

A Claimscene

Happy Holidays from
The Atlanta Claims Association

Thank you to all who joined us at the ACA Annual
Holiday Party Wednesday, December 7th!

It was a great evening filled with food, fun, and fellowship! For more
photos, please go to the ACA website photo page here:

<https://www.atlantacclaims.com/photos>



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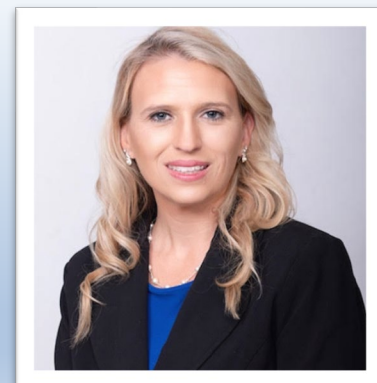
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Letter from The President

Jennifer Sweat



Happy Holidays ACA Family:

First, I want to thank everyone who came out and attended the ACA Holiday event this year. We had a great turnout and made great memories. Thank you to those who sponsored, without you we would not be able to host such great events. A special shout out to Wes Seabolt for stepping in and coordinating this event with limited time and ensuring the ACA had a successful event. It was great connecting with everyone and meeting others for the first time. If you have not made it to an ACA outing, I encourage you to come. It is a great way to connect with others within the industry. You never know who you will meet that may take you down a different career path.

As this year winds down, I encourage you all to spend some time doing the things you love. Life is precious and short, so whether it is visiting family, giving to others, making cookies, taking care of foster pets, etc., just enjoy this season doing something you love. The New Year is right around the corner and the hustle and bustle of life will resume so take advantage of the downtime.

The 2023 year has great things in store for the ACA family, so stay tuned for announcements, but in the meantime, please invite your friends and colleagues to join the ACA. This is the beginning of the year, so encourage them to take advantage of the full year of benefits.

While mentioning events and announcements please SAVE the date for the ACA annual Education conference. This is 100 years of the ACA. You do NOT want to miss this event.

If you have any desire to be on the ACA Board of Directors, or a Chair committee member, please reach out to Roberta Mike, I am sure we will have some vacant spots that need to be filled for the 2023/2024 ACA year.

I want to wish everyone a very happy and healthy holiday season. Stay safe and looking forward to speaking and seeing everyone in 2023!

Jennifer Sweat
President
Atlanta Claims Association.





Thank You Sponsors of the ACA Holiday Party 2022



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Uplift Home Care
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Welcome New Members

November 24th - December 20th



- Leon Romero - Integrity Diagnostics
 - Kimberly M Bell - Prescientnational
 - Matthew Masee - Heart 2 Heart Health Care, LLC
 - Alexandra Sears - PhysNet
 - Kristi Miller - Collage Rehabilitation Partners
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- **Would you like to support the ACA by having an ad** for your company or organization Included in *A Claimscene* each month? If so, please contact the ACA advertising chair Stephen Rios at: s.rios@ionptnetwork.com
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- **For submissions or questions** regarding *A Claimscene*, please contact the ACA newsletter chair Jamaal Wilson at: Jamaal_Wilson@pmagroup.com

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Viewpoint: Subrogation, Common Failures, and Complex Causes for Frozen Pipe Claims

By Lee Wickert and Andrew Schmit, courtesy of [The Claims Journal](#)

Each year, water damage and freezing pipes cost insurers \$15-\$20 billion and result in claims from approximately 1 in 50 insured homes. While many cases of water damage are caused by a lack of maintenance or normal wear and tear, in the winter months, claims related to water damage and freezing pipes are extremely common.

Claims related to frozen pipes typically fall into one of two categories: either pipes filled with water are exposed to freezing temperatures or pipes that should be dry end up filling with water unintentionally during freezing weather conditions. We saw both types of claims during the Texas Freeze of 2021, which has led to MWL's handling of nearly \$50 million in subrogation claims against the Electric Reliability Council of Texas (ERCOT) and the various power providers. But tucked within those claims are many claims involving frozen pipes which were not even remotely prepared for sub-zero weather.

Often, frozen pipe claims are the result of multiple factors. Aggressive subrogation investigation means we must investigate the system as a whole, consider all possible causal factors, and collect evidence not only relating to the pipe itself but its surroundings as well.

Water-Filled Pipes Exposed to Freezing Conditions

The most common type of plumbing leak involves water-filled pipes that are exposed to freezing temperatures. The pipes involved can be domestic water supply piping, either interior to a building or externally buried, drain lines, or wet sprinkler systems.

Whenever a pipe freezes, it is important to ask the question: why now? What changed since last winter to cause this pipe to freeze this year? In some cases, the answer is colder weather. The Texas winter storm in February 2021 is a perfect example of water-filled pipes being exposed to temperatures they may have never been previously exposed to. In cases like this, the cause is obvious since the claim you're handling is likely duplicated the next house over.

In other cases, the cause is less clear. A contractor working in the attic may have dislodged insulation. Maybe a rodent chewed a tunnel from the cold outside air directly into a wall cavity with a water pipe. Or maybe the pipe was new with improperly installed insulation.

In the cases above, investigators must accurately determine the cause of the pipe freeze to prevent future failures and for any potential subrogation to be successful. Identifying that the pipe froze is only the first step in the investigation.

Faulty Hose Bibs

Another interesting frozen pipe subrogation opportunity, which is almost always overlooked, is the case involving the improper installation of a "hose bib." A "hose bib" is an outside water spigot structure. It is also known as a "sill cock," a water faucet placed outside of a home. If installed at the wrong angle, water will not drain from the pipe which is exposed to the cold, resulting in freezing and flooding.

Proper installation requires it to be pitched upward at a 5° angle. This allows any water in the horizontal pipe to drain when the spigot is opened, preventing freezing.

Sewer Line Freezes

While sewer line freezes are much less frequent than other types of frozen pipe claims, they do occur occasionally. Envista Forensics was once called to investigate a toilet overflow event from the top floor of a building, originally constructed in the late 1800s, in Kentucky. The overflow had caused hundreds of thousands of dollars in historical building repairs and asbestos abatement.

It was reported that the toilet had been continuously running through a leaking flapper valve in the toilet tank. Typically, leaking flapper valves do not cause overflow events, since the running water will continue to run into the toilet bowl and down the sewer line. However, the sewer line in this building was running directly inside of an exterior brick wall with no insulation.

During a cold winter night, the running water in the sewer line began to freeze, eventually forming an ice plug. With nowhere else to go, the water began to fill the sewer line, the toilet bowl, and eventually all three stories of the building over a holiday weekend.

This loss only occurred due to the continuously running toilet, the uninsulated sewer line, and the freezing temperatures all happening simultaneously. This example emphasizes how many frozen pipe claims are not the result of a single cause, but rather a combination of several factors.

Dry Pipes in Freezing Conditions Unintentionally Filled with Water

The second most common freeze-related failures involve pipes located in freezing conditions that are supposed to be dry but aren't. Dry sprinkler systems are a common example of this type of piping. These systems are specifically designed to operate in non-conditioned spaces and normal maintenance includes the frequent draining of the piping to remove moisture buildup. Additionally, these piping networks must all be properly sloped towards drain points so that water does not accumulate in unheated sections of piping.

The cause of freezing in dry sprinkler systems can be a combination of factors, including a lack of maintenance, design defects, or installation errors. One investigation involved a small medical facility that included nearly 40 drain points, all of which needed to be emptied every two weeks. These drain points were all unmarked and located above suspended ceiling tiles. Additionally, no map was included in the riser room to indicate where the abundant drain points were in the building.

The installation of nearly 40 unmarked and undocumented drain points created a scenario where proper maintenance of the system was impossible. As the system accumulated condensation, this condensation began to collect at the drain points. However, because the drain points were not being drained, the water filled the piping over time and began to fill into unheated areas of the attic space. On a cold night, this piping froze and burst, resulting in a six-figure loss. While this loss is technically the result of a lack of maintenance, by investigating the system design as a whole, a strong case could be made for subrogation against the designer and installer of the system.

Another place where dry pipes often accidentally fill with water is in heating, ventilation, and air conditioning (HVAC) equipment. Chillers, air handlers, and water towers all contain coils that carry water under normal operation. However, when this equipment is shut down for the winter months, operators must follow specific winterizing procedures that prevent water within the coils from freezing. Additionally, when this equipment is valved off, the condition of the valve must be verified to ensure no water is leaking through. Over the winter, even a small leak can result in enough water accumulation to cause freeze damage.



Save The Date



ACA Annual Educational Conference
Back to The Future:
A Journey Through 100 Years of the ACA
April 13th, 2023
Hyatt Regency Atlanta Perimeter at Villa Christina

For more information, and for sponsorship opportunities, please contact the Educational Conference Chair, Jesse Parker, at: jparker@synergyinsurance.com



Membership 2023



Help the Atlanta Claims Association celebrate our 100th year! Membership runs a full calendar year from January until December. Renew or apply today!

Membership includes:

- Special Events
- Online Webinars with CE credit
- Networking
- Joining a committee
- Being a valued member of a well-recognized and respected group of claim professionals!

MEMBERSHIP

For more information or assistance, please contact the ACA Membership Chair,
Tracey Reid at: tracey@trimedmgmt.com