

Are Your Birds an Insurance Liability?

by Kashmir Csaky
Forest, Virginia

[Note: Are you one of many bird owners in the United States who raises a few babies a year to place in good homes? Do you consider this a home business? If not, you probably have a regular homeowners insurance policy. If someone comes to your home to buy a baby bird and sustains an injury by slipping and falling on your doorstep, will that injury be covered by your homeowners policy? For important, eye-opening information, read the following article by Kashmir Csaky, breeder of Hyacinth and Scarlet Macaws.]

My life is seldom exciting. Like most aviculturists, I spend most of my days cleaning bird cages and taking care of my avian friends. My husband and I do all the other mundane things that most people do, such as paying our electric bill, taxes, mortgage, and the premiums on our homeowners insurance policy. We have paid our homeowners insurance premiums on time for the past 18 years or so. In that time, we have made two insurance claims. The first claim was made many years ago when our roof was damaged by hail; the second when a tree fell on our utility shed during hurricane Fran. The damage was minor and the claim was small. So, you can imagine our surprise when State Farm Insurance Company informed us last fall that they were considering not renewing our homeowners policy in January.

No Renewal

When I asked my agent, "Why?" I was told, "I understand that you are breeding birds in your home. The home office is concerned that they are a liability exposure. They might peck

someone in the eye." He also said that State Farm expressed some fear that the birds could make people sick. I was told that he needed to inspect my home. I wanted this matter cleared up as soon as possible.

The agent, Jim Goff, came to my home November 6, 1997, two days after the telephone conversation. I had a total of 20 birds in my home at the time of the visit. There was one baby, two pairs of breeding birds—they are kept in an area that only my husband, my veterinarian, and I are permitted to enter—and 15 pet macaws. Anyone who has ever been to my home can

attest to the fact that it is kept clean. I clean cages and wash bowls twice a day. The home inspection was obviously just a formality.

On November 26, I was informed that my homeowners policy would, in fact, not be renewed. A little later, I received a letter from State Farm's Eastern Office restating what my insurance agent had told me on the telephone.

Search for Insurance

I began to search for another insurance company. I called a some friends in the area who also breed birds. They told me that they were insured with Scott Insurance—an independent firm that handles many insurance carriers. I called Scott Insurance and was informed that none of their carriers would insure anyone breeding any kind of animals. I then called my friends back, so that they would be aware that their insurance company would drop their policy if they found out about the birds.

Scott Insurance suggested that I call



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Leech and Hicks, Inc. Leech and Hicks were quick to tell me that they could not insure me either. In fact, their carriers would not insure anyone who sold anything from their home. They were kind enough to take the time to let me know that most insurance companies will not insure in-home businesses.

Call a Lawyer

I now found myself in a very difficult situation. Under the advice of Dr. Brian Spear, DVM, I contacted a lawyer in California that he knew. He told me that insurance companies can create policies as they choose. He mentioned that he was insured with Cal Farm, and that this company did not object to aviculturists. He suggested that I try to find out if there was something similar in Virginia.

Success With the Farm Bureau

My next step was to call Dr. Ken Warthen, DVM. I figured if anyone would know, it would be Ken. Ken recommended that I get in touch with the Farm Bureau of Virginia. The Farm Bureau offers its members many services including insurance. I am pleased to say that I now have a homeowners policy with the Farm Bureau. They also are attempting to find a carrier that will provide me with business liability insurance and even coverage for my birds in case of theft or fire. I am not sure that I will ever need tires for a tractor, but the Farm Bureau does offer its members many other benefits and there are Farm Bureaus in most states.

Digressions


Now, I will digress a little. State Farm would have continued my homeowners policy if I had business liability insurance. Yet, they would not extend business liability insurance to me even though I have been breeding birds in my home for 13 years without incident. Neither would any of the other companies I called. I was never given any explanation.

On December 19, 1997, I spoke to the State Farm agent again. I requested a letter stating exactly what liabilities they thought my birds created. Jim Goff said that he would contact the company and have them send me a letter

immediately. He told me that he found a letter from the former agent, Tom Glidwell, dated 1995, that mentioned my birds. He brought this letter to State Farm's attention. Yet, it had no effect on their decision. At that time I told him that Tom Glidwell knew about my birds since 1988, or earlier, when I inquired about getting theft and fire insurance to cover my birds. Jim Goff did not have a record of that conversation.

Mr. Goff brought up one more disturbing fact. He told me that all State Farm agents will be required to do home inspections of all their policy holders in the next three to five years. If anyone is found breeding any animals without business liability insurance, their homeowners policy will be discontinued.

When I received the letter I requested, it did not have the information that I asked for. The letter dated December 29, 1997 was written by State Farm Fire Underwriter, Jeanine Lewis. In the letter, Ms. Lewis states, "Our Homeowners Policy is not designed to extend coverage to most commercial exposures. Only small, incidental, low-exposure businesses are considered under Homeowners Policies. Breeders of any type are considered ineligible under our guidelines." I must note at this time that I taught dance in my home for many years and was covered under my homeowners policy. Recently, I spoke to a friend who teaches piano. She tells me that insurance was a hot topic at a recent piano teachers convention she attended. Apparently they are have similar problems.

If you are a breeder or have any type of business in your home, you should have business liability insurance. If anyone comes to your home for business purposes and slips on the steps, your homeowner policy may not cover the damages. 

Kashmir Csaky has specialized in breeding Scarlet and Hyacinth Macaws for 15 years. Her articles have appeared in The Pet Bird Report, and Psittascene and Pet Information Pages among others. She serves on the board of directors of International Aviculturists Society and maintains a website devoted to Macaws at:

<http://members.aol.com/macawmama/index.htm>

A New Cage and Aviary Disinfectant

by Ross Bishop, Santa Fe, NM

Birdkeepers are caught in a dilemma — if they disinfect aviaries and cages, they put their birds at risk from chemical poisoning. If they do not thoroughly disinfect aviaries and cages, their birds are at increased risk for disease. This is a serious problem.

Avian veterinarians tell us that at least 75% of all bird deaths are premature and unnecessary. Seventy-five percent is a huge number. In light of soaring bird costs, growing CITES restrictions, and pressure from animal rights groups that want to eliminate aviculture, any unnecessary bird loss is tragic. Diet is a part of the problem, but the biggest single contributor to poor bird health is improper cleaning and insufficient disinfection.

The best solution to the problem of disinfection up until the present time has been to haul birds out of their enclosures, scrub the habitat clean, and then blast the enclosure with one of a number of problematic (and often expensive) chemicals. It is then necessary to wash everything down and hope that there is no dangerous contamination lingering from either the pathogens or the disinfectant. The problem is that disinfectants are toxic. That is why they work. The good disinfectants are not safe to use around