

SWERLING MILTON WINNICK, PUBLIC ADJUSTERS

Representing Policyholder Interests for More Than a Century

by Peter Golden

It was September of 2005 and the weather was calm and clear, which was just fine by Harvey Lazarus. As he did most weekday mornings, Lazarus dressed and prepared for work. A financial advisor and money manager, he planned to drive to nearby Logan International Airport from his Back Bay condominium for a flight to New York and an all-day business conference.

He never got there. Suitcase in hand, he opened the back door of his penthouse residence and was confronted by a billowing column of smoke and flames rushing up the stairwell. Slamming the door in an instant, he turned and shouted for his wife.

The two ran for the front entrance of their home, alerting neighbors on floors below as they rushed downstairs. Fortunately, no one in the building was injured, but on a balmy fall morning Harvey Lazarus and his wife faced a situation none of us ever want to encounter. Essentially, they were out on the street.

Investigators were unable to pinpoint the cause of the fire, but evidence suggested a cigarette on the condominium's roof deck might have been the culprit.

But fire investigations were the last thing on the Lazaruses' minds. Smoke and water had ruined their home and those of other unit owners. The entire rear of the property would have to be rebuilt. Most disconcerting of all, the Lazaruses had no place to live.

Situation Brightens

Before the fire department had even left the scene, Lazarus made a phone

call to an acquaintance, a young woman named Diane Swerling. With burly firemen still dragging hoses, Swerling appeared on the scene and a bleak situation began to brighten.

Swerling brought the sympathy any friendly observer would carry to such a disaster, but that was not why Lazarus called her. She came as the representative of a Wellesley, Mass.-based firm with a century of experience in representing the interests of insurance claimants.

Swerling Milton Winnick, founded in the early 1900s (Diane Swerling is a third-generation member of the firm) has long been recognized as the premier public insurance adjuster in the Northeast: a rock solid, reliable and effective advocate for insurance policyholders in the event of a loss, no matter how large or small.

Swerling immediately went to work. Before the day was done, the Lazaruses were comfortably housed and had a reasonable understanding of the relationship between their insurance coverages (both homeowner and association) and the cost of the damages.

Beginning of a Process

For Diane Swerling, it was the beginning of a process that the PBS investigative series NOW has called the most daunting problem confronting disaster survivors: negotiating a satisfactory, post-loss settlement with insurers.

Talk to Jim Harlor, a partner at Swerling Milton Winnick, and you'll understand why. Decades before join-

ing the firm, Harlor began an apprenticeship in the building trades that would prepare him to become a consummate public adjuster.

The decades of hands-on construction experience Harlor brings to loss assessment benefits anyone facing a structural loss (translation: fire, water or wind damage to the condominium). "There are no losses harder to adjust than a condominium," he says. "Coverage varies all over the place, from comprehensive to nothing at all.

"Breaking down coverages and helping unit owners and association trustees understand them as part of a comprehensive claim that's fair to policyholders is vital to a successful outcome," Harlor adds.

Sometimes, Not a Pretty Picture

And there's the rub, according to Bruce Swerling, the senior partner in Swerling Milton Winnick, who, like his daughter, Diane, grew up in the firm. "We're not insurance agents," he says. "But because of the middleman role we play in representing policyholder interests, we see the ramifications of policy decisions made long ago, with limited forethought. Sometimes it isn't a pretty picture."

Swerling could spend his days speaking before community association boards on the hazards of defective insurance policies purchased both by associations and unit owners.

After almost half a century as a public adjuster, his services, like those of

Vendor Spotlight

Harlor and senior partners Marvin Milton and Paul Winnick, are in constant demand.

Because all the senior adjusters at Swerling Milton Winnick have an understanding of property values for personal property and reconstruction based on a vast database of knowledge, their representations to insurance companies are viewed as highly credible, if not authoritative. The result is that claims ultimately settle at a distinct advantage to policyholders.

“Diane Swerling arranged for the immediate cleanup and secure protection for our unit,” Harvey Lazarus says, “and helped us accumulate, properly clean, restore and warehouse recoverable property while making a complete inventory of all our losses.

“In my opinion, the Swerling office did an absolutely outstanding job, kept us informed every step of the way and made our lives and that of our fellow association members sufficiently comfortable during a time of real stress so that we were able to carry on with minimal disruption to our daily routines,” he adds. “And in a final demonstration of their ability to negotiate on our behalf and that of our association with multiple insurance carriers, they handled every detail leading up to a settlement with which my wife and I were 100 percent satisfied.”

Ellen Shapiro is a widely known real estate attorney whose work with condominium associations has earned her a reputation as one of the best in her field.

“I have never been involved in an adjustment matter where Swerling Milton Winnick represented the association and an insurer did not pay the



Bruce Swerling is the senior partner in Swerling Milton Winnick and heir to a century of expertise gained in assisting policyholders.

top limits of the policy,” she says. “Insurers know they have the experience, background and knowledge to take a credible and principled stand in contested matters.”

They Were Wonderful

Shapiro speaks not just from professional experience: “I used them when I suffered a property loss myself due to a household fire,” she says. “I was a scared, frightened person, and all my legal experience was no help.

“I went through a devastating event, and they were wonderful. When you’re standing outside your home watching flames destroy everything

you’ve ever worked for, the knowledge that an entirely reliable third party is available to help you recoup helps ease the torrent of emotions we all feel in such circumstances.”

Bob, who prefers to remain anonymous due to his position as a property services manager, is board president at a condominium located north of Boston. “On Mother’s Day 2006 we had a devastating flood that left us having to replace our boilers and heating system and a large portion of our plumbing and electrical systems, as well. Some units had two feet of standing water in them. The loss totaled over \$2 million.

“Jim Harlor, of Swerling Milton Winnick, who I think is one of the most highly regarded adjusters in the region, undertook to negotiate a vast number of issues with our insurers and eventually achieved a successful resolution on almost all of them,” he continues. “He even was able to secure prepayment on some of the work, which gave us cash flow to finance repairs.”

Swerling Milton Winnick’s corporate motto, “Representing and satisfying the policyholder for over 100 years,” is nine words long, but the third word is especially worthy of note. Hopefully, you’ll never need the company’s services, but should you ever, keep it in mind!

For more information on Swerling Milton Winnick and the company’s public adjuster services, call (781) 416-1000 or (800) 677-5454. In the event of an emergency, call anytime, day or night. To learn more, go online to www.swerling.com.