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OCTOBER 2025 NEWSLETTER

INDUSTRY NEWS, TIPS, TRICKS, & RESOURCES

When Trees Fall: Who Pays and What's Covered?

It can be difficult to understand who is responsible when a tree falls and damages a building. Below are some common questions related to insurance coverage for fallen trees.

Is building damage caused by a fallen tree covered by insurance?

Typically, property policies cover building damage caused by a fallen tree if it fell due to a covered peril. Usually, covered perils include storms, wind, etc. Property policies may not cover building damage caused by a fallen tree if it fell due to negligence or a maintenance-related issue.

If a tree belonging to a neighbor or the association falls on my building and damages my unit, whose insurance would cover the loss?

Since the damage occurred to your unit, your insurance policy would respond to a claim regardless of whose tree fell. Your HO6 policy may cover the repair costs up to the association's deductible. If damages exceed the association's deductible, the association's policy may cover the rest.

What if a fallen tree only damages the exterior of the building?

If your association's governing documents state that the association is responsible for insuring the exterior of the building, the association would be responsible for the repairs and would likely file a claim to cover the costs. If the governing documents state that unit owners are responsible for insuring certain exterior elements, you would be responsible for those repairs and could file a claim on your HO6 policy to cover the costs.

What if negligence is involved?

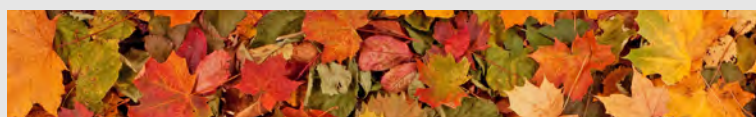
If your unit is damaged, your insurance policy pays for the damage after you file a claim and coverage is determined. During the claim adjustment process, the adjuster may try to subrogate to a responsible party to recoup their loss if negligence is discovered. The insurance company needs to find proof that the owner of the fallen tree had prior knowledge that the tree was dead, diseased, or damaged in such a way that it was at risk of falling.

Is there coverage for the fallen tree to be removed?

Many property policies include a sublimit for tree removal if connected to a covered claim. For example, the policy may include a \$1,000 sublimit for tree removal. To clarify, this sublimit would only be available as part of a covered claim related to a fallen tree. However, the policy will not pay for any tree to be removed that did not cause any damage to property.

Regular tree maintenance by a licensed and insured professional is critical to avoid property damage caused by fallen trees or branches. If your arborist alerts you to a potential hazard connected to a tree, heed their advice and have them eliminate the hazard right away.

It is important to note that there may be differences in maintenance and insuring responsibility on the part of unit owners and the association based on your governing documents. Contact your attorney or your insurance broker for more information.



Check Your Detectors: Be Safe, Be Sure!

Smoke and carbon monoxide (CO) detectors can help prevent injury or death. These safety devices provide early warnings of fire or carbon monoxide leaks and can give occupants time to escape a home.

Smoke detectors alert people to the presence of smoke. This is especially critical at night when people are asleep and unaware of danger. Early warning allows for faster evacuation and can significantly increase the chances of surviving a fire.

Carbon monoxide detectors are also important to have in your home. In addition to cars, malfunctioning appliances like furnaces, stoves, and generators produce the odorless gas. (Always run generators outside and away from doors and windows. Never run a generator indoors.) Exposure can lead to flu-like symptoms including dizziness, headaches, unconsciousness, and sometimes death. A carbon monoxide detector is the only dependable way to know if CO levels are dangerously high.

Both smoke and carbon monoxide detectors need to be installed on every level of a home and outside sleeping areas. To ensure proper function, test both types of detectors monthly. Replace the batteries every year or as recommended by the manufacturer. If the alarm starts chirping this indicates the battery needs to be replaced. When it is time to replace the units with new ones, follow the manufacturer's recommendations.

November is Carbon Monoxide Awareness Month. Before next month, take a few minutes to test all CO and smoke detectors in your home. This simple act could safeguard you and your family and may help prevent a tragedy.

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TIP: Use strong passwords and activate multi-factor authentication.

**CYBERSECURITY
AWARENESS MONTH**

Clean Gutters to Reduce Water Damage

Winter weather is coming, and sometimes the seasonal storms can be unforgiving. This year, winter officially starts on December 21. While many of us may not be ready for shorter and darker days, fall gives us a chance to prepare for the season.

Now is the time to clean gutters and downspouts. These preparations can help associations avoid a potential claim. Plan to have gutters and downspouts around homes and association buildings cleaned professionally before harsh weather arrives. If debris remains in a gutter, water does not have a chance to flow. Debris can block water flow and cause damage to roofs.



For this task, we recommend hiring a licensed and insured contractor. Request a copy of the company's insurance certificate and ask for an additional insured certificate which names the association or unit owner as an additional insured.

Each state has different laws for contractors, so always check to see if the vendor you hired has the proper licensing required for your state.

Happy fall!



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