



Post Tropical Storm Nicole: Important Considerations Regarding Insurance Claims

Considering Tropical Storm Nicole is looming, please see below a list of important considerations for your review with respect to reporting a claim to your insurance company after the storm hits:

1. All insurance policies require Notice as soon as possible and failure to timely report the loss can result in a denial of the claim or other defenses;
2. Your insurer is required to provide all necessary claim forms, instructions and contact information upon being notified. Fla. Admin. Code 690-166.024(2);
3. You should document your loss with pictures and videos, keep records of anything you spend, show the damage to the insurance adjuster, prevent further damage, and keep a claim diary of all important information;
4. Your insurer must acknowledge and act upon your communications to it within 14 calendar days. Fla. Admin. Code 690-166.024(1);
5. Your insurer must investigate within 10 days of receipt of your Sworn Proof of Loss ("SWPOL") and must affirm/deny coverage within 30 days after receipt of the SWPOL. Fla. Admin. Code 690-166.024(2) and Fla. Stat. 626.9541(1)(i)(3)(e); and
6. You have a right to challenge your insurer's unilateral determination of your loss to ensure proper indemnification (i.e., When a loss requires replacement of items and the replaced items do not match in quality, color, or size, the insurer shall make reasonable repairs or replacement of items in adjoining areas. Fla. Stat. 626.9744(2)).

Furthermore, please remember that FEMA can help people who do not have insurance or can help fill in gaps regarding what insurance does not cover – For such assistance, call 800-621-FEMA or go to DisasterAssistance.gov.

In addition, please note that if your home, business, condominium building, condo unit, or community was damaged by any type of property damage insurance loss; for example, fire, flood, pipe burst, hurricane, tornado or appliance discharge, then our office, along with co-counsel, may be able to help. In that respect, we are now working with co-counsel to help you fight back against almost any improperly processed or wrongfully denied property insurance claim. This would include if your insurance company denied your claim or determined that your loss did not reach your deductible. Maybe you believe you were not paid an amount which fairly or accurately allows you to repair your damage? Or perhaps you did not receive a sufficient amount of money to replace, as opposed to repair, any damaged item?

If you have been through any of these scenarios in days/months/years past (even if you have accepted monies from your insurance company) or you have a question about a potential or re-opened property damage insurance claim, please

contact us at (386) 310-7997 ext. 702 or through our website:
www.daytonabusinesslawyers.com, for a complimentary evaluation. Please know that it has been our pleasure representing you in the past and we look forward to the opportunity to continue to serve you.