# Property Recoveries: Checklist

**DWF's checklist for maximizing recovery potential**

1. Assess the Evidence
   * Was the damage caused by a leaking pipe, a dishwasher, a vehicle? Don't throw it away!
   * Do we have the contract documents, emails, photographs, CCTV, police or fire brigade report?
   * Do we know the identity of the third party, their insurers, adjusters or lawyers?
2. Beware Limitation
   * 1 year from date of loss – some plant hire, haulage, or storage contracts
   * 6 years from date of contract or 12 years if contract was executed by Deed – breach of **contract** for defective goods / works.
   * 6 years from the date of loss or damage, subject to a total (long stop date) of 15 years from the date of the negligent act that eventually caused the damage (so whichever date (6 or 15 years) comes first after the date of loss) – **Negligence**
   * 3 years from the date of knowledge or discovery, subject to a total (long stop date) of 15 years from the date of the act that caused the damage (so whichever date (3 or 15 years) comes first after the date of knowledge or discovery) – **Latent damage** (damage that is only just discovered but has been occurring since a date in the past)
   * 3 years from date of knowledge or loss, subject to a 10 year long stop date from the date of manufacture – **Consumer Protection Act**
3. Commence the recovery
   * Has the Insured provided the evidence?
   * Have adjusters / assessors obtained the evidence?
   * Has a forensic expert identified the cause of the loss?
   * If so, then send the reports and documentary evidence for recovery screening (**free of charge**).

This is a basic checklist to follow, which is not exhaustive.

If you have any questions at all, please do feel free to ask!

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Marcus Chipperfield  Partner  M 07565 009 616  E [Marcus.Chipperfield@dwf.law](mailto:Marcus.Chipperfield@dwf.law) |  | Alex Welch  Senior Associate  M 07395 285 145  E [Alex.Welch@dwf.law](mailto:Alex.Welch@dwf.law) |  | James Hancox  Senior Associate  M 07712 544 996  E [James.Hancox@dwf.law](mailto:James.Hancox@dwf.law) |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Joe Rogers  Associate  M 07716 225 795  E [Joe.Rogers@dwf.law](mailto:Joe.Rogers@dwf.law) |  | Lindsay Abley  Specialist Manager  M 07712 544 867  E [Lindsay.Abley@dwf.law](mailto:Lindsay.Abley@dwf.law) |  | Shanaze Mustan  Associate  M 07849 629 243  E [Shanaze.Mustan@dwf.law](mailto:Shanaze.Mustan@dwf.law) |