

ALBERT B. ALLEN, INC.



Friendly Insurance Service

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R. Hoyt Chapin
PO Box 1634
New London, NH 03257
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Dear Mr. Chapin:

This note is in regard to our discussions on trees and the resultant property damage.

The easiest way to describe the coverage provided is through a few examples. In GENERAL, when a tree falls and causes damage to a structure, regardless of where the tree is located, the person who owns that structure is "responsible" for the damage; the homeowners or dwelling fire special form will respond.

Example #1 would be the neighbor's tree blows over in a wind storm and damages "your" home. This is considered "An Act of God", something which the person who "owns" the tree had no control over, thus the person who suffered the damage would have to look to their own homeowners. If your tree suffers a similar fate the, situation would be the same; the neighbors insurance would have to respond.

Example #2 would be if "you" were cutting a tree in your yard and it landed on your neighbors home. You did have control of that action and the cutters insurance would respond.

Example #3 is a rotted tree or a tree that has a limb that is hanging. The person who owns that tree, if aware or made aware of the situation, is responsible for removing the "damage". Should a loss occur because of the above, the person who owns that tree may be liable.

As you can see by the last line of the above paragraph, I hedged some as it is a difficult situation. One's idea of rotting and another's idea can be different. Example #1 is the most straightforward. After that, we get into gray areas.

I hope this is some help. Every loss is different, but these are some general guidelines.

Sincerely

Brock A. Hines, CIC
Albert B. Allen, Inc.