



Roadmap to Recovery Program™

Loss of Use/“ALE” and Insurance Claim Q & A (Standing Homes & Partial Losses)

February 12, 2026

L.A. Wildfires R2R Webinar #14

uphelp.org

About United Policyholders

- A not-for-profit organization with expertise in insurance and disaster recovery that does not accept funding from insurance companies
- A respected voice and trusted information resource for consumers across the United States
- Three plus decades of experience in disaster recovery
- Funded by donations and grants with a professional staff that's supported by volunteers (attorneys, insurance and personal finance experts, recovered disaster victims)
- Partnering with government agencies and other non-profits and organizations to improve recovery in disaster-impacted communities.

www.uphelp.org

<http://www.uphelp.org/2025cawildfires>

- Smoke damage and remediation help resources

<https://uphelp.org/smokedamage-2/>

- Links to sign up for events and updates

- Sample letters & claim documents

www.uphelp.org/samples

- Survivors Speak Tips

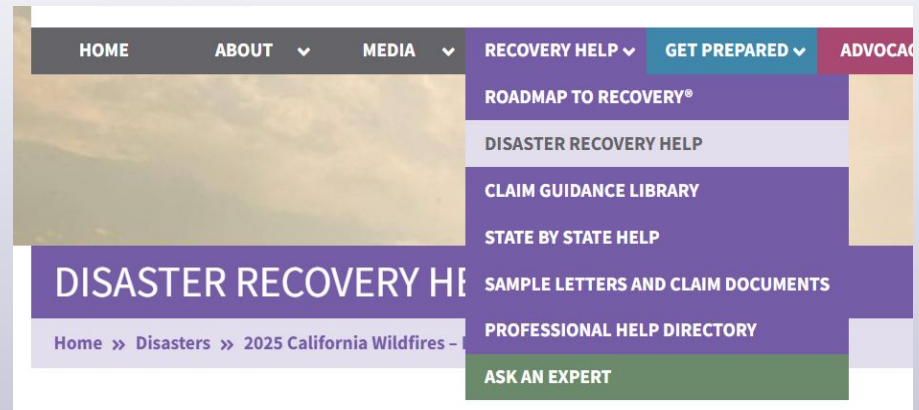
www.uphelp.org/survivorsspeak

- Upcoming Workshops and Resources

www.uphelp.org/events

- Links to specialized professionals

www.uphelp.org/findhelp



A screenshot of the Disaster Recovery Help page for 2025 California Wildfires. The page has a purple header with the text "DISASTER RECOVERY HELP". Below the header is a breadcrumb trail: "Home » Disasters » 2025 California Wildfires – Insurance Claim and Recovery Help". The main content area is titled "2025 California Wildfires – Insurance Claim and Recovery Help" and contains a paragraph of text: "This Insurance Claim and Recovery Help library includes resources for the January 2025 Palisades Fire and Eaton Fire in Los Angeles County. United Policyholders is a non profit organization providing guidance and support to impacted households. Through our Roadmap to Recovery® program, you can access free, trustworthy help navigating the process of returning to a wildfire damaged area, repairing and replacing damaged and destroyed property, and collecting all available insurance funds. If your property is damaged or was destroyed, our guidance is here to help you get started on the road to recovery, make good decisions and keep moving forward." Below this text is a section titled "Below are roadmap steps and shortcuts to United Policyholders' extensive library of resources that should be most useful and relevant to your current situation." followed by another paragraph of text. At the bottom of the page, there is a section for "UPCOMING EVENTS" with a list of events: "Contents (Personal Property) Insurance Claim Help Workshop – For Seniors Affected by California Wildfires" on Friday, October 3, 2025, from 9am to 12pm, at Pasadena Senior Center, 85 East Holly St., Pasadena, CA 91103. There is also a link to "2025 Eaton Fire Survivors - Seniors". A "VIEW +" button is located at the bottom right of the events section.

To download and follow the slide deck: <http://uphelp.org/Feb12>

HOME ABOUT ▾ MEDIA ▾ RECOVERY HELP ▾ GET PREPARED ▾ ADVOCACY ▾ ASK AN EXPERT ▾ EVENTS ▾ SUPPORT UP

EVENTS

Home » Events » Loss of Use/“ALE” and Insurance Claim Q & A

Loss of Use/“ALE” and Insurance Claim Q & A

📅 Thursday, February 12, 2026
5:00pm - 6:30pm PT

📍 Zoom

👤 California Wildfire Standing Homes and Partial Losses

★ Pre-submit your question by scrolling down and putting it into our submission form, Deadline is 2/9

[REGISTER HERE](#)

UP staff and a volunteer expert panel will cover insurance claim topics including: Loss of Use/*Additional Living Expense policy benefits; Strategies and resources for restoring your home to pre-loss, safe and habitable condition and resolving insurance disputes.

RESOURCES

- 📄 [Smoke Damage ALE Q&A Slide Deck](#)
- 📄 [Sample Letter Requesting Extension of Loss of Use](#)
- 📄 [Sample Letter Requesting Claim Payment History](#)
- 📄 [Smoke Damage and Remediation Resources](#)
- 📄 [Attorney Kevin Pollack presentation to CDI Smoke Task Force](#)



Have a standing home and looking for answers?

Wildfire Smoke Damage & Your Insurance Rights

📅 Thursday, December 18, 2025
5:00pm PT

📍 Zoom

👤 Q&A for Wildfire-Impacted Households

WATCH RECORDING



This 90 minute webinar featured a panel of leading professionals with expertise in assessing, testing, remediating, and restoring wildfire smoke damaged homes to safe and habitable pre-loss condition, plus California Insurance Laws and Regulations, Industrial Hygiene protocols and standards, and related topics. The panel will answer pre-submitted questions (see link to form below) and questions curated by our event partners. This webinar is hosted by United Policyholders in collaboration with Eaton Fire Residents United, Team Palisades and Palisades Standing Homes.

RESOURCES

- 🔗 [Sample Letter Requesting ALE Extension](#)
- 🔗 [Smoke Damage and Remediation Resources](#)
- 🔗 [FINAL Smoke Damage & Your Insurance Rights Slide Deck](#)

WATCH RECORDING



See also: Smoke Damage Resources: <https://uphelp.org/smokedamage-2/>
Ask an Expert Forum: <https://uphelp.org/ask-an-expert/>

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

Please take a few minutes to complete a UP Insurance and Recovery 12 Month Survey www.uphelp.org/survey

Your answers help us help you. We use the data to fine tune our Roadmap to Recovery programming to meet your needs and be a strong advocate for insurer accountability and fair outcomes for policyholders.

UP will be working hard for you and future disaster survivors this California legislative session, so please help by completing our survey.

Past UP survey results have helped bring about new laws including the 4 month ALE cash advance and 36 month rules, your right to replace by buying instead of rebuilding, and rules that lessen your burden related to itemizing damaged or destroyed personal property.

We are grateful to everyone who has already participated. Please only take one time per household.

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 do not endorse or warrant any of the sponsors listed at www.uphelp.org, or speakers at our workshops.
- Our speakers are volunteering their time as educators

Answering your questions:

Amy Bach, Esq. UP Co-Founder and Executive Director

Sandra Moriarty, CPCU, Resolved SF

Denise Sze, Esq., Onyx Law Group, Blue Oaks Public Adjusters

With online support from Alexis Ricci, Program Specialist, United Policyholders

UP Resources:

Survivors Speak on ALE:

<https://uphelp.org/claim-guidance-publications/survivors-speak-additional-living-expense-ale-loss-of-use/>

Sample letters:

- For requesting info from your insurer on what expenses qualify
- For requesting an extension of your ALE benefits
- For requesting a retroactive adjustment of your Dwelling limits (underinsured)

The recording and slide deck from UP's webinar on Underinsurance for LA Wildfire survivors

Temporary living expense benefits: Loss of Use/Additional Living Expense (“ALE”)

- Reimbursement for expenses you incur due to losing the use of your home
- Your mortgage payments are NOT covered
- CA law: Your policy must cover 24 months plus two, 6 month extensions but there may be a dollar limit.

What we know

- The 2025 LA wildfires were an urban conflagration (WUI megafire) that generated unprecedented levels of toxic byproducts
- Home insurance is supposed to cover the cost of restoring a home as close as possible to pre-loss condition, subject to policy limits
- Testing before cleaning should be standard protocol and but hasn't been
- In general, the way many insurers have been handling smoke damage claims is outdated and not safe or adequate in light of current scientific/medial knowledge
- Official indoor air quality standards for some of the byproducts of the Eaton and Palisades fires do not yet exist

Reminders:

- **Continue to do your best to be business-like about your insurance claim, understand how your property was damaged and what needs to be done to restore it, identify trustworthy professionals, and go on facts – not rumors**
- **Keep a daily record/diary/journal**
- **Document and track all insurance communications**
- **Save all receipts (scan or photocopy and emails)**
- **Track expenses and \$ matters:**
<https://www.uphelp.org/pubs/insurance-accounting-spreadsheet>
- **Use UP's resources <https://uphelp.org/smokedamage-2/>**
- **Be persistent, get qualified help, don't give up!**

<https://uphelp.org/smokedamage/>

If your home has been exposed to smoke and/or debris from a wildfire, your insurance company should work with you to retain reputable and qualified professionals to do the following:

1. Thoroughly inspect, measure, test and assess the interior and exterior condition of your home, inside and out, including basements, crawl spaces, attics, duct systems (heating, cooling, ventilation), and cavities.
2. Prepare a remediation plan that addresses all inspection and assessment findings.
3. Do all the work that's called out in the plan in a satisfactory and timely manner.
4. Conduct post-cleaning testing to confirm successful remediation/restoration and safe indoor air quality.
5. Several rounds of remediation may be necessary.

Coverage and an insurer's responsibility

- Wildfire debris damage (smoke, ash, char, particulates, etc.) **IS** fire damage, which must be covered per CA Ins. Code 2071.
- If you, or a family member, have respiratory issues or chronic health conditions, proper remediation must address/protect. A medical professional should confirm the condition in writing.
- Your insurer should not cut off your temporary living expense(ALE) benefits and force you to move back into a home that hasn't been properly remediated, but policy deadlines can be a problem.

Deep Breath



Pre-Submitted Question

Will an insurance company ever exceed the ALE bucket and provide additional funds where they have delayed the claim? If so, where does the extra money come from?

- Give your insurer evidence that they caused delays beyond your control that ate up your available benefits and try and negotiate for them to pay additional loss of rent as a claim adjustment expense as opposed to a policy benefit
- Consider downsizing to a cheaper temporary home
- Consider using your remaining ALE funds to buy a tiny home or high end RV
- Apply for mortgage forbearance
- Seek out charitable aid
- If your dwelling was underinsured and your ALE/Loss of use benefits are a % of your dwelling limit, consult with an attorney to see if you have a solid legal argument that the insurer should retroactively increase your limits in both categories

Pre-Submitted Questions

Can you buy another house, charge yourself fair-market rent, and submit that for ALE?

DS

Pre-Submitted Questions

Other than Rent, Furniture/Furnishings Rental, Renters Insurance and Additional Commuting reimbursements re ALE or Loss of Use, what other costs of our temporary living until we can rebuild are typically eligible for reimbursement?

DS

What expenses qualify?

- Rent for temporary housing
- Renters insurance policy
- Extra miles – to/from work, school
- Security deposits, set up fees for temp housing
- Photo copies and mailing expenses related to claim
- Moving costs
- Pet boarding costs

You can request a list from your insurer and they must provide it

Being Proactive with ALE

- Ask for an extension due to delays beyond your control
 - See [Sample Letter Requesting Extension \(Total Loss\)](#)
- Apply for Cal Assist Mortgage Grant (3 months of payments, \$211,050 household income cap)
- Re-Open FEMA Housing Assistance Claim once ALE funds are exhausted
- Call Mortgage Company re: Mortgage Forbearance Act AB 238
- If you are a landlord, you can request Rental Assistance if renter is not able to make payments

Pre-Submitted Questions

Is all the Mileage & Gas (and not to mention the time) needed to find temporary housing a reimbursable ALE expense?

ds

Pre-Submitted Questions

What is the possibility of using ALE for transitional (owned) housing while rebuilding? What information is typically needed for this and what is the process for review/approval?

SM, DS

Pre-Submitted Questions

Our hygienist report recommends down to the stud remediation. Insurance is giving us one month to just clean the house and personal content. How does ALE coverage work in this case when we can't get to an agreement on the scope of work?

Additionally, if we hire a bad faith attorney to move the claim forward, would we lose the ALE coverage after we sign the retainer agreement even though we have 24 months of ALE in our policy?

DS

Pre-Submitted Questions

My insurance company has unduly delayed and engaged in bad faith in responding to our claim in a timely fashion. We have therefore been unable to remediate and repair our home in a timely fashion. We are nearing our ALE policy limit and would like to know how to get our insurance company to pay in excess of the ALE policy limit.

Same as #1

CA law:

Time Limit to Collect Additional Living Expenses (ALE)

In the event of a covered loss relating to a state of emergency, as defined in [California Government Code section 8558](#), on and after July 1, 2021, coverage for additional living expenses (or loss of use) shall be for at least 24 months from the inception of the loss, but shall be subject to other policy provisions. An insurer shall grant an extension of up to 12 additional months, for a total of 36 months, if an insured acting in good faith and with reasonable diligence encounters a delay or delays in the reconstruction process that are the result of circumstances beyond the control of the insured. Circumstances beyond the control of the insured include, but are not limited to, unavoidable construction permit delays, lack of necessary construction materials, and lack of available contractors to perform the necessary work. Additional extensions of six months shall be provided to policyholders for good cause. ([Cal. Ins. Code section 2060\[b\]\[1\]](#)).

Pre-Submitted Questions

CalFAIR Plan stopped paying Fair Rental Value after four months even though we have about 24 months of rent available within our policy limits, and even though they asked us not to hold off remediating and renting until November 2025. Also, they only paid at 60% the market rate for the months that they paid. We know CFP is withholding fair rent for a large percentage of their policy holders. What are successful strategies to get paid what's owed for fair rent under the fire policy?

SM,DS

Pre-Submitted Questions

I am still living in an Airbnb as I cannot find affordable housing for me and my service dog. My landlord has tried to evict me illegally and still no remediation has been done. LA County Public Health Department issued landlord multiple violations to correct to make rental habitable again. Under state of emergency should my ALE be increased above policy limits?

All

Pre-Submitted Questions

Insurance delays have used up most of our ALE and we will likely run out of ALE funds prior to completion of lead abatement. The last adjuster said he got supervisor approval for an additional \$25K in ALE. New adjuster has denied that is available to us and refuses to increase ALE. What rights or options do we have?

DS

Pre-Submitted Questions

I received a 1099 from my insurance company for the Loss of Rents they paid on some rental properties that were destroyed in the Eaton Fire. Are those insurance payments really taxable? I thought they were not taxable.

SM

Pre-Submitted Questions

We are currently in a rental but it's not a good fit. We are looking at buying transitional housing while we rebuild (at least another 12 months). This may be out-of-state. Is this typically covered under ALE? What information is typically required and what is the process?

DS

Pre-Submitted Questions

Insurance is telling us to move home but are delaying payment of remediation bills needed to release the packed out contents of our home. If we move home, are we entitled to compensation by insurance for all the home space that is unfurnished? (We currently have 1 bedroom set, a couch, and 4 barstools for a 4 bedroom house.) What recourse do we have to get them to pay the remediation company bills they've had for months?

DS, SM

Pre-Submitted Questions

How do we deal with CA FAIR Plan not recognizing lead damage, as lead is super toxic and we have a cancer survivor in our family?

SM

Pre-Submitted Questions

Our insurance is refusing to pay for additional toxin testing after testing positive for lead post remediation. They say that it is not part of the policy coverage despite the fact that their field adjuster insisted we use a specific remediation company very early post fire (Feb 3, 2025.) That remediation company failed to properly clean and failed to properly test. What can we do as another round of an environmental hygienist will cost upwards of &15K. Thank you!

DS

Pre-Submitted Questions

In our Rental Home we discussed the lost rent and asked for three years loss coverage. we have been paid for one year and they say that is all we will get from USAA. We lost three homes in the fire, two rentals and our home. They will pay out on our home that we lived in until the money in the line item runs out which is about three years, yet for our rental that we clearly had three years lost rent covered they will only pay for one year. Is that legal and proper?

SM, DS

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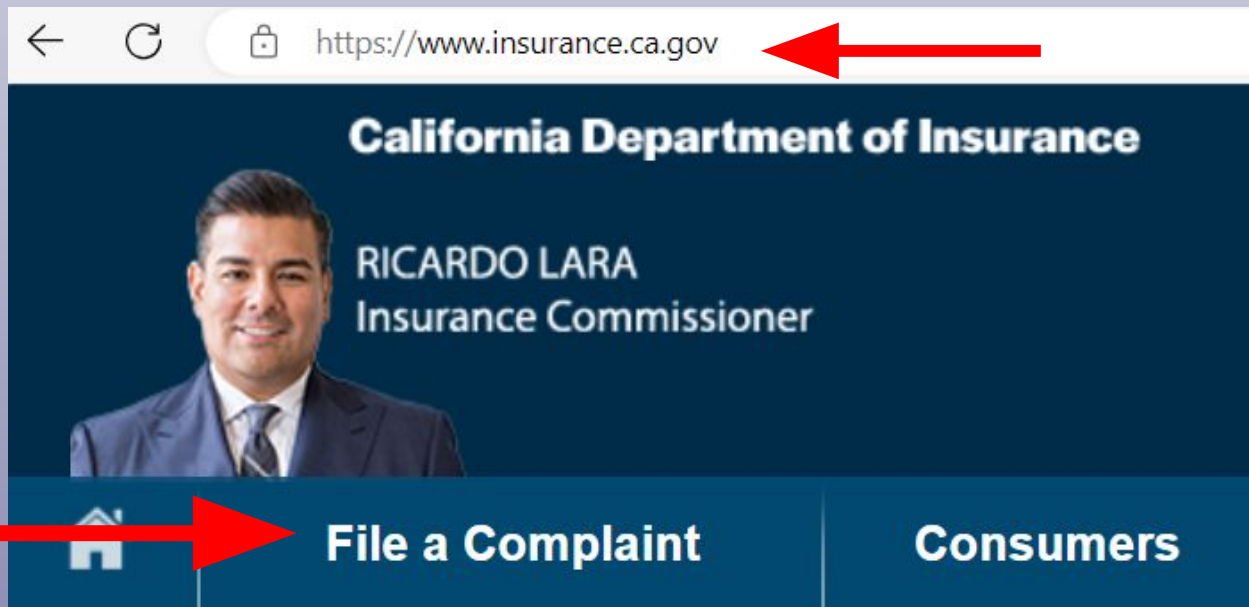
We are grateful to everyone who has already participated. Please only take one time per household.

Requesting help/filing a complaint



800-927-4357

www.insurance.ca.gov



For More Information

If you still have questions, visit UP's website
and search for more
claim tips, articles and helpful info at:

www.uphelp.org

UPcoming Events

United Policyholders
Engineering the Insured

LOG IN ASK AN EXPERT FORUMS

Search

HOME ABOUT MEDIA RECOVERY HELP GET PREPARED ADVOCACY COMMUNITY EVENTS SUPPORT UP

EVENTS

Home » Events

UPCOMING EVENTS

Survivor to Survivor Forum (for wildfire survivors)

Tuesday, February 17, 2026
4 pm HT / 7 pm PT / 8 pm MT

Zoom Meeting

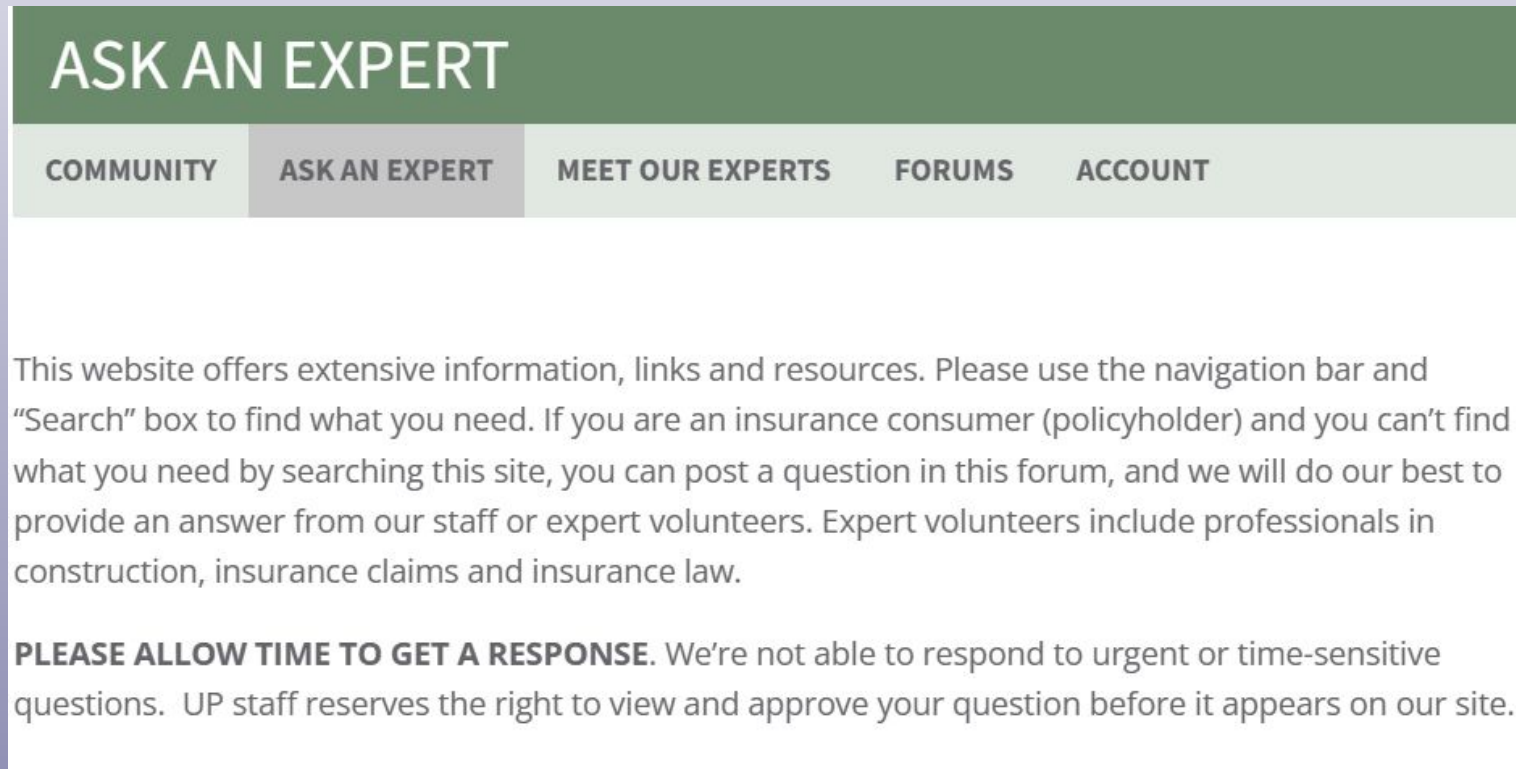
All Wildfire Survivors

[VIEW +](#)

[Uphelp.org/events](https://uphelp.org/events)

If you can't find what you need via our website, R2R recordings and slide decks...

uphelp.org/ask-an-expert



The screenshot shows a website header with a dark green bar containing the text 'ASK AN EXPERT' in white. Below this is a navigation bar with five tabs: 'COMMUNITY', 'ASK AN EXPERT', 'MEET OUR EXPERTS', 'FORUMS', and 'ACCOUNT'. The 'ASK AN EXPERT' tab is highlighted in a darker shade. The main content area below the navigation bar contains a paragraph of text and a bolded instruction.

ASK AN EXPERT

COMMUNITY ASK AN EXPERT MEET OUR EXPERTS FORUMS ACCOUNT

This website offers extensive information, links and resources. Please use the navigation bar and "Search" box to find what you need. If you are an insurance consumer (policyholder) and you can't find what you need by searching this site, you can post a question in this forum, and we will do our best to provide an answer from our staff or expert volunteers. Expert volunteers include professionals in construction, insurance claims and insurance law.

PLEASE ALLOW TIME TO GET A RESPONSE. We're not able to respond to urgent or time-sensitive questions. UP staff reserves the right to view and approve your question before it appears on our site.

Thank you to our Funders:



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Anthony Pritzker

FAMILY FOUNDATION