

Webinar: Appraisal Clause as a Tool to Resolve Property Damage Disputes and to Avoid Bad Faith

Location

Webinar

Date & Time

Start Date: 11/02/2016

Start Time: 11:30 a.m. ET

End Time: 12:30 p.m. ET

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Joann Selleck and Stacey Farrell of the Global Insurance Department present this one-hour Cozen O'Connor webinar for claim professionals who handle or oversee property insurance claims or bad faith litigation involving those claims.

First Party Property Insurance policies almost universally contain a provision that allows either party to request an appraisal if there is a dispute as to damages.

Under the appropriate facts and circumstances when a dispute as to damages occurs, demanding an appraisal may be a means of having the amount of damages definitely determined and thus avoiding both the potential of a lawsuit alleging breach of contract and bad faith or other extra-contractual damages. In some jurisdictions, appraisal, if demanded, may be a prerequisite to litigation. In other jurisdictions appraisal may occur during litigation to resolve the question of damages. Given that the appraisal process and its scope of resolution are jurisdiction specific, appraisal can raise procedurally and substantive complex issues that must be considered before the parties enter into an appraisal. This webinar will discuss:

- When an appraisal may be a good claim tool to consider
- Considerations before making or responding to an appraisal demand
- Ideas on how to proceed through appraisal when coverage/causation disputes exist
- Appraisal awards and their format
- Whether an appraisal award can preclude a finding of bad faith or extra-contractual damages

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