MILLER
Public Adjusters

THE FIRST SIX MONTHS:

DIY GUIDE TO RECOVERING FROM A FIRE

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Miller Public Adjusters, LLC was founded with the mission to be an advocate for insurance policyholders embroiled in claim disputes with their insurance companies. Going through a tragedy like a house fire is bad enough; being mistreated by the company you trusted to help in just such an occurrence adds insult to injury.

We level the playing field to ensure you're treated fairly and receive every penny you're entitled to on your claim. Use this eBook for guidance on what you need to do during the first six months after a catastrophic fire loss. It's a lot to take on, especially if you've never had to deal with a large property loss before.

You can call on Miller Public Adjusters at any time during the claims process if things get a little too complex, you lack the time, drive or resources to adequately deal with it, or you feel you're being treated unfairly by your insurance company. We're always in your corner, working and looking out for your best interests!

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The First 24 Hours After a Fire

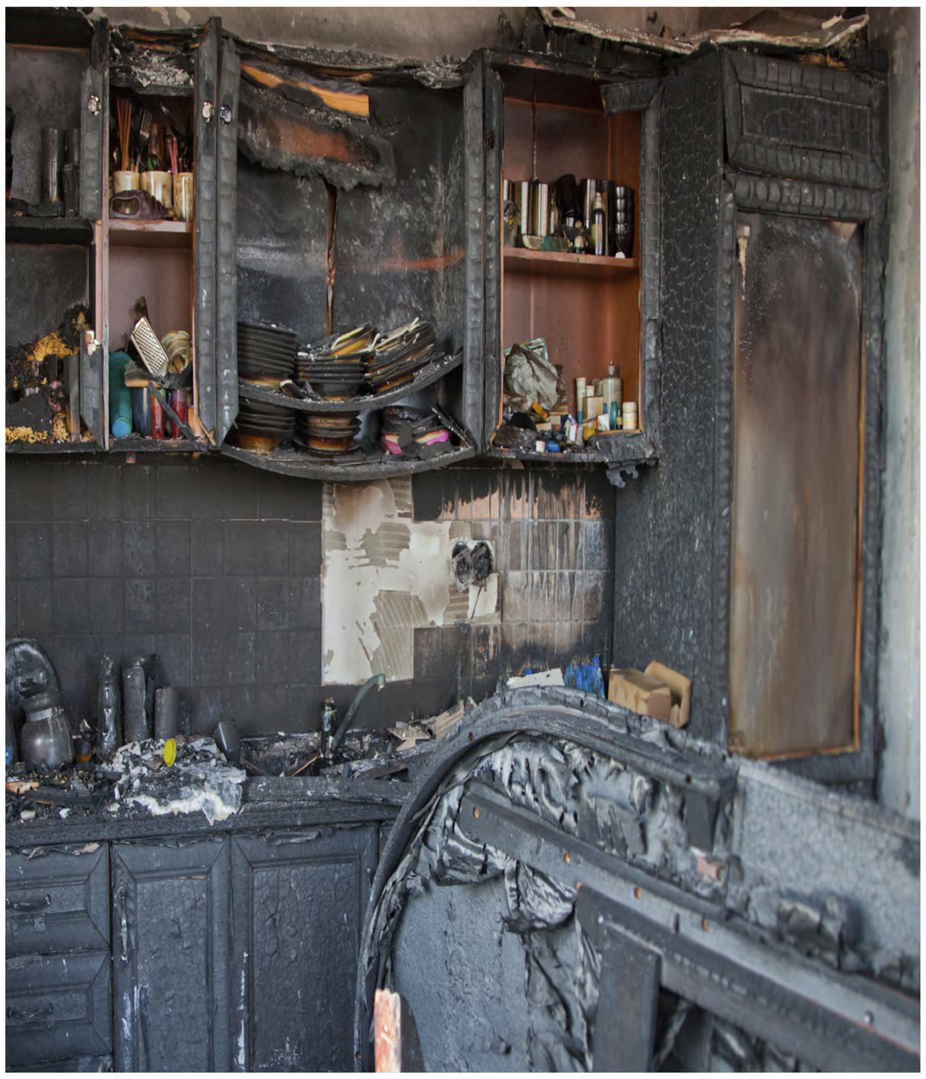
When your home is destroyed or heavily damaged by a fire, it can be can be a physically and emotionally draining experience. It will take time, effort and loads of patience to get through it. Most people find it takes at least 9-18 months to repair/rebuild/replace their home and possessions. Often the hardest part is knowing where to begin and who to contact. There are many issues to consider. Everything is important. Everything requires your attention.

Your insurance company has gone to great lengths to assure you they'll be first in line to ease your initial anxieties, pay for the required repairs, and facilitate the process of restoring your home. Give them the opportunity to do the right thing, but know from the start that you're not on a level playing field when dealing with an insurance claim. You're dealing with a for-profit company that has handled thousands of claims and understands the process better than you.

Since you have the most at stake, it's important for you to take the lead and understand the process. You must get the insurance company and vendors on track and working for you. The goal is to achieve a fair settlement.

SAFE **AND SOUND**

So where do you start? First and foremost, get yourself and your family to safety. "Stuff" can be replaced; that's what you buy insurance for. Once you're safe, you can evaluate your most current needs, and do what it takes to get your life back to some sense of normal. The fire department should ensure that all utilities (water, electrical, natural gas) are safe and/or disconnected before leaving the site. NEVER attempt to turn these utilities on or off yourself.



CONTACT YOUR **INSURANCE AGENT**

After you're certain everyone (including pets) are safe, your first call should be your insurance agent. This is one of the duties listed in the Conditions section of your policy, to give prompt notice to the company and allow the insurer and its representatives to immediately inspect all damaged property. **You should also request a certified copy of your policy.**

PROTECT AND **SECURE PROPERTY**

It's your responsibility to ensure the property is secured and protected from further damage. Make sure local police know the property will be vacant to help protect against theft, looting, etc. You'll need to hire a professional board-up/ mitigation contractor to cover up doors and broken windows, roof holes and any other openings, pump out water used to extinguish the fire, and anything else to prevent further damage to the dwelling and its contents.

TEMPORARY **HOUSING**

The next step will be to ensure you and your family have temporary housing. If damage covered under your insurance policy has made your home uninhabitable, you're entitled to **suitable housing** to maintain your standard of living. You may be able to get an advance payment to get you started, which will be part of your Additional Living Expenses (ALE) coverage in your policy.

You will also need to take care of pressing personal needs like getting vital medicines replaced, eyeglasses/contact lenses, as well as clothing and other personal items.

Other expenses, if more than your normal expenses, may be covered under ALE, such as:

- Fee for credit checks charged by management of a rental property
- Laundry and dry cleaning
- Restaurant meals
- Furniture
- Pet boarding
- Additional mileage expense
- Storage space
- Sewer fee if you didn't have one for your home
- Mailing expenses related to your claim
- Internet/utility/cable connection setup fees

Find out if you have an ALE monetary cap. Ask your agent or review your policy to learn whether your ALE coverage is limited or capped either by time (12-24 months) or monetarily (Actual Loss Sustained).

QUICK TIP:

Make sure to keep all receipts for everything spent on things related to the fire and meeting your family's immediate needs.

Who's Who?

There are many people you're likely to be in communication with after a fire. Here are some of the key players you can expect to contact:

INSURANCE ADJUSTER

A person who represents the insurance company to evaluate the loss. This could be a staff adjuster employed by the company or an independent adjuster under contract with your insurance company.

INSURANCE AGENT

A person who represents the insurance company to sell and service policies. "Captive" agents sell for one specific company, and "independent" agents sell for several different companies.

FIRE MARSHAL

A sworn law enforcement officer specially trained to identify and collect evidence relating to fires.

CAUSE & ORIGIN INSPECTOR

A person who investigates the cause and origin of fire.

BOARD-UP/MITIGATION CONTRACTOR

Their job is to protect damaged property from further harm by boarding up broken windows, tarping over a roof, pumping out water, etc.

TEXTILE/SOFT GOODS CLEANING VENDOR

Companies that specialize in salvaging textiles, linens and soft goods damaged by fire, smoke, soot and water.

ELECTRONICS CLEANING VENDOR

Companies that salvage and clean electronic equipment damaged by smoke and/or soot.

PERSONAL PROPERTY CLEANING VENDOR

Companies that provide full-service cleaning and restoration of personal property damaged by catastrophes, including fire.

WHAT'S COVERED?

Before listing what your policy covers, the Declarations section, or "Dec" pages in insurance speak, specifies the name of the insureds, the insurer, the property to be insured and its location, the policy number, the premium amount and deductibles, and coverage limits.

A peril is the direct cause of the loss. Perils include fires, windstorms (including tornadoes, straight-line winds and hurricanes), lightning, theft, vandalism, riot or civil commotion, explosions and wildfires. Most homeowners policies contain Open Perils or All Perils coverage, listing only what is excluded from coverage, such as flood and earthquakes.

Your certified copy of your homeowners insurance policy will list the various coverages provided. Below is a general breakdown of what's included in a standard Homeowners policy:

DEFINITIONS - Defines important terms in the contract. This helps the insured better understand the contract, and also protects the insurer, as the courts will side with the insured regarding ambiguities in an insurance contract.

Section 1 - Property Coverages

Dwelling Coverage — Covers damage to the house.

1) Includes structures attached to the dwelling; and

2) Materials and supplies located on or next to the residence premises used to construct, alter or repair the dwelling or other structures on the residence premises.

Other structures Coverage — These include a detached garage, storage shed, fence, driveway, patio, etc., located on the property and set apart from the house by clear space.

Personal Property Coverage – The amount of coverage for your personal property is limited to a percentage of your Dwelling Coverage limit. This percentage can be increased through an endorsement. Certain types of property - cash, securities, silverware, jewelry - have specified limited coverages due to the difficulty verifying their value. Such losses are either not covered or very limited. This prevents a "moral hazard" that may tempt an insured to inflate the amount of loss.

Scheduled personal property endorsements specifically cover valuable property, including art and antiques, cameras, musical instruments, jewelry, furs, stamp and coin collections, etc.

Other property excluded because of indeterminable value includes pets, business records and various electronic cards, including credit and debit cards. Property that should be covered by other insurance policies includes various types of transportation (motor vehicles, watercraft, aircraft) and the property owned by renters.

WHAT'S **NOT COVERED**

Insurance companies stipulate that anything not stated in the coverages section as not covered by the policy, but it also lists coverage exclusions to specify perils, losses, and property not covered.

Typical coverage exclusions include:

- Earth movement
- Water damage from external sources of water, such as floods, sewers, or underground water
- Power failure
- War or nuclear hazard
- Damaged occurred over time
- Losses caused because the insured failed to protect property after a loss
- Intentional loss
- Weather conditions
- Defective planning, design, and maintanence issues

Loss of Use Coverage – ALE and Fair Rental Value are the two main elements of a policy's Loss of Use coverage.

ALE coverage reimburses you for any necessary increase in living expenses for the cost of maintaining a comparable standard of living when your dwelling is not fit to live in due to a covered peril. For example, ALE insurance would cover an insured's motel bill while fire/smoke damage to the home is being repaired or replaced or until the insured moves to a permanent residence. Payment is for the shortest time required to repair or replace the damage or, if you permanently relocate, the shortest time for your household to resettle elsewhere.

Fair Rental Value—If you have rental space in your residence premises that is fire- or smoke-damaged and not fit to live in, coverage is provided for the fair rental value less any expenses that do not continue while it is not fit to live in. Payment is for the shortest time required to repair or replace the premises.

Additional Coverages included in the policy or added by endorsement pay for:

- Debris removal
- Tree removal, only if it falls on a structure
- Trees, shrubs, and other plants
- Reasonable repairs to protect property from further damage (mitigation)
- Remove property from premises to prevent further damage
- Fire department service charge
- Loss assessment
- Glass or safety glazing material
- Ordinance or law
- Refrigerated products coverage
- Inflation Guard coverage
- Limited “fungi,” other microbes or rot remediation
- Underground service line coverage

Policy Section 1: Conditions

The Conditions section of an insurance policy states the rules of the policy and outlines the rights of both the insurer and the policyholder. Examples of elements in the Conditions section include duties after a loss, loss settlement, cancellation, changes in coverage, audits, inspections, appraisal, premiums, assignment of the policy, etc. If policy conditions are not met, the insurer can deny the claim.

Duties After a Loss

Your homeowners policy requires you to complete a number of duties after experiencing a fire loss. Take special note, as failure to comply may delay or adversely affect your insurance settlement.

We've already mentioned a couple of them—contact your insurance carrier, and protect and secure the property from further damage. Again, keep all receipts and an accurate record of repair expenses to ensure you get reimbursed.

Here are other duties required of the policyholder:

- Cooperate with the cause-of-fire investigation.

- Prepare an inventory of all damaged personal property, including bills, receipts, and related documents that state items and their worth. Also include stored contents, if affected. If you have a home inventory, this is where you put it to use. Along with photos and/or videos of your home's contents, this can be invaluable.

- List and describe how each item was damaged, cost to replace and age. Ages of damaged items allow an insurer to estimate Actual Cash Value (ACV), so recoverable depreciation can be calculated (more about this later).

  NOTE: *If your damaged items are old but in excellent condition, make this clear to your insurance company to minimize depreciation.*

- As often as reasonably required:
  - -Show damaged property to your insurance company's representatives.
  - -Provide insurance company with requested records and documents and allow it to make copies.
  - -Submit to questions under oath and sign and swear to them.

- You must allow the insurance company to inspect your property as often as they feel is necessary to complete your claim. As long as they give you at least 48 hours notice, it's usually best to allow re-inspection. **NOTE:** ***It's also probably best not to deny the company property access without first speaking with your attorney.***

- You can be required to deliver records and documents. This requirement is not specific as to what records and documents. Never claim or suggest that you have written information if, in fact, you do not. Always be truthful.

QUICK TIP:

If your damaged items are old but in excellent condition, make this clear to minimize depreciation.

- You and your spouse may be required to separately answer questions in what's called an Examination Under Oath (EUO). Your replies to these questions might be evaluated for consistency and accuracy. It may be wise to obtain legal counsel before attending any EUO meetings.

- The insurance company may require a signed, sworn Proof of Loss statement within 60 days after requesting it. A Proof of Loss includes:

-Insured's and all others' interest in the property, and all liens on the property
-Other insurance coverage that may apply

-Specifications of damaged buildings and detailed repair estimates
-Inventory of damaged personal property
-Receipts for (ALE) incurred and records that support any loss of income
-Evidence or affidavit that supports a claim under "E.6. Credit Card, Electronic Fund Transfer Card Or Access Device, Forgery And Counterfeit Money" under Section I – Property Coverages, stating the amount and cause of loss.

Loss Settlement

Loss settlement, one of the more confusing aspects of insurance, simply refers to how the amount of money you receive after a loss is determined: by Replacement Cost Value (RCV) or Actual Cash Value (ACV). Payments for covered damages are typically on an ACV basis (including depreciation) first. When repair of replacement occurs and receipts are submitted to the insurer, the depreciated amount is recovered, providing there is RCV coverage.

QUICK TIP:

You must notify your insurer of a claim within 180 days after the date of loss.

Appraisal Clause

When there is disagreement about the value of a loss, the appraisal clause provides for a method of assessment that is agreeable to both insurer and insured. In this procedure, the insurer and the insured each select an appraiser, then the two appraisers select an umpire. If the appraisers agree on the value of the loss, then that value is binding on both parties. If there is a disagreement, then the umpire decides which value accurately represents the loss, and that decision is binding.

Other Provisions

Other provisions in the Conditions section are commonly found in all insurance contracts, such as voiding coverage because of fraud or concealment; who is paid in the event of a loss; and a requirement that any legal action commence within one or two years of the loss and after the insured complies with all requirements of the policy.

Know and Understand the Claims Process

While your claims process is unique to your claim and your policy, there are some common steps that all policyholders must take. Depending on the size of your loss, you may go through these steps in a different order, or you may have to revisit some steps to reach agreement.

1

Meet Duties

Your policy details your **Duties Following a Loss**. Be sure you know and meet all of your obligations within the prescribed time frames.

2

File Insurance Claim

When you file your claim, be sure to note the date and time you reported your loss, and to whom. Get a claim number.

3

Document Damage

Before anyone moves or removes anything from your damaged property, be sure to document your damages with photographs.

4

Scope Loss to Building(s)

Ensure a thorough scope of loss for your home/other structures, including what was damaged, and the materials, labor, etc., needed to rebuild or repair.

5

Reach Agreement on Cost

BEFORE any work begins, reach agreement with your insurance carrier about the scope of your loss and cost of your repairs.

6

Inventory Personal Property

Create an inventory of your damaged personal property, including the item, age, condition, cost to purchase, and cost to replace.

7

Identify Damaged vs. Destroyed

Separate any personal property items that can be cleaned and/or repaired from what was destroyed and must be replaced.

8

Negotiate Settlement

Depending on your policy, your settlement amount can include the ACV for your building(s) and personal property, ALE, Loss of Income, and RCV.

30 Days After a Fire

The claim has been filed. You're safely ensconced in temporary housing. The inventory of your damaged **personal property** is proceeding, and **house repair estimates** are being compiled. Things are moving along seemingly at a snail's pace and feelings of frustration start to creep in. So what happens now? What can you do to get things rolling to hasten the restoration process and get your family back to normal?

SCOPE OF LOSS: KEY TO PROCEED

You and your insurer need to agree on the **SCOPE OF LOSS** before any repair work starts. A Scope of Loss fully documents the amount and type of damage done to a structure, verified by photos and diagrams, along with what it will take to restore the property to its pre-loss condition. This includes detailed estimates, complete contractor bids, quantity and quality of materials, labor costs, and any improvements required by current building codes.

QUICK TIP:

Be wary of company-approved contractors. Ask who they work for and how they get paid.

CHOOSING CONTRACTORS: IT'S YOUR DECISION

If your insurance adjuster recommends repair contractors, you are not obligated to use them. Company-approved contractors are often selected because they have an established working relationship with the insurance company and will complete repairs based on the adjuster's opinion. Sure, insurance company-approved contractors still work for you, but the insurance company maintains an influence that might prevent you from getting your home repaired the way you want.

Consider getting your own contractor recommendations, asking for independent estimates, interviewing several contractors, and choosing your own. Pick contractors and vendors who are on your side.

REPLACEMENT COST VALUE, ACTUAL CASH VALUE, AND **RECOVERABLE DEPRECIATION**

"My homeowners policy says I have replacement coverage, so why is my stuff being depreciated? What's with this actual cash value?"

Most homeowners insurance policies are replacement cost policies, yet insurance companies initially pay less than what it will cost to replace damaged personal property items. That's confusing to many policyholders. Here's an example of typical policy language:

> ***"We will pay no more than the actual cash value of damage until the actual repair or replacement is complete. Once actual repair or replacement is complete, we will settle the loss as noted [previously]."***

Insurance companies provide up front Actual Cash Value (ACV) payment, which is the Replacement Cost Value (RCV) less depreciation. Depreciation is an item's lost value due mainly to age and wear & tear. Fortunately, depreciation may be recoverable, and here's how:

How Much Is Your Loss?

You bought a couch for $3,000 with a life expectancy of 20 years.

10 years later, the couch is destroyed in a house fire.

The couch is now only worth about $1,500 ACV (Actual Cash Value).

This is due to depreciation. (Wear and tear, age, condition, etc.).

You initially receive $1,500 ACV from the insurance company to replace the couch.

Go buy a $3,000 couch. (Replacement Cost Value).

Submit a receipt to the insurance company to receive the remaining $1,500 depreciated amount.

$3,000 — $1,500 = $1,500

Price Paid for Couch (Replacement Cost Value)	50% Depreciation (10 X 5% per year)	ACV Value Of Your Couch (Actual Cash Value)

To achieve a maximum settlement, it's up to you, the insured, to compile a complete list of damaged personal property, assign replacement cost value (RCV), then provide the proof of replacement. Be meticulous and organized, always noting well-cared-for items and be willing to argue low-ball actual cash value (ACV) designations to ensure settlement dollars are not left on the table.

The First Month is Crucial

What happens within the first month after a fire is crucial to getting what you're entitled to for your claim. Now is the time to assess where you are in the process and where you want to be as you transition to six months out. There's a lot on your plate—from mitigating further damage, inventorying belongings, tracking ALE, meeting with contractors to get repair estimates—and you can't afford to overlook anything.

Six Months After a Fire

Where should you expect to be in the process after six months?

At six months, you should be well along in your repair process, collecting actual cash value (ACV) payments for building damage and personal property losses. Now you need to focus on getting repairs completed and replacing your property, so you can claim recoverable depreciation (if policy permits) and obtain your replacement cost value (RCV) for damages.

Other items to consider after six months:

- If cleaned items are returned to you but are not satisfactory, put them aside and negotiate for replacement cost.
- Make sure any costs associated with moving possessions back into the repaired structure are submitted as ALE.
- Be alert for the unexpected expenses that occur that could also be submitted as ALE.
- Keep track of your receipts when you replace personal property items, so you can recover depreciation dollars (if policy permits).
- When making a purchase that you expect to be reimbursed (ALE, personal property replacement) try not to use cash. Rather, use a debit or credit card to ensure documentation of the expense.

Must-Ask Questions For Your Adjuster

You'll likely have a number of questions for your claims adjuster, so here's a list of questions we feel are most important.

Have You Asked Your Adjuster These Important Questions?

- When will you be on site and how often will you communicate with me?
- Who will secure my property?
- For emergency lodging, do we pay and keep receipts, or does insurance pay up front?
- What do I do if I have no immediate access to cash or credit cards?
- What happens to my pets? Do I have to take them with me, or can they be placed in a kennel?
- Who is allowed access to my property?
- Can I take anything with me now?
- What about my collectible and irreplaceable/heirloom valuables?
- How long do the repairs take?
- When do you think I can move back in?
- What is available for additional living expenses?
- What do I do about food in my refrigerator and/or freezer?
- How will values be determined on damaged personal property?
- How soon can I get an advance on my personal property payment?

Fire Loss FAQs

The insurance claims process is full of unknowns for those victimized by a large loss like a house fire. People who've never been through something as traumatic as this naturally are anxious to get their lives back to normal, but don't exactly know the best way to get there. So they have questions. Here are some of the most frequently asked questions received from the policyholders we've worked with.

How long will it take for my insurance claim to be completely settled, and for me and my family to be back in our repaired home?

It depends on the size and complexity of the loss, but most people find it takes at least 6-18 months to repair/rebuild/replace their home and possessions after a large loss. If you're attempting to handle your claim without professional help from a public adjuster, common mistakes will likely result in a delayed settlement. Aside from mistakes or unforeseen variables, a reasonable time to adjust and agree on scope for a fire claim is within 2-4 months after the loss date.

What is Additional Living Expense (ALE) and what does it pay for?

Most insurance policies include Loss of Use-Additional Living Expenses (ALE) coverage, which pays any necessary increase in expenses you incur so that your household can maintain its normal standard of living when a covered loss makes the "residence premises" (your home) unfit to live in. Some of the common expenses covered by ALE include temporary housing rental, restaurant meals, laundry/dry cleaning, additional mileage, Internet/utility/cable connection setup, storage and pet boarding.

RETRIEVE VALUABLE PAPERS AND RECORDS

When authorized to do so by the fire inspector, remove as many valuables as possible from your home. Inventory everything you remove. Here are some of the items to retrieve that you'll want to replace if they were destroyed or lost in the fire:

- Driver's license, auto registration
- Bank books (checking, savings, etc.)
- Insurance policies
- Military discharge papers
- Passports
- Birth, death and marriage certificates
- Divorce papers
- Social Security or Medicare cards
- Credit cards
- Titles to deeds
- Stocks and bonds
- Wills
- Medical records & health insurance cards
- Warranties
- Income tax records
- Citizenship papers
- Prepaid burial contract
- Animal registration papers
- Mortgage papers

What is a Proof of Loss and do I need to submit one?

A Proof of Loss is a signed, sworn, written statement submitted by the insured to the insurance company that contains specific required information about the loss. Proof of Loss statements are usually required to be submitted within 60 days of request.

Will my insurance company drop me if I hire a public insurance adjuster?

Your insurance company cannot legally drop you for asserting your legal right to hire a public insurance claims adjuster after you incur a fire loss. However, they will direct all communication to the adjuster.

Should I photograph or video-record my fire damage?

Yes. It is beneficial to have photographic and video evidence of the fire damage when you file a claim. Photographic evidence can serve as proof of the damage to your home. Document any additional damage discovered and alert your insurer about the discovery.

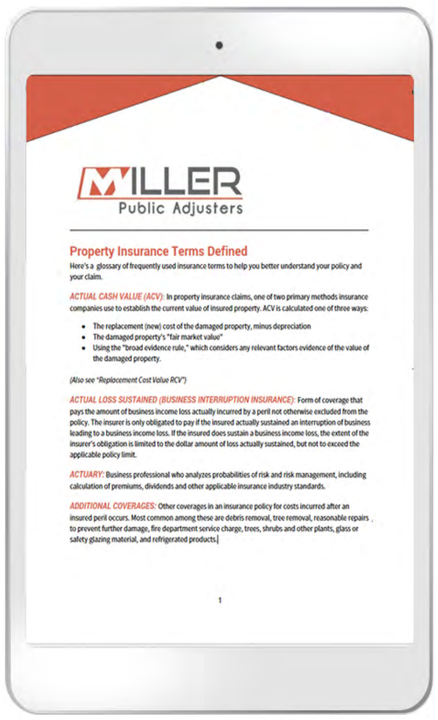
How can I ensure a fair claim settlement?

Insurance companies often interpret their policies and document damages in their own favor. If you want the best chance at a fair claim settlement, get a second opinion about your insurance company's value of loss. Public adjusters are property claims professionals who work exclusively for policyholders.

Resources

Glossary of Terms

The insurance industry has a language all its own, which can be confusing to policyholders—especially during the process of filing a claim. To help you better understand unique insurance terminology, we've compiled Property Insurance Terms Defined, an online glossary you can access at ***www.MillerPublicAdjusters.com/property-insurance-terms-defined***



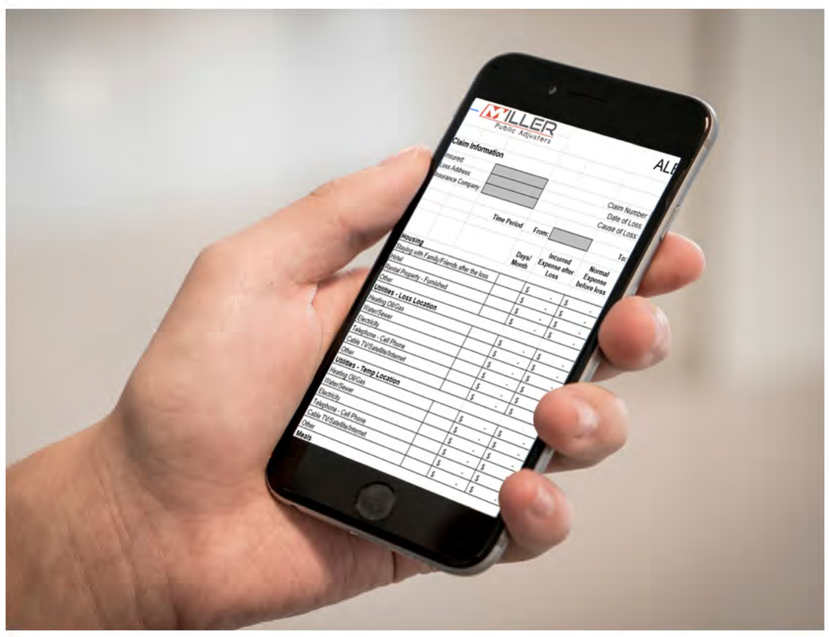
Personal Property Inventory Form

If your home is damaged by a fire, you will be required to provide your insurance company with a complete list of all the items damaged or destroyed. Having an up-to-date personal property home inventory will help immeasurably, and we've provided a downloadable Personal Property Inventory Calculator to ensure you don't miss anything. Download the form at ***www.MillerPublicAdjusters.com/personal-property-inventory-template***

Visit ***www.millerpublicadjusters.com/free-property-insurance-claim-advice-blog*** to checkout all of our free resources such as the glossary of terms, personal property inventory form, ALE worksheet, and client stories.

ALE Worksheet/Form

It's very important that you accurately keep track of all Additional Living Expenses to ensure full ALE reimbursement from your insurance company. We've provided a useful worksheet you can download from our website so you won't miss a thing. Download the worksheet at ***www.MillerPublicAdjusters.com/ALE-worksheet***



Client Stories

Residential and commercial clients alike have benefited from our expertise and experience to successfully resolve their property loss claims. Read what they have to say about working with Miller Public Adjusters at ***www.MillerPublicAdjusters.com/client-stories***

"We learned so much in this tragedy and none of it would have been possible without Miller Public Adjusters."

Erica F. - $500,000+ Fire Damage

"If I hadn't hired Miller Public Adjusters to represent me, I would've lost everything."

Gayle S. - $1,000,000+ Commercial Fire Damage

"In the end, we won the case and the claim was paid. I can't thank David at Miller Public Adjusters enough!"

Michele K. - $30,000+ Water Damage

BEFORE

AFTER

WE CAN HELP

That’s a lot to digest—and a long list of to-do items for you to accomplish. At Miller Public Adjusters, we will represent your interests using our extensive knowledge and years of experience to investigate, document, prepare, and negotiate your insurance claim. It’s what we do. Our goal is to protect your interests and get you the money owed to you by the insurance company.

Going the DIY route may lead to mistakes that can prolong or delay your settlement, especially if you are not experienced in dealing with the complexities of a homeowners insurance claim. We help you take full advantage of your policy to ensure you receive everything you are entitled to.

Remember, the company adjuster—whether employed by the insurer or an independent adjuster—works in the best interest of the company. Depending on the situation, adjusters may be working for certain incentives based on how many claims they can handle or how quickly the claim settles.

Conversely, the experts at Miller Public Adjusters work exclusively for you, the policyholder, to ensure your best interests are represented so that the insurance company fairly settles your claim and honors the provisions of the insurance policy.

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Miller Public Adjusters is licensed and regulated to do business in:
Wisconsin - Illinois - Indiana - Michigan - Minnesota - Florida - Texas

FREE CLAIM REVIEW

Call us 24 hours a day at (800) 958-4829 to schedule an appointment, or request a Free Claim Review online to see how we can help.