

Insurance

What if I don't have a copy of my insurance policy?

Contact your insurer; they are required to provide a copy of your insurance policy upon request.

Does my insurance policy cover fire damage?

While most property insurance covers loss by fire or fire damage, this depends on the wording of your policy and the type of insurance. Insurers will only cover items listed in the policy.

What does my policy cover?

The insurance company will pay only what your insurance policy covers. Your insurance policy is your contract with the insurance company. It states when, how, and what the insurance company will pay for. Review it carefully and seek legal advice if you have questions.

Is my car covered?

Likely yes if you have comprehensive (or "all perils") insurance.

Does my home insurance apply?

This depends on the type of insurance you have obtained. Review the wording of your insurance policy for coverage questions.

What if the wording of my insurance policy is unclear?

If the wording is unclear, contact your broker. There are additional resources listed at the end of this document that may be able to assist you. If necessary, seek legal advice.

What type of damage did I sustain during the fire? Was it fire damage, heat damage, or smoke damage? Am I protected?

Review your insurance policy for types of damage covered. You may need to consult with your insurance company to have the property inspected for heat, smoke, or other damage.

What is the time limit to make an insurance claim?

You should notify your insurance provider of your claim immediately, however, you are required to begin an insurance claim and commence any legal action for lost or damaged property within 2 years of the date that you

knew or should have known that the loss or damage occurred. Any other action against an insurer must be initiated within 2 years of the date on which the cause of action occurred.

How do I make an insurance claim?

Step 1: Notify your insurer of your loss, in writing. The insurer will send you forms, within 60 days, which you can use to show your proof of loss. Gather as much information as possible about your loss, including: photographs, a list of the items you want to claim and when they were purchased, and a list of floorings, fixtures or other furnishings that you have had to throw away.

You should also keep all receipts for out-of-pocket expenses, such as hotel bills, car rental bills, restaurant receipts, etc. Your insurance policy may cover alternate living expenses, though you are generally required to show proof of those losses by providing these receipts.

Step 2: Provide your proof of loss to the insurer, as clearly as possible. This proof must show that a loss was incurred, and the value of the loss.

Provide the insurer with a statement of when and how the loss occurred. If the specific loss was caused by the fire, include a statement on how the fire originated as far as you know or believe.

You may be feeling shock and grief at this time, which may make it difficult to understand the information the insurer has sent you. Ask family, friends, support agencies, and insurance representatives for help to file your insurance claim as soon as you can.

Your insurer may ask for other information. If they do not accept that you cannot provide this information (for example, you are asked for documents which are lost or destroyed), you should speak with your broker and, if necessary, seek legal advice.

The insurer may send out a Claims Examiner or an adjuster to review your claim. The Claims Examiner may interview you, neighbours and witnesses, and review police reports. If you feel you are being unfairly treated by the adjuster you should get legal advice or help.

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If the Claims Examiner wants you to abandon your claim you should get legal help immediately.

Do not sign any documents until you understand what they mean. You should get legal advice about documents your insurer asks you to sign, such as an insurance release form

Can my insurance claim or damages award be fast-tracked?

While there is no specific provision about this in the *Insurance Act*, in catastrophic loss situations, insurers will often set up new procedures to make sure that their clients are looked after as soon as possible with respect to immediate needs, including additional living expenses. Review your policy and ask your insurance provider for details.

What do I do if my insurance company denies me coverage?

Communicate your concern to the insurance provider, and if necessary, get legal advice before taking formal action.

How should I negotiate with my insurance company?

You may negotiate informally with your insurance company or broker, or through a formal dispute resolution process, which most insurers can arrange.

I missed my insurance payment. Do I still have insurance?

Usually if your policy is not renewed or you have not paid the premium you will not be able to make a claim. Your insurer has no obligation to provide 15 days' notice of the policy lapsing. However, they are required to provide 15 days' notice of termination as a result of non-payment.

I own part of the property, but my name is not on the insurance. Can I still collect?

You may be able to collect. You should get legal advice

Will my insurance payout affect my chance of receiving a government grant?

In many cases you may still get the government's financial help even if you have already received an insurance payout. Your insurer may reduce your payout to reflect the amount that the government has paid you, but some insurance companies are giving payouts even if you received or can get government help. In some cases, if you get government help for a particular loss, your insurance coverage could be used for other losses. Speak with your insurer about these matters.

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Resources

Lawyer Referral Service may be able to help you find a lawyer. Call the number below and describe your problem to the operator. The operator will give you the names and contact information for up to three lawyers that practice in the area of law that would best suit your needs. To reach an operator, call:

- In Calgary: 403-228-1722
- Toll free anywhere in Alberta, Saskatchewan, Lower Mainland British Columbia, Yukon, Northwest Territories and Nunavut: 1-800-661-1095

Dial-A-Law provides general information on a wide variety of legal issues in Alberta. To listen to a pre-recorded Dial-A-Law topic, call:

- In Calgary: 403-234-9022
- Toll free anywhere in Alberta: 1-800-332-1091

Pro Bono Legal Clinics that may also be able to assist:

- **Calgary Legal Guidance:** 403-234-9266 (www.clg.ab.ca)
- **Edmonton Community Legal Centre:** 780-702-1725 (www.eclc.ca)
- **Student Legal Assistance (at the University of Calgary):** 403-220-6637 (www.slacalgary.ca)
- **Student Legal Services of Edmonton:** 780-492-2226 (www.slsedmonton.com)
- **Central Alberta Community Legal Clinic - Red Deer & Area:** 403-314-9129 (www.communitylegalclinic.net)
- **Lethbridge Legal Guidance:** 403-314-9129 (www.lethbridgelegalguidance.ca)
- **Medicine Hat Legal Help Centre:** 403-712-1021 (facebook.com/Medicine-Hat-Legal-Help-Centre-416282775178600)
- **Grande Prairie Legal Guidance:** 780-880-0036 (www.gplg.ca)

*Please note that pro bono clinics may not offer legal services in all areas of law.

This information and other resources are available online at www.pbla.ca/gethelp/fortmcmurrayfire