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[Home](#) > [Insurance](#) > What to Do When You have a Possible Insurance Claim

Posted on February 23, 2010 by [Tina Nicholson](#)

[What to Do When You have a Possible Insurance Claim](#)

(Note: This Guest Blog is by [Tina Nicholson](#), an attorney with Merlin Law Group in the [Houston, Texas, office](#). This is part of a [series](#) she and fellow attorney [Javier Delgado](#) will be writing on Texas property insurance issues).

Everyone knows what to do when disaster looms. When the disaster is a hurricane, you gas up the car and buy batteries. When it's a tornado, you get in the closet with a flashlight and a radio. When a winter storm approaches, you buy food and firewood.

What should you do after a disaster strikes your house or business? An important concern is how to recover under your insurance coverage for damage to your insured property. There are a few essential steps for a proper recovery on your insurance claim.

1. **First, call your insurance company to report the claim.** Ask where you can send written notice of the claim, and then send notice of the claim in writing. A simple written description of the incident and the possible damage will suffice. Under Texas law, written notice triggers certain responsibilities for the insurance company. If the insurance company tells you that written notice is not necessary, do it anyway.
2. **Read your insurance policy.** Find out what it covers and what it doesn't. Don't skimp by just reading the declarations page. You have to read the whole thing to find out what is covered under your insurance policy. Mark portions of the policy that you don't understand and ask the insurance adjuster to explain them.
3. Your initial impulse after a disaster damages your insured property is to clean up. Resist that impulse for just a bit, and **take the time to record the scene.** Take your camera or video camera and record that tree on the roof, the mud that the floodwaters deposited in your living room, the rain-soaked computers and file cabinets in your business. Record as much as possible; too many pictures are better than too few. Once the area is cleaned up, it will be easier to explain to the insurance company exactly what happened if you have pictures illustrating the scene. Do this even if the insurance adjuster comes out immediately to view the damage. Insurance companies often switch adjusters during the life of the claim, and you cannot rely on the first adjuster to adequately document your damage.
4. **Inventory the damage to the building and contents.** Write down everything you think is wrong with your building and give that list to the insurance adjuster. Make a list of all contents or business property that was damaged --- furniture, computers, picture frames, and so on. Take a picture of everything before you throw it

away. Do not discard anything before the insurance adjuster has a chance to look at it. Ask the adjuster before throwing anything away.

5. **Communicate with the insurance company in writing.** If you have a telephone or in-person conversation with the insurance adjuster, confirm it in writing afterwards. Write or email the insurance company to get a status on your claim. This prevents misunderstandings.

6. **Make notes** regarding what happens with your claim. Write down the date of each time you call your insurance company, the name of the person who took your call, and what was said on that call. Note the date each time an adjuster comes to your property or contacts you, and write down what was said or agreed.

6. **Take immediate action to remedy any condition on your property which could lead to further damage.** For instance, if you have a hole in your roof, put a tarp over it until you can make permanent repairs. Insurance policies generally require the insured to mitigate his damages. Discuss with your insurance adjuster whether the policy will pay for temporary repairs.

7. **Demand frequent updates** on your claim from the insurance company. The squeaky wheel gets the grease.

8. If the insurance company denies or underpays your claim, immediately contact a public insurance adjuster or insurance attorney for assistance. Texas law requires the insurance company to pay the policyholder's attorney fees if the insurance company fails to properly pay the claim.

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Chip Merlin - *February 23, 2010 12:22 PM*

Tina,

Some may suggest that if it is a significant loss that they call a professional for help, such as a public adjuster or counsel, as they are doing number 1.

[DIGITORY](#) - *June 2, 2010 1:15 PM*

"4. Inventory the damage to the building and contents. Write down everything you think is wrong with your building and give that list to the insurance adjuster. Make a list of all contents or business property that was damaged --- furniture, computers, picture frames, and so on. Take a picture of everything before you throw it away. Do not discard anything before the insurance adjuster has a chance to look at it. Ask the adjuster before throwing anything away."

For number (4), I must provide my opinion. This is a VERY important step! Your pp/bpp claim is one of the most time consuming aspects of your loss; and subject, in my opinion, to the most disputes.

The insurance adjuster will hand you some blank inventory sheets, and ask you to fully document your entire house, value and age. This is a huge task and should not be underestimated.

When you do complete this task, your adjuster will outsource the task of "slashing" down your claim to one of their vendors. They will likely slash your prices, and post "discount" or "sale" items. Furthermore, a lot of these companies have contracts with major online retailers. They are given discounted prices, in order to attempt to sell you into replacing your home, site unseen. If you decide to replace in the open market, you may find that your settlement amount was not enough to become whole.

Jack Kline - *June 23, 2010 12:53 PM*

I lost my home at sheriff's sale March of 2009. Brother bought it at redemption August of 2009. I had coverage on it in December of 2007. Brother noticed damage to water softener, possibly well within past month. Damage \$2000 - 5000. Can I make claim on it?

What happened? In December of 2007 architect who was involved in the process of remodeling of my home noticed that heat had gone out in dwelling. He called heating agent and restored service.