

Claim Review Form

Canterbury Earthquake Sequence

Please use this form if you are concerned about your EQC settlement for damage caused by the Canterbury earthquake sequence and want to request a claim review.

Tick the relevant boxes and provide information where indicated. Please refer to the Claim Review Guide on page 4 or contact us for help completing this form.

A I would like a review of my

Managed Repair Cash Settlement Tick both boxes if relevant

Because I believe:

- EQC's settlement did not include all earthquake damage.
- EQC's repair work or repair strategy has not or will not repair the earthquake damage to the standard required by the EQC Act.
- EQC's cash settlement was not or is not sufficient to meet the reasonable costs of undertaking EQC's repair strategy.

B Structural issue(s) identified

I believe the issue(s) I have identified in Section A relates to structural elements of my house (for example, foundations, framing, supporting or fire walls, or chimney).

Yes No Don't know

If this is the case, you may decide to provide an engineering report with this Claim Review Form but it is not essential. We will still consider your request without one. You may need to provide an engineering report at a later stage if EQC decides the previous settlement is appropriate but you don't accept that decision (see question 4 in the Claim Review Guide). EQC may reimburse you for the reasonable cost of a report you commission – see the Claim Review Guide.



If you have questions about completing this form, please refer to the Claim Review Guide on page 4 or call us on **0800 DAMAGE (0800 326 243)**.



C Detailed description of the issue(s) identified in section A

You need to provide details of your concerns about the settlement, including a detailed description. Please include relevant measurements where possible.

Photos

You need to provide photos of the area(s) of your residential building that you're concerned about.
 Number of photos you're including with this form:

Contactor's report or quote, or engineer's report

This information may help us assess your request, but is not required for us to consider a review.

Note: You can attach any additional relevant information as extra pages.

D If your claim review identifies a further entitlement what would your settlement preference be?

Managed Repair - EQC manages your repair, arranging a contractor to do any work

Or

Cash Settlement - you arrange a contractor to undertake the repairs

We will take your preference into consideration, but may not be able to meet it. For example, if we previously cash settled your claim we will generally cash settle any further entitlement, but you can still state your preference. See the Claim Review Guide or contact us for more information.



E Your details

Claim number / /

Your name

Address of damaged property

Postal address (if different from above)

Email

Preferred contact number

Preferred contact method Phone Email

Did you lodge the original claim? Yes No

If not, has EQC been provided with a Deed of Assignment (DOA)? Yes No

EQC cannot progress your claim review request until we have a DOA. See the Claim Review Guide for more information.

Bank account number

Cash settlement preference only

F Declaration

I agree:

- The information I have submitted is true and accurate to the best of my knowledge
- I have not withheld any material information relating to my claim review request
- I will inform EQC if I am aware or become aware that the claim review information I have provided is no longer accurate or I have new information
- I understand that if EQC agrees to review my claim it could result in EQC upholding or overturning its original decision on my claim and that a review does not guarantee an additional settlement.

Name of signatory
(please print clearly)

Signature Date

Please send this signed and completed form with the requested information to EQC by email or post.

Scan and email to:
info@eqc.govt.nz
(please add claim number in subject line)

Post to:
Earthquake Commission
PO Box 311, Wellington, 6140

EQC will contact you to advise whether we will review your claim based on the information you have provided.



Claim Review Guide

This guide outlines what you need to do to request a claim review. Contact us if you have further questions.

Requesting a review

1. What information do I need to provide?

EQC-managed repair within the last 12 months

You do not need to complete a Claim Review Form if your request is about a claim settled by EQC-managed repair, and the repair was completed within the last 12 months.

Instead, contact us with details of the repair address, your claim number and a brief description of the matter(s) requiring attention.

EQC-managed repair more than 12 months ago, or a cash settlement

You need to complete a Claim Review Form if your request is about:

- a claim settled by EQC-managed repair, and the repair was completed more than 12 months ago
- or a claim settled by cash settlement.

In completing the form, you need to provide information to support your reasons for requesting a review. The information should include a description and photographs of the area(s) in issue.

You can also provide a quote or report from an appropriately qualified trade professional (such as a builder, plumber or other tradesperson who is qualified to comment on the issue) but it is not a requirement.

2. What are my responsibilities when submitting my request for a claim review?

You are agreeing that the information you submitted is true and accurate and you have not withheld material information. You are also agreeing that if, in the future, you become aware that the information you provided is no longer accurate, or you have new information, you will advise EQC as soon as possible.

3. What will EQC do with the information I provide?

We will use your information to decide whether we will review your claim. We will look at your Claim Review Form, taking the additional information into consideration. This will result in us either upholding our original decision or deciding to review the claim further.

It's important to note that simply submitting a Claim Review Form and supporting information does not guarantee you a review or an additional settlement.

This is the process:

- You submit your completed Claim Review Form and supporting information.
- We review the Claim Review Form and supporting information, together with information we already hold.
- We determine whether or not a more detailed review of your claim is appropriate.
- We let you know if a more detailed review of your claim is appropriate.
- We conduct the review.
- We may carry out a site visit and will contact you to arrange this.
- We will finalise the review of your claim and advise you of the outcome.

4. Why might EQC determine I have no further entitlement?

Some examples of where EQC may determine that you have no further entitlement under the EQC Act:

- If we determine that all earthquake damage has already been assessed and settled according to the EQC Act.
- If we determine the works you have asked us to review have been completed to the standards required by the EQC Act.

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- If the works you have asked us to review were cash settled and completed by a contractor that you or a previous owner privately instructed (the repairs were not completed by EQC or anyone contracted by EQC).
- If you are bringing earthquake damage to our attention that is not related to the claim you are asking us to review. For example, the earthquake damage is related to the Kaikoura event but you are asking us to consider damage caused by a Canterbury event. If the earthquake damage is related to a different earthquake event or natural disaster, you generally needed to have made a separate EQC claim within the three month claim period for that event (a new claim must be lodged for each natural disaster event).

5. If my claim review changes my settlement, will my excess change?

Possibly. If we are rectifying work already completed as part of the Canterbury Home Repair Programme (CHRP) this will not change your excess amount. However, if our review determines that new and/or additional work is required we may need to recalculate our settlement and this may change your excess amount. If you have not already been sent your CHRP excess invoice, we will send this to you once any claim review has been decided. If your claim is to be settled by cash settlement, we will adjust the payment to include any change in the excess.

Explaining the issue(s)

7. What are workmanship issues?

Workmanship refers to work that is carried out to a tradesman-like standard. Workmanship issues arise when an EQC-managed repair is not carried out to a tradesman-like standard, even though the repair strategy meets EQC's obligations under the EQC Act. If the repair work was carried out by a contractor that was not engaged by EQC, then this is not a matter for EQC.

8. What is the standard required by the EQC Act?

EQC is required to meet the "replacement value" standard prescribed in the EQC Act. This definition of "replacement value" includes the cost

6. I have bought the property since the earthquakes. What do I need to do if there are issues with the house?

The owner of the property at the time of the earthquakes may have agreed to assign (or transfer) all or part of their EQC claim entitlement to you (or a previous owner) through a Deed of Assignment. EQC needs to have been advised of the assignment and supplied with relevant documentation recording the assignment.

In these circumstances, the person receiving the benefit of all or part of the claim (i.e. you, the purchaser) will receive any remaining entitlement under the EQC Act. You will receive any assigned entitlement up to EQC's cap for an event.

However, where a related private insurance claim has also been assigned to you, you may not have the same private insurance entitlement as the original owner, or any entitlement from the private insurer at all. You will need to seek further advice in regard to the private insurance situation.

For further information on the transfer of an EQC claim, please visit our website:
www.eqc.govt.nz/transferring-claim

"reasonably incurred" in "replacing or reinstating the building to a condition substantially the same but not better or more extensive than its condition when new" modified as necessary to comply with any applicable laws.

You can read more about how EQC settles claims on our website at www.eqc.govt.nz/canterburyearthquakes/home-repairs/how-eqc-settles-claims/claim-settlement-q-as

9. What is missed damage?

Missed damage is earthquake damage that was not identified when your property was assessed and as such did not form part of the scope of works. It was either not repaired through the CHRP or not cash settled.

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10. What is a repair strategy?

With every claim, regardless of how it is to be settled, EQC identifies a strategy that it considers will repair the earthquake damage in accordance with its obligations under the EQC Act.

11. What should my description include?

You need to provide details of your concerns about the settlement, including a detailed description and measurements where possible.

If you are unable take measurements or photos because the relevant part of the house is inaccessible, note that in your description.

12. What do you need me to include in the photos?

- Take photos that show a close-up view of the issue you believe you have identified. Ensure the photos are as clear as possible.
- Take photos of the aspect of the issue from further back as well, as this can help to put it into perspective.
- If possible, draw a line on the photo around the area you are concerned about.
- Name the photo file with the name of the part of the house in the photo, such as bedroom or kitchen (or write this on the back of the photos if you are sending us physical copies).

13. What should a contractor's quote or report include?

Any quote or report you submit to us must be an independent quotation from a relevant trade professional, obtained at your expense. It must:

- be printed on the trade professional's letterhead
- include the trade professional's GST number
- include details of the location and extent of the earthquake damage
- include a room-by-room breakdown of repair costs, including the cost per square metre of each repair strategy, and the measurements of the earthquake damaged areas.

If the nature of your request is very minor, and you believe it does not warrant a quote or report, we may accept a brochure or a website print-out that shows the price of the replacement product and the provider's logo. Contact us to discuss this.

14. Do I need an engineer's report?

If your request is related to damage to structural elements of your home, it is not necessary to provide a structural engineer's report at this point, but you can choose to do so.

If EQC decides the previous settlement is appropriate, but you don't accept that decision, then it will be up to you to obtain further information or expert reports. This could include a report from a structural engineer, to support your position.

If you decide to engage an engineer, it's important you choose one with experience assessing houses for earthquake damage. They should also understand EQC's requirements for a valid earthquake damage assessment.

You'll find information about obtaining expert reports on the EQC website at www.eqc.govt.nz/expert-report-factsheet

15. Will EQC reimburse me for an engineer's report of a contractor's quote or report?

EQC may reimburse you for the cost of an engineer's report or a contractor's quote or report you have commissioned if the costs are reasonable and:

- EQC accepts that the report or quote:
 - uncovers legitimate natural disaster damage that EQC did not identify during the assessment of your property and/or
 - identifies EQC-managed repair work which does not meet the standard required under the Act and/or
- EQC agrees with the repair strategy and/or the further earthquake repair works recommended.

It's important to note that reimbursement of such costs is not guaranteed. EQC will determine whether to reimburse you for the cost of a report or quote based on the specific facts of your claim review.

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16. Will an EQC assessor need to visit my property?

We will review the detailed information you have provided on your Claim Review Form and supporting documents, together with the relevant information we hold about your EQC claim. We may need to visit your property if we need more information. We will contact you to arrange this.

17. When might EQC use an engineer or other expert?

If EQC decides to review your claim, then we will consider whether engineering or other expert advice is required to complete the review. If we decide that advice is required from an engineer or other expert, we will engage the expert at our expense.

Settlement preferences

18. Why am I asked whether I have a preference for managed repair or cash settlement?

We ask whether you'd prefer to receive a cash settlement or a managed repair for any further entitlement, because the steps for reviewing a claim differ depending on the settlement approach.

If your preference is cash settlement, you arrange your own contractor to undertake the repairs at a time that suits you.

If your preference is managed repair, we would manage your repair, arranging a contractor to complete any work.

We will take your preference into consideration but may not be able to meet it.

Where an original claim was cash settled any future entitlement is likely to be cash settled as well, but we will consider this on a case-by-case basis.

19. If I indicate that my preference is for a managed repair, could I change my preference?

You can change your preference from a managed repair to cash settlement of any works that are required, at any time up until EQC engages a contractor to do the work.

20. Once I have told EQC that I would prefer to receive a cash settlement, can I change my mind?

We will consider any change in your preference on a case-by-case basis.

21. What does cash settlement mean?

If we determine that you have a further entitlement, you may prefer to receive a cash settlement. This approach works for people who would prefer to appoint and manage their own contractor(s) to carry out any works that are required at a time that suits them. For example, they may want to have the works done at the same time as a renovation.

22. What should I do with my cash settlement?

It is important that the payment is used to complete any works required to your property. In some circumstances future entitlement to EQC cover will be affected if the cash settlement is not used for this purpose.

You can read more about managing your home repair on our website:

www.eqc.govt.nz/about-eqc/our-publications/factsheets/managing-your-home-repair

23. What if the repair work costs more than the payment received from EQC?

You should contact us if there is a difference between your settlement and what your contractor is quoting for the work.

24. How will EQC pay me?

If there is a mortgage registered against the title of your property, we may be required to pay the cash settlement to the bank or lending institution that holds the mortgage. If you do not have a mortgage, we will need written agreement from all the legal owners of the property as to where payment can be made to.

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If we have bank account details on file, we will need them confirmed so we can pay any cash settlement by direct credit. You can do this on the Claim Review Form or over the phone.

Depending on the amount of any settlement, in addition to providing your account details in the Claim Review Form, we may ask you to send a pre-printed bank deposit slip or a letter from your bank identifying your bank account number with your EQC claim number stated. We can accept a pre-printed bank deposit slip or letter electronically if they are scanned and emailed to us. You will need to give us your claim number at the same time.

Available support

25. How do I choose a contractor to quote for or undertake works?

If you are unsure how to find a contractor, you could contact us or you could visit the websites listed below:

- New Zealand Certified Builders Association
www.nzcb.nz
- Registered Master Builders
www.masterbuilder.org.nz
- Licensed Building Practitioners
www.building.govt.nz/lbp
- Registered electricians
www.masterelectricians.org.nz
- Registered plumbers at
www.masterplumbers.org.nz
- Master Painters New Zealand at
www.masterpainters.co.nz

26. Who else can help?

You can also seek assistance from one of the support agencies outside EQC listed below:

- **Greater Christchurch Claims Resolution Service (GCCRS)** provides free, impartial advice to Canterbury homeowners. GCCRS coordinates the agencies involved in resolving claims (including EQC and Southern Response), to streamline the process through to claim resolution. You can call 0508 624 327, email contact@gccrs.govt.nz, visit Level 2, 145-161 Cashel Street, Christchurch or read more on www.gccrs.govt.nz
- **Canterbury Support Line** provides information and support for a range of social and wellbeing issues, including dealing with earthquake-related matters. Call 0800 777 846, 24 hours every day, for their free and confidential service.



You'll find the Claim Review Form, including the Claim Review Guide Q&As, on the EQC website at www.eqc.govt.nz/canterbury-earthquakes/home-repairs

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