

Claims Team Helps PACIF Members Recover Money from Third Parties

VLCT's Claims team is dedicated to processing claims fairly – but in one respect, we are more than fair to PACIF members. When a claim involves damage to property that is not covered, we will help the member recover the cost of these damages from the responsible party.

Uncovered property falls into two categories: non-covered property (guardrails and fire hydrants), and any property that is not specifically named in the Municipal Property Listing (fencing, streetlights, street signs, traffic and crosswalk control poles, parking meters, custom signs, and statues). When either type of uncovered property is damaged, the municipality can be left with a hefty bill that it doesn't deserve.

That's where we come in. In the course of distinguishing covered losses from non-covered ones, we gain valuable knowledge of the case. Whereas a traditional insurer is profit-minded and has reason not to put additional time into a claim, we want our members to thrive financially, so we use our expertise to their advantage. For the non-covered property, we compile information about both the damage (date, location, photos, and written estimates for cost of repair or replacement) and the responsible party. Then, acting on behalf of our member, we pursue the responsible party or his/her insurance carrier (or both) to recover the appropriate funds for the damages.

If we can't always get full replacement costs for damages, we can at least go toward it, without the municipality having to tie up its own resources in the process. Great theory, you might be thinking, but how does it work in practice? Here are two examples.

Damages recovered from an Insurance Carrier: Two vehicles collided, sending one of them into a light distribution panel that was owned by the municipality but not specifically named in the municipal property listing. Through our investigation, including talking to witnesses and the investigating police departments, we identified the responsible party and its insurance carrier. We filed a claim with the insurer on our member's behalf and



successfully recovered nearly \$13,000 for the municipality.

Damages recovered from an Individual: While trying to evade police, an intoxicated driver went on a rampage through a cemetery in one of our member municipalities. During the chase, the driver knocked down several feet of cast iron fencing and damaged headstones and the irrigation system. The driver was later apprehended and charged with public intoxication and disorderly conduct. We first tried collecting the damage from the driver's insurance carrier, but we were denied because the damage was a deliberate act. We pursued the matter by assisting our member in completing a Victim's Impact form to apply for restitution as part of the criminal case, and the court ordered the driver to pay the municipality for the damage to the cemetery. Although the driver couldn't pay up front, we worked out a payment agreement with him and his probation officer. The driver was to pay \$50 every month as part of his probation. If he failed to make timely payments, he faced possible jail time for violating his parole. In the end, the driver made all of the payments, so the municipality was able to restore the cemetery to its original condition without additional trouble to municipal staff or cost to the public.

We are now automating part of this process. At our new [Non-Covered Claim Program](#) webpage, you can upload the documents we'll need to pursue your non-covered claim (NCC) request. You will receive an acknowledgement letter outlining the new process. To get started, we require the following supporting documentation.

1. Police Report that provides information about the responsible party.
2. Photos of the damage.
3. An itemized repair invoice or estimate. (Please note, this must be an itemized break down of labor and materials. Most insurers do not accept lump sum estimates.).

We of course need to give priority to assisting members with covered claims, but we will turn our attention to non-covered claim requests whenever possible. We are happy to



review everything for this recovery consideration.

