



Wednesday, March 1, 2017

DANIEL KEARNEY
PO BOX 396
Acton, CA, 93510

RE: Insured: DANIEL KEARNEY
 Policy Number: WNG 0471986-04(02)
 Claim Number: 3109852
 Date of Loss: 2/8/2017

Dear DANIEL KEARNEY:

Pacific Specialty Insurance Company sincerely appreciates your business and the opportunity to work with you. Our goal is to provide you with superior customer service and be a resource for you throughout this difficult time.

We have concluded a thorough investigation of your claim and have determined that your toilet overflowed and damaged flooring in three rooms, and some drywall and paint. Please note your policy provides coverage for the ensuing water damage. We have estimated the cost of the repairs covered by the policy and issued a payment in the amount of \$4,152.45. Please see the enclosed copy of our estimate.

While the policy provides coverage for some of the damage, we regret to inform you that the policy does not provide coverage for damage caused by a faulty toilet causing it to leak. Please review the following policy language as it pertains to your claim.

**SECTION I - PERILS INSURED AGAINST
COVERAGE A - DWELLING and COVERAGE B - OTHER STRUCTURES**

We insure for sudden and accidental direct physical loss to the property described in Coverages A and B except damage caused by:

- 8. Any of the following:
 - a. Wear and tear, electrolysis, marring, deterioration;
- F. **We** do not insure for loss to property described in Coverages A and B caused by any of the following. However, any ensuing loss to property described in Coverages A and B not excluded or excepted in this policy is covered.

3. **Faulty, inadequate or defective:**

d. Maintenance.

Our coverage decision was based on the investigation and facts gathered to date. If you have any additional information that might cause us to reevaluate our position, please forward that information to our attention as soon as possible. In the meantime, please understand our consideration of any new information should not be construed as a waiver or estoppel of any of the terms, conditions or defenses afforded by the policy or applicable law.

Once you've had an opportunity to review the applicable policy language and if you're still in disagreement with our position, please be aware that you may have this claim reviewed by the California Department of Insurance, Claims Service Bureau, 300 S. Spring Street, 11th Floor, Los Angeles, CA 90013 (213) 897-8921 or www.insurance.ca.gov.

Please also note your policy includes Condition, No. 8 which provides:

8. Suit Against Us. No action can be brought unless the policy provisions have been complied with and the action is started within one year after the date of loss.

It is our goal and commitment to you to address all of your questions and concerns. We understand that this is a difficult situation and want to be of any assistance we can. Please feel free to contact us to discuss further.

Sincerely,

Jerry Suggs
Claims Professional
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V-jsuggs@pacificspecialty.com

Cc: AIS Insurance Specialists
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