



## Dave Windsor's 'Alaska Real Estate'

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# These Three Tree Questions

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**Question:** Is a tree real estate?

**Answer:** Yes, anything permanently fixed to the land which you own is real estate. When you sell your property, the trees go with the real estate. You cannot remove trees, or growing plants, from a pending sale without the buyer's consent.

An uprooted, fallen tree is no longer real estate but, like firewood, it is personal property and, as such, could remain or be removed. If you are in the middle of a sale you should discuss the options with the buyer.

**Question:** Do trees add to the value of your property?

**Answer:** The natural ambience of your home adds value. Some trees may be an asset and others a liability. The issue is how the trees impress or detract from the appeal of your home. Trees blocking southern exposure may cause some buyers not to buy your property, but privacy may be enhanced by trees and attract others. This will definitely affect the price you can ask for your home.

In any event, irrespective of the value placed on trees by buyers and sellers, the sale of your property is usually contingent on the Appraisal ordered by the lender involved in financing the buyer. Now, while there is no line item adjustment for trees in an appraisal, there most certainly is a

line item assessment for the "Site". Site adjustments can be made by appraisers for topography, availability of utilities, and the natural appeal of the lot (inter alia) in adjusting value with the "Comps". This could well include the presence or absence of trees in the site appeal.

**Question:** Is tree loss and removal covered by my Homeowner's Insurance?

**Answer:** No, the insurance will only assist if the "property insured" is damaged, and the property insured is the structures – house, outbuildings and fences. If a tree falls onto the house, other structure or fence, the insurance will normally cover the repairs plus the removal of the tree.

**Question:** What if my tree falls onto my neighbor's house or fence? Who pays for that?

**Answer:** If you have a cross-property event as you describe, unless the damage is minimal (i.e. less than \$1,000), both neighbors should call their insurance company for advice. Typically, it would be the insurance of the tree owner causing the damage that would pay for repairs, but do not assume this. If your property is damaged by a neighbor's tree, do call in a claim on your own insurance immediately. The insurance companies will sort it out between themselves similar to a motor vehicle accident.

The only time you should not call in a claim is when the damage is minimal and you can make a cordial arrangement with your neighbor to, say, split the cost of repairing the fence. He might even have his own chainsaw and be happy to accumulate some firewood. This will save you the cost of a 'deductible' and keep your 'claim-free' annual premium lower. Anything helps.

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