



Where there's smoke, there's a firefight

NAIC Spring Meeting
Consumer Liaison Committee
Sunday, March 22, 2026
San Diego, CA

United Policyholders (UP)

UP is a 501(c) 3 national not-for-profit with a 35 year track record of problem-solving, informing and advocating for insurance consumers with focus on property insurance and disasters.

Through our 3 programs we are working to help people pro-actively reduce risk, be properly insured and reach fair claim settlements, and collaborating with stakeholders to bring solutions to the national property insurance crisis.

Roadmap to Recovery[®] *Educating, and helping households navigate insurance, repairs and rebuilding and avoid problems after disasters.*

Roadmap to Preparedness *Educating and helping consumers be resilient to disasters, insure assets to value, shop smart, and proactively reduce risk.*

Advocacy and Action *Advancing policyholder priorities and perspectives in legislative, regulatory, legal and public policy forums.*

Insurance disputes related to wildfire debris/smoke damage remediation and property restoration are increasingly common due to:

- Claim handling practices by insurers that are not meeting insureds' reasonable expectations that their homes be restored to pre-loss condition
- The absence of science-based standards for post-wildfire testing, remediating and restoration of indoor spaces. (Lead, Asbestos, yes, Beryllium, Chromium, etc. no)
- Conflicting views by experts and vendors on where, when and how indoor air quality should be tested, whether and how contaminants should be removed and the extent of destructive testing and restoration required to restore homes to pre-loss condition.
- Big cost differentials between cleaning versus remediating/restoring
- A wide range of involved professionals with varying levels of expertise, training, certification
- Organized survivors and media coverage

Insurers Said They Could Return Home. Our Tests Found Neurotoxins in Their Bodies.

December 29, 2025



After the Los Angeles fires, their insurer told them they could return home.

Local News

Boulder County couple whose house was "infused" with pollutants in Marshall Fire wishes it had burned down

By [Shaun Boyd](#)

April 14, 2023 / 11:37 PM MDT / CBS Colorado

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Colorado's insurance commissioner says the state needs standards for remediating homes that are damaged, but not destroyed in wildfires.

HOME INSURANCE Follow +

New bill asks California to craft standard for cleaning wildfire smoke-tainted homes

By [Megan Fan Munce](#), [Susie Neilson](#), [Sara DiNatale](#), Staff Writers
Feb 11, 2026

Gift Article Facebook X



December 5, 2025

California is drafting new rules for wildfire smoke cleanup. Are home insurers calling the shots?



Wearing protective coveralls and a chemical, biological, radiological and nuclear-rated gas mask, Debbie McMahon walks in her Altadena living room on Sept. 25, where last year's Christmas tree still stands after the wildfire evacuation. McMahon is among the many displaced Los Angeles County residents who are fighting with their insurance companies.

Stephen Lam/S.F. Chronicle

As the [Los Angeles wildfires](#) died out in January, firefighters trekked through the burn zones to take stock of the destruction. For every home they found leveled, they counted another still

What we know

- Urban conflagrations (WUI megafires) bring “Contaminants of Concern” into homes, workspaces, schools, etc.
- Home insurance should cover the cost of restoring a smoke-damaged home 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 seems outdated and not safe or adequate in light of current scientific/medial knowledge
- Official indoor air quality standards for wildfire byproducts other than lead and asbestos do not yet exist

The ideal order

- **Pre-cleaning inspection and testing**
 - A qualified professional should inspect and test for soot ash, char, asbestos, lead and VOCs
 - Samples should be tested by an independent lab
 - Homeowner should get a copy of the results
- **A qualified expert prepares a remediation and restoration protocol/plan**
- **The work gets done by an independent, qualified expert**
- **Clearance testing**
 - If toxins remain, additional remediation is needed

Why does testing matter?



It measures and documents how a wildfire impacted the interior and exterior of a structure and what needs to be remediated (cleaned, removed) and restored

Should be the basis for the remediation/restoration plan

Coverage and an insurer's responsibility

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



HB24-1315

Study on Remediation of Property Damaged by Fire

TYPE	Bill
SESSION	2024 Regular Session
SUBJECTS	Housing Insurance Public Health

Concerning a study regarding standards for the remediation of residential premises after a property has been damaged in a fire, and, in connection therewith, studying properties damaged by smoke, soot, ash, and other contaminants as a result of the fire and making an appropriation.



COLORADO WILDFIRE REMEDIATION ANALYSIS RESIDENTIAL PREMISES AND INSURANCE IMPACTS REPORT

November 18, 2025

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California Department of Insurance
RICARDO LARA
Insurance Commissioner

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Commissioner Lara announces new Smoke Claims & Remediation Task

News: 2025 Press Release
For Release: May 19, 2025
Media Calls Only: 916-492-3566
Email Inquiries: cdipress@insurance.ca.gov

Commissioner Lara announces new Smoke Claims & Remediation Task Force

After decades without consistent guidelines, Task Force will develop long-overdue standards for insurance coverage and clean-up of smoke-damaged homes

Los Angeles – As California faces the aftermath of some of the worst wildfires in its history — urban conflagrations that have devastated entire neighborhoods and spread toxic soot and ash across wide regions — Insurance Commissioner Ricardo Lara today announced the formation of a new Smoke Claims & Remediation Task Force within the California Department of Insurance.

"For more than 30 years, California has lacked consistent statewide standards for investigating and paying smoke damage claims," said Commissioner Lara. "The result is confusion, delays, and families forced to return to unsafe homes. Consumers are angry and rightly so. Californians deserve better — and this Task Force will help us create lasting solutions."

While the state has faced major wildfires before — in places like Santa Rosa and Paradise — today's smoke impacts are broader and more complex, reaching deeper into urban areas than ever before. California has never experienced smoke damage of this scale, across such a large and densely populated region.

In March, Commissioner Lara issued a formal [Bulletin](#) requiring insurers to fully investigate and pay legitimate smoke damage claims. He also sent a directive to the California FAIR Plan — the state's insurer of last resort — requiring it to follow the same standards. Yet for decades, there have been no clear or consistent statewide protocols for how insurers should handle smoke-related losses.

The new Task Force will bring together public health experts, environmental health professionals, smoke remediation specialists, fire safety experts, and consumer advocates to recommend science-based standards, best practices for smoke restoration of homes and personal property, and enforcement tools to the Department that ensure Californians are treated fairly in the wake of wildfire smoke exposure.

California Department of Insurance
RICARDO LARA
Insurance Commissioner

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Commissioner Lara and Assemblymember Gipson Unveil the Smoke Damage Recovery Act

News: 2026 Press Release
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Commissioner Lara and Assemblymember Gipson Unveil the Smoke Damage Recovery Act

Nation's First Public Health and Insurance Standards to Protect Families from Toxic Smoke Contamination

SACRAMENTO, Calif. — In response to unprecedented smoke contamination from last year's Los Angeles wildfires, the largest urban wildfire disaster in state history, Insurance Commissioner Ricardo Lara and Assemblymember Mike Gipson today announced AB 1795, the Smoke Damage Recovery Act, landmark legislation establishing California's first enforceable public health and insurance claims standards for smoke damaged homes.

Despite the growing severity of wildfires, no state or national standards exist for testing, cleaning, or restoring homes contaminated by wildfire smoke. This gap in the law has left families navigating conflicting expert opinions, prolonged insurance disputes, and unsafe living conditions. AB 1795 directly confronts this decades old failure by creating science based, health driven standards for smoke testing and restoration and by providing immediate relief for Los Angeles wildfire survivors who cannot wait for statewide standards to be finalized.

Commissioner Lara has repeatedly emphasized that smoke damage is not merely an insurance issue — it is a public health crisis. A central feature of AB 1795 is its early action provision, designed specifically to address the delays and disputes facing survivors of the Los Angeles wildfires. If a state or local health or environmental agency issues specific standards for interior smoke testing, screening levels, or restoration, survivors will be able to use those local standards immediately to support and expedite their insurance claims.


This empowers a public health agency to issue interim guidance that insurers must follow, giving families a clear path to recovery now rather than waiting months for statewide standards to be completed.

This is the first bill in the nation to create a mechanism for immediate, locally driven smoke damage standard, a direct response to what survivors have been asking for.

New Nevada law:

Realtor.com's Post

Nevada homeowners in high-risk fire areas may soon pay more for protection. A new law allows insurers to exclude wildfire coverage from standard home and HOA policies, pushing residents toward separate fire insurance. Lawmakers hope the change will keep insurers in the market after rising nonrenewals, but affected homeowners could face the cost of an extra policy.



NEVADA BILL LETS HOME INSURERS DROP WILDFIRE COVERAGE—AND IT COULD COST HOMEOWNERS BIG

What happens if property insurers are allowed to exclude wildfires from coverage?

“Are we just going to turn everybody loose and let the fires burn our houses down?” Nevada just did – and others may follow.



SUSAN CRAWFORD
OCT 31, 2025



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Thank you!

Consumer Liaison Committee members
and meeting attendees for your time and
attention

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