

Will I be reimbursed?

The local government will first assess whether or not it is responsible for your loss based on the circumstances surrounding how your property was damaged. The fact that the tree is located on local government property does not, in and of itself, mean that the local government is responsible for your loss. Each situation will be reviewed on its own set of facts. If there is evidence that the local government is responsible, then you may be reimbursed for your damages.

Where can I get more information about the local government's trees or tree bylaw?

Check the City of Kelowna's website here:
www.kelowna.ca/city-services/online-services/services-requests



HOW DO I MAKE A CLAIM?

Claims can be submitted
By mail & In Person: 1435 Water Street,
Kelowna, BC V1Y 1J4
By Email: RiskMGMT@Kelowna.ca

CONTACT INFORMATION

Parks: 250-717-2757
After Hours Emergencies: 250-717-2757
(Except Police & Fire - Please Call 911
for These Emergencies)
Engineering: 250-717-2757




1435 Water Street
Kelowna, BC V1Y 1J4
250-575-0736



MIABC

Property Damage from Trees



MUNICIPAL
INSURANCE
ASSOCIATION
OF BRITISH
COLUMBIA



Did you know that trees are one of your local government's most valuable assets?

Trees improve the quality of urban life and contribute to a sense of community. Trees provide vital environmental benefits. They clean the air, buffer noise, provide drainage for rain water and provide shade. They can also enhance property values. These aesthetic, environmental and economic considerations reflect the critical need to retain and enhance your local government's urban or rural forest. Unfortunately, under certain circumstances, property damage can result from trees.

My property has been damaged by a tree, what should I do?

If the tree is resting on utility wires, contact the local fire department or utility company for assistance. Do not attempt to dislodge or remove the tree on your own.

Contact your insurance company promptly and report the damage to them, especially if it is severe and you require immediate assistance. If the damage is as a result of a wide-scale storm, the local government will be receiving many calls from the public that may delay their ability to attend to your loss location.

Who is responsible for damage caused by the tree?

Responsibility depends in part on whose property the tree was located and whether or not the property owner knew, or should have known, that the tree was likely to fail. You should inform the property owner, whether it be a private person or entity or a local government, who will report the damage to their insurer and assess responsibility. If the tree is located on private property, it is highly unlikely that the local government will be liable for the damage.

How do I make a claim against the local government?

Submit the details of when, including the date and time, and how the damage occurred in writing to the local government. Describe, as best you can, the location of the tree relative to your property. Include details of your loss, including any supporting documents such as photographs or receipts.

Is there a deadline for making a claim?

You should report any claim you have in writing to the local government within two months from the date the damage occurred. Section 736 (1) of the *Local Government Act* states:

*A local government will not be liable for damages unless notice in writing, setting out the time, place and manner in which the damage has been sustained, is delivered **within 2 months** from the date on which the damage was sustained.*

