



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 damage 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 these items)?**

You should secure clear photographs of the property and/or automobile which were damaged due to the water main break. You should also contact a licensed contractor to obtain an estimate of the damage to your property. Ideally, you should obtain 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; items not including land and buildings)?**

You should secure clear photographs of your personal property which was damaged due to the water main break. For personal property damage, receipts are always helpful. If receipts are not available, you must provide us with the approximate purchase date and purchase price for each personal property item claimed.

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

No. It is not necessary to keep the damaged items. Claim adjusters may not be able to visit every location quickly. We strongly recommend that you take clear photographs of your damaged property and itemize these items on the form provided with the claim form and submit those photographs to Risk Management's Claims Unit.

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

Similar to other types of insurance, consideration is made for damage deemed reasonable, necessary, and related to a loss. Indemnification for personal property, real property, and automobile damage is based on the actual cash value as of the date of loss.

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

Yes. You are required to notify your primary liability insurance company about the loss.

If your primary liability insurance company does not provide you with coverage for the loss, they will send you a letter advising you that your claim was denied. The letter must specify what was not covered under your policy and provide the reason(s) for the denial. We require a copy of this letter to establish that your primary liability insurance carrier did not provide coverage for your loss.



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

The Pennsylvania Political Subdivision Tort Claims Act states that if you receive or are 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 your claim for the uninsured damage deemed reasonable, necessary, and related to the loss.

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

If you do not have the money to make repairs, the repairs can be delayed until your claim is resolved. The City will make every effort to review your claim as quickly as possible; however, we are required to review all claims presented for a loss prior to making considerations for individual damages.

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

If you must 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?

You are required to notify your primary liability insurance company about the loss. The Pennsylvania Political Subdivision Tort Claims Act states that if you receive or are 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 your claim for the uninsured damages deemed reasonable, necessary, and related to the loss.

10. Is there a deadline to file a claim?

Under State Law and 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.

11. How long does it take to get reimbursed?

The City will make every effort to review claims in a timely manner; however, we are required to review all claims presented for a loss prior to making considerations for individual damages.



12. Does your utility provide emergency water mitigation 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 homes and businesses. The Philadelphia Water Department extends complimentary Cleaning and Restoration services to those residential customers and commercial customers in a timely and expeditious manner after a loss occurs.

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

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

Residential and commercial customers who experience water intrusion in their homes and businesses often pursue liability claims for real property damage and personal property damage after a loss. Real property damage and personal property damage liability claims are investigated according 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 damage and personal property damage, residential and commercial customers are required to provide proof that their primary liability insurance company did not provide coverage for the loss.

§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.

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

Residents can contact the Philadelphia Water Department's Claims Unit at 215-683-1713 or seek guidance from Risk Management's web site: <http://www.phila.gov/finance/faqs.html#risk>



15. Where do I send my documents and completed claim form?

Please mail all documents and completed claim form to:

City of Philadelphia
Risk Management Office - Claims Unit
1515 Arch Street – 14th Floor
Philadelphia, PA 19102

You may also email or fax the information to us at Risk.Management@phila.gov or 215-683-1705 (fax).