

Feb 4, 2026

Dear Members of the California Department of Insurance Smoke Claims and Remediation Task Force,

As the Task Force approaches the conclusion of its work, and since there are no fire survivors on the Task Force, we respectfully submit the attached letter in support of Wildland-Urban Interface (WUI) fire survivors whose homes remained standing following the Eaton and Palisades fires. We believe it is essential the Task Force hear directly from survivors whose insurance claims outcomes, health impacts, and their ability to return their homes to its prior condition will be directly affected by the recommendations from this Task Force.

The letter explains common problems seen across the LA Fires and other WUI fire impacted communities, and how these inform standards for testing, remediation, and restoration. It shares survivor experiences with smoke, soot, ash and thermal contamination; identifies critical gaps in current testing and remediation practices; shares insurer claims challenges; and addresses the distorted view of these challenges included in the APCA presentation to the Task Force.

We recognize the complexity of this issue and the importance of developing guidance that is scientifically grounded, operationally clear, and financially feasible. Our intent is to support the Task Force in issuing recommendations that meaningfully protect public health, restore homes to prior condition, and reduce long-term harm to California communities

Our goal as survivors and advocates for standing homes is simple: return homes to prior condition, fair claims practices, and faster recovery. Please incorporate our experience into the development of your Task Force recommendations.

Sincerely,

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LA Standing Homes

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February 4, 2026

California Department of Insurance

Attn: Smoke Claims and Remediation Task Force / Tony Cignarale
300 Capitol Mall, 17th Floor Sacramento, CA 95814

As the California Department of Insurance Smoke Claims and Remediation Task Force (Task Force) prepares to issue its recommendations, we believe there is an urgency for members of the Task Force to hear directly from the Wildland-Urban Interface (WUI) fires standing home survivors. We share our real world experiences and the harms insurer practices have caused for standing homes recovery as these were distorted by the American Property Casualty Insurance Association (APCIA) in their presentation to the Task Force.

When the fires swept through Los Angeles a year ago, consuming our neighborhoods, we wept with relief to see that our homes appeared intact through the smoke. We were eager to rush home to clean them, move back in, and get to work helping our neighbors. We didn't imagine what was in that smoke, hadn't understood what 2,000 degree heat did to a wall or the electricity and plumbing behind it, had no concept that the force of fire winds could infuse sealed walls with corrosive poison like a sponge, damaging them not just on the surface but permanently. What has followed has been a slow, suffocating disaster recovery that feels worse than the flames.

We have endured the crushing weight of a bureaucracy that does not contemplate our scenario and has made recovery and rebuilding from this disaster tragically worse and more costly for all parties.

While some survivors followed insurer advice to personally clean fire debris, which likely contained hazardous materials like lead and asbestos, others paid for professional assessments that confirmed this would be dangerously unsafe. Given these and other practices we have experienced from many insurers, we feel their statements about the habitability of homes cannot be trusted. We have been the quieter victims of this disaster. We are heartbroken for our friends who lost their homes all at once, but isolated due to our losses being minimized, when in many cases our losses are catastrophic. **We feel abandoned by an insurance system that fails to meaningfully address our losses and by the absence of government standards needed to eliminate health risks, reduce disputes, and prevent prolonged delays.** What fails to be fixed in our homes today will shape our neighborhoods for decades. We are speaking up because we cannot afford a legacy of neglect.

For the past year, when we filed claims with our insurance companies, they deny or challenge them and tell many of us that our homes only need "a light clean." They send adjusters or their "experts" who walk through, sniff the air, and "wipe it down. Run an air filter." However, we know our homes are absolutely not safe for us to move back into, because many of us paid for independent testing, which shows us our belongings, walls, and insulation contain toxic heavy metals, arsenic, asbestos, lead, spores, and microscopic particulates. **This is what led to a Palisades senior being told to wipe up soot and ash debris in her home herself, which likely contained lead and asbestos. She moved back into her home with no testing and the insurer denied her claim to replace her destroyed refrigerator.**

Presentations like APCIA's to the Task Force can carry disproportionate weight and influence over decisions directly affecting our safety and our ability to return our homes to prior condition. Insurers and their remediators attempt to focus the scope of smoke damage on removing visible damage only, ignoring the impact of invisible contamination on building integrity. **This is not a return to prior condition as our policies require.** We see insurer-hired remediation company ads for contract workers paying \$20/hour while these companies charge us 5-10X that price. As survivors, it feels like many in the remediation industry are focused more on charging fees than on repairing the problems with our homes.

However, it is truly our hope that all industry groups with a monetary interest in the repair or remediation of standing homes will not significantly influence the CDI, the Task Force, and/or the insurers' decisions as to how Standing Home survivors current smoke, soot, ash, and thermal claims are handled, nor direct future insurance language, coverage terms, and/or related legislation; all of which could materially harm California homeowners and policyholders nationally. **We expect that our objections reflect the concerns of many interested parties such as banks, mortgage lenders, health insurers, federal and state health programs, real estate brokers, FEMA, SBA, voluntary organizations, philanthropists, construction, and more.**

Fire survivors are hopeful the Task Force will provide recommendations that expedite and prioritize survivors' home restoration and remediation to prior condition.

Survivors are Concerned Smoke, Soot, and Ash Damage Will Be Excluded in New Legislation

Our concerns are valid and timely. The California Department of Insurance (CDI) has indicated plans to introduce legislation in the near future specifically to address smoke damaged/standing homes and have been reluctant to address standing homes in SB876. Part of this explanation included their plans to review and take into consideration the recommendations included in the State of Colorado Study on Remediation of Property Damaged by Fire (HB24-1315) a bill "*which required the division of insurance to conduct or cause to be conducted a study regarding the remediation of residential premises that have been damaged from smoke, soot, ash, and other contaminants as a result of a fire.*" **We ask that new legislation refers to 'damaged' homes, not differentiating total loss versus standing, as all are "fire loss".**

What Happens to Survivors When There Are No WUI Fire Standards?

Insurers are Denying Additional Living Expenses/Fair Rental Value (ALE/FRV) and Creating an Immediate Crisis

Many insurers delayed claims, then unexpectedly cut off standing home survivors' ALE/FRV even when policy benefits remain and state of emergency rules are in place requiring it to be paid.

- Many insurers tell survivors they should have repaired their homes already, but have not paid out the funds needed to start repairs. Survivors are stuck when insurers refuse to fully investigate the claim and don't accept professional estimates submitted. For example, an insurer may approve a window replacement for a blown out window, yet delay and deny the bigger problem of structural damage that requires replacing a wall, electric, plumbing, and floor. Without the funds approved to do those repairs, the window can't be started.
- These claim delays directly impact the amount of ALE policy funds available, in some cases accounting for 250+ days of survivors out of the first year post fire. Survivors should not have these delay tactics come out of their ALE/FRV if they are insurer costs

to investigate the claim.

- Even in the best case, standing home survivors run out of ALE/FRV faster than total loss survivors because long term leases were not approved for many standing home survivors and they have faced multiple moves - on average 6 last year - which come with a 30%-80% price premium over regular rentals. This is incredibly destabilizing and needlessly expensive.

Lack of validated standards for personal contents salvageability contributes to denial of claims, predatory contents practices, and theft as standing homes are burglarized.

- We have heard of insurers and their contracted service providers telling people they can wash out asbestos and other non-washable toxins. We have seen no peer reviewed science that washing works, only the opposite. When we ask insurers or their services to provide the proof, we are offered marketing materials with no evidence. We would love to have our things. Because of this we are all vulnerable to messages of false hope. This safety hazard should be particularly addressed.
- Standing homes should be the first ones enabled to return to the community to drive economic recovery and security, but this requires their claims to be paid out, which has not yet happened. Instead, uninhabitable standing homes have become targets for burglaries because homeowners face a choice of either leaving their toxic contents in the home to be evaluated by insurers or paying \$10,000-\$100,000+ to contents vendors to remove them. In the Palisades, burglaries have happened weekly. **Can you imagine having your home ransacked after losing so much already?**
- In what feels like a different kind of theft, personal contents remediation vendors, often sent by insurers, add large moving and storage fees even when the contents are ultimately deemed unsalvageable and discarded. Many survivors also report that belongings were lost by vendors, returned incorrectly, and placed liens on their properties when they disputed or refused payment. This type of behavior is known to happen after fires and instead of changing contents practices, insurers blame survivors for a problem they created.

The lack of standards covering the testing of WUI Fire smoke, soot, ash, and thermal damage, and the contaminants they contain, have a direct and extreme impact on the health of standing home survivors and the physical damage of our homes.

An Eaton Fire survivor was told by their insurance company the presence of lead in the attic and crawlspace were okay since they are not livable spaces; the family was told to move back in, and now must leave again due to their 13-year-old son having high levels of mercury and lead. An insured in the midst of chemotherapy with a letter from her oncologist who said she could not medically return to the uninhabitable home received an insurer response that medical was not a covered peril. We learned of an elderly couple who was told their home just needed cleaning, took their contaminated bed, pillows and clothes to an apartment and slept in them nightly. Shortly afterward they were both in kidney failure. **These examples are not presented as isolated incidents, but as concerns of a broader pattern reported across Eaton, Palisades, and Marshall fire survivors.**

It's not just the people who get sick from smoke damage. Even in more moderate cases of smoke damage we see *sick building syndrome*, homes compromised by this damage. For example, roof and window guarantees are voided, providing further evidence the construction industry recognizes the corrosive nature of WUI smoke. We also sadly note that there is no water damage to many of these homes left standing because **there was no water to fight the**

fires. Had there been water damage it would more rapidly qualify these homes for replacing drywall due to *wet toxins* vs. being infiltrated and filled with *dry toxins*.

We hope the Task Force will focus their work on expediting restoration and remediation of all structures, and stop practices that incorrectly deny it is needed. We have seen some retail spaces taken down to the studs and rebuilt within weeks with a full return to the community that had to be less costly than the delays we are experiencing. Funders like FEMA, SBA, and Habitat for Humanity - all recognize WUI fire damage from smoke, soot and ash must be restored and provide loans and grants to do so expediting the recovery.

Acknowledge WUI Fire Harms are Real

Peer-reviewed research from UCLA, the Harvard T.H. Chan School of Public Health, and the National Academies of Sciences, Engineering, and Medicine establish a definitive link between WUI fire events and toxic exposure. Their findings highlight the severe health risks arising from smoke, soot, ash, and thermal impacts in the Wildland-Urban Interface. These studies show WUI related toxins come from the combustion of everyday materials. During the LA Fires Electric car batteries burned into toxic lithium. Old microwaves burned into toxic beryllium. Termite-treated wood burned into toxic arsenic. Wool rugs and nylon carpets, paper, and upholstered furniture burned into toxic cyanide and **the force of fire winds blew burning homes with these items and more into standing homes, in some cases into the home right next door.**

According to research, WUI fire pollutants infiltrate homes, stay there, and contribute to ongoing respiratory, cardiovascular, neurological, and other life-altering illnesses. ER visits for respiratory, cardiac and illness spiked after the fire, and Cedars Sinai is studying firefighters' cancer and heart attacks as the leading causes of death after death in the field. Of course Eaton and Palisades survivors know all of this as some are already experiencing negative health impacts after moving back into homes which insurers and remediation companies have said are "remediated," as well as have had pipes burst, electricity and electronics fail, and metals decay.

Standards Must Include Testing Methods and Reproducible Results

Science all points in the same direction. What is missing are widely validated protocols for identifying WUI Fire toxins in indoor environments. Based on our experience with the testing done in our homes, it is unfortunately not enough to just set a numerical standard, there also needs to be testing method and protocol standards which are shared with homeowners. For example, a testing standard for lead is based on the amount of lead that is in a 1 x 1 foot frame, which is required to be collected by wet swabs wiped multiple times to collect *all the material*. Instead many survivors have witnessed the insurer's "expert tester" using a piece of packing tape to make a "tape lift" and sample just a small amount, or to test on a surface that is under a pillow or just wiped down, and ignore the rest of the material in their home. **What do we do with this complaint?** This seems to be a way to engineer a low reading vs. a standard and it is why the method and protocol is important. WUI Fire Standards should also include how labs handle samples and the methods they use to test.

The contaminants of each fire, the pre and post testing methodology, and the lab work should be acceptable to and replicable by major research entities. Pre testing is necessary to direct the extent of the investigation, and post testing is needed to ensure evidence-based remediation is completed once contamination is confirmed. The current absence of such industry standards does not negate the scientific consensus on the hazards; rather, it highlights a critical gap that policymakers and insurers must address to protect public health and ensure fair claims

handling, and the recognition these toxins both immediately and over time also cause physical damage to the structural elements of the home.

Along with standards, please propose how to hold the insurers and their “testers” accountable with sanctions that matter such as loss of certifications, loss of license, fines, and criminal consequences to deter negligent and malicious behavior. We request insurers present a plan for how they will hold their own industry bad actors accountable.

Approach to Assessing Damage Must be Updated

Car insurance and flood insurance both have clear total loss and substantial damage protocols that trigger full replacement upon valid proof. Our home insurance policies, per California insurance regulations, are required to cover “all fire loss,” with multiple statutes on how fire is insured and regulated in California to prevent insurers from hiding restrictive terms in fire policies. **Why are the claims associated with damaged WUI Fire standing homes treated so differently?**

DINS Damage Maps Are Being Used Beyond Their Purpose

The CAL FIRE Damage Inspection (DINS) maps [posted on the LA County website](#) are based on fire officials **preliminary** damage assessments. Cal Fire clearly outlines the methodology and limitations: *“Damage inspections might not find everything. For safety reasons the assessment teams **only walk around the outside of the buildings**. They don’t go inside to look around. **These damage checks also don’t look at problems caused by wind, smoke, ash, soot, floods or mudslides that may have happened as a result of the fire.** It’s also really hard for the people checking the damage to see everything clearly. Here’s why: Fire damage and hard-to-reach places: Sometimes, the fire itself makes it dangerous or impossible to get close to all the damaged spots. This means they might miss some things.”* Our understanding is DINS data is designed to be used until further investigation of Fire damage can be done, but this isn’t what is happening. Instead, survivors report that DINS damage maps have been used to exclude people with uninhabitable standing homes from funding. For example, the LA County Household Grant excluded households that had an initial No Damage tag, even after FEMA qualification and professional damage reports were submitted showing uninhabitability. Cal Fire DINS initially identified roughly 2,000 homes as damaged. Sadly, we now know after closer inspection that many homes were more significantly damaged than initially appeared on the map.

A secondary assessment using other well-established methods like FEMA’s Substantial Damage Estimator populated with professional contractor estimates would be one way to quickly show how many more homes qualify as having substantial damage (50% or more of market value) on many of these homes, and others a smaller but more significant percentage than “no damage.” **If LA Fire damage is underreported it could affect all homeowners, the city, and state as these numbers are used for economic forecasts, property taxes, and disaster funding calculations.**

Big Picture Impact, Current Reality for Standing Homes, and Next Steps Needed to Support Survivors

Where is the Progress on Standing Homes Claims Payments?

Survivors have been told repeatedly that insurers can’t afford to pay. Yet reinsurer Munich RE describes 2025 as normal, mirroring the average 10-year adjusted loss. Commissioner Lara said the LA Fire claims payments are the fastest in history with \$22B paid out a year later. But when considered against the insured loss estimate of \$40B+, which likely underestimates

standing home damage, where is the other \$20+ billion and when will these claims be paid? The significant under-paying of standing home damage claims as we have described above, has left many struggling to move forward as our claims have not been paid or are delayed. CDI needs to hold insurers accountable to expediting claims from standing home survivors in the burn zone and adjacent areas. We are behind, not ahead. **Claims payment acceleration and ALE reinstatement are crucial.**

If WUI fire smoke, soot, and ash damage is limited or denied by insurers, we see the potential of negative mitigation and home hardening impacts for our neighborhoods. If homeowners believe a surviving structure may face uncovered repair and remediation costs to remove the smoke and ash contaminants post WUI fire, homeowners will have little incentive to invest in home hardening or wildfire mitigation measures. Many standing homes are left with the tragic thought, **“Rebuilding would have been so much easier if my home had burned down.”** As our total loss neighbors see what we are going through, they are shocked and appalled at how we are being treated. This misalignment undermines public safety and the broader goals of the State of California’s wildfire risk reduction and mitigation efforts. Prior to the LA Fires, many of us took steps to harden our homes, yet it feels these mitigation efforts might have been self-defeating given the way standing home policyholders are treated by insurers and the high number of claims of ours being denied.

The LA Fire standing home crisis is a matter of *pay now or pay more later*: forcing families into toxic homes or misrepresenting remediation effectiveness will inevitably lead to long-term public health, housing, and economic consequences for WUI fire-impacted communities and for the State of California as a whole.

If insurers continue to deny, exclude, or inadequately cover smoke, soot, ash, and toxic contamination losses from fires, such as those seen in the January 2025 Eaton and Palisades fires, many California homeowners may be forced to abandon their properties and pursue legal action. It is particularly concerning to hear that a recently publicized case of actor Nick Nolte’s Woolsey fire standing home has taken seven years to reach trial. **As a CDI Task Force member entrusted with developing statewide smoke remediation standards after WUI catastrophes, can you imagine the LA Fire recovery being obstructed by insurers for so many years, all while the city is under the global spotlight of the Olympics and a national election cycle?**

The scale of court-awarded damages against insurers could be unprecedented. We are already seeing federal scrutiny on the pace of recovery. Compounding these risks are California’s strengthened real estate disclosure laws, including expanded requirements under recent legislation which mandate sellers to reveal known fire-related vulnerabilities, hardening measures, and in some cases the history of smoke residue or contamination. Undisclosed or unresolved toxic damage could further depress marketability, trigger buyer cancellations, and erode neighborhood stability, ultimately undermining community resilience and California’s wildfire recovery efforts. All of this could accelerate widespread blight, create unsafe living conditions in affected neighborhoods, especially for vulnerable populations, and increase foreclosures and long-term property value declines, as already observed in Los Angeles-area communities post-2025 fires.

Survivors are losing their standing homes. They are giving them back to the bank, selling their homes “as-is”, or draining their retirement accounts and personal savings to try to remediate while waiting on insurance payments that have not come more than a year after the LA Fires destroyed our communities.

When insured families filed claims in those first days, they thought their insurance companies would be a source of support and an opportunity to feel so grateful that they had purchased insurance. In the following weeks, homeowners provided their claims representatives with many

reasonable suggestions to reduce claim costs and speed recovery. We don't want wasteful practices either. As time went on and claims weren't paid, people began to feel as if insurance was *purposefully* delaying their claims but felt paranoid to consider this. **What we have seen presented seems to confirm our suspicions that insurers are actively campaigning against paying claims and unfortunately validates the year of horrendous experiences we have had.**

If developed correctly, shared standards and a range of solutions that reflect WUI findings, can benefit all parties. To be effective, such guidance must be grounded in available multi-disciplinary science, supported by corresponding data, and informed by the lived experience of impacted communities.

The Task Force was created in response to the growing complex damage caused by increasing Wildfire Activity in California. As the Task Force nears the conclusion of its work, and prepares to issue its recommendations, standing home survivors ask CDI and the Task Force to:

- Publicize the volume and scope of smoke damage related complaints against insurers to bring focus to the crisis, and hold insurers accountable to settle these claims per the laws already in place.
- Issue a CDI standing homes bulletin immediately to reinforce the state of emergency rules, requesting expedited claims treatment of burn zone and adjacent homes, and an expectation of remediation and restoration to return to prior condition.
- Allow time during Task Force meetings for standing homes survivors to participate and share their experience as part of the discussions to ensure solutions considered or presented are relevant and acceptable.
- Open future meetings of the Task Force to survivors and other stakeholders.
- Create standards for insurers on how to investigate, evaluate, and pay for smoke, soot, and ash damage claims that expedite standing homes return to prior condition.