

FILING A PROPERTY INSURANCE CLAIM



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STARTING THE PROCESS

Filing a claim is the first step toward obtaining recovery from insurance providers after a loss. The criteria required when filing a property insurance claim differs per the language in each individual policy, but there are some common benchmarks that all policyholders should know. In this eBook, we will cover some important procedures to follow when filing your insurance claim and what you can expect.



DOCUMENT ANY DAMAGE AND REPAIRS

Policyholders should photograph any damage to the property. This photographic evidence will be submitted with your claim paperwork. It is also important to have photos for your own records in case your insurer tries to refute any portion of the claim. Having before and after photos of the property helps establish a timeline for your insurer and your potential attorney if you end up retaining one.

Some damage requires immediate attention to safeguard your property. In the event you need to make temporary repairs, it is critical that you save any receipts documenting your personal expenses. You may be entitled to reimbursement for these expenses and insurers could ask for documentation supporting the amount you are claiming if so.

If you notice damage such as a leak or an opening in your property that could lead to subsequent damage, it is imperative you make temporary repairs. If you do not take action and your property sustains more damage, your insurer could try and claim the initial damage was a result of neglect and thereby deny your claim.

Policyholders should also document any personal property items damaged in addition to the structural damage. You can provide this list to your insurer for reimbursement if your policy covers damage to personal property content. Be thorough in your assessment of the damage to both your home's structure and any personal property therein. Do not discard any damaged items immediately after a loss. Determine all damaged items included in the loss and their estimated value to send over to your insurer as part of your proof-of-loss information.

FILING YOUR CLAIM

Once you have compiled the documentary evidence you need—or at least once you have started the process of collecting it—you must notify your insurer of the loss. Policies differ in the timeframe in which you can file a claim. Policyholders must read through their policy to determine which coverage they have and any applicable stipulations with filing a claim.

Some important questions to ask your insurance representative include:

- Is the loss covered under my policy?
 - You should read your policy to establish whether there is coverage. It is possible that your insurer disagrees, but policy language can be misinterpreted and this can be argued in litigation.
- How long do I have to submit my claim documentation?
 - This is a crucial factor. You don't want to miss your window for filing a claim.
- Does the loss exceed my deductible?
 - If your loss's damage cost doesn't exceed the deductible laid out in your policy, it may not even be worth filing a claim.
- How long will it take for the insurer to process my claim?
 - Insurance providers can have different timelines for the entire claims process. Whether your insurer stays true to these timelines may vary, but it is important to at least establish some expectation—in writing if possible.
- Do I need to acquire any damage estimates for the repairs to my property?
 - We recommend you do this regardless of whether your insurer requires estimates. They may send out their own adjuster or representative to assess the damage but having a third-party estimate for your records is helpful.

Your insurer will send over the appropriate claim forms for you to complete. Be sure to note the claim number associated with your claim. It is important you complete these forms and send them back as quickly as possible in order to get the process started.

We recommend obtaining damage and repair estimates from a local contractor, public adjuster, or other damage assessment expert. These estimates will give you a more accurate gauge of what you should obtain from your insurer. If your insurer offers much less than what you were anticipating, having these independent estimates can come in handy.





PREPARE FOR AN INDEPENDENT ADJUSTER

After your claim is officially filed, the next step will likely involve your insurer sending out an independent adjuster. This person represents your insurance company and they will be surveying the damage to your property. Their inspection should confirm the cause of the loss and will cover damage to your property's structure and personal property therein. Their review may also cover interviewing you, the policyholder.

Part of their inspection is also to look for evidence of fraud. Be honest with them about the details of your claim. If they suspect any fraudulent activity, your claim will be denied and there could be potential charges against you.

HAVING BACKUP

Your insurance company doesn't have to be the only party with an adjuster. Policyholders can hire a public adjuster to come out and perform a similar inspection to the insurer's independent adjuster. Hiring a public adjuster provides a backup assessment in case you don't fully agree with your insurance provider's stance. If your claim ends up going to court, a public adjuster's assessment may prove vital to your case.

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Merlin Law Group has worked with property damage insurance claims for over 35 years. If your insurer is taking too long with your claim or you believe you are entitled to more than what they have offered and you have exhausted all other appeals processes, contact Merlin Law Group to determine if we can help you move forward. We have a dedicated trial team with experience representing both policyholders and insurance companies, so they know common insurer bad faith tactics and arguments and how to deal with them. Let Merlin Law Group help you obtain a fair recovery based on what you are rightfully owed.



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