

# 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 one year 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 60 days to pay a valid, uncontested claim, but can be granted an additional 30 days due to a state of emergency. After providing the insurer with a proof of loss statement, the insurer may send an adjuster to inspect the damage. Such inspection should occur within 30 days.

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 60-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 the homeowner and insurance company have a dispute, there are often several ways to try and handle it, such as an appraisal, mediation or the filing of a lawsuit.

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. Your insurance company must send you an acknowledgment of your insurance claim within 7 days after you submit the claim.
2. Within 30 days after you submit a complete Proof of Loss Statement, if requested in writing, your insurance company must send you confirmation that your claim is covered in full; partially covered; denied; or being investigated.
3. Your insurance company shall provide you with a copy of any detailed estimate of the amount of the damage within 7 days after the estimate is generated by the insurance company's adjuster.
4. Within 60 days after you submit the claim, you should receive full payment; payment of the undisputed portion of your claim; or a written denial of your claim. If you have a mortgage lender or another party that has partial ownership of the property, the claim payment check may also be made out to them.
5. If your claim is not denied and you do not receive full payment for your claim or payment of the undisputed portion of your claim within 60 days after your claim is filed, your insurance company must pay you interest on the full or undisputed claim amount. The interest starts accruing on the date you filed your claim and continues accruing up to the date when your insurance company issues payment for the claim or the undisputed portion of the claim. The interest payment is due when the claim is paid or the undisputed portion of the claim is paid.
6. To resolve your disputed claim, you may be eligible to participate in mediation administered by the Florida Department of Financial Services' Division of Consumer Services. There is no cost to participate in the program.
7. If your claim is for damage caused by a sinkhole and is covered by your policy, you may be eligible to participate in neutral evaluation administered by DFS' Division of Consumer Services.

### YOU ARE ADVISED TO:

1. File all claims directly with your insurance company.
2. Contact your insurance company before entering into a contract for repairs to ensure you adhere to the repair provisions included in your policy.
3. Make and document emergency repairs that are necessary to prevent further damage. Keep the damaged property, if feasible; keep all receipts; and take photographs and video of damage before and after any repairs to provide to your insurance company.
4. 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.
5. 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 at 850.487.1395 or online at [www.MyFloridaLicense.com](http://www.MyFloridaLicense.com). You should also ask the contractor for references from previous work.
6. Require all contractors to provide proof of insurance before beginning repairs.
7. 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 to provide a phone number where you can be reached.