



United Policyholders

381 Bush Street, 8th Floor
San Francisco, CA 94104
415.393.9990
www.uphelp.org

January 26, 2016

[Bill sponsor]
Colorado House of Representatives
[Address]
Denver, CO 80203

VIA EMAIL to:

Re: House Bill [#] – Concerning the appraisal of property insurance claims

Dear Representative [Name]:

United Policyholders, a national non-profit consumer organization, strongly supports the legislative effort to codify appropriate rules for the insurance dispute resolution process known as “appraisal” in the State of Colorado.

Because we have been helping and informing insurance consumers and disaster survivors on the road to loss recovery since 1991, we know that appraisal, when done right, is a time and money saving way of resolving disputes between property owners and insurers over the extent of damage, necessary repairs, and costs. We also know that courts, judges and jurors have better things to do than preside over technical debates between construction professionals about whether 2 x 4 or 2 x 8 lumber is required for a particular job.

So we support legislation that will establish clear rules for the fair, prompt and economic resolution of insurance claim disputes via appraisal. And without doubt, the full scope of a claimed loss (i.e. the full extent of the damage) should be subject to appraisal, regardless of whether the insurer is contesting coverage for a portion of that claimed loss. An appraisal that doesn’t resolve the full scope/extent of claimed damage is generally a waste of time. Coverage disputes are not subject to appraisal and are the province of courts.

We respectfully submit that in the interest of controlling appraisal costs, Colorado should make appraisals informal, meaning **no formal discovery shall be conducted, including depositions, interrogatories, requests for admission, or other forms of formal civil discovery, no formal rules of evidence shall be applied, and no court reporter shall be used in the proceedings.** And, we strongly support requiring appraisal Umpires to disclose all matters in which they’ve been retained as party appraisers and whether they were retained by the policyholder or insurer.

Thank you for your time and consideration.

Sincerely,

s/

Amy Bach, Esq.

Board of Directors

Amy Bach
Executive Director

William H. Hedden
President, Board of Directors
Consolidated Adjusting, Inc.

David Baria
Mississippi State Representative

Nicholas Casagrande
NC Financial Group

Jim Jones
HighGear Ventures

Brian S. Kabateck
Kabateck Brown Kellner LLP

E. Gerard Mannion
Mannion and Lowe

William “Chip” Merlin
Merlin Law Group

Susan Piper
Disaster Survivor

John Sullivan
Avaya

Alice J. Wolfson
DL Law Group

Ex Officio

Hon. Stanley G. Feldman
Chief Justice (RET)
AZ Supreme Court

Larry P. Ginsburg, CFP
Ginsburg Financial Advisors, Inc.

Deborah Senn
Insurance Commissioner (1993 -2001)
Washington State

William M. Shernoff
Shernoff Biddart Echeverria Bentley LLP

Programs

Advocacy and Action
Roadmap to Preparedness™
Roadmap to Recovery™