

[Marshall Fire victims pressured to return to toxic home](#)

Fox31

LOUISVILLE, Colo. (KDVR) — A family of Marshall Fire victims is speaking out after getting pressure to move back into their home with toxic levels of contamination inside.

Having a mailbox to check and a roof still standing in a town ravaged by the fire, Dan Mederios and Kristin White initially felt very lucky.

“When we first found out our house was still standing it was like an amazing feeling, it’s like we dodged a bullet kind of, but then this process started moving through,” Mederios said.

A picture from the night of the Marshall Fire captured their home surrounded by flames. While it still stands, it faced extreme heat and hurricane-force winds that carried ash from burned cars, tires and homes around them.

“There’s a lot of chemicals and metals that got burned in the adjacent houses,” Mederios said. “We started to hear about that and we started thinking about that. Then, our insurance company and the remediation company start talking about what they’re going to start doing and we’re like, that doesn’t really sound like it would fix the problem.”

Feeling pressured to bring their kids back to a potentially contaminated house, the couple hired a public adjusting company that recommended they invest \$4,000 in an analysis by an industrial hygienist company. A friend created a GoFundMe to try and help them raise the funds to afford it.

Results came back with unsafe levels of contaminants found.

“We’ve had to say to people in some ways, you are better off losing your house completely than having it

partially damaged because there's so much subjectivity that goes into what has to be done," United Policyholders Executive Director Amy Bach said.

United Policyholders works to help and educate fire victims, including those impacted by the Marshall Fire. With so many people facing predicaments similar to Mederios and White, the nonprofit created a free online course to address some of these situations.

"Colorado has a fair insurance practices rule. They are supposed to do a thorough investigation and there are laws, it's a question of who's going to enforce them," Bach said.

Bach said United Policyholders has worked with the Colorado Division of Insurance to try and hold companies accountable.

Who to contact with Marshall Fire insurance issues

In response to the many insurance issues coming out of the Marshall Fire, the Colorado Division of Insurance told the FOX31 Problem Solvers that it pressed the insurance companies to "do better" in working with their policyholders. The result was a series of "asks" of the companies. In regards to cleaning, habitability and testing, most companies agreed to do more for their members:

- **Agreed to:** 60/65 companies, or 92% of companies
- **Additional Explanations/Caveats:** The companies explained that they would still need to follow the wording in their policies regarding testing and cooperation and noted that the requests from policyholders must be reasonable.
- **Did not agree:** Farmers Group (five companies: Fire Insurance Exchange, Farmers Insurance Exchange, Foremost Insurance, Farmers Direct Property and Casualty and Farmers Property and Casualty)

If people have had their own testing done and paid for it themselves, the Colorado Division of Insurance says the insurance companies need to take that into consideration, and if the company disputes the testing, the company should pay for additional testing to back up their dispute.

Officials stress that it is important to provide the independent test results to the insurance company. If the company is not responding and is not taking independent testing into consideration, the homeowners should contact the Division of Insurance Consumer Services Team by phone at 303-894-7490 or email at



DORA_Insurance@state.co.us.

Homeowners can also go to doi.colorado.gov and click on "File a Complaint."

The DOI said not everything can be solved 100% of the time, but contacting the division can allow the state to get answers and provide a path forward in these situations. People should also contact the division if they believe they are not being treated fairly by their company or vendors used by the companies, like cleaners the companies hire.

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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