



PROCESS FOR REOPENING AND RESOLVING A SETTLED EQC CLAIM

1 Lodgement phase

Lodgement and initial review

- You (the customer, or your authorised representative) lodges an inquiry for missed natural disaster damage or inadequate repairs of previously settled claims with the Earthquake Commission (EQC). Providing us with information / evidence (e.g. photos or reports of the natural disaster damage) to support your inquiry is necessary for us to progress to the next step.
- A member of our Claims Assurance team will complete an initial review of your claim history and contact you to discuss your inquiry. We may request additional information to support your inquiry.

2 Review phase

Full claim review, determine if natural disaster damage is present and EQC's liability

- We'll undertake a full review of claims for your property, along with the information you provide, to determine if natural disaster damage has been missed or inadequately repaired for the previously settled claims. We will contact you again within 30 days to advise the outcome of the review.
- If there are issues with previously completed repairs, the cost of the inadequate repairs won't be included in our settlement calculation.
- If we've settled our liability, or there is no evidence of natural disaster damage, EQC is unable to progress the inquiry further, but we will discuss this with you and possible options beyond the EQC process (e.g. private insurance, building contractor).

3 Investigation phase

Determine expert input / investigation required

- EQC Settlement Specialist / Claim Manager discusses with you whether you have a preferred, suitably qualified expert, or whether you'd prefer EQC to manage the investigation for you.
- If you prefer EQC to manage this process for you, we will be in touch to facilitate and attend site visits. We will keep you informed of progress at each key step.
- If you have your own experts, we will discuss and agree with you the type of the expert input / investigation required, and associated fair and reasonable costs of obtaining assessment reports, including when EQC will cover these costs for you. This step may involve a site visit(s) with EQC to ensure you are fully informed of what is required.
- EQC will elect to cash settle the cost of repairs when the natural disaster damage, repair strategy and cost of the repairs have been determined and agreed.
- To assist with the costs for the expert(s) input, we may request bank account details to enable us to reimburse you. We'll aim to make any reimbursements or payments to you within 7 days following receipt of invoice(s).
- If the EQC representative and you can't agree on the type of expert investigation required, then we will arrange a face to face meeting with you, the Settlement Specialist / Claim Manager and EQC Senior Manager to determine how we move forward with the investigation.

Damage assessment

- Once we've agreed the type of expert(s) input required, you choose the expert(s) you'd like to engage to assess the natural disaster damage. The next steps are that you:
 - Need to engage a suitably qualified and registered licensed building practitioner (LBP). We will cover the fair and reasonable costs of engaging the LBP for the initial assessment and reimburse you once their damage assessment report has been provided.
 - May need to engage other expert(s) (e.g. structural engineers) to provide a specialist report and the appropriate repair solution. Your LBP can guide you with this and we can also answer any questions or clarify requirements.
 - If your LBP recommends further expert(s) that we haven't agreed on for assessment, please contact your Settlement Specialist / Claim Manager to discuss before any engagement occurs.
 - If we are unable to agree on the type and extent of natural disaster damage, we will discuss and agree on a process to resolve the impasse. This may include an independent review by a suitably qualified and mutually-agreed expert, and / or agree on any additional report(s) required. All parties will agree to be bound by the outcome of this independent review.
 - If any fees from your preferred expert are determined to be unreasonable, you can continue to use your preferred expert but you will need to meet the unreasonable costs yourself.
 - You can find more information on our website in the *frequently asked questions (FAQs) section of Claim Reviews*¹.
- If these reports confirm missed or inadequately repaired natural disaster damage, reimbursement of fair and reasonable assessment costs will be arranged following receipt of the reports and relevant invoices.

EQC review of damage assessment

- We will review the report(s) assessing the natural disaster damage and if we have any questions or concerns, we will discuss these with you and your expert(s). We will provide our questions and comments in writing prior to discussing with you.
- If the report(s) indicate the repairs may exceed our maximum liability under the Earthquake Commission Act 1993 (EQC Act), we may engage with your private insurer and discuss with you and them how to proceed.

4 Repair strategy and scoping phase

Review and agree repair strategy

- We will work with you – as well as any LBPs or expert(s) – to determine a suitable repair strategy for the natural disaster damage. This may require a walk-through of your property, with everyone present, to answer any questions and determine next steps.
- If there is an indication the cost of the repair strategy will exceed our maximum liability under the EQC Act at this stage, we will discuss this with you and notify your insurer. If the original EQC claim was settled with you, your insurer may wish to engage with you from this point. If you are a new property owner and the original EQC claim(s) has been assigned to you, your insurer may not have liability, but we will make initial inquiries on your behalf.

Scope preparation

- Once an appropriate repair strategy is agreed, your LBP will produce a scope of works to repair the natural disaster damage, in conjunction with any expert(s). EQC will pay fair and reasonable costs for preparation of the scope of works.
- If we are unable to agree on the repair strategy, we will arrange an independent review by a mutually agreed expert. All parties will agree to be bound by the outcome of this independent review.

5 Quote and agreement of costs phase

Quote

- Your LBP will produce a quote to repair the natural disaster damage based on the agreed scope of works and expert report(s). This quote will include any additional expert input that may be required to complete the repairs, and you can decide who you'd like to use with your LBP.

Costs reviewed and agreed

- We will work with an EQC quantity surveyor to review the quote to ensure costs are fair and reasonable, and let you know if we have any queries. This may include a discussion between your LBP, our quantity surveyor and yourself, however you can ask them to speak directly to your LBP, or expert, if that is your preference.

6 Settlement phase

Arranging a settlement

- We are only able to pay a settlement for natural disaster damage to the limits set out in the EQC Act.
- If repair costs will exceed our maximum liability for natural disaster damage under the EQC Act, we will re-engage your insurer (it's likely we've notified them of the potential for this outcome earlier in the process) to advise them (if appropriate) of the final outcome and allow you to discuss next steps with them. We will arrange a cash settlement to our maximum liability under the EQC Act with you at the same time.
- If repair costs will not exceed our maximum liability under the EQC Act, we will provide you an offer of settlement within 45 days of the repair quote being finalised and costs agreed. This offer will outline how the settlement has been calculated, including deduction of the relevant excess.

Repairing the natural disaster damage

Construction

- Once EQC has paid the settlement to you, you are free to commence with repairs with your LBP (and experts) within a reasonable time frame.
- If during construction your LBP advises you that there is further missed natural disaster damage, you will need to contact us immediately. If we have already settled to the maximum liability under the EQC Act, you will need to contact your insurer directly.

¹ <https://www.eqc.govt.nz/canterbury/claim-reviews>