

From: "Scott, Lauren" <lscott@claytonutz.com>

Date: 4 July 2019 at 11:28:59 AEST

To: "Scott, Lauren" <lscott@claytonutz.com>

Subject: Media alert: Property owners affected by the cladding crisis should take action now to trigger insurance cover

Brisbane, 4 July 2019: Property owners who may suffer loss due to defective cladding and want to seek recovery from builders and building professionals - as well as those who are at risk of cladding claims - should take urgent action now to ensure that they trigger any available insurance cover before insurers impose cladding exclusions, according to Clayton Utz partner [Mark Waller](#).

Mr Waller says while State and Territory governments continue to grapple with how to respond to the cladding crisis and related insurance issues, those affected should take steps now to maximise the prospects of recovery in respect of future claims. "Although, for example, the Queensland government has announced it will step in to ensure that building certifiers will be able to get professional indemnity insurance in future even if it excludes cladding, the majority of historical cladding claims will not be made for some time. This means that unless cover can be triggered under current insurance without a cladding exclusion, there will be no insurance cover for those historical cladding claims.

Mr Waller says building owners who want to maximise the prospect that the builders and building professionals - including certifiers - have insurance cover for recovery claims, should immediately put on notice all potential defendants so those parties can notify their insurers before their insurers apply exclusions for cladding claims.

At the same time, and regardless of whether they are aware of a claim, builders and building professionals should develop a very carefully crafted and comprehensive notification to their current insurer to seek to trigger their insurance before the insurer applies a cladding exclusion.

"It's imperative that building certifiers and anyone else who may be in the firing line due to the cladding crisis issues a comprehensive notification to their current insurers to try and trigger insurance cover now - before they enter into policies with exclusions regarding cladding."

ENDS For further information or to speak with Mark, please contact:

**Lauren Scott, Head of Corporate Affairs
Clayton Utz**

Level 28, Riparian Plaza, 71 Eagle Street, Brisbane QLD 4000 Australia | D +613 9286 6972 | F +617 3221 9669 | M +614 21 913 689 |

lscott@claytonutz.com | www.claytonutz.com

Please consider the environment before printing this e-mail