

Hurricane Sandy: Know Your Rights and Tips for Filing an Insurance Claim

If you suffered damage as a result of Hurricane Sandy, do not hesitate to file a claim with your insurance company. When you do, here are some things to keep in mind:

Tips for filing a claim with your insurance company:

- First, locate a current copy of your homeowners' insurance policy. If you do not have access to your insurance policy, check online or call your insurance company to request a copy of your current insurance policy.
- File your claim with your insurance company as promptly as possible. The sooner you do so, the sooner you can begin repairs.
- When you file your claim, ask for a claim number and write it down. This will make it easier for you to track your claim with your insurance company.
- When the insurance company assigns an adjuster to process your claim, make sure to write down the adjuster's name and contact information.
- As soon as you file your claim, start a notebook documenting your contacts with the insurance company. List the date, time and a brief description of each conversation. This information will be vital if you are dissatisfied with the progress on your claim and need to pursue it further. If an adjuster does not come as scheduled, write it down. If an adjuster is rude, write it down.
- Before the insurance company adjuster comes to survey the damage, create an inventory of your possessions, or if you have one already, write down the extent of your damage. Go through each room in your house to survey the damage. If your house is uninhabitable, try to recreate a list of your belongings by asking family and friends for photographs of events at your home. Also, take lots of photographs of the damage to your house.
- Obtain a repair estimate from a trusted local contractor to use as a guide in talking with the adjuster. Make sure that any contractor you hire is licensed, bonded, and has workers compensation insurance coverage.
- Keep detailed receipts from emergency repairs and any costs you incur in temporary housing. This may be reimbursable under the "Additional Living Expense" portion of your homeowners' policy.
- You may also be entitled to up-front money for living expenses, such as hotel costs, if your home becomes uninhabitable.

Know your rights if you disagree with your insurance company:

- If the insurance company denies your claim, or you feel the offer is too low, ask that the company identify the language in your homeowners' policy that serves as the basis for denying your claim or offering a low amount, such as the deductible, or exclusions in your policy. Some policies may have a limit on replacement cost payments. If your home was completely destroyed, this might affect you.
- Remember that most homeowners' policies do not cover damage from floods, earthquakes, tree removal (except when the tree damages the house). You may have separate flood insurance from the federal government.

- If, after reviewing your policy, you disagree with your insurance company's handling of your claim, ask to speak with a supervisor at the insurance company, Use the records you have kept since the claim process began. The more serious the insurance company sees that you are in documenting how you were treated, the more likely it will make a more reasonable offer.
- If your claim is denied or you disagree with your insurance company's decision, ask for a written copy of your appeal rights under your insurance contract.
- If you are unable to resolve your claim with your insurance company, you should quickly seek legal advice from a lawyer. Courts consistently rule that if the terms of an insurance policy are ambiguous, the reasonable interpretation of the insured party will prevail since the consumer did not write the insurance policy.
- If you decide to consult a lawyer, the notes you took on your claim will be especially important. In addition to an award covering your claim, if your treatment was particularly bad, the courts may allow additional compensation when the insurance company acted in "bad faith."
- You may also complain to your state insurance department. Your state insurance department will seek a response to your complaint from the insurance company and may even intervene on your behalf with the insurance company.
- Finally, if you still don't seem to be getting the help you need, contact your congressmen's office of constituent affairs.

Additional Resources:

- United Policyholders' Superstorm Sandy Claim Help Website
<http://www.uphelp.org/blog/roadmap-recovery/hurricane-sandy-claim-help>
- FEMA/American Bar Association Legal Aid Hotline
888-541-1900
- National Flood Insurance Program
888-435-6637
<http://www.floodsmart.gov/>
- State Insurance Departments:
 - New Jersey Department of Banking and Insurance
609-292-7272
<http://www.state.nj.us/dobi/index.html>
 - New York Department of Financial Services
800-339-1759
<http://www.dfs.ny.gov/>
 - Connecticut Insurance Department
800-203-3447
<http://www.ct.gov/cid/site/default.asp>
 - Pennsylvania Insurance Department
877-881-6388
<http://www.ins.state.pa.us/>
 - Delaware Department of Insurance
800-282-8611
<http://www.delawareinsurance.gov/>