

# SCAA

February 2009

Vol. 36 No. 6

## Seattle Claims Adjusters Association

**Celebrating over 75 years of service to the claims community — Founded in 1930**

*“A professional organization dedicated to the ongoing education of the claims community.*

*Providing an arena for member interaction and the sharing of resources.”*



### James' Headlines

— by James K. Gomez, SCAA President

We sure had a nice turn-out for our January meeting. Jim Peterson, our Treasurer, and I were scratching our heads about four days prior to the meeting because our RSVP total was about **four**. After a reminder email blast the next day from our editor, the RSVP tally quickly shot up to about 48. And by Friday, our meeting total was just under 75. Not bad and quick work from your officers. We were changing our headcount daily with the caterers.

A special thanks to our guest speaker and past-

president, Señor **Keo Capestany**. Keo provided an overview on selecting a court-approved translator versus an individual who may not be qualified. If you have any questions about the use of a translator, please contact Keo.

At this time we have concluded our discussions with TCAA officers and with various members of our planning committee for the Spring Seminar and Vendor Fair. It has been concluded that we will forego the spring seminar and vendor fair and will take advantage of an opportunity to participate and have a booth at the perhaps, a once in our life time, PLRB/LIRB Conference that will be held in Seattle on the dates of March, 22 through March 25. The web site for additional information and registration for classes is [www.claimsconf.org](http://www.claimsconf.org). Part of our goal will be to offer participants an opportunity to learn about the SCAA organization, the frequency of our meetings, our speakers and the educational benefit behind our organization. Please note that there will not be a

*(See Headlines... continued on page 3)*

#### Next Meeting of the SCAA

**February 20, 2009**

The Swedish Club, 1920 Dexter Ave North, Seattle, WA

#### Program

**Mold Detection Dogs**  
Jill Gallagher & “Onna” of  
American K9 Detection Services

#### Cost

**\$15 Members    \$20 Non-Members**

#### Time

**11:30 a.m.**

It is important for you to RSVP if you are going to attend our luncheon meetings. Do so through our website or contact James Gomez at [jgomez@frontieradjusters.com](mailto:jgomez@frontieradjusters.com). Thank you!



#### **DON'T FORGET TO RSVP!**

Please let us know you will be attending our next meeting by submitting an RSVP at our website:  
[www.seattleadjuster.org](http://www.seattleadjuster.org)



# ON THE DOCKET FOR 2009

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Date	Speaker/Topic
Feb 20	SCAA Meeting & Annual Bowling Tournament Jill Gallagher of American K9 Detection Services — Mold Detection Dogs with demo by "Onna". 1 CE credit.
March	Attention! NO meeting this month! Attend the PLRB/LIRB Conference instead
April 17	SCAA Meeting & Elections
May 15	SCAA Meeting — Past President's Luncheon

### Meeting Information

Please keep in mind that we'd like to start and end promptly during our monthly meetings. Here is the timeline for each meeting:

- 11:30 a.m. Registration
- 11:45 a.m. Buffet
- 12:00 p.m. Meeting Called to Order
- 1:00 p.m. End of Meeting

Please arrive on time and have your cash or check (payable to SCAA) ready. We appreciate your cooperation and assistance.




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## The Seattle Adjuster

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## Headlines... *(Continued from front page)*

regular luncheon meeting in March so the next meeting after February will be on April 17, 2009.

In the January meeting we resumed our \$25 Gift Drawings. The winner for the Adjuster Drawing went to **Jesse D. Williams** and the winner for the Vendor Drawing went to **Jana Anderson** with ServPro. Congratulations are in order for all the winners! Remember, to participate in the drawing, please place your business card in the appropriate bowl labeled either for vendors or adjusters. We had a Blue Bucket rollover, since the adjuster who's name was drawn was not present to win. You must be present at the meeting to win the Blue Bucket drawing!



As a reminder, the next upcoming event in February will be the Bowling tournament immediately after the SCAA meeting. Please plan on getting on a team and have a great time bowling. The event will be held at the Acme Bowl located in South Center in Tukwila. Travis Simpson with CRDN is doing a great job organizing this event. Now we just need folks to sign up. The fee is \$30 per person and we need everyone to sign up by February 13. As a reminder, space is limited. Please see the flyer in this newsletter with further details and instructions on signing up.

Also, later in the year we are having our very own "President's Cup" Tennis outing on Saturday, June 6. Those of you at the January meeting know that Bob Jeans, a past-president, who is organizing the event, has officially named the tournament. The name kind of goes well with an election year behind us, etc... Again, please sign up early, since space is limited.

Please remember to RSVP and preferably a few days prior to the day of the meeting. Registering early helps with our planning and the proper head count for the Swedish Club and the caterers.

Thanks again for coming and please remember to invite adjusters that you work with or are associated with!

See everyone at the meeting February 20! ❖

## February Luncheon Presentation

**Jill Gallagher, Regional Manager for American K9 Detection Services Inc.**

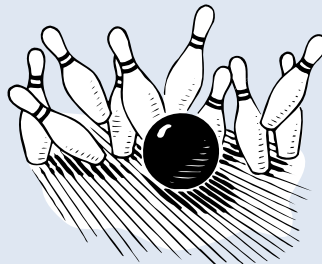
Jill is a trained mold consultant and has over twenty years experience with working/detection dogs. Her territory includes the entire west side of the United States.

The presentation is lively and educational. Jill will talk briefly about how the dogs are chosen and trained, and about the professional handlers and services provided by American K9 Detection Services. Mold detection dogs are fast, accurate, and cost effective. "**Onna**" will do a demonstration of her skilled detection abilities! Don't miss this meeting and presentation!

*Spokane Adjusters Association (SAA)*  
**2009 Annual CE Seminar**  
**February 26, 2009**

Spokane, WA  
 Mukoawa Fort Wright Institute

For more info contact  
 Kathy Fromont  
[kfromont@mutualofenumclaw.com](mailto:kfromont@mutualofenumclaw.com)  
 Or visit SAA online at  
[www.spokaneadjusters.org](http://www.spokaneadjusters.org)



**Get Ready for BOWLING!**

SCAA Bowling  
 Tournament happening in  
 February!

Contact Travis Simpson of CRDN for more info:  
[travis.simpson@crdn.com](mailto:travis.simpson@crdn.com)



ceive payment by October 19. On October 22, one of the Kachmans' automobiles was involved in a car accident that killed a woman. The Kachmans notified Cornhusker of the accident three days later and Cornhusker received the Kachmans' check for insurance coverage on October 28. On November 1, Cornhusker's certified letter to the Kachmans notifying them of their impending loss of coverage was returned to Cornhuskers undelivered.

The Ninth Circuit Court of Appeals asked the Washington Supreme Court to determine whether sending notice of cancellation by certified mail satisfied the notice requirements set out in RCW 48.18.290. That statute, as it existed in 2004, stated that cancellation of an insurance policy is effective only if it complies with the statute, which requires: (1) that notice of cancellation be in writing, (2) that it include the actual reasons for the cancellation and (3) that such notice be "actually delivered or mailed to the named insured."

The court determined that mailing notice by certified mail does not satisfy the statute's method of notice as it puts an additional duty on the insured of either being at home to receive the letter or travel to a post office between the hours of nine and five on a weekday to pick it up. The only duty RCW 48.18.290 puts on insureds is to provide the insurer with a current mailing address. The mailing method of notice is not satisfied if the method of mailing places a burden on the insured beyond providing an insurer with a current address. Cornhusker's sending of the letter by certified mail also did not meet the actual delivery prong of RCW 48.18.290 as the Kachmans did not receive the letter. Insurers should therefore mail all notices of cancellation by regular mail and take measures to ensure that the insurer can prove that the letter was actually mailed.

Even obtaining a "certificate of mailing" from the post office may not be sufficient to prove the letter was actually mailed. Often insurers will use certificates known as PS Form 3887 or Facsimile Form 3877 (in which an insurance company computer-generates a listing (which serves as the certificate) of each notice being mailed). See [http://www.usps.com/forms/\\_pdf/ps3877.pdf](http://www.usps.com/forms/_pdf/ps3877.pdf). If an insurer uses either of these forms of certification as proof of mailing, it should confirm that a postal employee verifies and notes on the certificate that the certificate accurately lists *each* piece of mail that the insurer delivered to the post office. Although the fee that the USPS charges for this service implies that this level of verification is being purchased, some post offices do not verify individual pieces of mail, in which case the certificate is of dubious value in proving mailing. If the post office will not check each piece of mail against the certificate, the insurer should institute its own in-house

(See Case Study... continued on page 6)



The Tacoma and Seattle Claims Adjusters Association have put their annual Spring Seminar and Vendor Trade Fair on hold this year and are encouraging everyone to take advantage of the following great opportunity:

Register Today for the 2009 PLRB/LIRB Claims Conference. The 2009 PLRB/LIRB Claims Conference may very well be the career boost you've been looking for! With more than 100 educational classes covering critical claims issues and challenges, and over 300 different service providers at the Insurance Services Expo, PLRB "delivers the goods" to improve job performance and claim outcomes. All Conference events will be held under one roof at the Washington State Convention and Trade Center.

Join us in Seattle at the PLRB/LIRB Claims Conference, the premier property and casualty insurance educational event.

- Gather information on industry issues and critical claims strategies
- Gain real-life insights from experienced claims industry leaders
- Network with colleagues and service providers from across the nation

**Visit the Claims Conference Website at  
[www.claimsconf.org](http://www.claimsconf.org)**

**Case Study...** (Continued from page 5)

procedures to ensure that it can later prove it delivered individual pieces of mail to the post office. In all cases, an insurer should have procedures to ensure that it can prove that it indeed placed the appropriate paperwork in the envelope, properly addressed and placed postage on the envelope before delivering it to the post office.

The Washington Legislature amended RCW 48.18.290 in 2006 to change the notice requirement from “actually delivered or mailed” to “deliver or mail” for all insurance contracts entered into after January 1, 2007. However, the court declined to consider how that change would have affected this opinion. ❖

— Full Case Available at: <http://www.courts.wa.gov/opinions/index.cfm?fa=opinions.showOpinion&filename=811601MAJ>



**DON'T FORGET TO RSVP!**  
Please let us know you will be attending our next meeting by submitting an RSVP at our website: [www.seattleadjuster.org](http://www.seattleadjuster.org)



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**OCAA SYMPOSIUM APRIL 23, 2009  
HOLIDAY INN ~ WILSONVILLE, OREGON**

Visit the OCAA website for more info:  
[www.oregoncasualtyadjusters.org](http://www.oregoncasualtyadjusters.org)

**All Day CE Seminar**

Hosted by  
*Tacoma Pierce County Insurance Professionals (TPCIP)*

**April 15, 2009**

8-5pm  
La Quinta Inn & Suites  
1425 E 27th St, Tacoma, WA



- Ethics—Making a Difference**  
with Linda Doherty, CPIW, DAE — 3 hrs
- How to Avoid E&O Claims**  
with Linda Doherty, CPIW, DAE — 2 hrs
- Claims Process for Consumers**  
with Detta Hanson, AIC, CPIW — 1 hr
- Risk Management**  
with Detta Hanson, AIC, CPIW — 1 hr
- Compliance & You**  
with Sherry Donovan, CPIW — 1 hr

For more info and to register contact  
Rebecca Donovan  
800/366-5551 x3147  
[rdonovan@mutualofenumclaw.com](mailto:rdonovan@mutualofenumclaw.com)

**7 Washington Counties Added to Disaster Declaration**

Seven additional counties in Washington state have been added to the list of those where residents and business owners are eligible for disaster assistance to repair damage from January's storms, flooding and landslides.

The additional counties are Benton, Cowlitz, Clallam, Grays Harbor, Kittitas, Skagit and Whatcom.

Disaster assistance can include grants to help pay for temporary housing, home repairs and other disaster-related expenses. Low-interest disaster loans from the U.S. Small Business Administration also will be available.

Late January 2009, individuals and businesses in eight counties were declared eligible for the assistance. Those counties are King, Lewis, Mason, Pacific, Pierce, Snohomish, Thurston and Wahkiakum. ❖