

Roadmap to Recovery Program.

Mechanics of Rebuilding Your Home

Roadmap to Recovery^(R) Webinar Marshall Fire / 2022 CA Fires August 23, 2023

About United Policyholders (UP)

- 501(c)3 nonprofit organization
 Tax ID # 94-3162024 (Platinum Guidestar Rating)
- A voice and an information resource for consumers in all 50 states
- A 32-year track record and subject matter expertise in insurance and disaster recovery
- Not for profit...not for sale
- Funded by donations and grants
- A volunteer corps with personal and/or professional expertise in disaster recovery and insurance

Team UP

- Professional staff
- Government, Business, Nonprofit partners
- Volunteers
 - Team UP 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

– Fighting for insurance consumer rights and protections

Disaster Insurance Help Libraries

uphelp.org/recovery/disaster-recovery-help

- State Specific Resources with Step-by-Step Guidance
- One Click Links to Sign UP for Events And Email Notifications
- Links to Pro-consumer Professional Help <u>www.uphelp.org/findhelp</u>
- Sample Letters & Claim Forms
 <u>www.uphelp.org/samples</u>
- Survivors Speak Tips <u>www.uphelp.org/survivorsspeak</u>
- Upcoming Workshops and Resources www.uphelp.org/events

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2022 Hurricane Ian – Insurance Claim and Recovery Help Library Hurricane Ian made Iandfall as a Category 4 Hurricane and caused extensive damage in Iate September, 2022 in regions throughout Florida and neighboring states.



2022 California Wildfires – Insurance Claim and Recovery Help

This library will help those affected by the Alex, McKinney, Yeti, Mill, and Fairview fires.



2022 Oak Fire – Insurance Claim and Recovery Help

The Oak Fire in Mariposa County has burned nearly 19,000 acres and destroyed over 190 structures so far during what is predicted to be an exceptionally challenging wildfire season in California due to drought conditions.



2022 Yellowstone Flooding in Montana

"1-in-500 year event" in June 2022 brought catastrophic flooding to Montana communities along the Yellowstone River.



March 2022 Louisiana Tornado – Insurance Claim and Recovery Help

On March 22nd, 2022 an EF3 tornado touched down in the Lower Ninth Ward, Timberlane,



2022 Tornado – Insurance Claim and Recovery Help

If you'd like to follow the slide deck tonight https://uphelp.org/events/mechanics-of-rebuilding-dwelling-2023/

EVENTS

Home » Events » Mechanics of Rebuilding Your Dwelling

Mechanics of Rebuilding Your Dwelling

- Wednesday, August 23, 2023 5:00 p.m. PT / 6:00 p.m. MT
- Zoom registration required
- California and Colorado Wildfire Survivors

REGISTER

Offers guidance on selecting and hiring a builder, paying for materials and labor, and navigating lender and insurance requirements, as well as scope of loss.

RESOURCES

Rebuilding 101: A Guide to

the Reconstruction
 Process

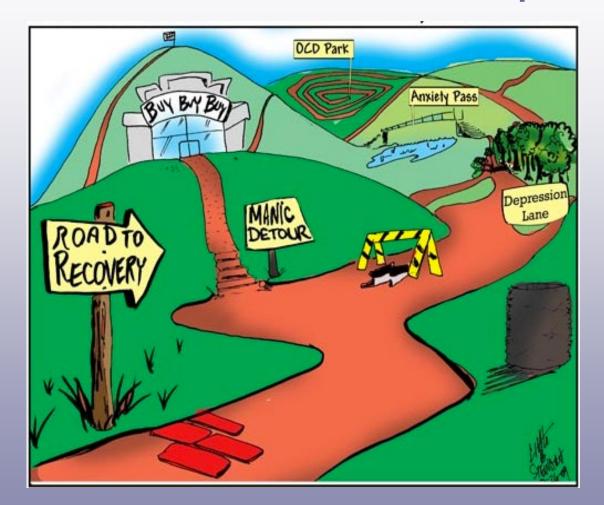
Questions to ask a

- *P* repair/rebuilding contractor
- R2R 2022 CA Mechanics of Rebuilding slide deck

www.uphelp.org/events

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

Recovering from a disaster is a marathon, not a sprint!



The Fine Print

- This workshop is intended to be general guidance only, not legal advice
- If you have a specific legal question, we recommend you consult an experienced attorney
- We don't endorse or warrant any of the sponsors listed at <u>www.uphelp.org</u> or speakers at our workshops
- Our speakers are volunteering their time as educators



Today's Presenters

Valerie Brown

Deputy Executive Director, United Policyholders

Annie Barbour

Roadmap to Recovery CA Liaison, United Policyholders

Doug Robinson

Vice President of Operations, Christopherson Builders, CA

Lisa Ritchie

Planning Manager, Town of Erie, CO

Today's Topics

- 1. Vetting and hiring a contractor
- 2. Contracts
- 3. Permits
- 4. Builder's Risk policies
- 5. Fund control
- 6. Paying your builder (in coordination with your insurance company and your lender)
- 7. Cost saving options for rebuilding
- 8. Building code upgrades
- 9. Wrapping up your rebuild (final inspection, payment, lien releases)

Message from David Gurley



"It's going to be okay."

Pace yourself, avoid anxiety-driven decisions

- Seeing someone else progress faster than you creates anxiety.
- Constant questions from non-fire impacted people creates anxiety.
- Queries from your insurance adjuster about when you'll start rebuilding and when ALE ends create anxiety.

Rebuilding (2017 Tubbs Fire) April 2018





Foundation May 2018







Framing June 2018





Starting interior August 2018

Nearly there September 2018



Rebuilt October 2018 (2017 Tubbs Fire)



SAME TIME, A DIFFERENT TIMELINE

Rebuild (2017 Thomas Fire) lot cleared 7-22-2018



10 months into rebuild





18 months later, 2-22-2020

Moved in before finished



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Deep breath



1. VETTING & HIRING A CONTRACTOR

First steps

- This is a long-term relationship, so pick someone who communicates well with you.
- Do your homework and proceed with caution:
 - Check out at least three references and other builds/projects they've done.
 - Check license (State Contractors License Board).
 - Check their bond (is it new).
 - Check with Better Business Bureau for history of unsatisfied complaints.

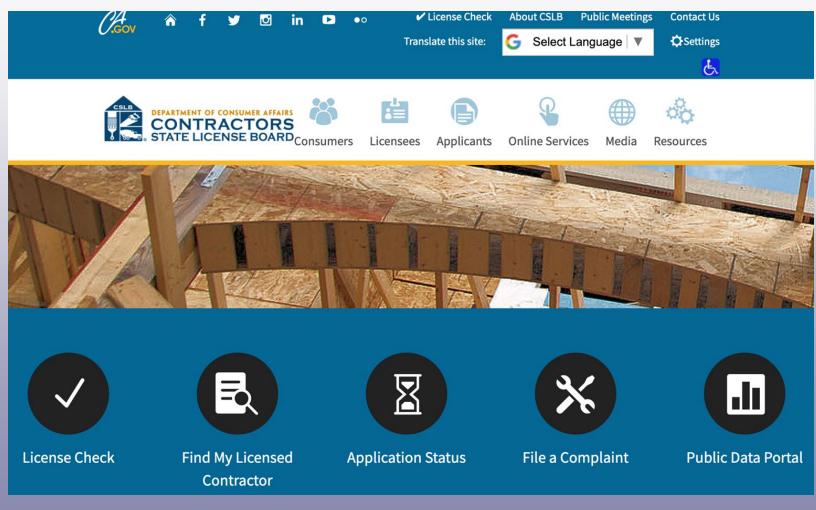
Hiring a professional contractor

- Do they have sufficient Workers' Compensation and General Liability insurance?
- Will they add you to be named as an "Additional Insured" on contractor's insurances and provide you the certificates? This is in addition to your own coverage, the continuation of your homeowners' policy.
- Make sure bids are comparable with similar scopes of work.
- Do they utilize a project schedule/milestones to assist with the planning process and eliminate surprises?
- Do they exceed state and local codes or simply comply with minimum requirements?
- How to ensure quality of construction in contract?

Other rebuild professionals to consider as part of your team

- Architect
- Surveyor
- Civil engineer (topography considerations)
- Geotech engineer
- Structural engineer
- Preconstruction advocate

California license resources https://www.cslb.ca.gov/



Colorado license resources

Unlike most other states, Colorado does not require a general contractor licensing at the state level. Most are regulated at the local level.

Boulder County: <u>https://www.bouldercounty.org/property-and-land/land-use/building/licensed-building-contractors/</u>

City of Louisville: <u>https://www.louisvilleco.gov/local-</u> government/government/departments/building-safety/contractor-licensing

Town of Superior: https://www.superiorcolorado.gov/community/rebuilding

Grand County: <u>https://www.co.grand.co.us/1253/Contractor-Registration</u>

Larimer County: https://www.larimer.org/building/contractor-licensing

Marshall Fire rebuilding resources

- Unincorporated County -<u>www.bouldercounty.org/property-and-land/land-</u> <u>use/building/marshall-fire-rebuilding/</u>
- Town of Superior <u>https://www.superiorcolorado.gov/community/marshall-</u>
 <u>fire-information/marshall-fire-faqs-and-resources</u>
- Rebuilding Better <u>www.rebuildingbetter.org</u>
- City of Louisville <u>https://www.louisvilleco.gov/living-in-</u> <u>louisville/residents/louisville-rebuilds-marshall-fire-</u> <u>recovery</u>

Contractor warning signs

- Multiple licenses under different names
- Multiple bond companies
- In business less than 3-5 years
- Yelp reviews
- Claim to be local but out of area phone number and not licensed in your state
- Better Business Bureau complaints
- Word of mouth
- No permanent business location
- "If it seems too good to be true, it will be"
- If they start with "How much insurance do you have? I can build a house for that." Price should reflect your building plans.

2. CONTRACTS

Contracts

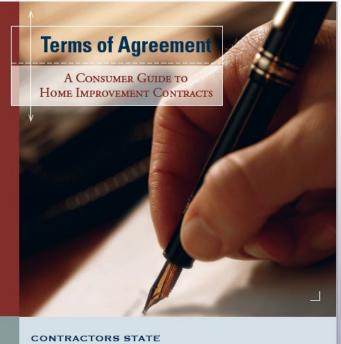
- Should outline the scope of the work, the price, and what points of completion payment are due.
- Structure your contractor agreement draw schedule to be consistent with (or more favorable than) your lender disbursement schedule.
- Be wary of contractor who wants full or cash payments before the job begins.
 - CA limits deposit to \$1,000 or 10%, whichever is less
- Do NOT let your contractor "get ahead" of your agreed draw schedule.
- Highly recommend a Builders' Risk policy, especially in high-risk areas.

Contract review considerations

- What's there?
 - Overhead and profit
 - Project schedule
 - Continuity of building activities
 - Notice of completion
- What isn't there?
 - No penalties for not being in on time
 - No finish/end/start date
 - Inflation/material costs
 - Lead times for material orders
- Estimate versus a Contract

Know your limits, hire professional help when needed (attorney for contract review, inspections, etc.)

https://www.cslb.ca.gov/Resources/GuidesAndPublications /HomeImprovementContractsConsumerGuide.pdf



CONTRACTORS STATE

California Department of Consumer Affairs

CONSUMER GUIDE TO HOME IMPROVEMENT CONTRACTS

WILL YOUR PROJECT DESCRIPTION GIVE YOU THE RIGHT RESULTS?

GOOD EXPECTATIONS	TROUBLE	GOOD LUCK	
Install xx (quantity) Company XY upper/lower maple kitchen cabi model ABC, style/color 0123, Eu hinges, hardware model 1000, p dimensions and diagram.	nets, Install maple ropean kitchen	Install some cabinets.	
Paint indoor entry (per plan) usi Brand X paint, color 567, two co preparation and taping describe next paragraph.	ats, with Prep and paint	Paint the entry.	
Install Brand X kitchen faucet ir ABC and color BCS.	Replace kitchen faucet, if necessary.	Replace kitchen fixtures.	

3. PERMITS

Best practices for securing a permit

- Documentation you need
- Sources for getting documentation
- Timing of application/waiting period
- Inspections
- Addressing and resolving problems
 - Pros and cons: Permit in your name vs. licensed contractor

Code considerations

Your jurisdiction will let you know if they are willing to waive any code upgrades. They may be handled on an individual basis depending on your site – or as a group.

- Solar
- Fire sprinklers
- Septic

Deep breath



4. BUILDER'S RISK POLICIES

What is it?

A Builder's Risk Policy is a supplemental insurance policy insuring the builder against losses to the home under construction, until such time as the homeowners policy can be transferred back to the home (typically when occupancy permit is finaled).

Being an additional insured on your contractor's insurance pertains only to their general liability - protects you from someone who is hurt on the job site and sues you and the company.

5. FUND CONTROL

Fund Control/Escrow Accounts

- Your lender should release any amount of insurance dwelling proceeds paid to you/them that is greater than your principal loan balance.
- Fund control required if you have a mortgage.
- Provides added protection to the homeowner the bank helps you through the process with fund disbursement, inspections, collect lien waivers.
- Communication with your lender and contractor is critical.

Fund Control/Escrow Accounts

- If you don't have a lender, but a construction loan, the bank will oversee inspections, lien releases, etc.
- If you have neither, consider an escrow account (typically set up by builder). Many big builders will require it, to protect you and themselves.
- Be aware of what you don't know it's probably not your area of expertise, plus it's easy to pay your builder more money than the percentage of the build completed.
- Interest earned on the restricted escrow account should be paid to you when the account is closed.
 - Freddie Mac/Fannie Mae guidance on Insured Loss Events states the servicer must deposit the insurance loss proceeds not disbursed to the borrower in an interest-bearing account.

Quality control

- Consider a private inspector from the very beginning

 you may not be able to hire one after work has
 begun. Typically 3 inspections: 1) at the start
 w/foundation, 2) before "close-in," and 3) before final
 occupancy. Be present onsite for final inspection to
 ask questions and know what's going on.
- Occupancy permit temporary occupancy permit or final certificate of occupancy
- Your contractor should provide you lien releases when construction is finished so make sure they know that you are expecting these.

Tracking down an authorized signer...

BURCOS 3RSystems, LLC

Mortgage Servicing Companies – Loss Draft Processors

Although Countrywide Mortgage (Balboa) handles most of their own loss draft processing and Sterling National Corporation (previously known as Z C Sterling) handles a good percentage, most of the loss draft processing done throughout the USA is handled by Atlanta, GA based Assurant Specialty Property (ASP) which is a subsidiary of Assurant, Inc. (AIZ). This niche market earns ASP a lot of money, much of which, at least in my opinion and the opinion of probably every contractor in the country who has ever had to deal with them, is undeserved.

The software program ASP uses to track your customers loss drafts (ultimately, your money) and that they tell their investors and customers (i.e.). Citi, US Bank, etc., is so effective, is called "DraftTrac Enterprise tracking." The reason they continue to do such a poor job is that they assume you and your customers will never figure out who is behind the delays – but you just did.

TOP ASP EXECUTIVES

Alan B. Colberg, CEO - Assurant, Inc.

Melissa Kivett, SVP, Business Development & Strategy - Assurant, Inc.

Francesca Luthi, SVP, Investor Relations - Assurant, Inc.

Gene Mergelmeyer, COO - Assurant, Inc.

John Frobose - President, ASP

Mike Campbell - President, Global Home Services - Assurant, Inc.

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Suzanne Shepherd Director, Investor Relations Phone: 212-859-7062 suzanne.shepherd@assurant.com

Mike Lawson – VP Assurant Group (manager of east coast site in OH where a majority of loss draft processing in the country takes place). Other centers are located in Florence, SC, Duluth, GA (HQ), Santa Ana, CA and Tustin, CA.

6. PAYING YOUR BUILDER

Start off on the right foot

- · Remember who works for whom.
- Keep things jovial and light, but always professional.
- . Don't be afraid to overcommunicate.
- · When in doubt, ask.
- Remember the two factors in construction are time and money - the more you have of one, the less you need of the other!
- · Plan ahead.
- · Beware material deposits.

Balancing your budget & bottom line

- Plan ahead. Pick everything you can possibly think of as far in advance as possible. *(supply and demand)*
- Be mindful of change orders and their impact on your final bill and completion date. *(time and money)*
- Be aware of the terms of your contract and make sure your contractor is upfront about the impact of rapidly changing material costs. Again, be aware of material deposits.
- Do NOT let your contractor "get ahead" of your agreed draw schedule.
- If it is in your contract, make sure that your contractor fulfills the entire contract. Some will say that money for landscaping has been used in another category, for example.

Managing insurance funds

- Structure your contractor agreement draw schedule to be consistent with (or more favorably than) your lender disbursement schedule.
- Again–do NOT let your contractor "get ahead" of your agreed draw schedule.

<u>What to Do With Checks from Your Insurance Company</u> <u>https://uphelp.org/claim-guidance-publications/what-to-do-with-checks-</u> <u>from-your-insurance-company/</u>

Deep breath



7. COST SAVING STRATEGIES FOR REBUILDING

Cost saving options

- Master plans (current and relevant to your site)
- Group rebuilds
- Buy plans online (floorplans.com)
- Configure space to create in-law unit (rental)
- Design decisions to save
- Collective bargaining
- ADUs (property tax impacts)
- Tiny homes
- Landscaping do it yourself, succulents party
- Scope of work to include self-performing tasks (painting, landscaping)

Group & Master Plan rebuilds

- Look for an experienced home builder with wildfire disaster rebuilds or Master Plan construction.
- Group rebuilds help the underinsured and expedite recovery.

Design cost

savings to consider

- Flo-meter
- Solar and/or Batteries
- LED light fixtures
- Low flow water fixtures
- Centrally wired CO monitors/smoke detectors
- Water bibs (all sides of house)
- Gas lines (BBQ)

Collective bargaining

- Soils testing
- Grading
- Trades (subs)
 - Plumbing
 - Electrical
 - Roofing
- Solar
- Fencing
- Sprinkler systems
- Survey
- Civil

8. BUILDING CODE UPGRADES / ORDINANCE OR LAW COVERAGE

What's included in Code Upgrades?

- As always, *read your policy*, as the language varies.
- In general, this coverage pays the amount to bring THE HOME YOU LOST up to current building codes, up to available limits.
- This means things that were not there, but will need to be added in order to gain occupancy after rebuilding, i.e., sprinklers, solar, energy efficiency upgrades, etc.
- The cost can be "rolled into" purchase and upgrading of a new house, but the amount is determined by the old house.
- This coverage is usually paid "as incurred" (meaning \$ is spent) but insurer has discretion.
- Often, you must show that the city/county will enforce the codes in order to get payment.

- Insulation requirements r value
- Electrical/arc fault outlets and breakers
- Distance between studs
- Fire blocking
- Fire sprinklers
- Solar
- Energy efficiency upgrades
- VOC limitations

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Code Upgrade examples

Sample building code upgrades

Wildland Urban Interface (WUI) Code (2019 Title 24, Part 2, Chapter 7A California Building Code)

- 1. Tempered windows
- 2. Limited vents in foundation, eves and soffit
- 3. Fire resistant exterior siding
- 4. Limitations on deck materials and construction
- 5. Fire resistive roofing materials

Residential Building Code (2019 Title 24. Part 2.5. CRC)

- 1. Soils Report
- 2. Residential Fire Sprinklers
- 3. Electrical code requirements for ground fault interrupters and arc fault circuit breakers
- 4. Seismic and wind design changes
- 5. Water efficient fixtures
- 6. Separate electrical circuits for bathrooms and laundry
- 7. Smoke alarm and carbon monoxide detector
- 8. Additional hardware required for seismic compliance

City of Santa Rosa

https://issuu.com/cityof santarosa/docs/rebuildi ng_code_upgrades_____ increase

Sample builders code estimate

Electrical - ARC Fault, Occupancy Sensors LED's 200 AMP Panel Compared to 100-125 AMP, Smoke and Carbon Monoxide Detectors, \$8,500.00 Additional Plugs Paint - Low VOC \$1,000.00 Fire Sprinkler (Design, Installation, Inspections) \$8,500.00 Special Inspections (Soils, Rebar, Concrete) \$2,500.00 **Recycle of Materials** \$1,250.00 Plumbing - Tankless, Efficient Water Heater, No Lead or Solder, Low \$3,000.00 Water Flow, Toilets, Faucets, etc. HVAC \$4,000.00

Code estimate

Electrica	վ						Height: 1'		
F1,8.ª 4	4.00	4.00 SF Walls 5.00 SF Walls & Ceiling 0.11 SY Flooring				1.00 SF Ceiling			
	5.00					1.00 SF Floor 4.00 LF Floor Perimeter			
Services Electrient ∞ Plumbing	0.11								
4.00 LF Ceil. Perimeter									
DESCRIPTION	QTY U	NIT PRICE	TAX	O&P	RCV	DEPREC.	ACV		
BUILDING CODE UPGRADES									
126. Breaker panel - 200 amp w/arc fault breakers	1.00 EA	2,169.59	100.45	454.02	2,724.06	(0.00)	2,724.06		
127. 220 volt exterior wiring/conduit, box, outlet, switch	1.00 EA	435.69	9.90	89.12	534.71	(0.00)	534.71		
NOTE- This is a building code upgrade requir	rement to pre-wi	re for future ele	ctric vehicle cl	harging					
128. PVC schedule 40 conduit, 1 1/4"	30.00 LF	5.25	1.49	31.80	190.79	(0.00)	190.79		
NOTE- This is a building code upgrade to pre	-wire for future	roof mounted se	olar panels						
129. #8 gauge copper wire - stranded or solid	90.00 LF	1.07	2.56	19.78	118.64	(0.00)	118.64		
NOTE- This is a building code upgrade to pre	e-wire for future	roof mounted so	olar panels						
Building Code Upgrades Totals:			114.40	594.72	3,568.20		3,568.20		
Totals: Electrical			114.40	594.72	3,568.20	0.00	3,568.20		

Code upgrades broken out

Fire Sprinklers				Height: 1'				
⊢1' 8" ⊣	4.00		1.00 SF Ceiling					
ig and PermissEptractors	5.00	1.00 SF Floor						
ig and Perfinite Applications	0.11	4.00 LF Floor Perimeter						
	4.00 LF Ceil. Perimeter							
DESCRIPTION	QTY UN	IT PRICE	TAX	O&P	RCV	DEPREC.	ACV	
BUILDING CODE UPGRADES								
134. Intruder alarm panel	1.00 EA	513.37	21.86	107.06	642.29	(0.00)	642.29	
135. Concealed fire sprinkler system (SF of bldg)	3353.00 SF	3.74	318.74	2,571.78	15,430.74	(0.00)	15,430.74	
136. Ball valve - brass - 1"	2.00 EA	50.82	2.84	20.88	125.36	(0.00)	125.36	
Building Code Upgrades Totals:			343.44	2699.72	16,198.39		16,198.39	
Totals: Fire Sprinklers			343.44	2,699.72	16,198.39	0.00	16,198.39	

9. WRAPPING UP YOUR REBUILD

What to be aware of

- Walk through inspection with your builder (punch list)
- Final occupancy
- Lien releases
- Notice of completion
- Final payment
- Warranties

Survivors Speak Share your knowledge with other survivors https://uphelp.org/claim-guidance-publications/survivors-speak-tip-series/

"Survivors Speak" Tip Series

This section of our claim help library offers recovery guidance and strategies from people with personal experience recovering from a catastrophic loss, in their own words. While the label "disaster victims" is in common usage, many people whose homes have been damaged or destroyed prefer to be referred to as "survivors" because that term implies strength and a pro-active approach to getting out of a bad situation. Our Survivors Speak tips are part of United Policyholders' extensive library of free information.

"We learned first-hand that the best way for us to heal from our devastation and loss was to help others recover." — Karen Taylor-Burke, 42, of Leonardo, N.J., whose home was destroyed in October, 2012. She and her husband hope to be done rebuilding in the spring of 2015. ["Lessons Learned From Hurricane Sandy", New York Times, 10/28/14]

Submit your tip to info@uphelp.org

Stay connected to other disaster survivors – S2S Forums

- Great source of information about:
 - Insurance and rebuilding
 - Negotiation and financial strategies
 - Information about how others have navigated the process
- 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



Colorado Division Of Insurance

For Free, Personal Assistance With Your Claims Or Underinsurance Issues

To File a Complaint Online: <u>www.doi.colorado.gov</u>

By Email: dora_insurance@state.co.us

Or Call: (303)894-7499

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Welcome to	the Colo	orado Divis	sion of Ins	uran	се



CALIFORNIA DEPARTMENT OF INSURANCE



Wildfire resources and insurance information

FOR FREE, PERSONAL ASSISTANCE WITH YOUR CLAIMS OR UNDERINSURANCE ISSUES CALL US AT: 1 800 927 4357

OR GO ONLINE: Insurance.ca.gov

Ask an Expert Forum www.uphelp.org/ask-an-expert

ASK AN EXPERT

COMMUNITY	ASK AN EXPERT	MEET OUR EXPERTS	FORUMS	ACCOUNT

PLEASE ALLOW TIME TO GET A RESPONSE. We're not able to respond to urgent or time-sensitive questions. Thanks for your patience as we find the right expert to respond to your question. Please note that UP staff reserves the right to view and approve your question before it appears on our site.

You Need Answers. Use this forum to get them. Search for answers or post a question about your insurance issue or the loss recovery process. Expert volunteers include professionals in construction, insurance claims and insurance law plus people sharing their own disaster recovery lessons learned.

WHAT DO YOU WANT TO KNOW?

Search

Q,

- Register. It's free.
- Write in your questions.
- Get an answer from an expert in construction, insurance, laws and disaster recovery.
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Thank you to our funders







INSPIRING IDEAS. IGNITING ACTION.⁴



