

# **SWIMMING POOLS & YOUR HOMEOWNERS INSURANCE**

By Basil Housewright, Jr.

We are often asked, “If I have a swimming pool installed in my back yard will my home insurance policy cover it?” The answer is yes and no. Your homeowners insurance policy may cover any personal liability for personal injury to guests or visitors however it would most likely provide very little coverage for damage to the swimming pool itself. With most back yard swimming pools being the in-ground, concrete type pool it is doubtful fire, wind, hurricane, or hail would cause damage to the pool, which are standard coverage’s on a standard homeowners insurance policy. Most damage to the in-ground pools consists of cracking from ground movement or maintenance type issues to pool equipment, which most likely will not be covered by a standard home insurance policy. With the hot and dry summer we just had cracked pools caused by ground movement was a big problem for many homeowners with pools and the repairs were typically not covered under a homeowners insurance policy. Damage caused to pool equipment by lightning, theft, vandalism or freezing of pipes typically is covered on most home insurance policies.

If you have a homeowners package policy, a renters package policy or a condo-owners package policy, which provides personal liability coverage there should be coverage available for bodily injury of someone other than residents of the insured home if they are injured while on your property including swimming, diving or sliding into your back yard swimming pool. The personal liability coverage should cover medical costs for the injured party including emergency room, ambulance charges and follow-up medical visits. If sued the home insurance policy’s personal liability coverage should also provide defense of the suit. If you want to hire your own attorney the policy may not be willing to cover this expense as the insurance company would typically provide the defense with their in-house or contracted legal council. If in this situation discuss your options with the company representative assigned to handle your claim and they can give you options available based on your particular situation.

There are some cautions when dealing with the above described issues. The current home insurance market in Texas has changed in the past few years with many companies offering home insurance policies with numerous limitations, conditions and exclusions which might minimize or eliminate any coverage as it relates to the ownership of a swimming pool at your residence. Many insurance companies will not insure a homeowner who has a swimming pool, which has a diving board or slide. Most insurance companies will also require a swimming pool to be completely surrounded by a fence with a self-latching gate. Some insurance companies will insure a homeowner who has a swimming pool, which has a diving board or slide but will require the homeowner to sign an exclusion, which eliminates coverage for bodily injury relating to the diving board or slide. This would mean the insurance policy would not provide coverage for a diving board or slide related injury. If you have a swimming pool at your home you may want to discuss the type coverage your current home insurance policy provides related to the swimming pool to make sure what is covered.

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