

## Trust Issues



Putting your home into a Revocable Trust is an estate planning best practice. One of the many challenges in the spotlight since the recent LA wildfires are problems people are having because their destroyed home was held in a trust but the trust wasn't named on their insurance policy.

If your property is held in a Revocable Trust, the trust should be listed as an "additional insured" on your policy. If it isn't, and you suffer a loss and file a claim, your insurer might deny that claim on the grounds that you don't have the required "insurable interest". In that scenario, you would need to fight back and likely have to hire an attorney. Avoid that potential problem by contacting your agent, broker or insurer directly, give them the legal title of the trust and have them list it as an additional named insured along with the legal owner(s).

### **To do:**

1. Contact your insurance agent/broker or insurer immediately after transferring property into a trust;
2. Request that the trust be added as an additional insured on all of your property insurance policies

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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](http://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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including landlord policies covering rental properties, earthquake, flood hurricane policies you may have in force.

3. Ensure the trust's name is listed exactly as it appears on your trust documents
4. Obtain written confirmation of this change from your insurance company and agent/broker.

**Adding your trust as an additional insured has additional benefits that make it worth the effort.**

- Protects both your and the trust's interests
- Maintains the integrity of your estate plan
- Prevents potential claim denials
- Avoids having insurance proceeds go through probate

For more information read our recent post: [How to make sure a home held in a trust is properly insured.](#)

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United Policyholders thanks and acknowledges volunteer Deb Kinney, Esq. for authoring the above information and donating it to our publication library. Deb is a Trust Administration and Probate Attorney, a principal with [Trustparency](#), and navigated the loss of her CA home in the 2021 Caldor wildfire. We also thank and acknowledge Insurance Law attorney and UP volunteer Ivo Labar with [Sawyer Labar](#) for contributing his expertise to this publication.