include collapse of a building structure or any part of a building structure.
- Mind the details. Most policies also cover up to \$500 or \$1,000 for reasonable expenses you incur for the removal of tree debris from the residence property for sudden and accidental direct physical loss caused by windstorm, hail, or weight of ice, snow or sleet. Of course, the fallen tree must have caused damage to the Dwelling or Other Structures.

Watch your limits

- Typically, the limit for this coverage (including debris removal), is 5% of your Dwelling policy limit. For example, if your Dwelling limit is \$250,000, your policy limit for Trees, Shrubs and Landscaping would be \$12,500 ($\$250,000 \times 5\%$). Your policy will not pay more than \$500 or \$750 for each tree/shrub/plant which includes the debris removal expense - this amount depends on your carrier.

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.

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Additionally, any property grown for business purposes is not covered.

Common claim issues/disputes

- If your carrier has undervalued your trees/shrubs/landscaping, you can obtain an estimate from a local nursery to replace your damaged items, or you can research online pricing. Be sure to include delivery and planting in the cost.
- If you have a covered loss, and your contractor has trucks/equipment/machinery, scaffolding, or other materials in the yard that killed your grass, you can claim damages. Make certain you provide photos and an estimate for repairs to your insurance company.
- Be sure to explain any out-of-pocket expenses to your claims adjuster and provide a detailed estimate for the repair. If you're wondering if something is covered - ask! Provide photos that reflect the damages. And of course, pre-loss photos, if you have them, are priceless.

Frequently Asked Questions About Tree Damage

Q: I lost a few trees in a fire. How much can I claim to replace each tree? Is there a limit?

A: As noted above, a typical policy will not pay more than \$500 or \$750 for any one tree/plant/shrub, including debris removal. The maximum limit would be the 'policy limit' which is generally 5% of your Dwelling policy limit. For example, if your Dwelling limit is \$250,000, your policy limit for Trees, Shrubs and Landscaping would be \$12,500 (\$250,000 x 5%).

Q: I live in a forested area and lost *many* trees.

A: If you live on several acres and lost many trees due to a fire, unfortunately your loss will most likely exceed your policy limits. As an example, let's say your Dwelling policy limit is \$500,000, and you have a limit of \$750 for any one tree/plant. Your Trees, Shrubs and Landscaping limit would be \$25,000 (\$500,000 x 5%).

Here is an example of how this would be calculated if you had 40 large trees, 25 small trees, 5 shrubs, and 10 perennial plants:

- Large trees 40 x \$750 = \$30,000

- Small trees 25 x \$750 = \$18,750
- Shrubs (estimating an actual cost from a nursery \$125.00) 5 x \$125 = \$625
- Perennials (estimating an actual cost from a nursery 5-gal pot \$60.00) 10 x \$60 = \$600
- Delivery and planting of all the above = \$15,000
 - Total loss amount = \$64,975. Unfortunately, in this example where the policy limit is \$25,000, the actual cost to replace these trees, shrubs and perennials greatly exceeds the policy limit.

Q: How are my plants, trees and shrubs valued? Can I buy mature trees and bushes to replace them, or do I have to buy small ones and grow them back to where they were at the time of the fire?

A: The value of trees, plants and shrubs can be determined by a nursery, a landscaper, or an online search. Make sure you include the cost for delivery, preparing the area, and replanting in the value. Mature trees and bushes will typically cost more, so budget carefully if you choose this route.

Q: A tree is leaning and looks like it may fall. Can I claim the cost of removing it?

A: No. This is an out-of-pocket expense as it has not caused damage to your home or other structures. In order for your policy to cover the cost of removing a tree, it must have fallen and caused damage to a structure (i.e., your home, fence, detached garage, shed, pool). Your policy will provide coverage if a tree has fallen and obstructed your entrance/exit from your home (i.e., landed on the driveway and you cannot access the garage, or landed on a sidewalk impeding entrance/exit).

Q: What kind of professional can determine whether my burned trees will survive? Who selects, hires and pays them, me or the insurance company?

A: An arborist can determine whether the trees will survive. Your insurance policy provides coverage for the cost to replace trees that have been damaged by fire. Unfortunately, the policy would not cover the cost of a professional to come out and determine if they will survive.

Q: A tree fell on my house. Do all costs of removing the tree and repairing the damage come out of my Dwelling coverage A?

A: It depends on your policy (look under Additional Coverages – Debris Removal). For many policies, all costs will fall under Coverage A – Dwelling.

If you have additional coverage called Tree Debris removal, your policy will pay up to either \$500 or \$1,000 for reasonable expenses you incur for the removal of tree debris from your property. This is for sudden and accidental direct physical loss caused by wind, hail, weight of ice, sleet or snow, and the fallen tree must have caused damage to the Dwelling (i.e., your house) or Other Structures. This would also apply if the tree fell on Personal Property such as a trampoline or playset.

- Example: A tree falls on your vinyl fence and damages a few sections. You have a \$1,000 deductible. Your policy would cover the following:
 - Reasonable cost to have the tree removed from the fence. Let's say it cost \$5,000 as it was a large tree and equipment was required. You would need to make sure the tree removal company breaks down the invoice to reflect two amounts:
 - The amount for 'cut & drop' which does not include hauling it away from the property = \$3,500.
 - The amount to haul it off the property = \$1,500

In this example, your policy would pay \$3,500 for the tree 'cut & drop' under Coverage A-Dwelling, and \$1,500 under the Tree Debris coverage. Since the \$1,500 haul off exceeds your policy limit of \$500 for Tree Debris removal, the coverage of \$1,000 would be applied to your \$1,000 deductible. Your deductible amount is then \$0.

Q: What about stump grinding?

A: The only time stump grinding is covered under a policy is if it is impeding the repair of covered damages. For instance, to properly repair a damaged irrigation system, a tree stump must be removed (grinded out). This would be less expensive than re-trenching a new irrigation line for the system.

Q: A tree from my property fell on my neighbor's house - no damage, just needs to be removed. Do I put in a claim or does my neighbor? What if it's below my deductible?

A: If the tree fell and did not cause any damage to the home, fence, property, or vehicle, then an

insurance policy would not cover removal of the tree. For an insurance policy to cover tree removal, there must be damage to covered property.

- If the tree caused damage to your neighbor's home, a claim can be filed.
- Who files? This will normally cause hard feelings between neighbors. Since the damage is to your neighbor's home, the neighbor files the claim and their insurer will come out and write an estimate. At that point, the deductible is an out-of-pocket expense for your neighbor. And if the tree fell due to wind, that is an act of God, so subrogation against your insurance policy is not an option.

If there was no damage to your home, or even to a fence, you would not have a claim to file. Your insurance policy covers *your* Dwelling and Other Structures.