



The foundation from which we  
stand strong, together.



**Natural Hazards  
Commission**  
Toka Tū Ake

# Guide to making a claim

# Welcome

If you have been affected by a natural hazard event, navigating the claims process can be a challenging time.

This guide tells you how to make a claim, and about the usual claims process.

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The information in the guide is designed to summarise the natural hazards cover claims process.

For more detailed information about making a claim, please refer to our website:

[www.naturalhazards.govt.nz/insurance-and-claims/claims](http://www.naturalhazards.govt.nz/insurance-and-claims/claims)

The Natural Hazards Insurance Act 2023, or the Earthquake Commission Act 1993, will always prevail over the content of this guide.

# Making urgent repairs

When making any urgent repairs to make your home safe, sanitary, secure and weathertight please:

- ✓ only do the work if it is safe to do so
- ✓ before any work is started, talk to your insurer and check if the costs incurred will be reimbursed as part of your claim
- ✓ take photos before you dispose of anything, and before and after completing any work
- ✓ keep a record of any work that you have done, including quotes and invoices.

If you need to clean up parts of insured land urgently, such as removing silt, we can't reimburse you for work you do yourself, but we can contribute to some costs you might incur.

For more information on making urgent repairs, please refer to our website: [www.naturalhazards.govt.nz/insurance-and-claims/making-urgent-repairs/](http://www.naturalhazards.govt.nz/insurance-and-claims/making-urgent-repairs/)



If you have been affected by a natural hazard event, the safety of you and your whānau is the priority.

**Please don't do anything that puts your safety at risk.**

Make sure to follow any advice from your local council or Civil Defence groups.

# Your natural hazards cover



## Natural Hazards Commission

Toka Tū Ake

The Natural Hazards Commission Toka Tū Ake exists to help New Zealanders prepare for and recover from the impact of natural hazards. One of the ways we do this is by providing natural hazards insurance for homes and residential land.

## Cover for your insured home and land

You have access to natural hazards cover if you have a home insurance policy with fire cover. The premium you pay your insurer includes a Natural Hazards Insurance Levy, which is the amount you pay for this cover.

If your property is damaged by a natural hazard, we provide the first layer of cover for your home which is generally up to \$300,000 plus GST. Any cover above this amount is provided through your private insurance policy. We also provide limited cover for certain areas of land under and around your home, which includes limited cover for some bridges, culverts, and retaining walls.

We've partnered with most private insurers to assess, manage and settle natural hazards cover claims for damage on our behalf.

Talk to your insurer or broker, or visit [www.naturalhazards.govt.nz](http://www.naturalhazards.govt.nz), for more information on what you're covered for.

## Your cover changed on 1 July 2024

From 1 July 2024 our new governing legislation, the Natural Hazards Insurance Act 2023 (NHI Act), came into effect, replacing the Earthquake Commission Act 1993 (EQC Act).

Our name changed at the same time from the Earthquake Commission (EQC) to the Natural Hazards Commission Toka Tū Ake. Although cover is similar under both Acts, the date the natural hazard damage first occurred will determine whether your claim is subject to the NHI Act, or the EQC Act.

If you are making a claim for damage that first occurred:

### before 1 July 2024

your claim is subject to the EQC Act  
and is referred to as an

### **EQCover claim**

### on or after 1 July 2024

your claim is subject to the NHI Act  
and is referred to as an

### **NHCCover claim**

In this guide we use the term 'home' while the Act uses the term 'dwelling' to refer to any self-contained premises used, or capable of being and intended to be used, as a home or holiday home.

# The claim process

There are a number of steps that you and your insurer need to work through to resolve your claim.



## **STEP 1: Make a claim**



## **STEP 2: Your insurer assesses the damage**



## **STEP 3: You are notified of the outcome of your claim**



## **STEP 4: Cash settlement**

It can be difficult to predict how long the claims process will take, and there are many factors that could impact the timeline. Talk to your insurer if you have any questions. They will be able to guide you through the claims process, and let you know what your next steps are.

## STEP 1: Make a claim

### Contact your insurer to make a claim if your home is damaged by a natural hazard event.

Most insurers work on our behalf to assess and manage your claim from start to finish. They will be your central point of contact during the claims process and can answer any questions you have during the claims process. You can usually make a claim with your insurer online or over the phone.

#### If you have an insurance broker

Brokers may be able to manage most communication with your insurer on your behalf, and make a claim for you if you authorise them to do so. Contact your broker to confirm how they can help you with your claim.

#### When to contact us directly

- ✓ you want to discuss a claim for damage that happened before 30 June 2021
- ✓ your insurer does not partner with us
- ✓ you have Direct NHCover.

### Make your claim as soon as practical

It's important to make your claim as soon as practical after a natural hazard event. We encourage you to make your claim within three months following a natural hazard event.

You have a maximum of two years to lodge a claim for damage after a natural hazard event. However, any delay beyond three months may affect the ability to assess your claim, and could result in your claim being declined.



If you are unsure who you should contact, please call us on 0800 DAMAGE and we can help.



## Take photos to support your claim

Before you start cleaning up after a natural hazard event, it's important to take photos of any damage. These photos will support your claim and help your insurer understand the amount of damage to your property. Take photos before you repair, move, or get rid of anything. Without proof of damage, it may be more difficult for your insurer to resolve your claim.

### Please only start taking photos when it is safe to do so.

You should take photos that show:

- ✓ damage to your home and insured related buildings, such as a garage or garden shed
- ✓ the front, sides and back of your home, and any insured related buildings
- ✓ multiple angles of rooms that have been damaged, using wide and close-up shots that zoom in on details
- ✓ damage to your land, including the land under your home if possible
- ✓ damage to retaining walls, bridges and culverts
- ✓ debris or silt inundation left behind by flood waters on your land, or under your home
- ✓ your mailbox or house number, to confirm the location of the damage
- ✓ the size of the damage, using a tape measure if possible.

Make a list of each area or item you're photographing as you go around to help you identify the shots in the future and make sure you capture everything. You should also note what date the photos were taken, or turn on the date stamp on your camera.

Send these photos to your insurer when you make a claim, or to your claim manager if you already have one assigned to you.



## STEP 2: Your insurer assesses the damage

After you've lodged the claim, your insurer will assign you a claim manager, who will be your central point of contact during the claims process.

Your claim manager will be in touch with you to explain what happens next and organise any insurance-related assessments of damage to your property.

### Expect visits from multiple specialists


During the insurance assessment process, you might receive visits from multiple specialists depending on the type of damage that has happened to your property. Sometimes more than one assessor will visit your property at different times due to the nature or timing of reported damage, for example if you have shared land or report additional damage.

Assessment for a **building claim** might include visits from a:

- ✓ **loss adjuster or assessor** who will produce a full record of damage to your home and any other insured related buildings
- ✓ **structural engineer** who will produce a more specialised report, if the damage to your home is severe.

Assessment for a **land claim** might include visits from a:

- ✓ **loss adjuster** or assessor who will produce a full record of the damage to the insured part of your land, including any insured bridges, culverts and retaining walls
- ✓ **geotechnical engineer** who will produce a report that describes the cause of the land damage, and how to repair it
- ✓ **registered valuer** who will determine the value of your insured, damaged land.



You might also receive visits from specialists for reasons other than insurance, such as council assessors.

You should make sure you ask to see identification any time an insurance representative visits your property.

## **A scope of works is produced**

Once these assessments are complete, the assessor or loss adjuster will create a scope of works based on the outcome of the reports. The scope of works outlines all the natural hazard damage that needs to be repaired and the estimated costs of those repairs.

The scope of works will outline a proposed approach to repairing the land, known as the remediation strategy.

This conceptual approach to the repairs helps us estimate the costs of the repairs. This cost estimate is compared to the value of your insured damaged land to work out how much you might receive in your settlement.

You are not obliged to proceed with the proposed approach. We encourage you to seek your own advice on options for a suitable repair, and engage your own contractor to design the repairs. They may have alternative methods and suggest repairs that are different to what is suggested in the remediation strategy.

## Timeframes

Assessing damage to land can be complex and take time to complete. Homeowners can generally expect complex land claims to take many months. The timeline might also be impacted if a property is deemed unsafe and access is restricted, or if the land is still moving. In situations where lots of people in the community have been affected there can be a high demand on specialists.

Some land damage, such as flood and storm damage, may not require a geotechnical assessment and may be settled more quickly.

We encourage you to stay in touch with your insurer to understand your claim's progress.





## Claims for damage affecting neighbouring or shared property

When natural hazard damage impacts a number of insured properties (such as landslide damage affecting a number of neighbours), or the land is shared (such as a cross-lease or a shared driveway), insurers will work together to manage your land claim and your neighbours' land claims. This streamlines the assessment process and helps to deliver the best outcome for all the homeowners involved.

Insurers will work independently to assess the building portion of the claims and will nominate one insurer to be the land assessment lead for the land claims.

The land assessment lead insurer is responsible for engaging a geotechnical engineer, completing any additional site assessments, and finalising the geotechnical reports. The insurers will then work together to review any reports and agree on the remediation strategy for the shared land.

The remediation strategy is the proposed approach to repairing the land, and the estimated cost of doing that work. This is then compared to the value of your insured damaged land to work out how much you are entitled to. Your insurer will discuss the suggested remediation strategy with you.

Once the land claim portion has been finalised, your insurer will be able to confirm your total building and land claim settlement.

## If your home has been issued a council placard

Council placards are also called red or yellow stickers, or section 124 prohibited access notices. They are issued by your local council or Civil Defence if a building is insanitary, dangerous, or a risk to people's safety, under section 124 of the Building Act. Officials may also issue a notice if they assess that there is an **imminent risk**.

A notice that restricts access to a building can mean that it is unsafe to carry out insurance assessments and may delay your claim. Assessors will be unable to enter your property until the council has decided it is safe.

Your council will be able to give you more information about what the notice means for your property, and the steps you can take to have it removed.

Any specialist reports required by your council to remove the notice are focused on safety. These are different from the specialist reports needed to process your insurance claim, which focus on assessing damage. You can expect multiple specialists will visit your property for these separate purposes.

### Imminent risk

Imminent risk is a risk that has not yet happened, but is likely to happen, such as potential rockfalls or unstable land. Imminent risk is a term used by the council or Civil Defence to indicate a safety risk. It is not related to insurance and has no relevance to whether imminent damage is identified.

Imminent damage is a term used in our natural hazards insurance to describe damage that hasn't happened yet, but it is more likely than not to happen in the 12 months following a natural hazard event. You may receive payment for imminent damage as a part of your settlement.

## **STEP 3: You are notified of the outcome of your claim**

Once the assessment is complete, your claim manager will be in touch to discuss the outcome of your claim.

### **When your claim is accepted**

If your insurer accepts the claim, your claim manager will be in touch to talk about how your settlement will be paid and answer any questions you might have. They will also provide you with settlement advice documents before the claim payment is made.

Your settlement advice documents include:

- ✓ the total settlement amount
- ✓ any amounts deducted from your settlement, such as the excess
- ✓ the scope of works detailing the natural hazard damage to your property
- ✓ the estimated cost to repair that damage
- ✓ other supporting expert information, for example engineering reports and valuation reports
- ✓ how any payments for damage to shared or neighbouring properties will be split.

We encourage you to keep a copy of these documents for your records.

### **When your claim is not accepted**

If your insurer doesn't accept the claim, your claim manager will be in touch to discuss the reasons why. You can expect to be given a clear explanation as to why it has not been accepted, and copies of any specialists' reports for your records. If you have questions about why your claim has not been accepted, please contact your claim manager.

## If you disagree with the outcome of your claim

If you disagree with the outcome of your claim, including your settlement amount, we encourage you to first discuss this with your insurer. You can also make a complaint with us, take the dispute to court, or – in some circumstances - raise a complaint with the Ombudsman.

For disputes about NHCover claims, you also have the option to refer your dispute to the NHCover Dispute Resolution Service. This service is available for disputes about NHCover claims for damage that first occurred on or after 1 July 2024.

For more information, go to [www.naturalhazards.govt.nz/contact-us/make-a-complaint](http://www.naturalhazards.govt.nz/contact-us/make-a-complaint)



## STEP 4: Cash settlement

When a claim has been accepted, you will usually be paid money to replace or repair the damage to your property, up to the building and land cover caps. This is called cash settlement.

By accepting a cash settlement, you agree that:

- ✓ the information that you provided is true and accurate
- ✓ you have not held back any information.

Contact your claim manager if you realise that any of the claim information you provided is no longer accurate, or you have new information.

Your settlement may not be enough to fully repair all of the damage to your land after a natural hazard event, but settlement funds must be used to repair or rebuild your property.

Cash settlement gives you the flexibility to choose your own contractors and decide when to start the work. When picking a contractor, you need to make sure they have the right skills and experience. All repairs must be done to a good standard and within the law. This includes getting new building consents if needed.

You can also think about having other building work done at the same time, such as renovating or adding insulation. You would be responsible for paying for this, on top of repairing the natural hazard damage.

Your settlement may include a payment for imminent damage. Imminent damage is damage that hasn't happened yet, but is more likely than not to happen in the 12 months following that natural hazard event.



## Settlement funds must be used to repair or rebuild your property

It is important that the payment is used for the purpose of repair or replacement of damaged property. If your payment is not used for this purpose, in some situations we might limit or cancel your access to natural hazards cover. If you are unsure about this, please speak to your claim manager.

## If settlement is paid to someone else

When another person or organisation is recorded on the record of title (such as a mortgagee), the settlement payment might go to them. You'll need to contact that person to talk about completing the repairs to your property.

## Damage found after settlement

If you find more damage to your home or land after your claim has been settled, you must stop all work in that area and contact your claim manager immediately for advice. We'll need to investigate the cause of the damage. If it was caused by the natural hazard event you have already claimed for, you might be able to get an extra payment to cover the cost of repairs.



# How much you're covered for

There is a maximum that we can pay towards repairing or replacing your property for each natural hazard event that happens.

## Building cover cap

MAX  
**\$300k**  
+ GST

For damage to building/s the maximum amount we can pay is called the building cover cap. This is generally up to \$300,000 plus GST. Cover for any amount above this cap will be provided through your private insurance policy.

## Land cover cap

For damage to land the maximum amount that we can pay is called the land cover cap. This is usually based on the market value of your insured damaged land, plus the value of insured retaining walls, bridges and culverts, to a limit.

The market value of land is decided by an independent valuer, usually based on its estimated value on the day the damage happened. The value of retaining walls, bridges and culverts is assessed differently depending on whether your claim is subject to the NHI Act or the EQC Act.

Please refer to [www.naturalhazards.govt.nz](http://www.naturalhazards.govt.nz) or the *Guide to your natural hazards cover* for more information on how these caps are calculated.

## Excess for natural hazards cover claims

If your claim is accepted, you pay a small part of the cost. This is called the excess, and it is taken from your settlement amount before that is paid to you. There is a separate excess for building claims and land claims. If your claim is for both your home and land, both will be deducted.

If the cost of replacing or repairing your property is less than the excess, then no settlement payment will be made. You will need to meet the cost of repairing the natural hazard damage yourself.

The way your excess is calculated depends on the date that the natural hazard damage first occurred. These figures include GST.

### EQCover - Before 1 July 2024

#### **Building excess:**

1% of the total settlement amount

A minimum of \$200 and a maximum of \$3,450 per insured home

#### **Land excess:**

10% of the total settlement amount

A minimum of \$500 per insured home, to a maximum of \$5,000

### NHCover - On or after 1 July 2024

#### **Building excess:**

\$500 per insured home

#### **Land excess:**

\$500 per insured home

## Section 72 notices can affect claims

A section 72 notice on a property's record of title may result in us fully or partly declining your claim. This notice can be placed on a property that is known to be affected by, or at risk of a natural hazard. It is intended to make anyone with an interest in the property (such as potential buyers, banks, lenders and insurers) aware of the risk, as well as specifying what that hazard is.

If a claim is made for damage that was caused by the same type of natural hazard (or hazards) that is identified on the section notice, we can decide to fully or partly accept the claim, or decline the claim.

This type of claim is assessed on a case-by-case basis, taking into account the individual situation and all the relevant facts.

If a claim is made for damage that is caused by a different natural hazard than what is specified in the section 72 notice, then the normal claims process will apply, and the claim may be met in full.

You should contact your local council for more information. NHC Toka Tū Ake has no input into this process, and we can't ask for these section 72 notices to be removed.



Read more about cover being limited or cancelled: [www.naturalhazards.govt.nz/insurance-and-claims/section-notices/](http://www.naturalhazards.govt.nz/insurance-and-claims/section-notices/)

# You're protected by a Code of Insured Persons' Rights

The Code of insured Persons' Rights sets the standard of service you can expect from NHC Toka Tū Ake and anyone working on our behalf to manage and settle claims after a natural hazard event. The Code applies to any interactions from 1 July about new or existing natural hazards claims.

## Your rights as an insured person

You have the right to:

- ✓ be treated with dignity and respect
- ✓ effective communication
- ✓ be fully informed
- ✓ know expected timeframes
- ✓ have your personal information protected and respected
- ✓ support
- ✓ have your culture, values and beliefs respected
- ✓ complain to us including where you think we have breached this Code
- ✓ have a decision made about a breach of this Code independently reviewed by an external party
- ✓ refer a dispute about a referable decision to the NHCover Dispute Resolution service.

## If you think there has been a breach of the Code

If you feel that one or more of these rights has been breached during the natural hazards cover claims process, you can make a complaint to us or your insurer. They will investigate the complaint and work to resolve it. If you are unhappy with the outcome, you can apply for an independent review of the decision.

# Free, independent claim advice

The New Zealand Claim Resolution Service is available to help people navigate the insurance claim process. This is a free, impartial service provided by the Government. Homeowners impacted by any natural disasters who would like to discuss their insurance claim can call 0508 624 327, email [contact@nzcrs.govt.nz](mailto:contact@nzcrs.govt.nz) or visit [www.nzcrs.govt.nz](http://www.nzcrs.govt.nz)



# For more information

## Visit:

[www.naturalhazards.govt.nz/insurance-and-claims/](http://www.naturalhazards.govt.nz/insurance-and-claims/)

## Call:

0800 DAMAGE (0800 326 243)

If English is not your first language you can ask for an interpreter, at no cost to you.

## Write to:

NHC Toka Tū Ake, PO Box 311, Wellington 6140

### Privacy at NHC Toka Tū Ake

We collect and use information for the purposes of administering the Natural Hazards Insurance Act. You can find more information on how we collect and use information in our Privacy Statement or by emailing [privacy@naturalhazards.govt.nz](mailto:privacy@naturalhazards.govt.nz)





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