



Sample Letter Requesting Payment of Policy Benefits for Building Code Upgrades

[Use this letter if your policy includes coverage for Building Code Compliance (also called “Law and Ordinance”), not all policies do.]

NOTE: The sample letter below must be customized to the facts of your individual policy, circumstances and claim. **All portions that are in parentheses and/or underlined must be completed or revised and anything in italics should be removed before you send it.**

(Date)

(Name of adjuster or highest-ranking ins. co. employee)

(Name of Insurance Co.)

(Address)

Re: Claim Number: _____

Date of Loss: _____

Name of Insured: _____

Address of Insured Property: _____

Dear _____,

We are continuing to do our best to document our loss and cooperate with your company to reach a fair and full settlement of our claim referenced above. It has been _____ [days/weeks/months] since our loss.

Our policy covers the cost of replacing the original home, including required code upgrades, up to our policy limit. We are exercising our option to replace our destroyed home by purchasing a home instead of rebuilding, therefore, we are entitled to collect benefits in the full amount of what you would have paid had we rebuilt.

We are not making a claim for code upgrades to the home we’re buying. Our claim is for the cost of replacing what we had, and if code upgrades would have been required for a

rebuild, we are entitled to collect the estimated cost of those upgrades toward the purchase of the replacement home.

Thank you in advance for considering the above and confirming that our dwelling replacement claim settlement will include the cost of building code upgrades we would have incurred if we had rebuilt our destroyed dwelling.

[Insert specifics about your situation such as

1) You have an estimate of code upgrade costs prepared by an adjuster or estimator, or

2) Statements by the company's adjuster related to this topic that you agree or disagree with]

NOTE: Some states now have laws that specifically require an insurer to include code upgrade costs in what they pay toward your purchase of a replacement home. Many adjusters are not aware of those laws, and will take the position that they only owe code upgrade costs you actually incur. This letter will help you contest that position.

Please provide a written response in the next 15 calendar days so we can keep moving forward toward resolving our claim and replacing our destroyed home.

Thank you in advance for your cooperation and timely response.

YOUR NAME

MAILING ADDRESS

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 at our website.