



Home Office

Riot Compensation Claims Guidance for claimants

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Glossary

RCA – Riot Compensation Act (2016)

Claims authority – the Police and Crime Commissioner for the area where the riot took place, except in London where the claims authorities are the Mayor’s Office for Police and Crime for the Metropolitan police area, and the Common Council for the City of London Police.

Ordinary claimant – a person claiming for their personal or business property that was not insured, or was not adequately insured, for the damage, destruction or theft resulting from a riot.

Ordinary claimant’s representative – a person claiming on behalf of a person whose personal or business property was not insured, or was not adequately insured, for the damage, destruction or theft resulting from a riot.

Insurer claimant – an insurance company claiming for reimbursement, after meeting a claim (in part or in full) by a person under a policy of insurance in respect of the damage, destruction or theft resulting from a riot.

Riot reference date – the date on which the riot ends. A riot which occurs within 24 hours of the last riot (whether or not in the same police area) is treated as part of the same riot.

Alternative accommodation claim – If your home becomes uninhabitable as a result of a riot, you may be awarded compensation towards the costs of alternative accommodation of an equivalent standard to your home, in advance of you submitting full details of your RCA claim.

Multiple interest claim – where multiple claimants have a legal interest in property at the same address; each claimant should submit a separate RCA claim for their property at that address.

Loss adjuster – an expert who works with insurance companies and other bodies paying compensation, to determine how much they should pay for claims. Where applicable the claims authority will review an RCA claim and the supporting evidence alongside recommendations from a loss adjuster. They are fully independent and will base their decision on their professional judgement.

Property – for the purpose of this guidance “property” refers to buildings and/or possessions.

Uninsured property – property that was not insured or not adequately insured for the damage, destruction or theft resulting from a riot, or property with a value less than your insurance excess.

Introduction

A. What is riot compensation?

In the event of a riot, victims of the resulting criminal damage to property, and insurers who pay out for riot damages, are entitled to claim for certain types of loss from the claims authority responsible for the geographical area where the riot took place. For most of England and Wales, the Claims Authorities are the Police and Crime Commissioners, except in London, where they are:

- Mayor's Office for Police and Crime for the Metropolitan police area; and
- The Common Council for the City of London Police.

The police liability for these losses arises under the [Riot Compensation Act 2016](#) and Regulations made under it, the Riot Compensation Regulations 2017, which came into force on 6 April 2017. This was previously set out in the Riot (Damages) Act 1886. In order to qualify for compensation a claimant must demonstrate to the claims authority that the damage or loss they have suffered was as a result of a riot, as defined specifically in [Section 1 of the Public Order Act 1986](#):

- Where 12 or more persons who are present together use or threaten unlawful violence for a common purpose and the conduct of them (taken together) is such as would cause a person of reasonable firmness present at the scene to fear for his personal safety, each of the persons using unlawful violence for the common purpose is guilty of riot
- It is immaterial whether or not the 12 or more persons use or threaten unlawful violence simultaneously
- The common purpose may be inferred from conduct
- No person of reasonable firmness need actually be, or be likely to be, present at the scene
- Riot may be committed in private as well as in public places

Please note - not all instances of damage/loss that occur during a period of civil disturbance will meet the criteria for compensation under the RCA. This guidance outlines the broad requirements that will need to be met in order to qualify.

B. First steps to take if your personal or business property is damaged/destroyed/stolen during a riot

In the aftermath of a riot, we understand that there can be difficulties in accessing your home or business, and it can be difficult to immediately work out exactly what your losses might be. **Don't worry – you will not be expected to make a detailed claim right away.**

What you should do immediately is report the crime to the police. You should be given a crime number for your report, which you will need when claiming compensation.

For emergency assistance look for notices in the local press, local authority internet sites and information about private sector schemes, which will be advertised. The claims authority is limited to considering claims under the RCA. However, if you need immediate access to funds for alternative accommodation, the claims authority may be able to provide you with an interim payment in advance of your full claim being submitted and/or processed. See further details at section [L. Alternative accommodation claims](#).

If your damaged/destroyed/stolen property is insured the next step is to make a claim with your insurer.

Making a claim

C. Who can claim for riot compensation

RCA claims can be made by an:

- 1) **ordinary claimant:** a person claiming for their personal or business property that was not insured, or not adequately insured for the damage, destruction or theft resulting from a riot, or property with a value less than their insurance excess,
- 2) **ordinary claimant's representative:** a person claiming on behalf of a person whose personal or business property was not insured, or not adequately insured for the damage, destruction or theft resulting from a riot, or property with a value less than their insurance excess, or
- 3) **insurer claimant:** an insurance company claiming for reimbursement, after meeting a claim (in part or in full) by a person under a policy of insurance in respect of the damage, destruction or theft resulting from a riot.

If multiple claimants have an interest in property at the same address, or if one claimant has an interest in property at multiple addresses, please go to section [M. Multiple interest claims](#) for further guidance on who can claim.

D. Who should seek legal advice

Legal representation, including from an independent claim company, is not necessary in order for you to make a claim under the RCA. You are entitled to seek legal advice and/or representation by a solicitor or loss assessor if you wish, but the claims authority will not reimburse the costs for this and they cannot form part of your RCA claim.

E. How to claim

You can download the RCA claim form online. Send your completed claim form via email or in the post, to the claims authority for the police force in the area where the riot took place. For contact details please visit the police force's website.

For your security, it is recommended that you use a recorded delivery service when posting anything to the claims authority.

The claims authority will notify you when they have received your claim, and will inform you of the deadline to supply additional supporting evidence.

F. Deadline for claims and supporting evidence

Ordinary claims: must be received by the claims authority within 43 days after the riot. For disturbances lasting more than one day, the 43 days start from the day on which the riot ends – the riot reference date.

If you have made an insurance claim for the damage, destruction or theft of property in the riot and your insurer has made a decision to refuse, or fully or partly meet your claim but you still wish to make an RCA claim for qualifying uninsured losses,

then you must submit your RCA claim to the claims authority within 43 days starting with the date of issue by the insurance company of its decision.

Insurer claims: must be received by the claims authority within 43 days after the riot. For disturbances lasting more than one day, the 43 days start from the day on which the riot ends – the riot reference date.

Claims received after these periods will be rejected (except in exceptional circumstances – see section [H. Exceptional circumstances](#)).

Supporting evidence: you do not need to submit any further details and evidence within the relevant 43 day periods specified above. This period is simply the period within which you must have made an RCA claim.

Further details and supporting evidence can be submitted separately and after your claim has been submitted, but must be received by the claims authority within 91 days from the day on which the claims authority received your RCA claim.

Further details or evidence received after this period may not be considered (except in exceptional circumstances – see section [H. Exceptional circumstances](#)).

During the time between submitting your RCA claim and hearing back from the claims authority, you should start gathering any more information and supporting evidence you need. This may reduce the time it will take to settle your claim.

G. What supporting evidence to include with the claim

You need to provide adequate evidence of the losses incurred. This may include, but is not limited to:

- receipts
- purchase invoices
- bank statements
- financial records
- photographic evidence of the property in your possession
- building work estimates
- surveyor's report
- letter from insurance provider
- loss adjuster's report

The claims authority will need to see the originals of any evidence, so you may want to keep copies.

All evidence should be clearly labelled with your name and claim reference number, if available, and sent to the claims authority for the police force in the area where the riot took place. For contact details please visit the police force's website.

For your security, it is recommended that you use a recorded delivery service when posting anything to the claims authority.

The claims authority will send confirmation receipts for any further details or evidence received and if they are returning evidence. You should keep any evidence after the claims authority has returned it to you, in case they need to see it again in the future.

H. Exceptional circumstances

If you have exceptional circumstances that mean you cannot submit your claim and/or further details or evidence on time, the claims authority may still accept the claim and/or further details or evidence.

In these cases (that are looked at individually), you must provide evidence to show that there were unusual circumstances outside your control and that the consequences – in spite of all due care – couldn't be avoided.

Some examples might be, but are not limited to:

- claimant's serious health issues
- a severe natural disaster
- ongoing legal issues concerning the ownership, rebuilding or repair of property relating to the claim
- where an insurer claimant is prevented from making an RCA claim because it has not received the policy holder's claim (or adequate details or evidence relevant to it)

You will need to provide evidence to show:

- what has happened, and
- how the event meant you couldn't submit your claim and/or further details and evidence within the required timeframes

I. Changing an RCA claim

You must inform the claims authority as soon as possible if you want to change a claim after it has been submitted.

You can add additional losses to your claim at any point up until the claim deadline (see section [F. Deadline for claims and supporting evidence](#)) and related details and supporting evidence can be submitted at any point up until 91 days from the day on which the claims authority received your RCA claim (or up until the later applicable deadline in exceptional circumstances – see section [H. Exceptional circumstances](#)).

Once you have received a decision from the claims authority, they will not normally re-open the claim and consider any additional losses. However if additional evidence is found after the 91 day deadline to support a loss that already formed part of your claim (either before or after you have received compensation) you can submit this to the claims authority and it may be considered, although the claims authority is under no obligation to do so.

J. Withdrawing all or part of an RCA claim

You can remove individual items from a claim or withdraw a claim in full at any point during the claim process by contacting the claims authority.

K. What is eligible to be claimed?

Only damage or loss that occurs during a riot, as defined in [Section 1 of the Public Order Act 1986](#), can be included in an RCA claim. The claims authority will review your claim and evidence in detail, and any damage or loss deemed to be a result of other criminal activity will be rejected.

If, as an ordinary claimant, you hold an insurance policy for the items damaged, destroyed or stolen in a riot, you must claim via your insurance company first. You can only submit an RCA claim for these items if, or to the extent that, they are not covered by your insurance policy.

Ordinary claimants (property not covered by an insurance policy)

- ✓ cost of reinstating or repairing damage to the structure of buildings
- ✓ cost of replacement of irreparable or stolen possessions
- ✓ cost of repair of damaged possessions
- ✓ reimbursing stolen cash
- ✓ cost of replacement of irreparable or stolen stock held by a business
- ✓ cost of repair of damaged stock held by a business
- ✓ cost of replacing irreparable or stolen business-related property stored in a vehicle
- ✓ cost of repairing damaged business related property stored in a vehicle
- ✓ cost of repairing damage to stock-in-trade vehicles
- ✓ cost of repairing or replacing damaged/stolen vehicles where only third party insurance is held or the vehicle has a current Statutory Off Road Notification (SORN)
- ✓ excesses paid for insurance claims, for items that fall into the categories above

- ✗ cost of repairing or replacing damaged/stolen uninsured vehicles (except stock-in-trade vehicles)
- ✗ excesses paid for motor insurance claims, for vehicles with riot cover on their motor insurance policy
- ✗ cost of repairing or replacing damaged/stolen personal items whilst outside of a property (including personal items stored in a vehicle)
- ✗ consequential loss e.g. financial losses resulting from business interruption
- ✗ personal injury; you may be able to seek compensation through the Criminal Injuries Compensation Authority (CICA) - <https://www.gov.uk/government/organisations/criminal-injuries-compensation-authority>

Insurer claimants

- ✓ value of insurer payments made for property covered by an insurance policy (settlement may only be provided once payment has been made under an insurance policy.) Payment will be subject to the claim meeting the requirements of the RCA and supporting Regulations (see also sections [K. What is eligible to be claimed?](#) and [R. What costs will the RCA cover?](#)).
- ✗ value of insurer payments made for vehicle damage covered by a motor insurance policy

Recovered stolen property will continue to be classed as stolen for the purposes of an RCA claim, only if it is recovered **after** the first payment date of an approved claim.

L. Alternative accommodation claims

If your home becomes uninhabitable as a result of a riot, you may be awarded compensation towards the costs of alternative accommodation of an equivalent standard to your home, in advance of you submitting full details of your RCA claim.

To make an alternative accommodation claim contact the claims authority for the police force in the area where the riot took place. For contact details please visit the police force's website. You will need to provide adequate evidence to demonstrate that your home is uninhabitable and that you need alternative accommodation, and of the costs associated with the alternative accommodation.

If compensation is awarded, the claims authority will pay either your uninsured regular minimum mortgage payments or rent, or the cost of the alternative accommodation. The claims authority will determine which of the two will be payable, dependent on individual circumstances and the costs involved.

Alternative accommodation compensation will be available for a maximum of 132 days, starting from the day your home is rendered uninhabitable.

Please note – alternative accommodation payments will not be available if, or to the extent that, you are insured for this purpose or in receipt of any relevant benefit in respect of your riot-damaged home or the alternative accommodation. The claims authority has the ability to recover alternative accommodation payments, if they later find that you have been in receipt of payments under an insurance policy or benefit for the same purpose.

If your property is likely to remain uninhabitable beyond 132 days from the riot then you will need to consider making a claim for housing benefit or universal credit.

M. Multiple interest claims

If multiple claimants have a legal interest in property at the same address, each claimant should submit a separate RCA claim for their property at that address. For example in a landlord and tenant situation, the landlord should claim for their

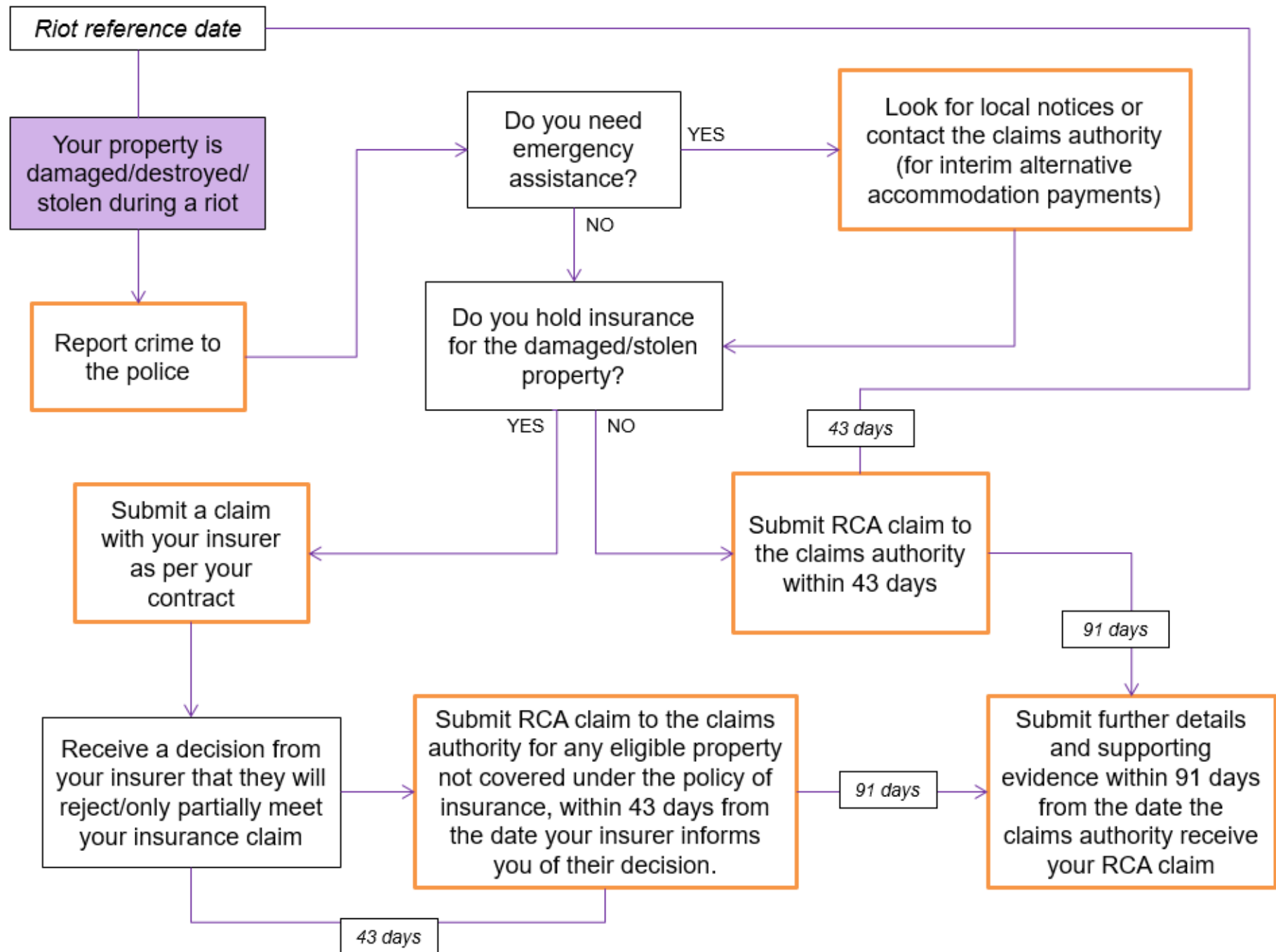
property, including the fabric of the building and the tenant should claim for the contents and fixtures they own. If two or more people submit separate RCA claims for property at the same address, you must ensure that there is no duplication in the RCA claims and that you only claim for your own property.

In conjunction with this:

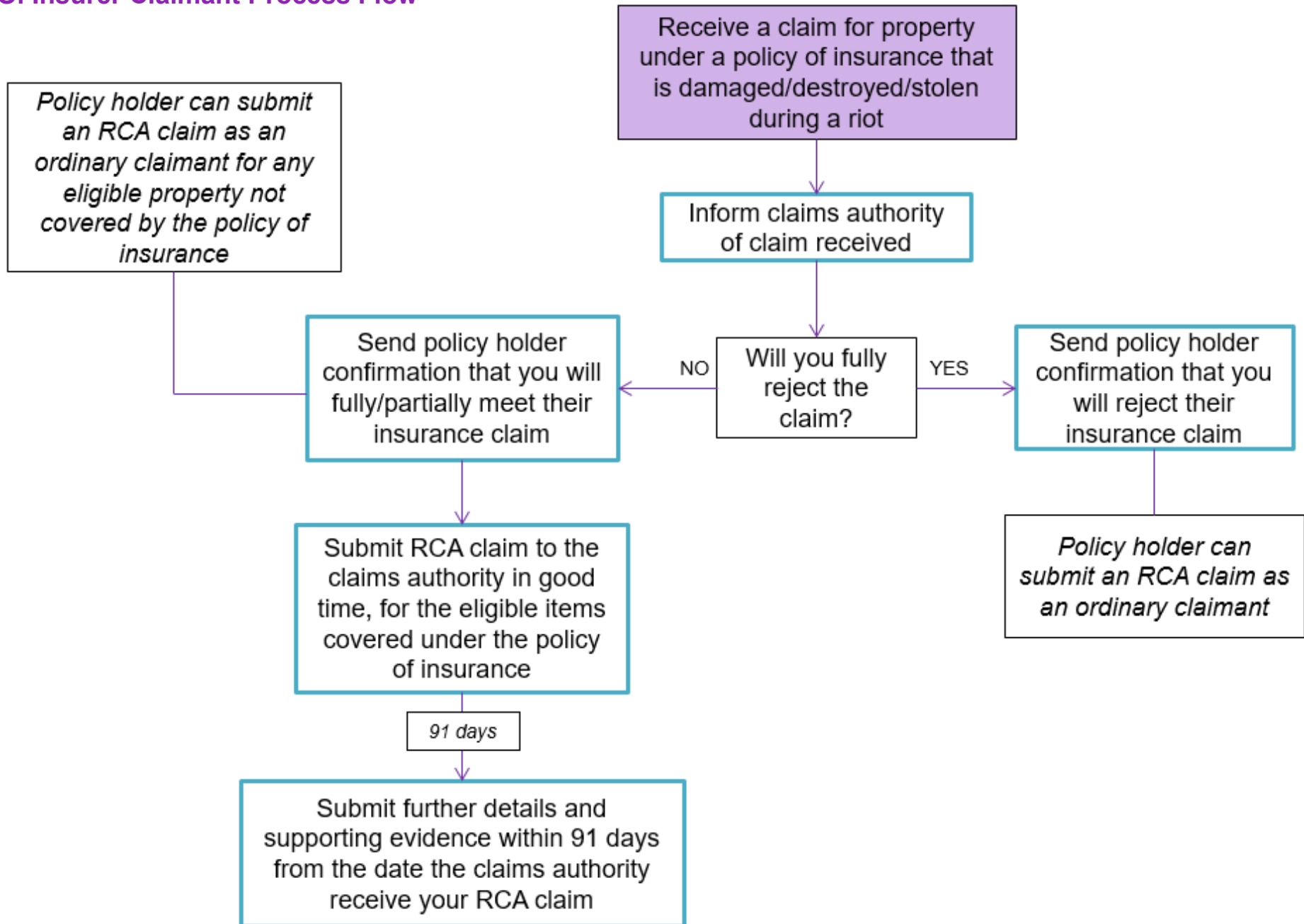
- an ordinary claimant can submit **only one** RCA claim for property at any one address,
- a claimant with an interest in property at multiple addresses must submit a separate RCA claim for each address,
- an insurer claimant can only submit one RCA claims for any one address but may consolidate claims from various policy holders as part of that claim.

Please note – if you are a visitor or staying at a residential property (but not as an owner, tenant or mortgagee) then you may not submit a claim in your own right. However you may seek compensation for your losses through the owner or tenant of the property as part of their RCS claim.

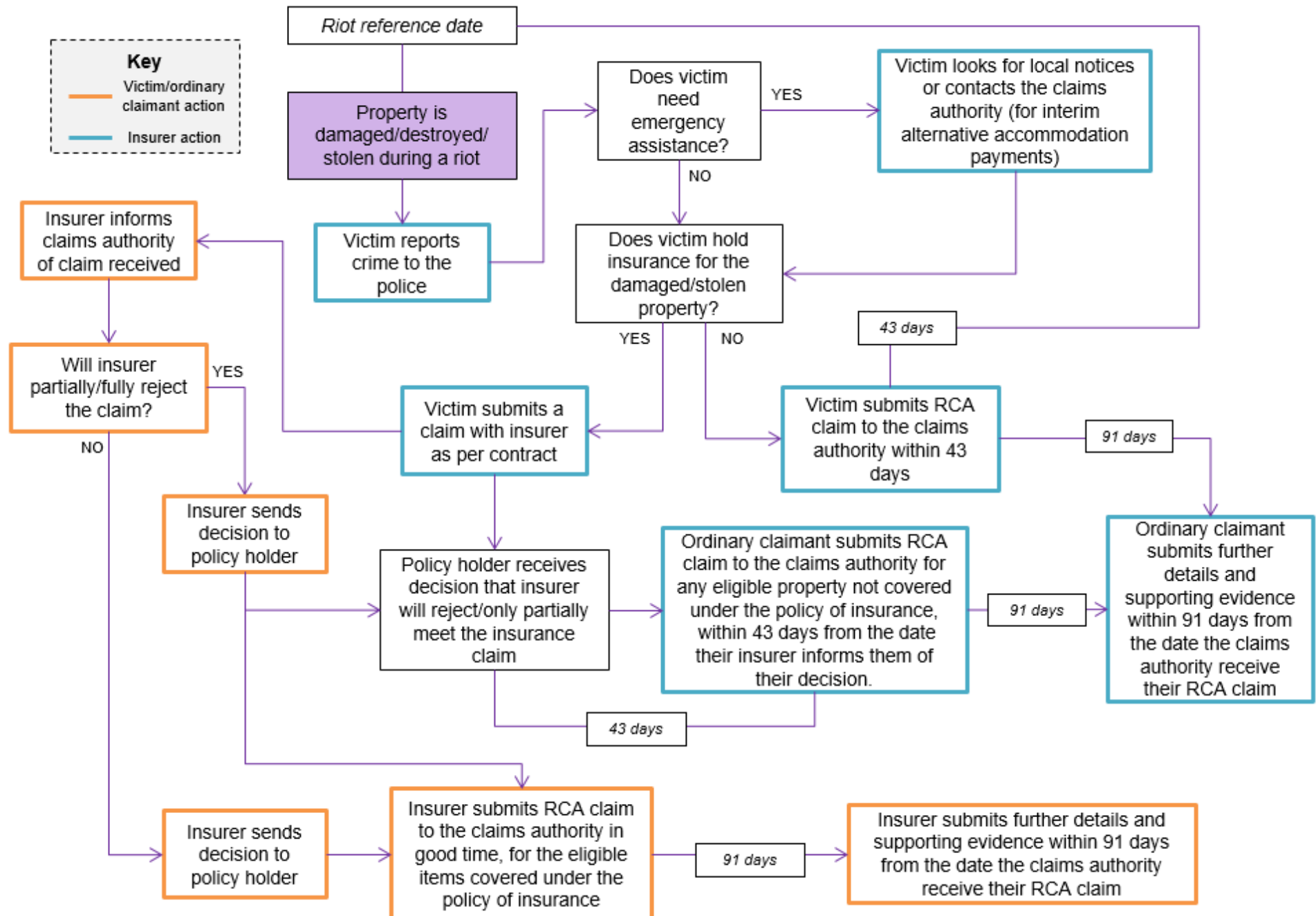
N. Ordinary Claimant Process Flow



O. Insurer Claimant Process Flow



P. RCA Claim Complete Process Flow



Compensation

Q. Forms of compensation

Compensation may be provided in two ways:

- actual monetary compensation payments, or
- repairs to be carried out at the claims authority's expense

R. What costs will the RCA cover?

The RCA will cover the:

- cost of reinstatement of damaged buildings
- cost of repairing repairable possessions
- cost of replacing unrepairable/stolen possessions at the current market value
- the reimbursement of cash based on the claims authority's estimate of its value

Payments will be made on a "new for old" basis, except in the following circumstances:

- **Motor vehicles** – the RCA will cover the cost of repairs, but if the vehicle is beyond economical repair or has been stolen and lost, the RCA will cover the market value immediately prior to the vehicle being damaged or stolen.
- **Business stock** – the RCA will cover the cost of replacing the stock or its current market value, whichever is lower.
- **Second hand stock in trade** (e.g. items sold by a pawnbroker or charity shop) – the RCA will cover the items' estimated restock value.

S. Claim limits

Each RCA claim will be subject to a maximum compensation limit of £1m.

T. Deductions

Other public funds

If you have received compensation from another public fund in respect of the damage, destruction or theft of property resulting from a riot, the claims authority will deduct this from the RCA claim. This relates to compensation provided directly or indirectly from:

- the Consolidated Fund or Welsh Consolidated Fund, or
- a local authority

Deductions will not be made for any payments received from charities or private companies or other individuals.

Insurance policy

If you have already received compensation from a claim under an insurance policy for the damage, destruction or theft in a riot, of all or any of the property which is the subject of your RCA claim, the claims authority will deduct this from your RCA settlement.

Inadequate precautions

If you have not taken adequate precautions to protect your property, for example inadequate security or fire precautions, or where hazardous materials have been inappropriately stored, the claims authority may refuse your RCA claim or reduce your compensation.

Insurer claims

As the level of reimbursement for insurer claims will be based on the contents of the claim meeting the criteria used for ordinary claimants (see sections [K. What is eligible to be claimed?](#) and [R. What costs will the RCA cover?](#)), the value may be less than that already paid by an insurer to their policy holder.

Loss adjuster decisions

Loss adjusters are experts who work with insurance companies and other authorities paying compensation, to determine how much they should pay for claims. Where applicable the claims authority will review your RCA claim and the supporting evidence alongside recommendations from a loss adjuster. It is possible that claimants may understandably incorrectly value their property and this is one of the reasons why loss adjusters are appointed to assess claims. They will look at damaged property, speak to claimants, examine evidence, determine the value of the losses, and advise the claims authority of what they calculate as the value of the claim.

While loss adjusters may be working on behalf of an insurer or the claims authority, they are fully independent and will base their decision on their professional judgement.

U. Refused claims

The claims authority may refuse an RCA claim if, for example, they find reasonable evidence that the person whose property the claim relates to:

- participated in, assisted, encouraged or facilitated the riot or spread of the riot,
- contributed, directly or indirectly, to any harm or damage to the property during the riot, or
- has submitted a fraudulent RCA claim.

This list is not exhaustive.

V. Expired Claims

It is very important that you keep in contact with the claims authority throughout the claim process. Failure to do so may result in your claim expiring, so you must ensure that the claims authority have your up to date contact details if these change at any point.

W. Reviews

The claims authority will notify you in writing when they have made a decision on your RCA claim. If you are not satisfied with the decision you can apply for it to be

reviewed by the claims authority within 29 days of the claims authority notifying you of their decision, as set out in the decision letter.

X. Appeals

The claims authority will notify you in writing when they have made a decision on your reviewed RCA claim. If you are not satisfied with the decision on review you can make an appeal to the Upper Tier Tribunal, setting out the grounds for your appeal, as set out in the decision letter.

Q&A

What should I do if I feel that I am a victim of a loss which was caused by a riot?

In the aftermath of a riot, we understand that there can be difficulties in accessing your home or business, and it can be difficult to immediately work out exactly what your losses might be. Don't worry – you will not be expected to make a detailed claim right away.

What you should do immediately is report the crime to the police. You should be given a crime number for your report, which you will need when claiming compensation.

Can I make a claim if I am not given a crime number?

Yes

What should I do if I need immediate help?

For emergency assistance look for notices in the local press, local authority internet sites and information about private sector schemes, which will be advertised. The claims authority is limited to considering claims under the RCA, however if you need immediate access to funds for alternative accommodation, the claims authority may be able to provide an interim payment in advance of your full claim being submitted and/or processed.

If your home becomes uninhabitable as a result of a riot, you may be awarded compensation to pay for alternative accommodation in advance of your claim for compensation being determined. Go to section [L. Alternative accommodation](#) claims for details of how to contact the claims authority for information on payments for alternative accommodation.

I'm worried that if I make a claim via my insurer, my premiums will increase.

The Government can't say for certain the effect this might have on your insurance premiums. This is a business decision for insurance companies to take, however insurers are normally allowed under the RCA to reclaim the compensation they pay to you from the claims authority later (up to a maximum of £1m). This should reduce any impact a claim might have on your premiums.

What if the amount of my claim is below my insurance excess?

If your insurance excess is greater than the amount of your insurance claim, you should make an RCA claim direct to the claims authority. Claims below the excess effectively mean you are uninsured for the purpose of this guidance.

My losses are insured, but I have to pay an excess.

You can reclaim the amount of your insurance excess from the claims authority via an RCA claim.

What will my insurer need me to do?

Your insurer will give you guidance which is likely to include gathering supporting evidence to consider your insurance claim. It will be handled in a similar manner to any other insurance claim.

My insurance company says I'm underinsured. What does that mean?

This means that your insurance policy doesn't provide enough cover for the value of your property, and can result in the insurer paying less than the amount you have lost in the event of a claim. It's good practice to review your insurance regularly to make sure that it covers any new items you might have bought, or the increased cost of replacing goods should they be damaged, lost or destroyed.

Should your insurance company notify you that you are underinsured, they will still deal with the insured part of your claim, but for the uninsured part you can make an RCA claim.

I didn't realise I could claim compensation and now the deadline has passed. Can I still claim?

There is discretion to accept claims outside of the prescribed 43 day period in exceptional circumstances, however this is a matter for the claims authority to decide. Contact the claims authority as soon as possible to discuss your options. If your property is insured, you will need to claim via your insurer in the first instance.

My insurance didn't cover my claim and now the deadline has passed. Can I still claim?

You can submit an RCA claim within 43 days from the day your insurance company issues its decision to refuse, or partially or fully meet your claim.

What should I do if my property is seriously damaged or destroyed?

Contact the claims authority immediately. They will likely arrange for a loss adjuster to visit the site and assist you in making a claim.

What's a loss adjuster?

Loss adjusters are experts who work with insurance companies and other bodies paying compensation to determine how much they should pay for claims. They will look around the property, speak to claimants, examine evidence and determine the value of the losses. While they may be working on behalf of an insurer or compensation claims authority, they are fully independent and will base their decision on their professional judgement.

I own three properties, all of which sustained damage in a riot. This will come to more than £1m in total, What should I do?

For residential and commercial landlords, and businesses with more than one location the law allows for one claim per postal address. This means that you can submit a separate claim for each postal address and each claim will be subject to a separate £1m cap.

My claim was over £1m – what will I receive?

If your claim was in excess of £1m, you will receive the amount of compensation you are eligible for, up to a maximum of £1m.

If I have a property with outbuildings that have been damaged as well as the main building how will it be treated?

If the outbuildings and main building are part of the same postal address then you should make one claim in respect of the whole property.

Riot Compensation Claim Form

This form must be completed in line with the Riot Compensation Claims - Guidance for claimants.

**You have 43 days to make your RCA claim from the date the riot ends
If you make an insurance claim first, you have 43 days to make your RCA claim from the date your insurer tells you that you are not fully covered**

If your building/possessions are covered by insurance, you MUST contact your insurer before making a claim to the claims authority. You should only complete this form if your claim relates to uninsured loss or a claim for the insurance excess.

Your details

Tick one: Property owner Insurance Company
Representative

Company name

Title

First Name

Surname

Date of birth

Address

Postcode

Telephone number

Do you need an interpreter? Yes No

If yes, which is your preferred language?

Type of claim

Tick all A. uninsured loss B. insurance excess C. under
insured loss
that apply D. claim rejected by insurer E. insurer claim –
reimbursement

For C and D enter date of
letter received from insurer

About the claim

Date of incident

Crime number

Time of incident

Reason why time cannot
be provided (if
applicable)

Address to which the
claim relates (if different
from above)

Postcode

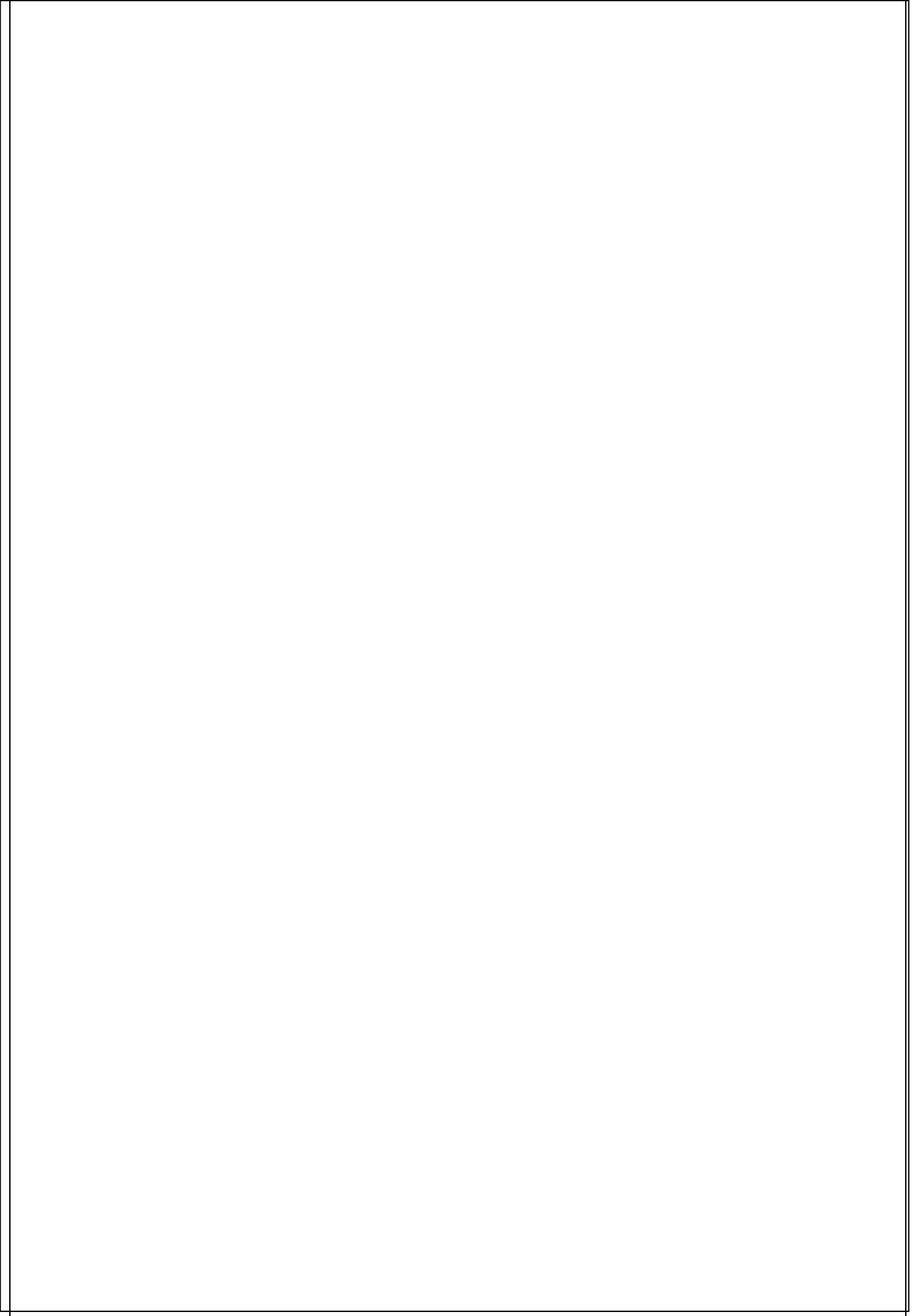
Supporting evidence - *If available at the time of registering the claim*

I have included the following:

- purchase invoices
- receipts
- surveyors report
- building estimates
- letter from my insurance company to state that my claim will not be settled in full (if applicable)
- photographic evidence
- other; please specify:

Description of your claim

Briefly describe the loss or damage you have experienced:



Insurance details - (not needed for uninsured loss claims)

If you have more than one insurer e.g. one for buildings and one for your possessions all the insurers' details must be provided.

What does this insurer cover?

Possessions Buildings Other

Name of Insurer

Policy number

What does this insurer cover?

Possessions Buildings Other

Name of Insurer

Policy number

What does this insurer cover?

Possessions Buildings Other

Name of Insurer

Policy number

What does this insurer cover?

Possessions Buildings Other

Name of Insurer

Policy number

If your building/possessions are covered by insurance, you MUST contact your insurer before making a claim to the claims authority. You should only complete this form if your claim relates to uninsured loss or a claim for the insurance excess.

Valuation

OFFICIAL

What is the approximate value of the claim? (This figure will not be taken as final and can contain estimates)

£

Please attach any receipts or documents you may have to support your claim. If your claim includes repair costs, please provide a copy of any estimates you have received or receipts for any repairs already carried out.

Are you happy for a claims authority loss adjuster to visit you to discuss your claim?
Yes No

Please note that if we are unable to verify your claim, this will affect any settlement you are awarded.

Declaration

If you make a claim which is any way fraudulent, unfounded or exaggerated, or make a false declaration, any compensation may be forfeited.

I/We declare that all answers I have provided are true and complete to the best of my knowledge.

I/We hereby claim for the loss or damage as set out above. I/We understand that you may seek information from other insurers or other sources to check the answers I/we have provided.

I/We understand that information in this form may be shared for fraud prevention purposes.

Print name

Signature

Date