



SAFETY

FIRST

Risk Management

Don't spoil the evidence

When a claim occurs, there is always some form of evidence which lead everyone back to determining exactly what happened. The space heater that shorted out causing the fire, or the tire that blew out causing the accident, are both common examples. Therefore, it is extremely important to preserve the evidence of any loss.

Authorities such as police and fire departments will be focused on the evidence where claims are involved. However, there are many cases where

the authorities are not involved (for instance, slip and fall accidents or water damage from a broken pipe).

The insured has an obligation to preserve the evidence for two key reasons. If the insurance company is expected to pay you as the insured for the damage (such as fire loss to your building), they will need the evidence to go back against the party who is responsible for the fire. In this example, the insurance company will pursue the amount they pay, including your deductible, from

the manufacturer of the space heater if it is found to be faulty. The evidence is absolutely necessary to prove the case in court. Without it, the responsible party does not have to pay what they owe.

The other key area involves liability losses. When someone is injured on your premises and they sue you for their injuries, you need the evidence to prove what happened. Many times the injury is caused by something or someone else that should be the real target of the lawsuit. For example, a chair in your business collapses when a customer sits down on it, resulting in a back injury to the customer. The customer will want to sue you for their injuries, but the real cause may be that the chair was not manufactured correctly. You must have the chair as evi-

dence to prove the real cause.

You can save yourself, and your business, a great deal of time and anguish by preserving the evidence and following these simple steps:

1. Contact the insurance company immediately after an accident. Make sure that nothing is thrown away, and discuss the evidence with your claims adjuster.
2. Store the evidence in a safe place to ensure it is not tampered with since you will have to eventually prove that no one tampered with it after the accident. Do not give it to anyone for any reason without the written approval of our Claims Department.
3. Do not alter the evidence, attempt to repair the evidence, or use the item in any way that destroys the evidence.