

March 14, 2013
Please Vote 'Yes' on House Bill 3160
Testimony of David D. Killion
Astoria, Oregon

Thank you members of the Committee, my name is David Killion and I'm here today because I don't think it's fair that insurance companies get special privileges and are able to treat their customers so badly and aren't held accountable for their bad behavior. I'd been paying for insurance through Valley insurance for many years. In 1994 I was living in Warrenton and a major storm blew through with winds up to 86 miles per hour. It blew major chunks of our roof off of our manufactured home where I lived with my former wife and young daughter. Water ran down the walls and seeped into the insulation. We called our Valley agent who sent out an adjuster. He looked around a couple of minutes and offered us \$3,000, take it or leave it, on the spot. The repair quotes were coming in at about \$22,000. Not even close! We decided to fight that offer and had to hire an attorney. We won at arbitration, but Valley appealed the award, so we had to wait for a trial. Meanwhile, mold and rot were setting and then exactly 2 year later the second storm hit. All of the out of pocket repairs we had paid for were blown away in that second storm. And again we waited.

Contractors wouldn't get up on the roof to help me fix the problem so I did all of the repairs as best as I could in the meantime. Their bids were only good for so long and we were still waiting to see any payment for our damage. Big brown rust stains were seeping through the walls. An awful smell was getting worse and worse. And contractors came and went, all saying they knew what the growing odor was in our house – black mold. My wife soon developed asthma that she still struggles with today.

We won our 1st storm case in front of a jury of our peers, but when Valley got notice of the 2nd storm damage they served the court with papers asking that they be free from paying for the 2nd storm damage. Keep in mind we had still been paying our insurance premiums all along to stay current and covered. We had to wait for another jury trial in Astoria to hold them accountable for paying for the second storm loss. Instead of just paying for the claims that were more than legitimate, they forced us to use the legal system, roll the dice and wait to fix our home. Why were we doing the right thing and paying for home owners insurance? What were we paying for all those years?

It took four years to resolve. It was embarrassing for our family to live in a molding mess. We worried over our child's health living in such conditions and we didn't have the money to pay for the massive repairs. It caused strain in my marriage and we never had friends over during that time either. It was awful. All because Valley didn't want to pay. I hope that you will change the law so this doesn't happen to other families and rip them apart for no good reason. We pay to have coverage. They should deliver it without creating such a mess and making us fight for what we have been paying for. As consumers, you pay faithfully for a service, you should receive it.

Thank you.