



Requesting Extensions of Policy Deadlines

Insurance policies contain time limits and deadlines that can cut off your benefits and your legal rights. Review the time limits and deadlines in your policy. Many people who suffer a large loss find they can't meet one or more of these deadlines and need an extension. Here are the most common examples:

Property repair and replacement deadlines: Many policies require you to repair or replace property within a certain number of days after a loss in order to recover full replacement value (above *actual cash value*). 180 days is common.

Time limits on benefits: Some policies terminate your ALE (Additional Living Expense)/Loss of Use benefits after one year.

Lawsuit deadlines: Most policies have "Suit Against Us" wording that sets a 12 month time limit to file a lawsuit against the insurance company after a loss.¹ Your state *may* have rules or laws that override the deadlines in your insurance policy. Most states have "statutes of limitations" that cut off your rights to file a lawsuit at a certain point in time after a loss or injury. Judges generally *strictly enforce* these rules.

Your insurance company can extend deadlines in your policy, but generally they won't volunteer to do so...you must ask in writing and give a valid reason.

The simplest way of getting your insurance company to extend a policy deadline is to make a clear request along with a good reason why you need the extension. Try to make your request at least a month before the deadline. Put your request in writing and ask the insurer to respond within a specific period of time. If they say no, seek help from the Department of Insurance. Unless you've got written confirmation of an extension from someone knowledgeable and authorized, you should assume all policy deadlines apply and are firm.

For more sample letters visit: www.uphelp.org/samples

The information presented in this publication is for general informational purposes, and is not a substitute for legal advice. If you have a specific legal issue or problem, United Policyholders recommends that you consult with an attorney. Guidance on hiring professional help can be found in the "Find Help" section of www.uphelp.org. United Policyholders does not sell insurance or certify, endorse or warrant any of the insurance products, vendors or professionals identified at our website.

¹ The "Suit Against Us" provision may or may not apply to a lawsuit against an agent or broker who sold you the policy. Consult a qualified attorney in your state to learn more.

Sample Letter Requesting Extension of Time for Contents Itemization

NOTE: This letter is a sample that must be customized to fit the facts of your individual situation and claim. All bracketed and underlined portions must be completed or revised before sending. Use this letter to request an extension of time for the contents itemization requirement.

(Date)

(Name of adjuster or highest ranking ins. co. employee)

(Name of Insurance Co.)

(Address)

Re: Claim Number: _____

Date of Loss: _____

Name of Insured: _____

Address of Insured Property: _____

Dear _____,

[I/we] [am/are] writing to ask your company for an extension in connection with the contents itemization requirement portion of our claim.

As you know, [my/our] home and a lifetime of memories and possessions were destroyed in a fire on _____. [I/We] [am/are] cooperating fully with your company and have provided all the information you've asked for so far. We are continuing to do our best to document all the possessions we have lost and need more time to complete our contents lists.

Please confirm that you will grant us an extension of time to make or complete replacement cost claims to at least two years from the date of loss;

Thank you for providing a written response to the above request(s) within one week of the date of this letter.

Sincerely,

YOUR NAME

MAILING ADDRESS

Sample Letter Requesting Extension(s) of Policy Deadlines

NOTE: The sample letter below must be customized to the facts of your individual situation and claim. **All portions that are in parentheses and/or underlined must be completed or revised and anything in italics should be removed before you send it.**

(Date)

(Name of adjuster or highest ranking ins. co. employee)

(Name of Insurance Co.)

(Address)

Re:

Claim Number: _____

Date of Loss: _____

Name of Insured: _____

Address of Insured Property: _____

Dear _____,

We are continuing to do our best to document our loss and cooperate with your company to reach a fair and full settlement. We are writing to request the following extension(s):

- 1) The (180 day) (one-year) deadline to repair/replace property in order to collect full replacement value. Please confirm that you will grant us an extension of time to make or complete replacement cost claims to at least two years from the date of loss;
- 2) ALE/Loss of Use benefits: Please extend our ALE/Loss of Use Benefits from one year to _____ (*fill in the amount of time that you think it will reasonably take you to complete repair/replacement*). We need additional time to rebuild and need an extension of our ALE/Loss of Use benefits to do so. (*You can add in whatever facts support your assertion that you have moved the rebuild along as fast as possible, yet need additional time*).
- 3) The "Suit Against Us" clause: Please confirm that you will "toll" the "Suit Against Us" clause while our claim is open, and that you will not enforce the that clause until one year after you have informed us in writing that you have completed the claim adjustment process and/or closed our claim;

Thank you for providing a written response to the above request(s) within one week of the date of this letter.

Sincerely,

YOUR NAME

MAILING ADDRESS