

OIC Rules Coordinator

From: Alan Michael Singer <asinger@tseytlinlaw.com>
Sent: Monday, August 4, 2025 2:58 PM
To: OIC Rules Coordinator
Subject: R2025-05 - 1st prepublication draft - comment

External Email

Hi,

As an attorney with experience defending insurers and their insureds, and also representing claimants/plaintiffs, I strongly support all of the proposed changes.

Please, if you would, consider a few suggestions.

One small but potentially useful change to the proposed added sentence in WAC 284-30-330(4) would add the word “reasonable” as follows: “A reasonable investigation includes, but is not limited to, conducting a reasonable individual assessment of either the covered loss, or damages, or both, and cannot rely solely on the use of a database.” There should not be any argument that insurers can simply conduct “an individual assessment” without it being a reasonable one. An individual assessment can certainly be done unreasonably, and this added word would make clear such would not be acceptable.

The change to WAC 284-30-340(2) may benefit from two minor changes in its last sentence. First, change “The insurer has 15 business days to provide [...]” to “The insurer has 15 business days from receipt of the request to provide [...]” Second, change “[...] to the first party claimant” to “[...] to the first party claimant or to his or her attorney or legal representative.”

The changes to WAC 284-30-390(1)(a)(1) and (b)(1) may require some minor changes. For example, these sections add proposed language which adds a proposed subsection “(A)” but no subsection “(B)” – which may lead to confusion.

WAC 284-30-390(1)(b)(v) currently proposes “Insurers must clearly explain how storage and towing fees are covered under the policy within three business days of the notification of claim.” I suggest it state instead “Within three business days of the notification of a claim, insurers must provide the claimant with a clear written explanation of how storage fees and towing fees are covered under the policy.” I have seen cases where consumer/insured misunderstanding and insurer inaction has resulted in claimants incurring significant extra storage fees, so this is a particularly helpful change.

Thank you.

Alan

Alan Michael Singer
Attorney at Law



Law Offices of Anna R. Tseytlin, PLLC

Personal Injury and Immigration Attorneys

Main Office:

6720 Fort Dent Way, Suite 150
Tukwila, WA 98188
(425) 524-4600

Bellevue office location:

375 118th Ave SE, Ste 203
Bellevue, WA, 98005
(425) 746-4800

PRIVILEGED COMMUNICATION: This e-mail and any attachments are confidential and subject to the Attorney-Client Privilege and, as a document prepared in the course of or in anticipation of litigation, is also subject to protection as Attorney Work Product. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by replying to the sender and delete this copy from your system. Thank you for your cooperation.

If you are not US citizen, you must file a change of address within 10 days of moving. Go to www.uscis.gov for more information.