



1




2



3

Insurance Companies are Tightening the Reins



- Insurance claim costs are becoming increasingly difficult to recover
 - Reduced/restrictive coverages
 - Higher deductibles
- Insurance companies are following stricter guidelines
 - More demands on insureds
 - Time frames/deadlines

4

The Policy



- A contract between the Insurer and the Insured that determines the obligations of both parties

5

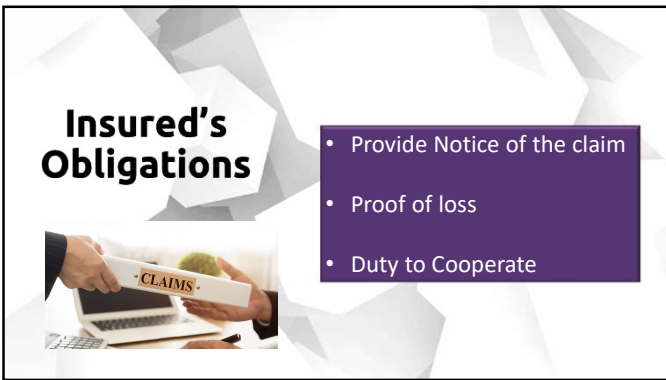
Insurer's Obligation

"We will pay for direct physical loss or damage to covered property located on the insured premises caused by or resulting from a covered cause of loss."

6



7



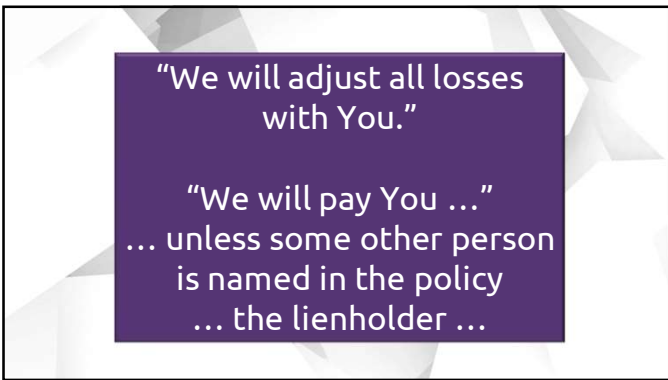
8



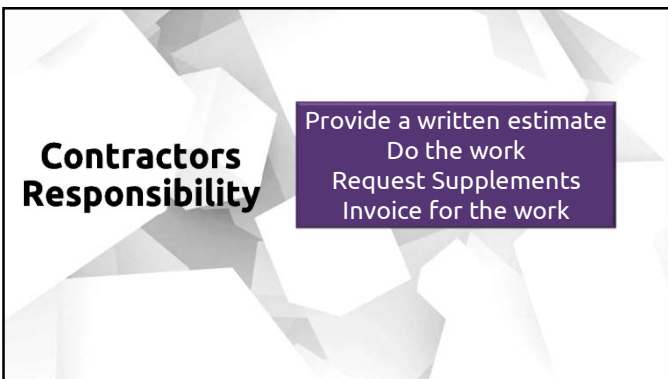
9



10



11



12

The Construction Contract



- The Contract
- Contract updating
- Change Orders

13

Claim Disputes



TRICKY EXCLUSIONS

- Matching Issues
- Harvesting Siding
- "Cosmetic" damage
- Code Compliance

14

Claim Disputes (Part 1)

- Matching Issues
 - Cedar Bluff case
- "Cosmetic" damage

15

Claim Disputes (Part 2)

- Repair Methods

Harvesting siding

Elm Creek Courthouse Association Inc v State Farm Fire and Casualty Company, 971 N.W. 2d 31 (Minn. Ct. App. 2022)

16

Claim Disputes (Part 3)

- Code compliance

St. Matthews Church of God & Christ v. State Farm Fire & Cas. Co., 981 N.W.2d 760, 762 (Minn. 2022)

17

Appraisals

- The parties
- The witnesses
- The process

18

Takeaways

- Insurance claims are becoming more difficult
- The Insured and Insurer both have a responsibility
- The Contractor is there to support the homeowners

19

Property Insurance Claim Handling Overview

Patrisha M. Garger
Attorney at Law

20
