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## MOFD calls out insurance companies for cancellations over fire code violations

By Nick Marnell

According to the California Department of Insurance, property insurance is becoming harder to find for residents in high-risk wildfire areas. As portions of the Moraga-Orinda Fire District lie in these high-risk areas, the district passed a resolution in November reminding insurance companies that they may not make arbitrary decisions regarding fire safety in order to either cancel or fail to renew insurance policies for district property owners. Fire Marshal Jeff Isaacs gave a recent example of insurance industry overreach.

An Orinda resident called the district and said that she was required to remove three oak trees on her property because her insurance company claimed the trees were a fire hazard. If she did not comply, the company would not renew her property insurance. The homeowner asked the district to come to her house and take a look, as she could not believe that the trees were a fire hazard.

After an inspection, MOFD found that her property complied with the fire code.

"The district simply wants to call attention to this issue, and make everyone aware of it," Isaacs said.

The gist of the resolution is that MOFD is the sole and exclusive provider of fire protection, prevention and suppression services within its jurisdictional area, and the fire code compliance that the district has promulgated is the standard by which properties will be judged.

"Insurance companies cannot apply an arbitrary standard that is different from the fire code," Fire Chief Dave Winnacker said.

Representatives from State Farm, the state's largest property insurer, had no comment but directed inquiries to the Insurance Information Institute. "Those insurance companies are going to need to look at and understand their use of the language in their fire code reference," said Janet Ruiz, strategic communications director of the institute.

The resolution has nothing to do with insuring, or not insuring, a property. MOFD cannot force an insurance company to renew a homeowner's policy, and an insurance carrier can drop a policy holder for just about any reason it chooses.

Except for a "fire code

violation" that the fire district deems is not a violation.

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