

Insurance deadline looms for victims of 2013 Black Forest fire

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The second anniversary of the Black Forest fire on Thursday brings a deadline for many fire victims: it will be their last chance to sue their insurance companies and their last chance to seek to collect the full amount of money they are owed to replace belongings.

“We don’t want people blowing deadlines to collect replacement costs,” said Amy Bach, executive director of United Policyholders, a non-profit organization that informs insurance policyholders of their rights. “We always want to make sure that people don’t miss the opportunity to collect the full value of personal property that they have replaced.”

The fire started on June 11, 2013 and burned 14,280 acres in Black Forest, destroying 488 homes and killing two people.

Fire victims who are working to settle their claims should ask for an extension of the deadline verified in writing, according to United Policyholders. Most insurance companies will grant them if homeowners request them. A sample deadline extension letter is available at the organization’s website.

If the insurer denies the extension, United Policyholders recommends that residents contact the Colorado Department of Regulatory Agencies, which has encouraged insurance companies to grant those extensions.

Before the two-year deadline, United Policyholders recommends that policyholders get written confirmation of the following:

- Your insurance claim will remain open and payable past the two-year anniversary.
- Your insurer will continue to honor its obligation to pay all benefits owing, including replacement values, past the two-year anniversary.
- Your insurer agrees that it will not enforce any “suit against us” provision that may arise at the two-year anniversary.

Nancy Trosper is among those still trying to work with her insurance company to settle her claim. When the fire roared into her neighborhood, she feared that her home had burned to the ground and was

incredibly relieved to learn that her home survived, although it was damaged from smoke. Her insurance paid to have the home cleaned and she was one of the first of their neighbors to return. Over time though, especially when winter set in and all of the windows were closed, they noticed they were all getting sick.

“We knew it smelled like smoke, we didn’t know we were living in a toxic environment,” she said. She estimates that she’s since spent about \$100,000 of her own money working to renovate the house and hire experts to test different levels of toxins. There’s other repairs that need to be made, she said, but she doesn’t have the money to make them.

As she works to resolve the issue, she’s filed an extension with her insurance company and encouraged her neighbors who have unsettled claims to do the same. She knows of about a half dozen Black Forest fire victims who continue to work with their insurance company and assumes there are many more.

“I think it really surprises people that there are folks still struggling to get their claims worked out,” she said. “There are claims that are not being settled.”