



City of Philadelphia/Philadelphia Water Department Claims Form Frequently Asked Questions

Below are frequently asked questions and answers to assist customers with completing claim forms related to property damages resulting from water main breaks.

- 1. How do I estimate the damage to my real property (actual land, things found above and below the ground, buildings, fences, water, or anything attached to any of the aforementioned things)?**

Impacted residents should secure photographs that demonstrate any real property damages being mitigated to an occurrence. They should also contact a licensed contractor to compile an estimate of the damage to their real property. Ideally residents should acquire two, independent, repair estimates that itemize parts, pricing, and labor associated with completion of the work.

- 2. Do I need receipts for damaged personal property (movable property; belongings exclusive of land and buildings)?**

Impacted residents should secure photographs that demonstrate personal property damages being mitigated to an occurrence. For personal property damage, receipts are always helpful. When receipts are not available, residents must provide the of the approximate purchase date and purchase price for each personal property item claimed.

- 3. Do I need to hold on to my damaged items until the claims adjuster documents them or are photos of the damaged items sufficient?**

No. It is not necessary to hold onto damaged items for the claim adjuster to review. Claim adjusters may not be able to visit every location quickly, so it is strongly recommended that residents take pictures of their damaged property and itemize their damaged property on the sheet provided with the claim form, and submit photographs that demonstrate property damages being mitigated to an occurrence to Risk Management.

- 4. Will I get the exact amount I paid for the damaged property?**

Similar to other forms of insurance, consideration is made for damages deemed reasonable, necessary, and related to an occurrence. Indemnification for both personal property damage and real property damage is reflective of actual cash value on the date of loss.

- 5. Do I have to notify my homeowner's insurance?**

Yes. Impacted residents are required to place your primary liability insurance carrier on notice of an occurrence.

If impacted residents primary liability insurance carriers do not afford coverage for an occurrence, they will need to submit a copy of a formal coverage denial letter issued by the insurance carrier. The letter must specify what was not covered under the policy and provide



rationale for the same. The letter is required to establish that the primary liability insurance carrier did not afford coverage for an occurrence.

6. How do you handle the claim if I have insurance, but the insurance does not cover everything?

Pursuant to The Pennsylvania Political Subdivision Tort Claims Act, if an impacted resident receives or is entitled to receive benefits under a policy of insurance other than a life insurance policy as a result of losses for which damages are recoverable, the amount of such benefits shall be deducted from the amount of damages which would otherwise be recoverable to them.

The City will review impacted residents uninsured damages deemed reasonable, necessary, and related to the occurrence.

7. What if I do not have the money to make the repairs right away in order to get reimbursed?

If impacted residents do not have the money at this time to make repairs, they can be delayed until the claim is resolved. The City will make every effort to adjust claims in a timely manner. However, we will be required to adjudicate majority of the claims presented for an occurrence prior to making consideration for individual damages.

8. If I have to be evacuated, will the City pay my hotel bills?

If an impacted resident(s) has to be evacuated, the City will provide necessary lodging accommodations.

9. If my car is damaged, what do I do? Will the City pay for a rental car?

Impacted residents are required to place their primary liability insurance carrier on notice of an occurrence. Pursuant to The Pennsylvania Political Subdivision Tort Claims Act, if an impacted resident receives or is entitled to receive benefits under a policy of insurance other than a life insurance policy as a result of losses for which damages are recoverable, the amount of such benefits shall be deducted from the amount of damages which would otherwise be recoverable to them.

The City will review impacted residents uninsured damages deemed reasonable, necessary, and related to the occurrence.

10. Is there a monetary limit on what the City can pay on the claims arising out of a water main break?

Yes. Under State Law, the Political Subdivision Tort Claims Act, the City of Philadelphia is limited to paying \$500,000 for any and all claims arising from an occurrence.



11. Is there a deadline to file a claim?

Under State Law, the Pennsylvania Political Subdivision Tort Claims Act, the City of Philadelphia must have written notice of a claim within six months of the date of loss. Consequently, we ask that all claims be submitted as soon as possible.

In the event the available aggregate damage limit, \$500,000 is inadequate to fully satisfy all claims arising from this occurrence, The City of Philadelphia will request the Court to administrate the resolution of all claims presented.

12. How long does it take to get reimbursed?

The City will make every effort to adjust claims in a timely manner. However, we will be required to adjudicate majority of the claims presented for an occurrence prior to making consideration for individual damages.

In the event the available aggregate damage limit, \$500,000 is inadequate to fully satisfy all claims arising from this occurrence, The City of Philadelphia will request the Court to administrate the resolution of all claims presented.

13. Does your utility provide emergency water mitigating to customers?

Whenever there is a break of a water main owned and maintained by The Philadelphia Water Department, residential customers and commercial customers are often impacted, and left with standing water in their dwellings and businesses. As such, The Philadelphia Water Department extends complimentary Cleaning and Restoration services to those residential customers and commercial customers in a timely and expeditious manner following an occurrence.

The Philadelphia Water Department has a network of contracted Cleaning and Restoration vendors on-call, who are dispatched on an as-needed basis following an occurrence.

14. Does your utility provide for restoration of real property?

Residential customers and commercial customers who experience water intrusion in their private residences and businesses often pursue liability claims for real property damages and personal property damages that they sustain following an occurrence. Real property damage and personal property damage liability claims are adjudicated pursuant to the **Pennsylvania Tort Claims Act:**

§ 8542. Exceptions to governmental immunity.

(b) Acts which may impose liability.--The following acts by a local agency or any of its employees may result in the imposition of liability on a local agency:

(5) Utility service facilities.--A dangerous condition of the facilities of steam, sewer, water, gas or electric systems owned by the local agency and located within rights-of-way, except that the claimant to recover must establish that the dangerous condition created a reasonably foreseeable risk of the kind of injury which was incurred and that the local agency had actual notice or could reasonably be charged with notice under the circumstances of the dangerous condition at a



sufficient time prior to the event to have taken measures to protect against the dangerous condition.

If The City of Philadelphia is to make consideration for residual real property damages and personal property damages, residential customers and commercial customers will be required to establish that their primary liability insurance carrier did not afford coverage for the occurrence.

§8553. Limitations on damages.

(d) **Insurance benefits.**--If a claimant receives or is entitled to receive benefits under a policy of insurance other than a life insurance policy as a result of losses for which damages are recoverable under subsection (c), the amount of such benefits shall be deducted from the amount of damages which would otherwise be recoverable by such claimant.

15. Who do I contact to get assistance with filling out the claim form?

Residents can contact PWD's Claims Unit at 215-685-9651, the City's Risk Management Office at 215-683-1700 or 683-1713 or seek guidance from Risk Management's web site:

<http://www.phila.gov/finance/faqs.html#risk>

16. Where do I send my claim form when it is completed?

Completed claim forms should be mailed to The Risk Management Division's Office.

The mailing address is as follows:

City of Philadelphia
Claims Unit
1515 Arch Street
Philadelphia, PA 19102
Fax: 215-683-1705