

Presidents Letter Holiday Wishes

The holidays are right around the corner, with Thanksgiving leading the way. Thanksgiving has always been one of my favorite holidays. It is a pure, simple holiday that gives us an opportunity to spend time with family and friends and stop to realize how fortunate we are.



In spite of all this, Thanksgiving allows us to reflect on how fortunate we really are. No matter what obstacles we encounter they pale in comparison to those being endured by many others in our country and throughout the world. Now is the time to be thankful for what we have and to help those who are less fortunate.

Everyone here at Herlihy Insurance thanks you for your business. We wish you all a happy Thanksgiving, Merry Christmas, and festive holiday season.

Happy Holidays Wishes,
Jim Herlihy

I urge everyone to help out in whatever way they can – donate time, money, food or pay a visit to a lonely person to brighten up their day.



Herlihy Insurance Group
51 Pullman Street
Worcester, MA 01606



Worcester: 508-756-5159
Rutland: 508-886-2242
Sutton: 508-865-6608

or Herlihygroup.com

Your Seasonal

Newsletter

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Our Referral Rewards Thank-You program was developed to thank and reward you for introducing our agency to your friends and family. For each referral we receive you will be entered in our monthly, quarterly and year end drawings. For more information on prizes and how you can participate, give us a call or send us a note at referrals@herlihygroup.com.

Each person will remain in the running for the HD Flat Panel Television to be given away at the end of this year.

John Kennedy of Spencer
Gerry Holm of Rutland
Dave Elkinson of Southborough

Our Referral Rewards Thank-You program has been growing in interest and participation over the last six months. Our Congratulations and thank you to our most recent \$50 gift card winners;



Team Herlihy in Action

Late August Team Herlihy once again rolled out the red carpet at Kids Court during Holden Days with our free two-story fire truck slide. Long lines and smiling faces were the order of the day as the fire truck slide remains Kids Court's top draw.

On October 26, the team headed to the Boys & Girls Club of Worcester to help cook, serve and clean up dinner for over 300 kids at Kid's Café. One of the most rewarding and well received events we participate in each season.

We are very proud to announce, Herlihy Insurance Group will be honored as the 2010 Foundation for the Future Award winner by the Boys & Girls Club of Worcester. A big congratulations and thank you to all Herlihy



employees and non-employee volunteers who make are volunteer efforts so successful.

Next up is our annual Toy Drive for the Boys & Girls Club. With membership numbers growing we're committed to providing over 300 toys for the kids this year. If you are interested in helping out, we would love to have you on our team. Contact John Herlihy at johnherlihy@herlihygroup.com

Insurance Minute

Young Drivers A Promise To Adam

This past August 2010, 17-year old Adam London of Newton, MA died in a single car accident, losing control of his vehicle in heavy rain and hitting a tree. It was revealed later Adam had been speeding and not wearing a seatbelt, Adam had earned his driver's license only 5 weeks earlier.



From the despair that followed Adam's death, Adam's family created the "Promise to Adam" campaign that asks young drivers (or any driver) to sign a pledge concerning risky behavior and driving. The response has been overwhelming from people across the United States, from children 4 years of age to grandparents. Make a promise to yourself and your loved ones that you will visit the campaign at www.apromisetoadam.com and participate.

Share with your young drivers. Share with your family. Share with your friends. While continued communication and discussion are best, it's never too early. It can be too late.

Property Owners

Changes to Slip & Fall Liability

A recent decision by the Massachusetts Supreme Judicial Court has changed its liability viewpoint for slip & fall accidents caused by snow and ice and it is not good for property owners.

In the past, the determining factor was whether a slip and fall accident was caused by a "natural" or "unnatural" accumulation of snow and ice. Previous court cases ruled that a property owner who did not remove "natural" accumulations of snow and ice may not be liable for a slip and fall incident. From a liability standpoint, it was better for a property owner not to plow his driveway or shovel his walkway. If "unnatural" accumulation of snow and ice was the cause of the accident, the property owner was found liable to some degree for the accident.



Going forward the courts will now evaluate a property owner's responsibility based upon the "reasonable care" an owner takes to eliminate a hazard at their property. The question to be answered is - What is "reasonable care"? Is it reasonable to wait an hour, a day or the next morning to shovel a walkway? Unfortunately we all have to wait until more court cases are decided to determine "reasonable care".

At a minimum we recommend all property owners purchase an Umbrella Liability Policy and review the certificate of insurance and the contract with any company providing your snow removal. For additional information please call (508) 756-5159.

Owners Beware

Got Trusts? Get Coverage!

Since home and other property insurance policies were traditionally designed to protect "individuals" and not "trusts", we need to give some additional attention to your insurance protection when anything you own is owned in the name of a TRUST. Trusts are unique legal entities that are not legally "you"!

Recently we had a new client list himself as the property owner. That same week we reviewed a land transfer listing that indicated that this exact property was purchased by a TRUST. It may seem all the same ownership and insurance to you, but to the insurance companies this is not the case.

We want you and your trust to be insured properly, so let us know when your properties are held in the name of a trust!

SOLD
HOUSE FOR SALE

Heating with Oil?

Homeowner Oil Heating System Update

In our spring newsletter and client e-mail updates, we notified everyone of the new law in Massachusetts addressing oil leaks from home heating systems. The law effective September 30, 2010, requires all property owners to upgrade your heating system equipment to prevent leaks from tanks and pipes that connect to your furnace. The law requires;

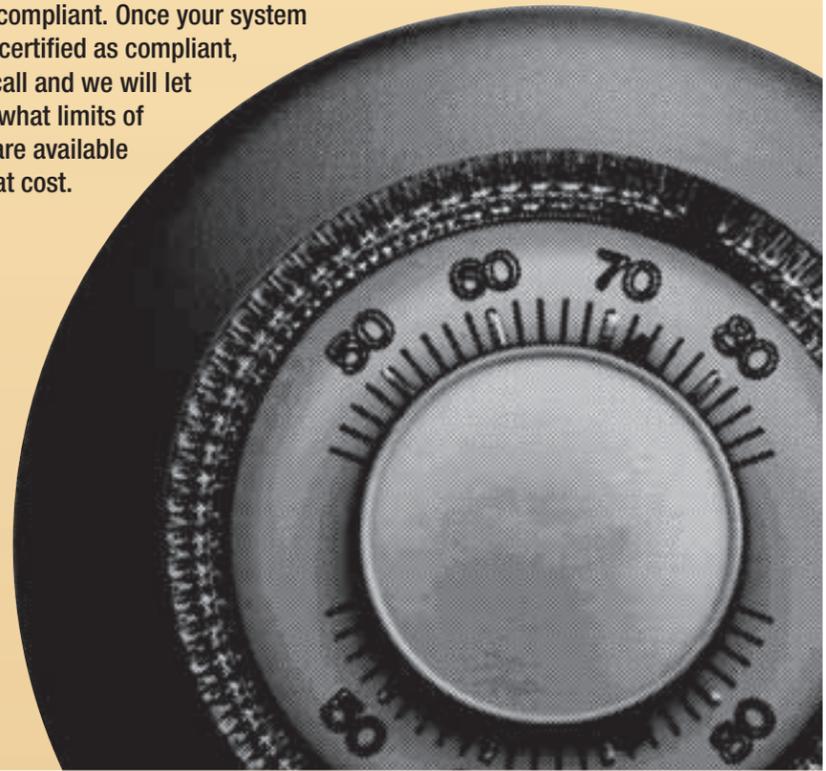
- 1 the installation of either an oil safety valve or an oil supply line with protective sleeve and
- 2 insurance companies to offer coverage from heating systems that use oil

Although most property insurance does not include this coverage, you can now add this coverage to your insurance.

A few facts we have learned;

- A To be eligible for coverage your heating system must be in compliance with the new law
- B A typical cost to bring a system up to compliance can cost \$150-\$300
- C An average cost of cleanup for a "simple" leak can be as much as \$15,000
- D Coverage can be added to most insurance policies for around \$75 a year

The decision to add this coverage to your insurance is your decision. We recommend you talk with your oil company to determine if your heating system is compliant. Once your system has been certified as compliant, give us a call and we will let you know what limits of coverage are available and at what cost.



At a neighborhood Halloween party, we heard a woman describe how thieves broke into her home, trashed the house and stole numerous items. She went on to say how it took weeks to cleanup the mess, itemize the stolen items and to feel comfortable and safe in her home again. The real surprise came a few weeks after the theft.

There were many different pieces of jewelry included within the list of the stolen items. The total value of all of the stolen jewelry was \$40,000. Many of the pieces were given to her by her mother, grandmother and husband. The woman received a letter from her insurance company stating the "Theft Limitation of Jewelry within her policy was \$2,500 and enclosed is a check for \$2,500 for this portion of the

claim". The woman was distraught. However the insurance company was correct in limiting their payment of \$2,500.

Moral of the story – there is a "Theft Limitation" on Jewelry, Watches, Furs, Precious Stone, Semi-Precious Stones, Silverware, Silver-plated ware, Goldware, Gold-plated ware, Pewterware and Firearms on ALL homeowner policies. If you have the items listed above and the value is more than \$2,500, call us today to review your home insurance policy.



**Claims
Corner
A "True"
Claim Story**