

# DRJ CLAIMS

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**DANIEL R. JENKINS**

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**NOT A PUBLIC INSURANCE ADJUSTER**

**INVESTIGATOR - EXPERT WITNESS - APPRAISER**

Date: February 24, 2017

Office of the Attorney General  
Xavier Becerra  
California Department of Justice  
P.O. Box 944255  
Sacramento, CA 94244-2550

Department of Insurance  
Dave Jones  
300 Capital Mall, Suite 1700  
Sacramento, CA 95814

Contractors State License Board  
Cindi A. Christenson  
P.O. Box 26000  
Sacramento, CA 95826

Simi Valley Police Department  
Incident Report 16-15124  
3901 Alamo St.  
Simi Valley, CA 93063

Subject: Demand for Action – Fraud is being committed – Insurance Claims are intentionally underpaid – Fraud charges need to be filed

Lady and Gentlemen:

On November 2, 2015 (See Website (WS) – Conspiracy to Defraud) a document (WS – Award Jenkins2 Xactimate Audit) titled Ownership Audit was discovered within the Award dated April 30, 2013. The discovery of this document is important for several reasons.

First: SGD, Inc. in the person of Douglas Jackson, AAA’s appraiser, the cover page claims the Award was produced by them. Mr. Jackson even lists himself as the estimator.

Note: Xactimate is the estimating program used to estimate the “replacement” costs of claims and is normally delivered in .pdf format. Its native format is .esx which can only be accessed by those who have purchased the program and there is a lot of hidden information such as the aforementioned Ownership Audit and there are material price lists.

Second: this document proves the Award is not the work product of the Appraisers. It began on October 21, 2009 by Tri-Tech Restoration Co., Inc. as the estimate to “restore” my fire damaged home which occurred on October 15, 2009, plus eight supplements and another document requested by the Appraisers from Tri-Tech dubbed the “combined estimate” which the appraisers knew or should have known had many false entries.

Third: Douglas Jackson took possession on 1/17/2013.

Forth: the existence of this document is not disclosed to “estimators” during Xactimate training.

Fifth: the insurance industry owns / controls Xactware, the maker of Xactimate.

Sixth: California Penal Code allows the filing of fraud charges four years after discovery.

Seventh: California Insurance Code allows the filling of fraud charges three years after discovery.

Eighth: filing fraud charges within 100 days after an Appraisal Process Award is signed is clearly unconstitutional. Insurance companies have the resources but when it is the insurance companies and or their accomplices who are committing the fraud on their behalf, the defrauded claimant rarely has resources left and does not have the knowledge or the means to uncover fraudulent documents. Certainly not in such a short time span. It took me, with some knowledge and the help of a Xactimate expert 1,015 days and only because I had full access to Xactimate.

Opinion: All three should conform, be it three years or four years.

Note: A case in Illinois, State Farm has recently denied their client Kathleen Graham a copy of her Xactimate estimate in its native format. They are hiding facts of the claim.

Ninth: from the date of discovery to the date of this letter there are 566 days left to file fraud charges under the insurance code and 931 days left under the penal code.

Estimate delivered by hand by Tanya Ware, AAA’s Adjuster, in November 2009

Knowing an estimate is underwritten and proving it was intentional are two very different positions. Near the end of the Appraisal Process, April 8, 2013, a preliminary award was sent out by Douglas Jackson and attached were a set of photographs labeled as taken by Ray Boykin, Senior Property Estimator for Tri-Tech on October 16, 2009. Within an hour or so after I responded to the photographs a new preliminary award was sent out without the photographs, thus displaying ‘a consciousness of guilt’ on Douglas Jackson’s part. Comparing said photographs to the estimate (WS – Limited Scope Evaluation) does prove it was intentionally underwritten. Not a single photograph disputes this finding. Another question is why photographs were submitted to the Appraisal Panel as evidence but withheld from me and my attorney, David Sine.

CCR 2695.9 (e) clearly states in part, "The estimate...shall be in accordance with applicable policy provisions, of an amount which will restore the damaged property to no less than its condition prior to the loss." The estimate provided me clearly violates this regulation as well as the policy. (WS - 45 YEARS DOESN'T GET YOU ANYTHING!)

As a General Contractor, over the years, (WS - YOU need someone representing YOU) I have seen dozens of insurance claim estimates done by or for insurance companies, all were underwritten, and most, if not all, were intentional.

#### "Combined" Estimate

At the first Appraisal hearing the umpire stated "it is impossible to follow the estimate and all the supplements" and asked that the estimate and supplements be combined into one document. The resulting document from Tri-Tech was delivered on or about September 29, 2012 to the Appraisal Panel by e-mail by Stephen E. Smith, AAA's attorney, which he dubbed the "combined estimate" (WS – Mr. Smith's E-Mail Says). The first thing I noticed was the total did not equal what I had been paid, but it was close enough that I presumed it was a minor error.

However the more I looked at it the more suspicious I became. Then I noticed there was no sales tax, a sizeable amount that was missing. First I had to do a correct version, down to the penny, of the "combined estimate", then put Tri-Tech's next to mine (WS - Mr. Smith is wrong).

There are 70 lines items that do not match the estimate or any of the supplements. 25 have either incorrect quantities and or prices, 31 line items are missing and 14 were added. A forgery!

14 added?

Why would Tri-Tech, who has no direct stake in the outcome, add 14 line items? The only answer that makes sense, the additions came from one or more on the Appraisal Panel! And to make it conform to what was paid they had to delete line items. They colluded to defraud me of my legal claim, for the benefit of their employer, AAA. This is clearly a forgery created by Tri-Tech and Appraisers, which they, though Stephen E. Smith, AAA's attorney, presented as requested to a legal panel, the Appraisers. The purpose, to reduce the Award, benefitting AAA.

#### Award

According to the Ownership Audit the April 30, 2013 Award is a continuation of the "combined estimate", a forgery. 14 of the 14 added items are in the Award and 26 of the 31 missing items are still missing. This alone makes the Award a forgery, but there is more. See what the Appraisers did. (WS – Flooring Analysis) (WS - Award Base + A Bedroom with No Door) (WS - Estimate Audits Examined Signed)

The Appraisal Process is a failure. The Public Insurance Adjuster program is unconstitutional. (WS – OPEN LETTER) Both should be discarded.

Charges need to be filed. Each of your departments have heard from me at least once, and nothing has been done to protect me or others from AAA's greed. I fought the good fight but have lost, so far, because the system was stacked against me and virtually every other claimant in the country.

This letter will be posted on my website and it is my intent to make everything in it public. Changes must be made! Laws need to be changed and charges filed against the guilty.

Note: I am a 71 year old native born Californian and a Cal Vet. AAA and company took everything, my home and my retirement but they took on the wrong guy, I don't quit. I am currently in Florida but will return to California as needed.

You swore to uphold the law, you now know laws were broken, keep your word, uphold them.

If the jury awards compensation and punitive damages, it should be divided to include my two daughters who were living in the home at the time of the fire.

Daniel R. Jenkins

### Last Thought

AAA in this case but insurance companies in general are intentionally underpaying claims. You not wanting to believe that has, until now, prevented you from taking action. Your inaction has allowed this to continue unabated for decades, emboldening the insurance industry to push even farther. They have long underwritten claims as seen in my online document "YOU need someone representing YOU" but now they have crossed over into providing forgeries as seen in the document dubbed "combined estimate". The actual document shows Ray Boykin as the estimator but the Ownership Audit reveals he never worked on it. Ask yourself why!

It is time for action, to file fraud charges against the defendants but you also need to do much more. Laws need to be written or rewritten where necessary and then enforced. Insurance companies have proven time and again they cannot be trusted to write / provide honest restoration estimates and neither can so called insurance paid restoration contractors. See my solution on my website at the end of "Open Letter".

And a look at past claims involving Tri-Tech and Douglas Jackson, at the very least, is in order.

### Defendants

AAA aka Interinsurance Exchange  
2601 S. Figueroa St., A451  
Los Angeles, CA 90007-3294

Tri-Tech Restoration Co., Inc.  
3301 North San Fernando Blvd.  
Burbank, CA 91504

Schifrin, Gagnon & Dickey, Inc.  
9171 Gazette Ave.  
Chatsworth, CA 91311

Associated Construction Services, Inc.  
31566 Railroad Canyon Road, Ste 2-PMB 672  
Canyon Lake, CA 92587

BTI Appraisal  
605 W. Olympic Blvd. Ste 820  
Los Angeles, CA 90015