



Travelers Property Casualty Company Of America
P.O. Box 3204
Naperville, IL 60566-7204
(800)842-6172

11/07/2011

/Dana Point Condo. Assoc.
1519 E Central Rd
Arlington Hts, IL 60005-3302

Insured: Dana Point Condo. Assoc.
Policy #: YJ630 -1744M171
Claim/File #: 028 FR EQR1332 H
Date of Loss: 07/23/2011
Reference #:

Dear /Dana Point Condo. Assoc.:

We have received your documentation for your claim for water damages sustained at your property. We have reviewed, validated and approved the damages from the invoices supplied and as outlined in the enclosed estimate. You will be receiving a check in the amount of \$61,522.18 in a separate mailing. Here is a breakdown of the calculations.

Replacement Cost Value:	\$111,522.18
<u>Less Deductible:</u>	<u>- \$50,000.00</u>
Additional Payment:	\$61,522.18

We appreciate your decision to choose our company for your insurance needs. If you have any questions, please feel free to contact me at the number or email address below.

Sincerely,
Jason Jones
Storm Support
(860)756-9486
Fax: (866)530-1464
Email: JMJONES3@travelers.com



Customer: DANA POINT CONDO. ASSOC.
Property: 1519 E CENTRAL RD
ARLINGTON HTS, IL 60005-3302
Home: 1519 E. CENTRAL RD.
ARLINGTON HEIGHTS, IL 60005

Business: (847) 228-5176
Cell: (847) 558-9306

Claim Rep.: Jason Jones
Company: TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA
Business: 340 W Newberry Road
Bloomfield, CT 06002

Business: (860) 756-9486
E-mail: JMJONES3@travelers.com

Claim Number: EQR1332001H **Policy Number:** YJ630 1744M171 **Type of Loss:** Water damage - weather
Date of Loss: 7/23/2011 **Date Completed:** 10/26/2011 11:36 AM **Price List:** ILCC7X_JUL11

Coverage	Deductible	Policy Limit
Dwelling	\$50,000.00	\$0.00
Doors	\$0.00	\$0.00

For more information about how the claim process works and where to find services to help you recover, visit travelers.com/claim.

Drywall Repair

DESCRIPTION	QNTY	UNIT COST	RCV	DEPREC.	ACV
<u>DWELLING</u>					
4. Drywall Repairs - Elevator Rooms	1.00 EA	445.20	445.20	(0.00)	445.20
Repairs to drywall in elevator rooms per invoice from Harbro Construction Services Corp.					
Dwelling Totals:			445.20	0.00	445.20
Totals: Drywall Repair			445.20	0.00	445.20

Overhead Doors

DESCRIPTION	QNTY	UNIT COST	RCV	DEPREC.	ACV
<u>DWELLING</u>					
5. Overhead Doors	1.00 EA	4,211.75	4,211.75	(0.00)	4,211.75
For repairs and replacement of overhead doors as outlined in invoices from Overhead Inc. Relubricating 1415 A-wing, Re-welding draw bar on 1515 A-wing, replace photo electric kit on 1415 A-wing and door replacement on 1415 B-wing.					
Dwelling Totals:			4,211.75	0.00	4,211.75
Totals: Overhead Doors			4,211.75	0.00	4,211.75

Carpet Cleaning

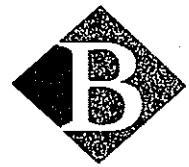
DESCRIPTION	QNTY	UNIT COST	RCV	DEPREC.	ACV
<u>DWELLING</u>					
6. Carpet/Mat Cleaning	1.00 EA	3,318.00	3,318.00	(0.00)	3,318.00
Clean carpets on entire first floor as well as the mats from garage, elevator and attached buildings per invoice from Superior Surface Solutions.					
Dwelling Totals:			3,318.00	0.00	3,318.00
Totals: Carpet Cleaning			3,318.00	0.00	3,318.00

CONTINUED - Building Equipment

DESCRIPTION	QNTY	UNIT COST	RCV	DEPREC.	ACV
14. (Material Only) Parking lights	1.00 EA	331.94	331.94	(0.00)	331.94
15. Firelane/Coach Light fixture	1.00 EA	311.94	311.94	(0.00)	311.94
16. (Material Only) Door lockset - Schlage AL80PD	24.00 EA	182.53	4,380.72	(0.00)	4,380.72
Lockset pricing confirmed online at: http://absupply.net/schlage-al80pd-storeroom-lockset-with-saturn-lever-12904.aspx					
17. Door Springs	4.00 EA	260.00	1,040.00	(0.00)	1,040.00
18. Light bulb - Compact Flrsnt spot/flood (R30) - Mat. only	6.00 EA	8.99	53.94	(0.00)	53.94
19. (Material Only) 1/2" drywall - hung only (no tape or finish) 18 sheets	576.00 SF	0.27	155.52	(0.00)	155.52
20. Rubbermaid 2 Step Folding Step Stool	1.00 EA	34.99	34.99	(0.00)	34.99
Staples on Google Shopping - 10/25/2011					
21. Christmas ornament - Decorations	1.00 EA	474.00	474.00	(0.00)	474.00
Per inventory total provided by insured.					
22. (Material Only) Electrical Conduit	1.00 EA	60.00	60.00	(0.00)	60.00
23. Misc. Equipment - Sign Post Setter	1.00 EA	153.00	153.00	(0.00)	153.00
Dwelling Totals:					
Totals: Building Equipment					
Area Dwelling Total:					
Line Item Totals: DANA_POINT_CONDO_AS					

Recap by Room**Estimate: DANA_POINT_CONDO_AS**

WATER MITIGATION	60,802.50	54.90%
Elevators	12,782.00	11.54%
Management Fees	1,006.65	0.91%
Drywall Repair	445.20	0.40%
Overhead Doors	4,211.75	3.80%
Carpet Cleaning	3,318.00	3.00%
Fire Detection Systems	11,360.38	10.26%
Light Fixtures	743.68	0.67%
Building Equipment	16,078.72	14.52%
Subtotal of Areas	110,748.88	100.00%
Total	110,748.88	100.00%

BRADISH ASSOCIATES, LTD

8/1/2011

Dana Point Condominium Association
1519 E Central Road
Arlington Heights, IL 60005

215 N. ARLINGTON HEIGHTS RD.
SUITE 200
ARLINGTON HEIGHTS, IL 60004
VOICE: 847-259-2400
FAX: 847-259-0400
E-MAIL: info@bradish.com

ALL FORMS OF INSURANCE

RE: Insurance Coverage-Dana Point

Dear Janice,

Coverage for the storm last week may fall into two distinct areas of your package policies insuring Dana Point.

1. Dana Point carries general liability insurance in the amount of \$1,000,000 with Travelers plus a \$25,000,000 Umbrella issued through Distinguished Programs. The liability coverage is third party coverage for bodily injury and property damage. This coverage applies to allegations of negligence and carries no deductible.
2. Dana Point carries \$10,000,000 of flood coverage with a \$50,000 deductible.

In regards to the responsibility of the property of unit owners, they are responsible for their personal property in their condo units and their storage units. The Association is responsible for all common areas, including the garages.

Automobiles are the responsibility of the personal owner, not Dana Point.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Bradish".

Bill Bradish
BRADISH ASSOCIATES, LTD.

750 West Lake Cook Road | Suite 350
Buffalo Grove | Illinois 60089
T 847.537.0500 | F 847.537.0550

33 North Dearborn Street | Suite 1910
Chicago | Illinois 60602
T 312.372.3227 | F 312.372.4646



1220 Iroquois Avenue | Suite 100
Naperville | Illinois 60563
T 630.717.6100 | F 630.548.5568

209 Eighth Street
Racine | Wisconsin 53403
T 262.634.6750 | F 847.537.0550

August 2, 2011

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY-CLIENT COMMUNICATION**

Reply to: Buffalo Grove
T 847.777.7241
F 847.777.7357
rnesbit@ksnlaw.com

Via e-mail (jcosta@psimanagement.net)

Board of Directors
Dana Point Condominium Association
c/o Janice Costa
Property Specialists, Inc.
5999 S. New Wilke Road, #108
Rolling Meadows, IL 60008

Re: Responsibility for Flood Damage

Dear Board Members:

You have requested that we provide you with a legal opinion regarding the responsible party for repair of the damage caused by the recent flood at your property. In preparing this opinion, we have reviewed the relevant provisions of the Association's governing documents as well as Illinois law.

Initially I would like to point out that the insurance provisions in the Association's Declaration of Condominium are found in Article 6.8. Relevant provisions are as follows:

6.8(b)(1) states that the Board is to maintain property insurance on the Common Elements and the Units in a total amount not less than the full insurable replacement cost of the insured property.

6.8(b)(5)(iii) provides that insurance policies carried by the Association must include the provision that "The Unit Owner waives his or her right to subrogation under the Association policy against the Association and the Board."

6.8(b)(11) states, in pertinent part, "Each Unit Owner shall be responsible for his own insurance on the contents of his own Unit and furnishings and personal property therein, and his personal property stored elsewhere on the property."

Article 6.9, entitled Waiver of Claims, goes on to state "Each Unit Owner hereby waives and releases any and all claims which he or any subrogee or any Person claiming under him may have against any other Unit Owner, the Association, its officers, members of the Board, if any, and their respective employees and agents, for damage to the Common

August 2, 2011

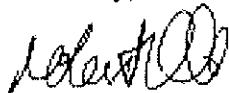
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Elements, the Units, or to any personal property located in the Units or Common Elements, caused by fire or other casualty, to the extent that such damage is covered by fire or other form of casualty insurance.”

Based on the foregoing, it is clear that the Association’s insurance is responsible for repair of any structural damage to Association property, including the garage itself and any other parts of the Common Elements, to the extent that such insurance covers the claim in question. Similarly, it is equally clear under the Association’s governing documents that the individual Unit Owners are required to make sure they have insurance covering their personal property, including cars, and that this insurance should cover the flood that occurred. Furthermore, since the waiver of subrogation provision in the Declaration requires that the Unit Owners waive any claim for which they have insurance, there can be no claim against the Association for any vehicle damage. Should a Unit Owner not have had insurance covering their vehicle, then they are in derogation of their duties under the Declaration and should not be entitled to any recompense from the Association.

Hopefully, this opinion has clarified any questions the Board may have with respect to this matter. If you have additional questions with respect to the insurance aspects of this matter, we strongly recommend that you contact the Association’s insurance agent for further guidance. If there are additional questions regarding interpretation of the Association’s governing documents, we will be happy to clarify.

Sincerely,

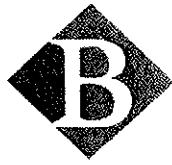


Robert P. Nesbit

RPN:lld

cc: Board of Directors

BRADISH ASSOCIATES, LTD



8/1/2011

215 N. ARLINGTON HEIGHTS RD
SUITE 200
ARLINGTON HEIGHTS, IL 60004
VOICE: 847-259-2400
FAX: 847-259-0400
E-MAIL: info@bradish.com

ALL FORMS OF INSURANCE

Dana Point Condominium Association
1519 E Central Road
Arlington Heights, IL 60005

RE: Insurance Coverage-Dana Point

Dear Janice,

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2. Dana Point carries \$10,000,000 of flood coverage with a \$50,000 deductible.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that appears to read "Bill".

Bill Bradish
BRADISH ASSOCIATES, LTD.

Janice Costa

From: Bill Bradish [bill@bradish.com]
Sent: Monday, August 01, 2011 2:39 PM
To: Janice Costa
Subject: FW:

Attachments: doc20110801151904.pdf


doc20110801151904.pdf (111 KB)...

Hi Janice,

Per our discussion please find attached a letter outlining our coverage for last weeks claim.

Sincerely,

Bill

Bradish Associates, Ltd.
215 N. Arlington Hts. Rd.
Arlington Hts., IL 60004
Phone - 847.259.2400
Direct Line - 847.506.8339
www.bradish.com

-----Original Message-----

From: copier@bradish.com [mailto:copier@bradish.com]
Sent: Monday, August 01, 2011 3:19 PM
To: bill@bradish.com
Subject:

KM-4050
[00:c0:ee:1a:ef:b1]



One Tower Square, Hartford, Connecticut 06183

DELUXE PROPERTY COVERAGE
PART DECLARATIONS

POLICY NUMBER: Y-630-1744M171-TIL-11
ISSUE DATE: 04-29-11

DEDUCTIBLES - THE FOLLOWING DEDUCTIBLE AMOUNTS SHALL APPLY TO LOSS:

BY EARTHQUAKE:

1. In any one occurrence at the following Building(s) numbered:

001-006	\$	50,000
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As respects Business Income Coverage a 72 hour deductible applies
at all premises locations.

BY FLOOD:

1. In any one occurrence at the following Building(s) numbered:

001-006	\$	50,000
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As respects Business Income Coverage a 72 hour deductible applies
at all premises locations.

TO PROPERTY IN TRANSIT:

In any one conveyance:	\$	1,000
In any one occurrence:	\$	1,000

TO UTILITY SERVICES:

Direct Damage in any one occurrence:	\$	1,000
Time Element in any one occurrence:		72 Hours

BUSINESS INCOME:

As respects Business Income Coverage, for which no other
deductible is stated above, a 72 hour deductible applies.

DX T0 00 09 98

PRODUCER: BRADISH ASSOC LTD

HG487 OFFICE:NAPERVILLE2

21S



Dwayne Green
Claims Representative
Travelers Insurance
(877) 872-8228 (phone)

August 6, 2011

Dana Point Condo Assoc
1415 E. Central Rd
Arlington Heights, IL 60005



RE: POLICY NO.: YJ630-1744M171
DATE OF LOSS: 07/25/2011
CLAIM NO.: EQR1771
UNDERWRITING COMPANY: Travelers Property Casualty Company of America

Attn: Galina Snitynska:

We acknowledge receipt of the above captioned claim for water damage to tenants vehicles at 1415 E. Central Rd. Arlington Heights, IL 60005. After our conversation on August 5, 2011, it was determined that flood water caused damage to tenant's vehicles. Unfortunately, under the DXT1000398 Deluxe Property Coverage Form policy you do not have coverage for this loss.

We direct your attention to the above listed policy on pages 19 of 88, under DELUXE PROPERTY COVERAGE FORM, which states:

A. COVERAGE

We will pay for direct physical loss of or damage to Covered Property caused by or resulting from a Covered Cause of Loss.

4. Property and Costs Not Covered

Unless the following property is added by endorsement to this Coverage Form, Covered Property does not include:

- j. Vehicles or self-propelled machines that:
(1) Are licensed for use on public roads; or

Unfortunately, based on the above-mentioned coverage exclusions we are unable to provide further coverage for your loss.

Although this damage is not covered by this policy we do encourage you to seek the assistance of, but not limited to, a restoration company or general contractor to make proper repairs to this dwelling. Failure to properly repair, clean, or maintain the previously noted areas may result in