

VILLAGE OF ALLOUEZ

Allouez Village Hall • 1900 Libal Street • Green Bay, Wisconsin 54301-2453
Phone No.: (920) 448-2800 • Fax No.: (920) 448-2850

Department of Public Works

SANITARY SEWER BACKUP CLAIM—S. Lavin, 2415 Beaumont Street

A sanitary sewer backup occurred at the Sandy Lavin residence at 2415 Beaumont Street on January 29, 2014 at about noon. The call was received by our Street Department staff and handled according to our procedures. There was some water that backed up onto the basement floor of the home resulting in boxes of stored items getting wet. The owner was instructed to contact their homeowner's insurance company and handle the claim thru them.

A report on the incident and the maintenance program for Beaumont Street was provided to the Village insurance company.

S. Lavin contacted the Village regarding the basement cleaning cost of \$3,163 which she stated her insurance company denied coverage. The DPW instructed her to discuss this with her insurance company as they may represent her regarding this claim, and that she could provide us with a copy of the claim which would be provided to our insurance carrier.

Based on the incident report and the Village maintenance program the Village insurance carrier is recommending denial of the claim under Wisconsin Statute 893.80(1g) for disallowance of claim because there is no evidence that the Village failed to perform an required ministerial functions.

The Village insurance claims person agreed to contact S. Lavin to discuss the claims process and her homeowners insurance coverage. The claimant has the right to pursue the claim even though it is denied.

C. Berndt
2/28/2014

Statewide Services, Inc.

Claim Division

1241 John Q. Hammons Dr.
P.O. Box 5555
Madison, WI 53705-0555
877-204-9712

February 23, 2014

Village of Allouez
1900 Libal Street
Green Bay WI 54301

RE: Our Claim #: WM000051020082
Date of Loss: 01/29/2014
Claimant: SANDY LAVIN
2415 BEAUMONT ST
GREEN BAY WI 54301

Dear Craig:

Statewide Services, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance, which provides the insurance coverage for the Village of Allouez. We are in receipt of the above-stated claim, in which the claimant alleges they sustained damages as a result of the village's negligence.

Our investigation has revealed that the Village of Allouez was not negligent or liable for this incident. There is no evidence that the village failed to perform any required ministerial functions. Further, the village had no advanced notice of any issue that would impose a ministerial duty upon you. Therefore, we recommend that the Village of Allouez disallow this claim pursuant to the Wisconsin Statute for disallowance of claim 893.80(1g). The disallowance of the claim in this manner will allow us to shorten the statute of limitations period to six months.

Please send your disallowance, on your letterhead, directly to the claimant at the above listed address. This should be sent certified or registered (restricted) mail and must be received by the claimant within 120 days after you received the claim.

Please send me a copy of the letter for our file. If you have any questions, please feel free to contact me.

Sincerely,

Joel Meixelsperger
Casualty Claim Specialist
Office: 608.828.5792
Fax: 800.720.3512
jmeixelsperger@statewidesvcs.com

CC: Willis of WI.