

## **3 Insurance Rules after Disaster hits Your Home**

### **Avoiding Insurance Disaster.**

It seems like whenever catastrophe strikes, insurance problems rear their ugly head. It might be your home isn't sufficiently covered to pay for repairing the damage. Or, you might be the victim of unfair adjusting practices, such as a carrier that would rather fight than pay its fair share.

In a disaster such fire, flood or earthquake, you might not even know who your insurance company is, since your policies and other important documents may well be cold ash or soggy trash.

If you suffer a disaster and have to make a claim on your insurance, keep these three principles in mind:

#### **1. Get a Copy of Your Policy and read It.**

Insurance always begins with a written contract. So, the first thing that needs to be done when getting ready to make a claim is to get a copy of every policy that might possibly provide coverage for your damaged property and read them all from front to back.

If you don't have the policy forms because they were lost, destroyed or are otherwise unavailable, you'll have to get policy reconstructions from the insurance company. Requests can be made to your agent or directly to the insurance company's policy services department. If you don't remember who your insurance company is, you'll need to do a little detective work. Start with your checking account. A review of your banking records may well lead you to every insurer that might provide coverage for the damaged property.

#### **2. Check your coverages.**

Your insurance policy provides coverage for certain types of loss, and excludes coverage for others. That's why it's important to get a copy of the contract right at the beginning.

One issue that frequently arises following a catastrophic loss is the damaged property was not adequately insured in the first place. Where an agent or broker provided you with professional advice on the appropriate coverage or bound coverage based upon their own professional expertise, there may be a claim for professional negligence where the property isn't properly protected.

#### **3. Watch out for Time Limits**

Property insurance contracts generally have their own time limits, called "statute of limitations," built in, and the period in which to file suit to enforce the contract is generally less than the period that applies to a plain vanilla written contract.

When in doubt, consult a legal professional about what time limits will apply to your claim. Be proactive. Once you have loss, there is a clock ticking somewhere that might limit your ability to recover policy benefits.

**Need more help? Get our free e-booklet, "10 Do's and Don't's for making an Insurance Claim" at <http://billdanielslaw.com/Ten-Do-and-Donts.pdf>**

\*\*\*

William A. Daniels is a Trial Attorney with BILL DANIELS | LAW OFFICES, APC, in Encino, CA. His practice focuses on class actions, employment and serious personal injury cases. A graduate of Loyola Law School of Los Angeles, he is a member of the Consumer Attorney Association of Los Angeles Board of governors and a founding member of the Civil Justice Program and the 21<sup>st</sup> Century Trial School at Loyola. For several consecutive years he has been named a "Super Lawyer" Los Angeles Magazine in Southern California.

He can be reached at [William.Daniels@BillDanielsLaw.com](mailto:William.Daniels@BillDanielsLaw.com); [www.BillDanielsLaw.com](http://www.BillDanielsLaw.com)