

# The Life of a Hurricane Claim

Insurance claims from hurricane damage do not stop when the wind stops -- a hurricane claim for damage can be filed up to three years after a storm has made impact. Here, we break down the steps involved in an insurance claim.



"I'd like to make an insurance claim."

A homeowner surveys the damage and contacts her insurance agent or company to report a claim. If safe, the homeowner should take any necessary steps to mitigate further damage.

Once notified, the insurance company has 90 days to pay a valid, uncontested claim. The insurance company will schedule an adjuster to inspect and quantify the damage.

The adjuster will send a report to the company who will assign the claim to a desk adjuster. The desk adjuster will review what portions of the claim are covered under the policy.

When determined to be a "covered loss," the homeowner is provided payment -- minus the hurricane deductible -- and the claim is closed.

The homeowner then hires a contractor and verifies that he or she is licensed by visiting MyFloridaLicense.com.

The homeowner is made whole again.

## Common circumstances can cause the claim process to stay open beyond the 90-day window.

**Reopened Claims:** A typical reopened or supplemental claim occurs when the homeowner discovers and reports damage not included in the original claim.

"I'm sorry, I'm booked solid for the next six months."

**Availability of Professionals:** There may be a demand for licensed professionals such as contractors, engineers and other specialists to help evaluate and repair the damages.

**Litigation and Disputes:** When a homeowner and an insurance company have a dispute over a claim, the homeowner may file a lawsuit. Litigation -- often due to AOB (assignment of benefits) abuse can delay a final resolution for months or even years.

Be sure your contractor is licensed. Visit [myfloridalicense.com](http://myfloridalicense.com).

# 627.7142 - Homeowner Claims Bill of Rights

An insurer issuing a personal lines residential property insurance policy in this state must provide a Homeowner Claims Bill of Rights to a policyholder within 14 days after receiving an initial communication with respect to a claim, unless the claim follows an event that is the subject of a declaration of a state of emergency by the Governor. The purpose of the bill of rights is to summarize, in simple, nontechnical terms, existing Florida law regarding the rights of a personal lines residential property insurance policyholder who files a claim of loss. The Homeowner Claims Bill of Rights is specific to the claims process and does not represent all of a policyholder's rights under Florida law regarding the insurance policy. The Homeowner Claims Bill of Rights does not create a civil cause of action by any individual policyholder or class of policyholders against an insurer or insurers. The failure of an insurer to properly deliver the Homeowner Claims Bill of Rights is subject to administrative enforcement by the office but is not admissible as evidence in a civil action against an insurer. The Homeowner Claims Bill of Rights does not enlarge, modify, or contravene statutory requirements, including, but not limited to, ss. 626.854, 626.9541, 627.70131, 627.7015, and 627.7074, and does not prohibit an insurer from exercising its right to repair damaged property in compliance with the terms of an applicable policy or ss. 627.7011(5)(e) and 627.702(7). The Homeowner Claims Bill of Rights must state:

## HOMEOWNER CLAIMS BILL OF RIGHTS

This Bill of Rights is specific to the claims process and does not represent all of your rights under Florida law regarding your policy. There are also exceptions to the stated timelines when conditions are beyond your insurance company's control. This document does not create a civil cause of action by an individual policyholder, or a class of policyholders, against an insurer or insurers and does not prohibit an insurer from exercising its right to repair damaged property in compliance with the terms of an applicable policy.

### YOU HAVE THE RIGHT TO:

1. Receive from your insurance company an acknowledgment of your reported claim within 14 days after the time you communicated the claim.
2. Upon written request, receive from your insurance company within 30 days after you have submitted a complete proof-of-loss statement to your insurance company, confirmation that your claim is covered in full, partially covered, or denied, or receive a written statement that your claim is being investigated.
3. Within 90 days, subject to any dual interest noted in the policy, receive full settlement payment for your claim or payment of the undisputed portion of your claim, or your insurance company's denial of your claim.
4. Free mediation of your disputed claim by the Florida Department of Financial Services, Division of Consumer Services, under most circumstances and subject to certain restrictions.
5. Neutral evaluation of your disputed claim, if your claim is for damage caused by a sinkhole and is covered by your policy.
6. Contact the Florida Department of Financial Services, Division of Consumer Services' toll-free helpline for assistance with any insurance claim or questions pertaining to the handling of your claim. You can reach the Helpline by phone at 1-877-MY-FL-CFO (1-877-693-5236) or (850) 413-3089, or you can seek assistance online at the Florida Department of Financial Services, Division of Consumer Services' website at [www.myFloridaCFO.com/Division/Consumers/contactus.htm](http://www.myFloridaCFO.com/Division/Consumers/contactus.htm).

### YOU ARE ADVISED TO:

1. Contact your insurance company before entering into any contract for repairs to confirm any managed repair policy provisions or optional preferred vendors.
2. Make and document emergency repairs that are necessary to prevent further damage. Keep the damaged property, if feasible, keep all receipts, and take photographs of damage before and after any repairs.
3. Carefully read any contract that requires you to pay out-of-pocket expenses or a fee that is based on a percentage of the insurance proceeds that you will receive for repairing or replacing your property.
4. Confirm that the contractor you choose is licensed to do business in Florida. You can verify a contractor's license and check to see if there are any complaints against him or her by calling the Florida Department of Business and Professional Regulation. You should also ask the contractor for references from previous work.
5. Require all contractors to provide proof of insurance before beginning repairs.
6. Take precautions if the damage requires you to leave your home, including securing your property and turning off your gas, water, and electricity, and contacting your insurance company and provide a phone number where you can be reached.