

April 18, 2023

In Support of HB 3242 and HB 3243

Cindy Kingsbury Hymer, North Portland, OR

Chair Prozanski and members of the Committee, my name is Cindy Kingsbury Hymer. Without your votes in favor of this change, insurance companies will continue the calculated, profit-driven tactic of denying legitimate claims. The tactic of drawing out the legal process knowing the majority of people can't afford a lawyer or will lose their home to foreclosure and their claim will be forfeit or will settle for pennies on the dollar out of desperation. These tactics carry no penalty.

I did not have great parents. I was state-raised half of my childhood, but I was determined to read my way out of poverty. I did not grow up with good examples of money management or credit building. I started on the path of American dream of wealth building through home ownership in 1997. I bought my house after SIX YEARS of working overtime, saving and building my credit score while raising two children alone and carrying the mail for the USPS.

In April 2003, we moved into our house in St Johns. Not a great neighborhood, but it was what I could afford. A few months later, while exiting Costco, I was approached by an AmEx rep promising to save me "hundreds" on my homeowners insurance. Trading on Costco's good reputation, I took the bait and switched insurance companies, paying a full year's premium up front. Based on a drive-by appraisal, which they would never show me and could not produce at trial, AmEx arbitrarily claimed my house, that I could barely get through the bank at \$150k with a real appraiser just months earlier, was underinsured by \$250,000 and they wanted more money, or I was cancelled. I called every time I received a cancellation notice and always requested a supervisor and always referred them to my contract dates and my proof of payment. This is in the record.

May 20th 2004, the unthinkable happened, we had a devastating house fire caused by faulty wiring. When I called the insurance company to make a claim, they said I was uninsured. I lived in the backyard of my destroyed house for months, in a tent with my children, while I saved up enough money for first, last and deposit on an apartment. I walked my children into a scary, burnt-out building to use the bathroom at night and we used the barbeque to heat up water for tepid baths. Embarrassment and shame are scars I will bare forever. I am grateful that no one called CPS and had my kids taken from me.

Three days of a jury trial, after three years of stall tactics yielded a verdict that came back in about 10 minutes. The jury unanimously found in my favor. AmEx paid out the exact amount they should have paid on day one, but the financial devastation I suffered followed me for another decade. You see, it's hard to pay one's rent, but I paid rent and a mortgage and property taxes for three years; at one point falling into foreclosure. I fixed this in 92 days, but it blackened my credit for 7 years. My lender tacked \$16k in fees onto my loan. Another poverty fee courtesy of the insurance company. The jury wanted to add a sizable punitive award for their behavior, but here in Oregon, our laws protect insurance companies from punitive damages, no matter how egregious their behavior. "Why didn't you just pay the extra money when they told you they were cancelling you?" So many people asked and so many nights in my backyard I asked myself that, too. If no one stands up to a bully, they just keep doing it. With no consequences for unfair business practices, there is no incentive to do the right thing. There is a financial incentive to do the wrong thing, though. Insurance is mandated and this body has the right and the power to reign in this extortion racket. It's too late for me, but, with this legislation you can protect your constituents that are still out there fighting for their lives. **Please pass HB 3242 and 3243 immediately before more families are torn apart and sentenced to lifelong poverty.** Thank you.