



Erie County Water Authority

295 Main Street • Room 350 • Buffalo, NY 14203-2494
716-849-8484 • Fax 716-849-8463

Friday, October 18, 2019

VIA E-MAIL & U.S.P.S.

Dear: Ms. Dietrick

**Re: ECWA Claim Number: 2019-068
Alleged damage to your property**

I have attached the instructions and checklist for your completion for the above captioned matter.

This letter does not confirm liability for this claim. Liability will be determined following a review of the facts and circumstances of the alleged incident.

Very truly yours,

ERIE COUNTY WATER AUTHORITY

Andrea Poole
Claims Representative

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR ANOTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME AND SUBJECTS THE PERSON TO CRIMINAL AND [NY: SUBSTANTIAL] CIVIL PENALTIES.

Enclosures

Procedures for Filing a Claim with the Erie County Water Authority

Dietrick 2019-068

General Information

If you desire to file a claim against the Erie County Water Authority, please consider the following information.

A "Notice of Claim" is a notice to the Erie County Water Authority of your claim against the Erie County Water Authority. The contents of a Notice of Claim are set forth in the New York General Municipal Law § 50-e (2). A Notice of Claim must include: (1) the name and post office address of each claimant, and of his/her attorney, if any; (2) the nature of the claim; (3) the time when, the place where and the manner in which the claim arose; and (4) the items of damage or injuries claimed to have been sustained so far as then practicable.

If you wish to file a claim against the Erie County Water Authority for property damage or personal injury, please follow this procedure:

1. Submit a claim to your own insurance company and provide insurance company claim number. (If damage is less than deductible, there is no need to submit to insurance.) Deductible page is still required with claim.
2. Your claim should include:
 - A. Information indicating a filing of a claim with your own insurance company including the amount of claim, name of the insurance company, and adjuster, and the amount that the insurance company paid. Also, provide evidence as to the amount of your deductible by sending a copy of the declarations page of your policy.
 - B. A written statement supporting the claim for which you are seeking recovery, including date, location, persons and property involved.
 - C. Documentation of your claim:
 - a. Ownership (aka Certificate of Title).
 - b. If medical expenses are being claimed - copies of bills once submitted to health insurance or automobile insurance (under the medical portion of the policy) must be submitted explaining what insurance covered and the outstanding balance.
 - c. If property damage is a vehicle- a copy of the declaration page (showing deductible amounts and coverage) from your insurance company. If liability insurance coverage (2) repair estimates must be submitted also.
 - d. Evidence of any other amounts you are claiming (accompanying a receipt).
 - e. Names of persons with whom you have communicated regarding this claim.

Once information on a claim is received, an investigation is started to determine if the Erie County Water Authority is liable. All of the above information is necessary to start the investigation. **Please submit insurance information and your Notice of Claim immediately. A written statement for the total amount of the claim must be provided.**

If the Erie County Water Authority is liable, the claim is paid by the Erie County Water Authority or by our insurance company. The Erie County Water Authority cannot write you a check immediately for your damages, as the Erie County Water Authority Board of Commissioners must approve claim payments.

If your claim has been allowed and an amount agreed upon, you will be sent a General Release to sign. You must return that release before your claim can be processed. It may take many weeks after approval of your claim before you receive a check from the Erie County Water Authority or our insurance company

PROPERTY DAMAGE CLAIMANT STATEMENT
CLAIMS REPRESENTATIVE / RISK MANAGER ERIE
COUNTY WATER AUTHORITY
295 MAIN STREET - ROOM 350
BUFFALO, NEW YORK 14203-2494
(716) 849-8484 - TELEPHONE
(716) 849-8404 - FAX

Property Damage Claim Checklist, (the following items must be included for your claim to be processed):

- 1 - Insurance declaration page (If at fault, the Erie County Water Authority or our insurance company will reimburse for uncovered items such as your deductible)
- 2 - Two written estimates
- 3 - Evidence of any other amounts you are claiming

Please Print

Claimant Name	Caitlin Dietrick	Social Security #	[REDACTED]
Address	[REDACTED]	Zip Code	14075
Home Phone #	[REDACTED]	Work Phone #	[REDACTED]

Accident / Damage Location			
Date of Incident	10/13/19	Time of Incident	6 a.m. / p.m.
Police Contacted?	Yes (No)	Police Report Taken?	Yes (No) CALLED
If NO, why?	WATER MAIN BREAK IN MY DRIVEWAY		

If this is not your property, give the name and address of the owner: S CALLED ECWA EMERG. LINE

Name	JOEL P. DIETRICK		
Address	[REDACTED]	Zip Code	14075
Home Phone #	[REDACTED]	Work Phone #	[REDACTED]

Repair Estimates	\$	\$
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Witness(es), if available

Name		Name	
Address		Address	
Phone		Phone	

Claimant's Statement (please be specific):

A 12" water main in my driveway BLEW.
Buckled and caved in 1/2 to 3/4 of my
blacktop driveway. It also washed out
1/2 of my lawn and the shrubs from my garden.
It also flooded my basement and ruined a
couch, love seat and carpeting.

(Use reverse side if necessary)

VERIFICATION

Joe Dietrich, being duly sworn, deposes and says s/he is the Claimant in this action; that s/he has read the foregoing Notice of Intention to File a Claim and knows the contents thereof; that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged upon information and belief, and as to those matters s/he believe it to be true.

Claimant's Signature: Joe Dietrich

Date: 10/21/19

Sworn to before me this 21 day of October 2019

Linda M. Mitello
Notary Public