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July 16, 2020

Peter H. Albert
5701 W. Lloyd Street
Milwaukee, WI 53208-1005

RE: C.I. File No. 1068-2019-2392
Communications from PETER ALBERT

Dear Mr. Albert:

We have received your claim in the amount of \$980.00 that resulted from a City tree falling down on your home located at 5701 W. Lloyd Street, damaging the electrical service at that location on September 13, 2019.

The Forestry Section of the City conducted and concluded their investigation of this matter. At the time of this incident, according to NOAA National Weather Service, from September 12, 2019 to September 13, 2019 the City of Milwaukee experienced thunderstorms including high winds and heavy rain with peak wind gusts of 33 to 44 MPH, and sustained winds of 21-29 MPH. During this time period, the Forestry Division responded to 98 emergency calls for broken branches and down trees throughout the City.

The service history for this property was reviewed dating back to September 2013, in which 5 related requests were found, which comprised of 2 to other trees and 3 were pruning requests made prior to completion of cycle pruning of this tree in March 2019. The branch that fell on your home had some decay inside the tree at the point of failure; however, none of the decay was visible from the exterior of the tree prior to the failure.


In conclusion, there is no evidence that the City was negligent in this matter. The Forestry Section determined that no reasonable or prudent action on its part could have foreseen or prevented the damages to your residence from occurring. As such, the City would not be liable for the damages being claimed from the September 13, 2019 incident. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East




Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



TEARMAN SPENCER
City Attorney



BENJAMIN M. BALDWIN
Investigator Adjuster

BMB:kdb

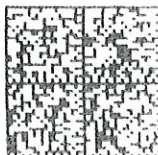
c: Jeffrey Laufenberg (Forestry)

1068-2019-2392:269418

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