



EATON

**WILDFIRE RESOURCE
GUIDE**

ADVERTISEMENT

WILDFIRE
RECOVERY
ATTORNEYS

RESOURCE GUIDE

Los Angeles County is facing deadly and historic devastation from multiple wildfires. Many portions of the county have been left in total ruin with thousands of acres burned and homes, businesses, and critical infrastructure destroyed. As many residents in these communities are trying to process what has happened, it may be difficult to determine what to do next or to think about legal options. However, it is critical to understand what options are available early on and why you may need the assistance of an attorney to aid in your wildfire recovery whether it is for property damages, or tragically, a wrongful death.

This resource guide is intended to provide wildfire victims with steps to follow in order to start the recovery and rebuilding process, answer some of the most common legal questions related to wildfire lawsuits, and explain how the Wildfire Recovery Attorneys may be able to assist.

Wildfire Recovery Attorneys are here to help.

Many people believe they are adequately insured, however, when tragedy strikes, they learn they are not. Unfortunately, many policies do not provide adequate coverage to help homeowners, renters, and business owners recover their losses. The responsible party for the Eaton Fire may be held accountable for damages not covered by insurance or where insurance falls short.

The nationally recognized attorneys at Baron & Budd P.C., Diab Chambers LLP, and Ellis Riccobono LLP, known collectively as the Wildfire Recovery Attorneys, are actively representing those affected by the Eaton Fire. The lawyers and staff with Wildfire Recovery Attorneys have extensive experience representing families, businesses, and public

entities who have suffered losses in wildfires across California. Wildfire Recovery Attorneys are not just fighting in the courts for their clients, but also at the State Capitol, rebuffing efforts by the utility companies and large, profitable corporations that are actively trying to take away the rights of fire and mudslide victims.

Rebuilding After a Wildfire.

Please be sure to monitor communications from local authorities and only return to your property when it is safe, and you are instructed to do so.

QUICK GUIDE AT A GLANCE

This is not a short process and it can take several years to recover. The demand on construction and rebuilding is going to be extremely high. When there are catastrophic events like this, it truly takes a community effort and we're hopeful that people can get back on their feet as quickly as possible.

- 1. Take photos and document all your property damage and losses, including receipts for expenses incurred as a result of the fire. (i.e. hotel fees, medical expenses, etc.)**
- 2. Contact your insurance company.**
- 3. Contact the Wildfire Recovery Attorneys to see if they may be able to help you through the recovery process. Visit [FireAttorneys.com](https://www.fireattorneys.com) or call us (626) 248-8660.**

WHERE TO START AND HELPFUL RESOURCES

- 1. Find Shelter.** The Hotel Association of Los Angeles maintains up-to-date information and availability on hotels providing shelter (often at a reduced rate) and supplies for immediate needs.

Airbnb, in collaboration with 211 LA, is offering free temporary housing for residents displaced or forced to evacuate due to the devastating wildfires in Los Angeles County. Get started by visiting www.airbnb.com/e/lawildfires. Please understand that there are a limited number of credits available for Airbnb stays and spaces are limited. Completing the form does not guarantee a stay.

- 2. Mail.** Forward your mail and/or obtain a PO Box. If your home was burned, you can pick up your mail at the Post Office. Residents serviced through the Altadena Post Office can pick up their mail at the Pasadena Post Office located at 600 Lincoln Ave.
- 3. Vital and Property Records.** Obtain vital and property records that were destroyed in the fire. Fire victims can request these records free of charge. Call 800-201-8999 and select option 1, followed by option 2. Or email recorder@rrcc.lacounty.gov.
- 4. FEMA Assistance.** FEMA has declared a disaster for California Wildfires and Straight-Line Winds that began January 7, 2025. Families and individuals affected by the Eaton Fire can apply for assistance through FEMA to receive money for essentials like food, water, medication, and

housing needs. You may also be eligible for rental assistance, home repairs, and personal property losses. You can apply online at www.DisasterAssistance.gov or download the FEMA mobile app.

- 5. Property Tax Relief.** Apply for property tax relief from the County Assessor. www.assessor.lacounty.gov/tax-relief/disaster-relief. Submitting an application serves two purposes. First, it serves as a request to the Assessor to reassess the value of the property damaged or destroyed by fire. Second, it will determine whether you are eligible to defer current year property taxes, without incurring penalties.
- 6. Unemployment Benefits.** If you are out of work due to the Eaton Fire, you may be eligible for unemployment benefits. In events of disasters, there are certain circumstances where independent contractors are also eligible for disaster unemployment assistance. You can file for unemployment benefits online at <https://edd.ca.gov>.
- 7. File an Insurance Claim.** Contact your insurance company to make a claim. Obtain a complete copy of your residential homeowner's insurance policy, including your declarations page. This should include an explanation of Extended Replacement Cost and Building Code Upgrade coverages if applicable. The law requires your insurance company to provide this to you free of charge within 30 days of your request.

8. Do not rush to hire an insurance public adjuster. Take time to assess your insurance coverage situation before hiring a public adjuster.

9. Funds for Displacement. Per California Insurance Code Section 2061(a)(1), in the event of a total loss, your insurance carrier is required to pay an advanced payment of a minimum of 4 months of displacement expenses upon your request.

10. New Mandatory 1-Year Moratorium on Insurance Policy Non-Renewals and Cancellations. On January 9, 2025, the insurance Commissioner issued a 1-Year Moratorium on insurance cancellations and non-renewals. The Insurance Commissioner further instructed all insurance companies to forego any pending insurance policy non-renewals and cancellations that were sent to policyholders from October 9, 2024, to January 6, 2025 (and which were not due to take effect until after January 7, 2025). The Commissioner also stated that these non-renewals and cancellations be paused for at least 6 months after January 7, 2025. Per Insurance Code Section 675.1(b)(1), insurance companies cannot cancel or renew residential insurance policies in areas within or adjacent to a fire perimeter for one year after the Governor declares a State of Emergency. Residents can check if their zip code falls within the moratorium here: https://interactive.web.insurance.ca.gov/apex_extprd/f?p=450:50. Under Insurance Code Section 675.1 (a)(3), this applies even if you suffer less than a total loss or even no loss at all. If your dwelling is destroyed by a natural disaster, insurers

must offer for at least the next two annual renewal periods, but no less than 24 months of coverage from the date of loss, to renew the policy.

11. Deciding Between Buying or Rebuilding. Under Insurance Code Section 2051.5(c)(1), you may use your insurance coverage, including building code upgrades and extended replacement cost coverage to purchase a new home, to rebuild your home in a new location, or rebuild in the original location. If you decide to buy a new home or rebuild in a new location, your insurance cannot deduct the value of the new land from your coverage payment. Instead, the amount available to rebuild your home at a new location is the same as if you had built at your pre-fire property per Insurance Code Section 2051.5(c)(2). If, however, your dwelling policy limit is insufficient to rebuild, you may combine all dwelling and other structures coverages, including building code upgrades and extended replacement cost coverage, to rebuild your home per Insurance Code § 10103.7(a).



FREQUENTLY ASKED WILDFIRE LEGAL QUESTIONS

I have insurance. Why do I need a lawyer?

Insurance does not cover all losses in a wildfire for three main reasons:

- 1. Most people are underinsured for real and personal property and business losses.**
- 2. Property items are depreciated by the insurance company so that the payout won't be sufficient to replace the lost items.**
- 3. Many categories of damages are never covered by insurance such as emotional damages, erosion, or lost income.**

Wildfire Recovery Attorneys have successfully fought to recover money for insured homeowners to compensate them for uninsured losses, including damages related to the stress and inconvenience caused by the fire and being displaced.

What if I don't have insurance? Wildfire Recovery Attorneys will help homeowners, renters and business owners who did not have insurance at the time of the fire. If the fire was caused by a public utility company's negligent, careless, or deliberate behavior, then you may be entitled to compensation whether you have insurance or not.

Why do I need an attorney? Our team of lawyers and staff have successfully handled all the major wildfire cases on behalf of thousands of victims of wildfire cases over the past decade including the 2015 Butte Fire, the 2017 North Bay Fires, the 2017 Southern California Fires, and the historic Camp Fire and Woolsey Fire of 2018.

Our lawyers and staff can assist you in navigating the recovery process by offering information regarding insurance through our retained insurance consultant, understanding available emergency relief, and recovering your losses from the responsible utility companies. You will always have access to someone who can answer your questions and offer assistance.

We hire experts in electrical engineering, metallurgy, fire investigation, tree valuation, erosion, home building, and other areas to establish liability and prove your damages. We also understand that your damages are unique. We will commit to treating your case, as we do every case, with the individual care and attention it deserves.

Who can be held liable for the fire? If you are a homeowner, renter, or business owner who has lost property or suffered other damages in a fire, you may be able to recover damages for your losses by filing a lawsuit against the utility company that caused it.

Utility companies have easements across property throughout the country for the purpose of installing and maintaining the equipment and lines required to deliver power. Ownership of gas and electric lines comes with a legal responsibility to maintain the company's delivery network to ensure that their equipment does not cause loss of life, health, or property to the individuals, families, and businesses in the surrounding areas. Below are just a few of the maintenance tasks utility companies need to do to avoid sparking wildfires:

- Removing trees that could fall onto power lines and ignite a fire
- Clearing brush and vegetation near electric lines and gas pipes that could fuel a fire
- Coating poles with fireproof materials
- Separating power transmission lines to avoid arcing electrical currents
- De-energizing lines in red flag warning/high wind conditions

When utility companies fail to take these and other precautions and a fire occurs, those who have suffered losses may have the right to recover money as compensation for their damages, which may include:

- Bodily injury
- Loss of a home and/or adjacent structures
- Loss of personal property
- Loss of a business structure
- Loss of agricultural property and crops
- Loss of business or agricultural income
- Evacuation expenses
- Wrongful death

The Wildfire Recovery Attorneys have the experience and record of success you need to recover these types of losses. We have access to

various professionals who form an important part of our investigative team and are able to provide expert testimony to help prove your case. Our attorneys have proven success preparing and presenting utility company fire liability cases that compensate victims.

What if I rented my house? The Wildfire Recovery Attorneys represent renters as well as property owners. Renters who lose all of their possessions in a fire typically have significant personal property losses. It is costly to replace furniture, cookware, clothing, and other items that we tend to collect over a lifetime. Renters also have intangible damages related to the stress and anguish caused by the fire and its aftermath.

Can I file a lawsuit for injuries related to a wildfire? Yes, fires can cause at least two types of serious injuries: smoke inhalation and burns. Victims of fire-related injuries may be able to claim compensation if they can demonstrate that another party's negligent or wrongful act caused their injuries.

Wildfire Recovery Attorneys have years of experience and a proven record of recovering money for clients suffering fire-related injuries, long-term health problems, emotional distress, and loss of property.

Our attorneys are fully prepared to fight for your right to a recovery of both economic losses such as medical expenses and lost earnings as well as damages to your quality of life, such as pain, suffering, disfigurement, emotional anguish, and psychological trauma.

Do you handle wrongful death lawsuits related to wildfires? Yes, the Wildfire Recovery Attorneys have decades of experience handling complex wrongful death cases against large corporations. We have successfully recovered millions of dollars on behalf of our wrongful death clients. While money will never replace a loved one, it is important to hold corporate entities responsible for their actions.

Who Can File a Wrongful Death Lawsuit? In California, only certain people can file a wrongful death lawsuit on behalf of their family member or loved one. The guidelines are found in the California Code of Civil Procedure Sections 377.60 to 377.62.

Generally, the laws governing wrongful death cases allow the following individuals to file a wrongful death case:

- A domestic partner or surviving spouse; and
- The children of the decedent.

If there is no surviving spouse, domestic partner, or children, then the following individuals can file a wrongful death case:

Dependents of the decedent;

- A "putative" spouse (this is a spouse who did not have a valid marriage under the law for some reason but has a "good faith" belief that the marriage was valid under California law;
- Children of a putative spouse;
- Stepchildren
- Parents

How Long Do I Have to File a Wrongful Death Lawsuit? In California, there are statutes of limitations that are deadlines by which you have to file a lawsuit. For most personal injury claims and wrongful death cases, you have two years from the date of the victim's death to file a wrongful death suit. Having collectively represented hundreds of wrongful death claimants in lawsuits throughout the country, we understand how difficult it is to talk about the case soon after the incident occurred. It is important, however, that you consider contacting a Wildfire Recovery Attorney as soon as possible to better understand your rights.

What type of Recovery is Available in a Wrongful Death Case? A wrongful death case is intended to provide monetary compensation for your loss. These losses include medical expenses incurred prior to the victim's death and any funeral or burial expenses.

You are also able to recover economic damages such as loss of income.

Equally important are the noneconomic damages that you are entitled to recover. These include the **pain and suffering** from the loss of your loved one.

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FOR MORE INFORMATION:

FireAttorneys.com | 626.248.8660

One of our dedicated attorneys
will personally meet
with you to review your case,
for free.

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