



DEALING WITH DISASTER

Even if you have had time to prepare for an event of natural disaster, responding to the aftermath can be stressful and time consuming. This factsheet will help guide you through three important aspects of dealing with disaster:

- Insurance claims;
- Replacing lost documents;
- Dealing with debt.

INSURANCE CLAIMS

If you have experienced any damage to your property as a result of a natural disaster you should make contact with your insurance company as soon as possible. You can do this by calling your insurance company directly. If the matter involves any criminal actions (e.g. theft or intentional damage) you should notify the police. Your insurance company would need to know about any police report.

Your insurance company will forward a claim form to you. Make sure that your insurance is paid up to date before lodging any claim, as premium shortfalls may affect any insurance payment you receive.

When you fill out the claim form make sure that you provide as much information as possible. Keep a record of the damage – take photos and videos where possible. Do not exaggerate the extent of the damage as this may lead to you being charged with fraud.

Your insurance company may appoint a qualified loss assessor or adjustor to examine your claim. The assessor will examine your policy, interview you and any other relevant person, examine your property and then recommend a course of action to your insurance company. You must cooperate with a loss assessor or adjustor.

If you are unhappy with the way your insurance company has handled a claim you should lodge a complaint. Do this by dealing directly with your insurance company first. Ask that you speak with someone from the insurance company's internal dispute resolution process. If you are still unhappy with how your insurance claim has been handled then you may refer the matter to the Financial Ombudsman Service. To do this, speak to Hobart Community Legal Service for advice.

REPLACING LOST DOCUMENTS

When applying to replace a lost legal document, other forms of identification can assist in proving who you are. Some forms of identification which are commonly kept in a purse or wallet are really useful in proving your identity, such as a driver's licence, Medicare card or bank or credit card.

Do not worry if you have lost legal documents due to natural disaster, such as a bushfire. Fees associated with replacing lost documents as a result of natural disaster may be waived. Please check with the agency as to whether fees can be waived in your circumstances.

Further information is available on our factsheet "Replacing Lost Documents."

DEALING WITH DEBT

If you earn income from a property and that property has been destroyed or damaged you may be at risk of not meeting your mortgage or other debt repayments you should speak with your bank or lender as soon as possible. You may be able to apply for a hardship variation.

If you are at risk of not meeting your mortgage or other debt repayments as a result of loss of income as a result of a natural disaster you should speak with your bank or lender as soon as possible. You may be able to apply for a hardship variation. Speak to Hobart Community Legal Service for advice.

FAQs

What if my car has been burned out? Call the Transport Enquiry Service on 1300 135 513 to cancel your car registration and receive any refund that you may be owed. The Transport Enquiry Service can fill out the forms over the phone and deposit the refund into your bank account or send you a cheque.

Do I still have to make mortgage repayments? You generally must still make repayments on a mortgage (or any leased items) even if the property was destroyed. However, you should talk to your lender about a hardship variation.

What if my property was used as security for a loan? You should tell your lender straight away. Lenders will often require that property be insured before it can be used as a security. Your lender may require that you use any insurance payout to fix the property.

What if my property was still being built? You still need to pay builders and tradespeople for work that they have done, even if this work was damaged or destroyed by fire before you had a chance to pay them.

What if a debt collector is harassing me? The law limits what debt collectors can do. For example, a debt collector must not harass or mislead you. If a debt collector is pressuring you, you should contact the Hobart Community Legal Service.

What happens if I do not make repayments on time? If you do not pay back your debt, the lender may charge you higher fees as well as legal and enforcement costs. Your lender may sue you for the money (and may seek to seize your personal assets). It is much easier to deal with your debt before you are taken to court.

Notes:

Last updated June 2018.

This factsheet is intended to give general information about the law in Tasmania. While every effort has been made to ensure accuracy at the time of writing, the law is complex and constantly changing. Moreover, legal exactness is not always possible in a publication of this nature. The factsheet should not be used as a substitute for legal advice.

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Providing legal direction

Hobart Office
9-5 Mon to Thurs / 9-1 Fri
166 Macquarie Street,
Hobart TAS 7000

Ph: 03 6223 2500
Fax: 03 6223 2510

Visit:
www.hobartlegal.org.au