

Starcher, J., concurring:

I agree with the result in this case, but I write separately to emphasize that the *per curiam* opinion's holding should be limited to a very narrow set of facts. In the instant case, the owner of the property lived in a completely separate location, so there could be no evidence of any sort of relationship that would constitute a household.

Personally, I can't see how whether people sleep in physically separated buildings could ever be -- in itself -- a valid test for a household. To me, such practices as sharing common facilities and vehicles, paying for utilities together, taking some meals together, and/or sharing responsibilities for chores are far more germane to whether there is a household than whether there is one connecting roof that joins all of the individuals' sleeping quarters. In rural West Virginia it has not been uncommon for "dad" to sleep in the shed out back, but otherwise totally share in the household of the family of his offspring.

And what is to be made of the quaint notion of a household as people "dwelling as a family under one head?" If two adult siblings live together in a house, another fairly common occurrence, who, pray tell, is the "head"? I think this test, taken alone, is also entirely unworkable.

If we ever have to address this issue with more balanced equities, I'll bet our research finds that the better cases take a much more holistic approach to the determination of what is a "household."

Additionally, as we have stated over and over, the crucial test in insurance policies is not even the specific words of a policy, but the reasonable expectations of the insureds or the intended beneficiaries of the policies. That issue apparently wasn't raised in this case.

Having said this, I entirely agree with the result.