



Marshall Wildfire Insurance & Recovery Q and A #2

March 02, 2022

Virtual Workshop/Webinar

www.uphelp.org

About United Policyholders (UP)

- Reputable, established 501(c)3 not-for-profit charitable organization, Platinum Guide Star rating
- A trusted information resource and respected voice for insurance consumers in all 50 states
- 30 year track-record and expertise in disaster recovery
- Not for profit...not for sale
- Funded by donations and grants

Upcoming Roadmap to Recovery[®] Events

<https://uphelp.org/events>

How to Read and Understand Your Policy

Wednesday, February 9, 6:00 p.m. MT

Register: www.uphelp.org/feb9

Survivor to Survivor Forum

Tuesday, February 15, 8:00 p.m. MT

Register: www.uphelp.org/feb15

www.uphelp.org/events

Register for upcoming events.

View recordings of past events and related resources.

Team UP

- Professional staff
- Government and nonprofit partners
- Volunteers
 - Fired UP Survivors - previous catastrophic loss survivors paying it forward
 - Consumer-oriented professionals
 - Damage and repair/rebuild cost estimators
 - Lawyers
 - Public Adjusters
 - Tax and Financial Planning experts
 - Construction and Real Estate professionals

Our Three Programs

Roadmap to Recovery[®]

- *Guidance on insurance, restoring assets and getting back home after a catastrophic loss*

Roadmap to Preparedness

- *Helping households and communities reduce risk and be resilient to disasters and adversity*

Advocacy and Action

- *Enforcing insurance consumer rights and protections*

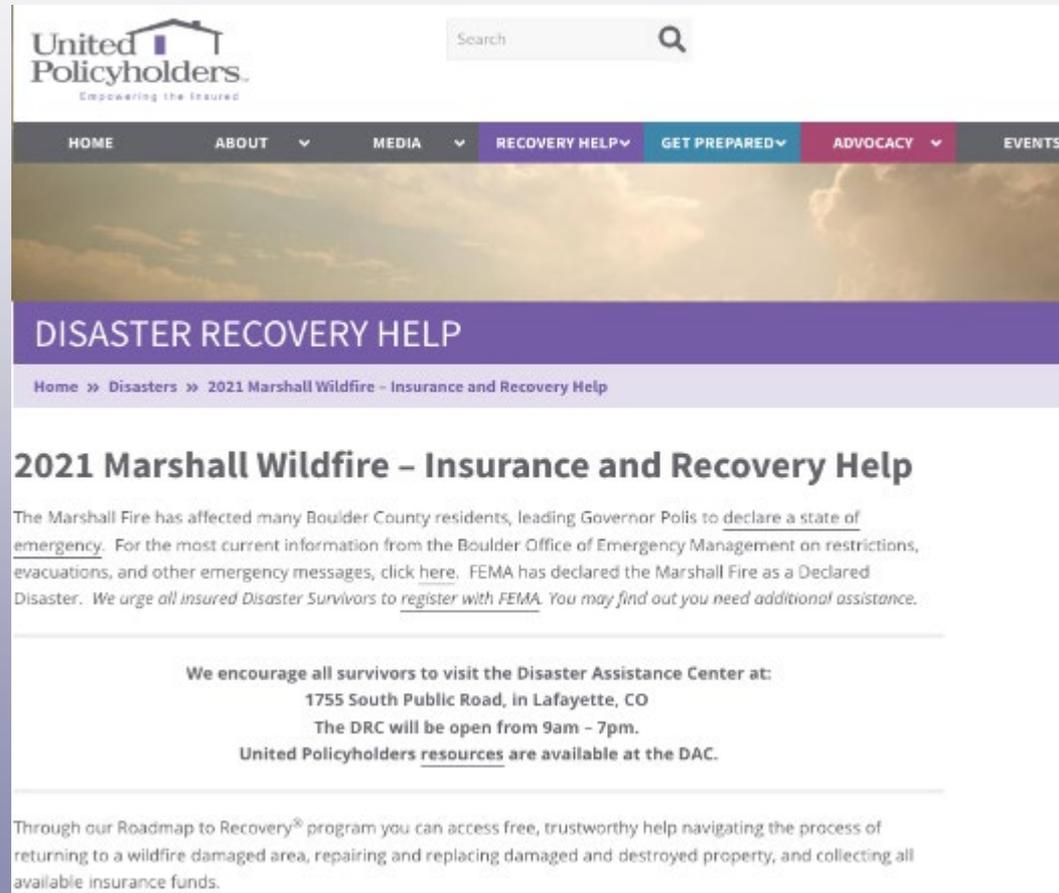
Fine Print

- This workshop is intended to be information and general guidance only, not legal advice.
- If you have a specific legal question, consult an experienced attorney.
- We do not endorse or warrant any of the sponsors listed at www.uphelp.org or volunteers that present at our events.

Marshall Fire Help Library

www.uphelp.org/marshallfire/

- Colorado Specific Resources with Step-by-Step Guidance
- [One Click Link to Sign UP for Events And Email Notifications](#)
- Links to Pro-consumer Professional Help
www.uphelp.org/findhelp
- Sample Letters & Claim Forms
www.uphelp.org/samples
- Survivors Speak Tips
www.uphelp.org/survivorsspeak
- Upcoming Workshops And Resources
www.uphelp.org/events



The screenshot shows the United Policyholders website. At the top left is the logo with the tagline "Empowering the Insured". A search bar is on the top right. A navigation menu includes HOME, ABOUT, MEDIA, RECOVERY HELP (highlighted), GET PREPARED, ADVOCACY, and EVENTS. Below the menu is a banner image of a wildfire. A purple bar contains the text "DISASTER RECOVERY HELP". Below that, a breadcrumb trail reads "Home » Disasters » 2021 Marshall Wildfire – Insurance and Recovery Help". The main heading is "2021 Marshall Wildfire – Insurance and Recovery Help". The text below explains the impact of the fire and provides information on emergency declarations and FEMA registration. A call to action encourages survivors to visit a Disaster Assistance Center (DAC) at 1755 South Public Road, Lafayette, CO, from 9am to 7pm. It also states that United Policyholders resources are available at the DAC. At the bottom, there is a paragraph about the Roadmap to Recovery program.

Upcoming Roadmap to Recovery[®] Events

Dealing with Underinsurance for CO and CA 2021 wildfire survivors

Wednesday, March 9, 5:00 p.m. PT / 6:00 p.m. MT

Register: www.uphelp.org/mar9

Survivor to Survivor Forum

Tuesday, March 15, 8:00 p.m. MT

Register: www.uphelp.org/mar15

Navigating Your Contents Claim for CO 2021 wildfire survivors

Wednesday, March 30, 6:00 p.m. MT

Register: www.uphelp.org/mar30

www.uphelp.org/events

Register for upcoming events. View recordings of past events and related resources.

Amy Bach



- A professional insurance consumer advocate since 1984
- Published author, trial and regulatory attorney
- Co-founder, United Policyholders
- Official consumer representative:
 - National Association of Insurance Commissioners
 - Federal Advisory Committee on Insurance (US Treasury)
 - American Bar Association Standing Committee on Disaster Response

Chris Rockers

- Two decades of expertise in advocating exclusively for insured commercial and residential property owners following a loss
- Served on the Rocky Mountain Association of Public Insurance Adjusters Advisory Board for five years
- Author of numerous articles for the Colorado Real Estate Journal on Property Insurance matters
- A decade of volunteer service through United Policyholders

Phone: (303) 926-4959

www.cgclaims.com



THE **CLAIMS**
GROUP

Kerri Waite

- 2012 Waldo Canyon Fire Survivor
- 2013, 2015 and 2020 Roadmap to Recovery™ Programs
- Roadmap to Preparedness in 13 counties
- Contributing Author of Survivors Speak, Ask and Expert, Tip or the Month, Partial Loss Library, Taxing Matters
- Active participant in 2013 and 2022 Legislative Reform Efforts
- Recipient of The MSCA “Good Neighbor Award” and El Paso County Contribution Certificate
- BS in Business Admin and Mgt UNO



Nelson A. Waneka

- Colorado attorney specializing in insurance recovery
- Extensive experience litigating delayed and denied insurance
- Instrumental in shaping Colorado insurance law through appeals in both state and federal courts
- Levin Sitcoff, PC
- naw@levinsitcoff.com
- 303.575.9390



Sandra Watts



- **Project Coordinator and Instructor, Roadmap to Recovery™**
- **30+ years experience in Insurance claims and claims management**
- **Appointed Member, CA DOI Curriculum Board**
- **IICRC Certified Water Restoration Technician (WRT)**
- **CPIA - Certified Property Insurance Appraiser**
- **CPIU - Certified Property Insurance Umpire**



Marshall Fire FAQ and Resources

www.superiorcolorado.gov

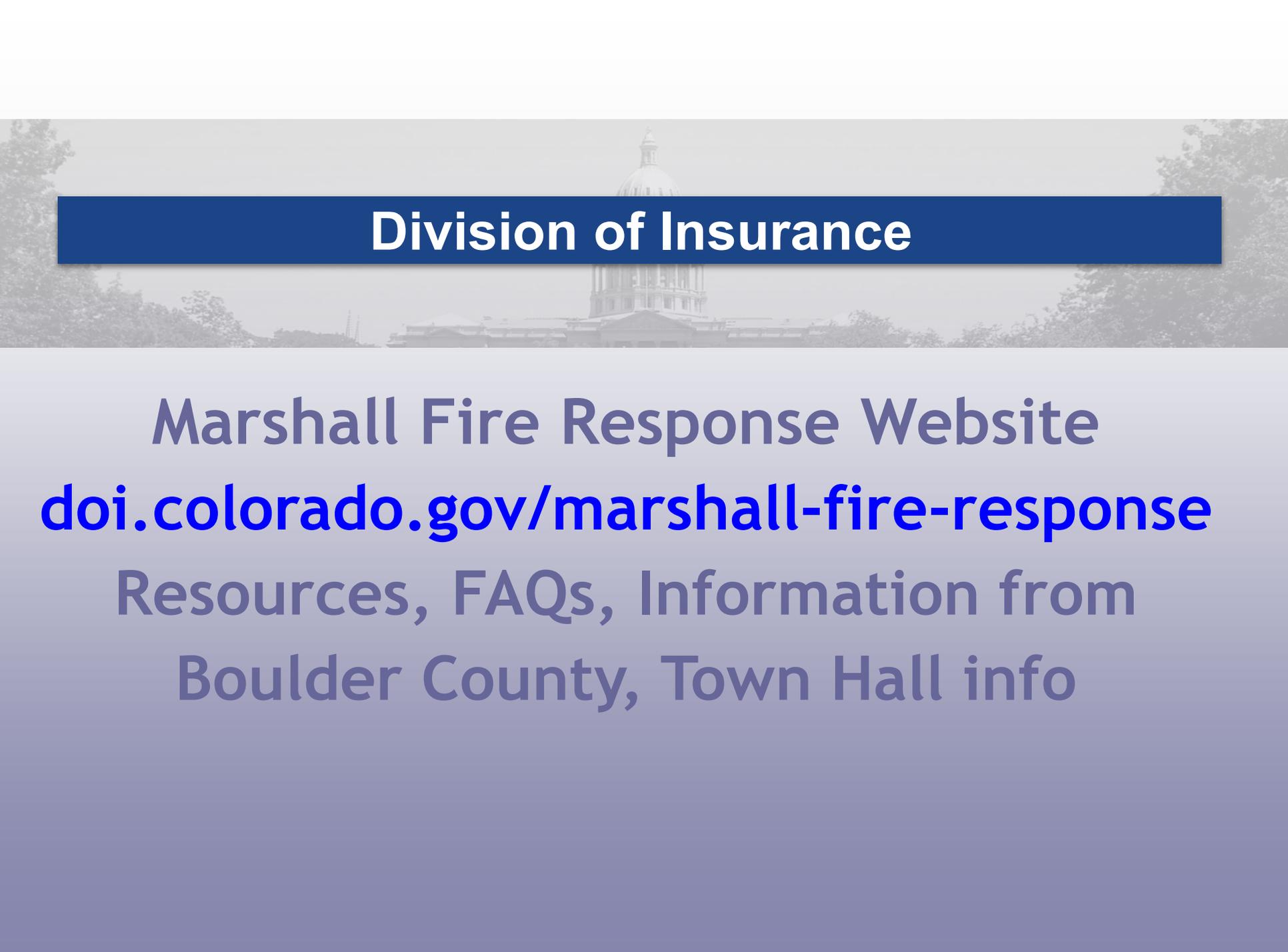
303-499-3675

marshallfire@superiorcolorado.gov

- **Latest updates/resources available at www.louisvilleco.gov/marshallfire**
 - Frequently asked questions
 - Contact info & news
 - Debris removal
 - Insurance/rebuilding
 - Support/resources
- **City Call Center open Monday-Friday from 9 AM to 3 PM**
 - Call 720-824-3100 or email marshallfire@louisvilleco.gov
- **Boulder County Debris Removal Hotline open daily 9 AM to 7 PM**
 - Call 303-214-3203 or visit <https://www.bouldercounty.org/disasters/wildfires/marshall/debris-removal-program/>



**Questions or concerns: Call the
Colorado Division of Insurance at
[303-894-7490](tel:303-894-7490) or email us at
DORA_Insurance@state.co.us**



Division of Insurance

Marshall Fire Response Website
doi.colorado.gov/marshall-fire-response
Resources, FAQs, Information from
Boulder County, Town Hall info

PRE-SUBMITTED QUESTIONS

Dec page sq. footage doesn't match size of home

We have had the same home insurance for 14 years. Our insurance company unilaterally reduced the amount of living space in our home by 570 square feet in an annual renewal a few years ago, when they say they switched vendors and computer programs and automatically deducted the assumed size of a typical unfinished garage. We had never claimed any portion of our garage as finished space. We caught this mistake a few weeks ago when talking with our adjuster and notified USAA in writing. They admitted they were wrong and agreed to increase the covered space under our policy by the full 570 sq. ft. That was a 36% increase in the covered size of our home. They only offered to raise the payment for our total loss by 6%, claiming the additional building space would not be as costly. Shouldn't they increase our total loss limit for our house by 36%? (Steve J.) SW, NW

Payments from insurance company

We have received several checks from Safeco insurance for dwelling coverage and landscaping coverage. Both checks have our bank's name on them. How should we proceed in regards to getting them endorsed by our bank and where do we deposit these funds? We have received a check for personal property for 50% of total declaration which only had my name on it and no bank. (Doug J.) CR

Getting Your Mortgage Company To Release Insurance Proceeds

<https://uphelp.org/claim-guidance-publications/getting-your-mortgage-company-to-release-insurance-proceeds/>

Sample Letter Requesting Mortgage Company Release Insurance Proceeds

<https://uphelp.org/claim-guidance-publications/sample-letter-requesting-mortgage-company-release-insurance-proceeds/>

Improvements not captured in policy

We are underinsured like others but, one unique aspect is that our updated policy was apparently never captured by underwriting and therefore valuation was lacking despite the increase in premiums and the sharing of improvements made. This is a shortcoming of \$180k just from a lack of recorded improvements made in remodel. What can be done about this beyond raising it with State Farm? (Aaron C.). AB, NW

Underinsurance 101

<https://uphelp.org/claim-guidance-publications/underinsurance-101/>

Options and Remedies for Underinsurance - United Policyholders
(uphelp.org) <https://uphelp.org/events/remedies-for-underinsurance/>

Estimate below policy limits – Possible lowballing

Our adjuster came back with our estimate which is **BELOW** our policy limits and well under the quotes we've been receiving from contractors. Our adjuster said we have a “replacement value - common construction” policy to justify using ridiculously cheap materials in the estimate. What can we do to reach our policy limits? (Melissa M.)
SW, CR

B-5.28 Equitable Payment of Claims Resulting from Natural Disasters - Google

Drive[https://drive.google.com/file/d/0BwMmWVFE3YMsMi1pcUIPQ1pINzg/view?resourcekey=0-](https://drive.google.com/file/d/0BwMmWVFE3YMsMi1pcUIPQ1pINzg/view?resourcekey=0-Tdn5DcvGKYpUZQ59W02ptQ)

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Depreciation on contents

Itemized inventory Question: In an earlier webinar, one of your speakers made a comment suggesting that rather than letting an adjuster make the first determination of the depreciated value of our property items without any knowledge of their use or condition, that we preemptively state (recommend) a depreciation rate and compute an ACV of each item. This made sense to me, and I've built a spreadsheet that does that, but I don't see any UP examples of this being done. Can you elaborate on the pros and cons of doing this? (Todd G.). KW, CR

Home Inventory and Contents Claim Tips

<https://uphelp.org/claim-guidance-publications/home-inventory-and-contents-claim-tips/>

Depreciation Basics

<https://uphelp.org/claim-guidance-publications/depreciation-basics/>

Tax payments for partial loss

How do you handle taxes for a partial loss due to smoke damage that was restored by cleaning and/attic insulation replacement paid for by your insurance company?

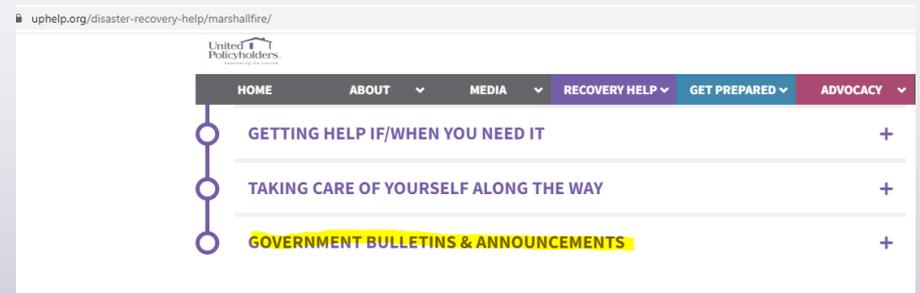
(Margaret J.) KW

Taxing Matters for Wildfire-Impacted Households

<https://uphelp.org/events/taxing-matters-for-wildfire-impacted-households/>

CO DOI Bulletins

Someone told me that the CO Dept. of Insurance had recently issued a bulletin saying that insurance companies should consider local conditions that will increase rebuilding costs (eg. the huge number of rebuilds will create competition for construction labor and supplies etc.) when estimating the cost of rebuilding. I could not find this bulletin on their website. Has such guidance been issued? If so, where can I find it so I can inform my insurer about this guidance. (Janet S.) KW



<https://uphelp.org/wp-content/uploads/2021/10/New-Bulletin-B-5.42-Concerning-Extension-of-Policyholder-Benefits-in-the-Event-of-a-Catastrophic-Disaster.pdf>

<https://doi.colorado.gov/statutes-regulations-bulletins/colorado-insurance-bulletins>

Remediation for smoke damage

What if they can't get rid of the smoke smell? (Rachael B.)

Smoke and ash damage from a wildfire

<https://uphelp.org/claim-guidance-publications/smoke-and-ash-damage-from-a-wildfire/>

Smoke Restoration Guide

<https://uphelp.org/claim-guidance-publications/smoke-restoration-guide/>

Maintaining essential coverage

I called my insurance agent at State Farm to cancel automatic debit payments and was told many people have decided to continue paying so they will have a policy when the house is rebuilt. What kind of policy do you need for a burned lot? I was also told I have standard 12 months of ALE. My agent never discussed ALE when I took out this policy. Is this standard? (Sharon W.) AB

Updating your home insurance after a loss...Staying protected without wasting money

<https://uphelp.org/claim-guidance-publications/updating-your-home-insurance-after-a-loss-staying-protected-without-wasting-money/>

DOI Town Hall FAQ's Issued 01-08-22 "...There cannot be a dollar limit for your ALE coverage for your primary home..."

Insurance company won't pay for remediation

How can condo owners or renters who have 2 - 3 insurance companies fighting against us get safe and healthy homes? As a condo owner, I fought hard to get my Homeowner's Insurance, USAA to agree to pay for remediation. The day after I signed the 2nd contract, the Homeowner's insurance and HOA insurance, American Property Insurance Company, had talked. They teamed up to argue against me, that I don't need as much cleaning as they had promised me, and that they mostly paid me for, earlier. They are picking and choosing their evidence and ignoring most of my evidence. On 2/26 my condo was very smokey after the cold week, when the furnace ran a lot. They have until 3/2 or 3/3 to respond to DORA. Cleaning is scheduled for 3/4. USAA said they won't pay for the last days of ALE, nor textile cleaning, nor replacing non salvageable items. What are my options? (Beth E.) KW

Resolving Claim Disputes

<https://uphelp.org/claim-guidance-publications/resolving-claim-disputes/>

Smoke Restoration Guide

<https://uphelp.org/claim-guidance-publications/smoke-restoration-guide/>

Health concerns after smoke damage

Crawl Space Remediation: As originally designed, hot air from the sun room was pumped into the crawl space to be absorbed by golf-ball size rock filling most of the crawl space to a depth of six inches. The hot air is now pumped directly into the house, but the rock remains in the crawl space. The hygienist told me that the adjuster prohibited testing of the crawl space. Is it critical to get this testing? So far, the only remediation of the vented crawl space has been to run a hydroxyl machine and an air mover. How do I know if this is enough? Are my only risks odor or are there potential health and safety risks? I've noticed that some of the ducts in the crawl space are not well-sealed at the joints. At this point, wondering if the health and safety concerns could most likely be addressed by sealing the joints. Or, does air from the crawl space make its way into my home. Also, what language would I look for in my policy to determine coverage of the crawl space? (Cathern S.) SW

Returning to your home after a wildfire: A post-evacuation checklist

<https://uphelp.org/claim-guidance-publications/first-steps-returning-to-your-home-after-a-wildfire/>

<https://cires.colorado.edu/news/how-mitigate-post-fire-smoke-impacts-your-home>

CO DOI Bulletin B-5.28 Revised 09-07-2017

Equitable Payment of Claims Resulting from Natural Disasters

“...While some insurance contracts offer more, all homeowner’s insurance replacement cost policies include at least twelve (12) months of Additional Living Expense coverage.”

“...in the event of a total loss of an owner-occupied primary residence that was furnished at the time of loss, the insurer shall offer the policyholder a minimum thirty (30) percent of contents coverage without completing an inventory...”

“...Insurers should also adjust pricing to reflect the specific region the insured property is located, taking into account local conditions that may affect costs.”

- [B-5.28 Equitable Payment of Claims Resulting from Natural Disasters - Google Drive](https://drive.google.com/file/d/0BwMmWVFE3YMsMi1pcUIPQ1pINzg/view?resourcekey=0-Tdn5DcvGKYpUZQ59VO2ptQ)
<https://drive.google.com/file/d/0BwMmWVFE3YMsMi1pcUIPQ1pINzg/view?resourcekey=0-Tdn5DcvGKYpUZQ59VO2ptQ>

Stay connected to other disaster survivors – S2S Forums

- Great source of information about:
 - Insurance and rebuilding
 - Negotiation and financial strategies
 - Referrals and warnings re: professionals
 - Important source of emotional support
 - No one else understands your challenges and emotions like another survivor
- Find upcoming Survivor 2 Survivor Forums and register at: <http://www.uphelp.org/events>

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