

Insights and Updates



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Whose liability is it anyway?

A neighbor asks if he can do some fishing in the stream running through your property. You say, “No problem, help yourself.” Later, though, you discover your neighbor slipped on a wet rock, fell into the stream and broke his arm. Are you liable for the injury on some theory of negligence? Not in New Jersey.

According to law (Section 2A:42A-3), owners like you are immune from liability. In fact, you don’t even have to own land to escape liability, because lessees and occupants of the premises also are protected. And, it’s not just limited to fishing. Any recreational purpose is subject to immunity, which includes hunting, trapping, horseback riding, dog training, hiking, camping, picnicking, swimming, skating, skiing, sledding, tobogganing, snowmobiling, operating ATVs and dirt bikes, etc.

However, an important condition for immunity must be observed; you can’t charge a fee for access to the property (except land leased to the state). Also, you should not warranty the property as being safe for the intended recreational purpose or agree to assume the user’s liability. And, of course willful or malicious actions on your part, could impair your immunity; for example, giving a deer hunter permission to use the

property and letting loose a few tigers to make it more of a challenge.

Legislators wanted to encourage the recreational use of private land because everyone in the state benefits from such activities. Nevertheless, this statutory immunity is not absolute. If nothing else, you may have expenses just to get a suit dismissed. Given the exceptions to immunity, it is wise to consult with our agency before you let others use your land. If you are the recreational user of the land, you also need adequate

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protection. We will help you determine if you need more appropriate insurance or if your current policies provide adequate limits.



Condo complexities

If you've read your condominium declaration or master deed, you know ownership in your home is complex. Unlike a single-family residence, your condo has two, inseparable legal elements: The first element is an undivided common interest in a portion of real property. The second element is a fee-simple ownership in another portion of real property, commonly referred to as a "unit" or a "box of air."

The uniqueness of condominium ownership is exactly why a special insurance policy was created to insure this property. Those of us in the insurance business call this an "HO-6 policy," but the full title is the Homeowners 6-Unit-Owners Form. Coverage under this form involves more variables than the typical homeowners policy in order to accommodate the special needs of a condominium owner.

So, you may ask, "What does this mean for me?" It means that you and our agency must have a clear understanding of the property you are responsible to insure and the appropriate limits to cover it. We also need to know what exposure you have to potential assessments made against you by the condominium association. There are no "cookie-cutter" policies for the condo unit owners—you need custom-tailored coverage for your home, because your home is unique. Make certain we have all the information we need to get the right fit. Please call our agency to review your present policy or inquire about a new policy.

The turkey you fry could be you

A fire can be inviting on Thanksgiving, but not if your house is on fire. According to the National Fire Protection Association, more than three times the daily average number of cooking fires occur on Thanksgiving.

Enter the recent turkey trend. Sure deep-fried turkey is moist and delicious, but it's difficult to do safely. US Consumer Product Safety Commission statistics reveal 138 reported incidents involving turkey fryers between 1998 and 2007, resulting in 36 injuries and nearly \$8 million in property loss.

Why is frying so dangerous? Retail consumer turkey fryers can tip over easily, dumping searing hot cooking oil everywhere. Even if you keep the unit upright, steam generated from dipping a partially frozen turkey can send large sprays of scalding oil a surprising distance. The danger of oil spills is not limited to burns; a very small amount of cooking oil can cause a large fire if it comes into contact with the burner.

Speaking of burns, the sides handles and lid of the turkey fryer can get dangerously hot, creating a severe burn hazard.

So are we to go without our crispy, golden brown goodness? That's not necessary, if you take some precautions:

- Always fry outdoors, at least 10 feet from buildings and flammable materials, on a flat surface.
- Do not overfill the fryer.
- Never leave the fryer unattended. Get comfortable; this is going to take a while.
- Keep children and pets away from the fryer while cooking and afterward until the oil has cooled to below 80 degrees Fahrenheit.
- Thaw the turkey completely thawed before frying.
- Keep a fire extinguisher nearby.

It also couldn't hurt to give us a call and review your insurance coverage. We're always here and eager to make sure you have the coverage you need.





Why do you need renters insurance?

How many times have you heard “they didn’t have any insurance?” When disaster strikes, it doesn’t differentiate between rented buildings and owned homes. Renters face the same risk as homeowners. Your landlord may have insurance, but it only protects the building structure, not your personal items inside. Renters insurance will protect your belongings in case of a disaster. The landlord is not liable for your possessions and you could end up paying for the loss out of your own pocket. If your residence is totally cleaned out in a break-in, this can be a personal financial disaster. Even natural disasters can result in your household assets being reduced to nothing with no protection for you to recover your losses. Unfortunately the majority of renters have not thought about this—until it happens to them. There is no question that if you lease, you need renters insurance. Liability protection also is available under your renter’s policy in case someone falls or is injured while in your apartment.

As a renter or tenant, you need only insure the personal possessions such as furniture and any other moveable items that belong to you. All of the other fixed items in the residence, that belong to the landlord are totally his or her responsibility. This is one of the reasons

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that renters insurance usually is quite reasonably priced. Also, flood insurance is available for contents only.

It will be much easier to compare rates and get a more accurate quote if you prepare yourself before you make the call to get renters insurance. A home inventory is a helpful tool to have.


Go room by room, including the basement, attic and/or garage, and

video tape or photograph each item of furnishings and personal property you wish to insure to show their condition at the time the policy was written. Hopefully the need will never arise, but if it does, this will aid you establishing the value of each item in case you no longer have the receipts.

You also should make a list and write down the serial and model numbers of every major electronic item such as a plasma television. Once you have this completed, you should try to locate all the receipts that you have for each item and make a photocopy of the receipt to keep with your list and photographs or videos.

When you call for a quote on a renters insurance policy, be sure to ask about the different coverage options that are offered. Incredibly, the majority of renters do not have any type of renters insurance. You do not want to become one of the long list of sad statistics. Start the process of obtaining a renters insurance policy today. Give our agency a call.

Use alternative heat sources safely



It's fall in the Northeast; cold weather is on its way, and many homeowners start up their wood stoves and fireplaces to save on rising heating costs. Alternative heating sources are not without significant risks—heating-related incidents are the second most common cause of residential fires in the U.S., just behind cooking.

Heating-related fires account for 14 percent of residential fires across the country, resulting in nearly \$300 million of property loss annually. Fires kill more Americans than all natural disasters combined, and with 84 percent of all civilian fire deaths occurring at home, it's important to consider safety precautions when using alternative heating sources. Here are some examples.

Fireplaces. Keep your fireplace clean and be sure the area around the hearth is free of debris, decoration and other flammable materials. Use a mesh metal screen when burning a fire and leave any glass doors open to maintain airflow. Never burn garbage, newspapers, or plastic in the fireplace; these items can burn too hot and cause a chimney fire. Have your chimney inspected annually by a professional chimney cleaning specialist. And of course, never leave a fire unattended.

Wood and pellet stoves. Similar safety guidelines apply to these popular heat sources. With stove heating, it's essential to hire a licensed and certified professional installer who can set up your stove with appropriate access to vents and properly sealed pipes. Keep your stove clear of combustible materials and be sure that a nonflammable floor covering is used around and under it. Keep your chimney flue and stove pipe clean and free of obstructions. Regular maintenance is critical to ensure safe stove operation and professional cleaning for your vent system is recommended on an annual basis.

Space heaters. Just because they use electricity and not flames doesn't mean they are absolutely safe. Keep a 3-foot clearance between your heater and all flammable materials. Do not leave the heater unattended; consider investing in a model with an automatic shut-off feature. Regularly check electrical cords for fraying. And be sure to allow the heater to cool after use and prior to storage.

Call our agency anytime to be sure you have the right coverage for your home in the event of a fire.

News from our agency

The importance of minimizing insurance claims

Smart insurance buyers focus on preventing losses, and minimizing the severity of any losses that can't be avoided. That's important for a number of reasons. By working to prevent loss you also avoid accidents that can lead to death, injury and property damage. Also, by preventing losses you can save money, as even the best insurance policy does not pay for all of a loss and doesn't compensate for the disruption and inconvenience associated with losses. And, by preventing losses you escape the deductible burden, which falls on the policyholder.

Even with the best precautions, accidents happen. Notify us as soon as possible to report any accident that might require an insurance claim. We will help you through the claims process.

If you have any questions on your insurance coverages, or if we can help you with your insurance needs, please call us. Our staff is here to help. You can contact us at (856) 935-0845 or by visiting our Web site at www.hdyoung.com. You also can find us on Facebook.

