

HOW TO FILE A CLAIM?

Course # CRS8545 - 9631701 (DISTANCE) / CRS8546 - 9631702 (CLASSROOM)
Presented By: Brian Macomber



PRESENTER INFO



FIVE STAR CLAIMS ADJUSTING

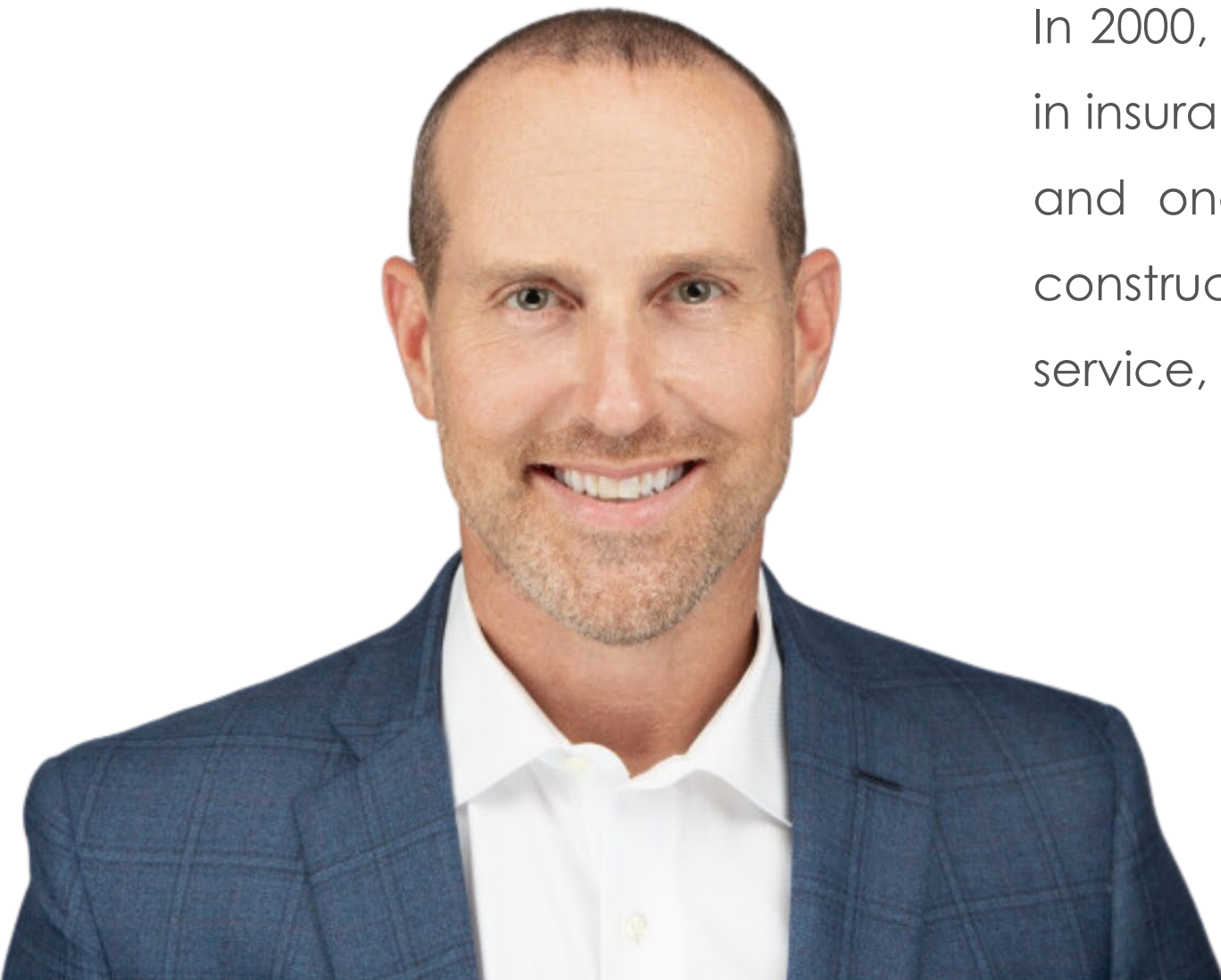
In the last 17+ years, we have helped over **50,000** residential and commercial property owners and have negotiated more than **\$1** billion for our clients.

- We represent **residential and commercial policyholders** against insurance companies.
- **Five offices serving all Florida:** Fort Lauderdale, Miami, Orlando, Maitland, and Sarasota with a team comprised of more than 80 licensed Public Adjusters and 20+ in-house staff members.
- **Handling claims of all sizes for all types of industries** including home buildings, business/ industrial claims, municipal claims, hotels and vacation rentals claims, commercial rise office towers, and professional offices.
- We are insurance policy experts. **Licensed, through the Florida Department of Financial Services** to level the playing field!



MANAGING MEMBERS

BRIAN MACOMBER



In 2000, Brian graduated Magna Cum Laude from the University of Florida with a major in insurance, finance, and real estate. He has been a licensed public adjuster since 2006 and one of the original founders of the company. Brian specializes in general construction knowledge, roofing systems, plumbing systems, negotiation, customer service, and insurance industry practices.



“

“Tell me and I forget, teach me and I may
remember, involve me and I learn.”

— Benjamin Franklin

CLASS EXPECTATION

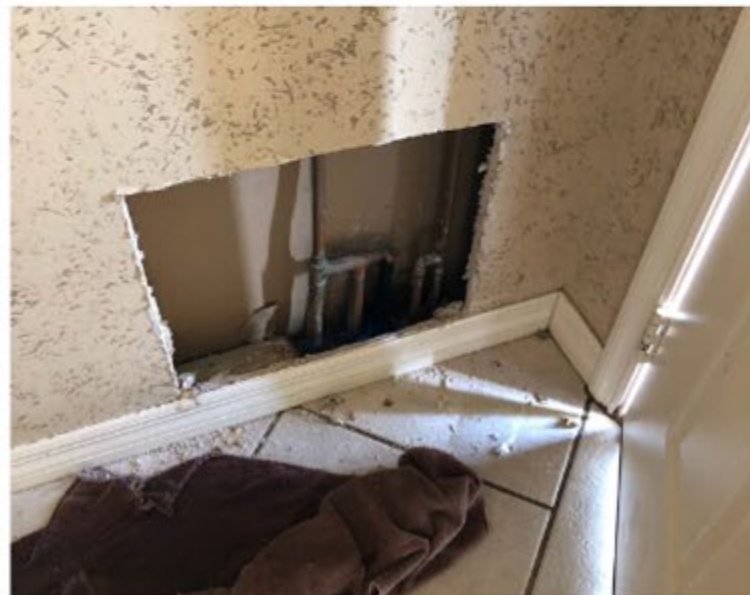
- ✓ Understand types of insurance claims
- ✓ What your responsibilities are as a manager
- ✓ How to validate a claim
- ✓ Steps in the process of filing a claim
- ✓ Compare & understand who your advocates are
- ✓ Contractor damage – who is responsible?
- ✓ Association or owner policy responsibility?
- ✓ Signs of damage to lookout for

TYPES OF CLAIMS

TYPES OF CLAIMS:

- Plumbing Leaks
- Hail /Wind Damage
- Hurricane/ Tornadoes
- Roof Leaks
- Roof Replacement
- Mold
- Toilet and Laundry Overflow
- Shower Pan Failure Hot Water Heater
- HVAC overflow
- Shower Valves Leaks
- Fire
- Stucco and Siding
- Lightning Window Damage
- Flooring
- Flooding
- Sinkholes
- Personal Property
- Vandalism
- Theft

YOU'VE GOT DAMAGE, WHAT DO YOU DO?



MANAGER RESPONSIBILITY

Mitigate it and stop it
from getting worse!



CLAIM VALIDATION

3 things necessary for a claim to be valid:

Sudden and Accidental

Mitigate Damage

Causation

CLASS LEARNING CHECK:



**What is your job when
you have damage?**

CLASS LEARNING CHECK:



MITIGATE IT

Stop it from getting worse!

DEDUCTIBLE vs. SCOPE OF DAMAGE

Should we file a
claim?
Depends...



CLAIM VALIDATION: UNDERSTANDING YOUR POLICY

What is deductible?

Insurance Deductibles 

\$2,500 (Damages)

– \$500 (Deductible)

= \$2,000 Insurance Company Responsibility

Are you covered?



POLICY NUMBER:	POLICY PERIOD:	REASON FOR ISSUANCE:
UHF 2500000 00 00	Effective Date:10/29/2019 Expiration Date:10/29/2020 12:01 AM Standard Time at the Residence Premises	HO3 HOMEOWNERS New Business

INSURED:	YOUR UPC AGENT IS: 2002476
NASIM FARIED WINTER SPRING 1945 ALABAMA LONGWOOD FL 32779	SORER, BERNARD 608 E. 33RD WINTER SPRINGS FL 32708 Telephone: 407 327 2000

The Residence Premises Covered by this Policy:
~~1945 ALABAMA~~ LONGWOOD FL 32779

Insurance is provided under the following coverages where a limit of liability and/or premium is stated, subject to all terms and conditions of the policy.

COVERAGES:	LIMIT OF LIABILITY:	PREMIUM:
SECTION I - PROPERTY COVERAGE		
A. Dwelling	\$585,000	\$2,047.00
B. Other Structures	\$11,700	INCLUDED
C. Personal Property	\$263,250	-\$30.00
D. Loss of Use	\$58,500	INCLUDED
SECTION II - LIABILITY COVERAGE		
E. Personal Liability	\$300,000	\$15.00
F. Medical Payments	\$1,000	INCLUDED

SECTION I DEDUCTIBLES

Hurricane Deductible	\$11,700 2%
Non-Hurricane Deductible	\$2,500
Sinkhole Loss Deductible	EXCLUDED

TOTAL DISCOUNTS AND SURCHARGES PREMIUM (See Schedule Pg. 3)	-\$2,314.00 *	
TOTAL ADDITIONAL COVERAGES PREMIUM (See Schedule Pg. 3)		N/A
* Included in Dwelling		
ANNUAL PREMIUM		\$2,032.00
Managing General Agency Fee		\$25.00
Emergency Management Preparedness Trust Fund Fee		\$2.00

INTEREST TYPE	ADDITIONAL INTEREST/ADDITIONAL INSURED /MORTGAGEE	LOAN #
MORTGAGEE	ITAA FFB ISAOA PO BOX 620138 ATLANTA GA 30362	

TOTAL FEES AND ASSESSMENTS	\$27.00
TOTAL POLICY PREMIUM INCLUDING ADDITIONAL COVERAGES, SURCHARGES, AND FEES	\$2,059.00



It is
complicated!

Declaration Page

Policy Number: [REDACTED]
Account Number: [REDACTED]
Effective Date: [REDACTED]
Producer Code: [REDACTED]

Agent: [REDACTED]

SPECIAL CPP FORM SCHEDULE

Forms and Endorsements applying to this Coverage Part and made a part of this policy at time of issue:

Form	Edition	Description
CG0001	1204	COMMERCIAL GENERAL LIABILITY COVERAGE FORM
CG0067	0305	EXCL-VIOLATION OF STATUTES-EMAIL, FAX, PHONE CALLS
CG0220	0411	FLORIDA CHANGES - CANCELLATION AND NON-RENEWAL
CG2106	0514	EXCL-CONFIDENTIAL AND PERSONAL INFO-LTD BI EXCEPTION
CG2144	1185	LIMITATION OF COVERAGE TO DESIGNATED PREM. OR PROJECT
CG2147	0798	EMPLOYMENT RELATED PRACTICES EXCLUSION
CG2150	0989	AMENDMENT OF LIQUOR LIABILITY EXCLUSION
CG2170	0108	CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM
CM0001	0695	COMMERCIAL INLAND MARINE CONDITIONS
CM0028	0695	SIGNS COVERAGE FORM
CM0066	0695	ACCOUNTS RECEIVABLE COVERAGE FORM
CM0067	0695	VALUABLE PAPERS & RECORDS COVERAGE FORM
CM0116	0695	FLORIDA CHANGES - LOSS PAYMENT
CP0010	0695	BUILDING & PERSONAL PROPERTY COVERAGE FORM
CP0015	0695	GLASS COVERAGE FORM
CP0030	0788	BUSINESS INCOME COVERAGE FORM (AND EXTRA EXPENSE)
CP0090	0708	COMMERCIAL PROPERTY CONDITIONS
CP0125	0695	FLORIDA CHANGES
CP0321	0695	WINDSTORM OR HAIL PERCENTAGE DEDUCTIBLE
CP1030	0808	CAUSES OF LOSS - SPECIAL FORM
CP1032	0695	WATER EXCLUSION ENDORSEMENT
CP1230	0788	PEAK SEASON LIMIT OF INSURANCE
CP1915	1090	GLASS COVERAGE SCHEDULE
CR0001	0186	FORM A (BLANKET) EMPLOYEE DISHONESTY
CR0003	1090	FORM C - THEFT, DISAPPEARANCE & DESTRUCTION
CR0004	0695	FLORIDA CHANGES
CR0206	0695	CRIME - GENERAL PROVISIONS
CR1000	1198	COMMON POLICY CONDITIONS
IL0017	1194	BROAD FORM NUCLEAR EXCLUSION ENDORSEMENT
IL0021	0993	FLORIDA CHANGES - LEGAL ACTION AGAINST US
IL0175	0110	FLORIDA SINKHOLE LOSS COVERAGE
IL0255	0108	DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE
IL0401	0788	PUNITIVE DAMAGES EXCLUSION
IL0985	0898	MINI-COMPUTER FORM
OD3-40	0898	HIRE AUTO & NON-OWNED AUTO LIABILITY
OD4-12	0716	OLD DOMINION SIGNATORY CLAUSE
OD4-22	1100	INTELLECTUAL PROPERTY LIABILITY - EXCLUSION
60-5231	0601	MECHANICAL, ELECTRICAL OR PRESSURE SYSTEMS BREAKDOWN
64-5869	1006	PRIVACY NOTICE
64-5938	0702	FUNGUS OR BACTERIA EXCLUSION
64-5960	0702	FUNGUS, WET ROT, DRY ROT & BACTERIA EXCLUSION
64-8062	0203	COLLAPSE CHANGES
64-8070	0108	POLICYHOLDER DISCLOSURE NOTICE OF TERRORISM INSURANCE
64-8157	0106	MAINSTREET EXTENSION
64-8162		
64-8460		

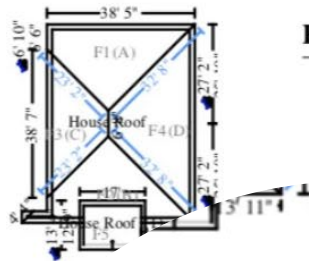


It is
complicated!

SCOPE OF DAMAGE

2019-09-02-1228

Main Level



House Roof

2,266.74	Surface Area	22.67	Number of Squares
239.43	Total Perimeter Length	6.67	Total Ridge Length
116.00	Total Hip Length		

DESCRIPTION	QTY	MOVE	REPLACE	TAX	TOTAL
1. Remove 3 tab - 20 yr. - composition shingle roofing - incl. felt	22.67	SQ	51	0.00	963.70
2. Additional layer of comp. shingles, remove (no haul off)	22.67	SQ		0.00	410.33
3. Remove Wood shakes - med hand split - per ind. material source	22.67	SQ		0.00	1,107.43
4. Remove Additional charge for steep roof - 7/12 to 9/12 slope	2.00	SQ		0.00	21.44
5. Remove Additional charge for steep roof greater than 12/12 slope	12.00	SQ		0.00	251.16
6. Remove Roof vent - turbine type	1.00	EA		1.66	6.90
9. Install Sheathing - plywood - 1/2"	2,667.00	SF		185.00	4,995.00
10. Install Laminated - comp. shingle roof greater than 12/12 slope	27.00	SQ	0.00	34.78	81.73
11. Install Drip			0.00	69.13	829.56
12. Install Roofing felt - additional charge for steep			0.00	1.24	262.88
13. Asphalt starter - universal starter course	206.00	LF	0.00	19.76	447.96
14. R&R Ridge cap - composition shingles	171.00	LF	2.13	1.78	376.99
15. R&R Flashing - pipe jack	3.00	EA	5.41	3.35	951.24
16. Chimney flashing - large (32" x 60")	2.00	EA	0.00	34.53	122.31
17. R&R Chimney flashing - small (24" x 24")	1.00	EA	9.59	508.05	1,034.98
18. Install Roof mount power attic vent	1.00	EA	0.00	297.67	310.97
19. Step flashing	55.00	LF	0.00	85.29	85.29
20. Roll metal headwall flashing	5.00	LF	0.00	8.23	459.05

Set of documents and measurements that describe:

- ✓ Amount and type of damage that has been done to a structure.
- ✓ Quantity and quality of materials and the current cost of those materials and labor that will be needed to repair or rebuild that structure.

**Claims Adjusting-
most people think
it's like this...**

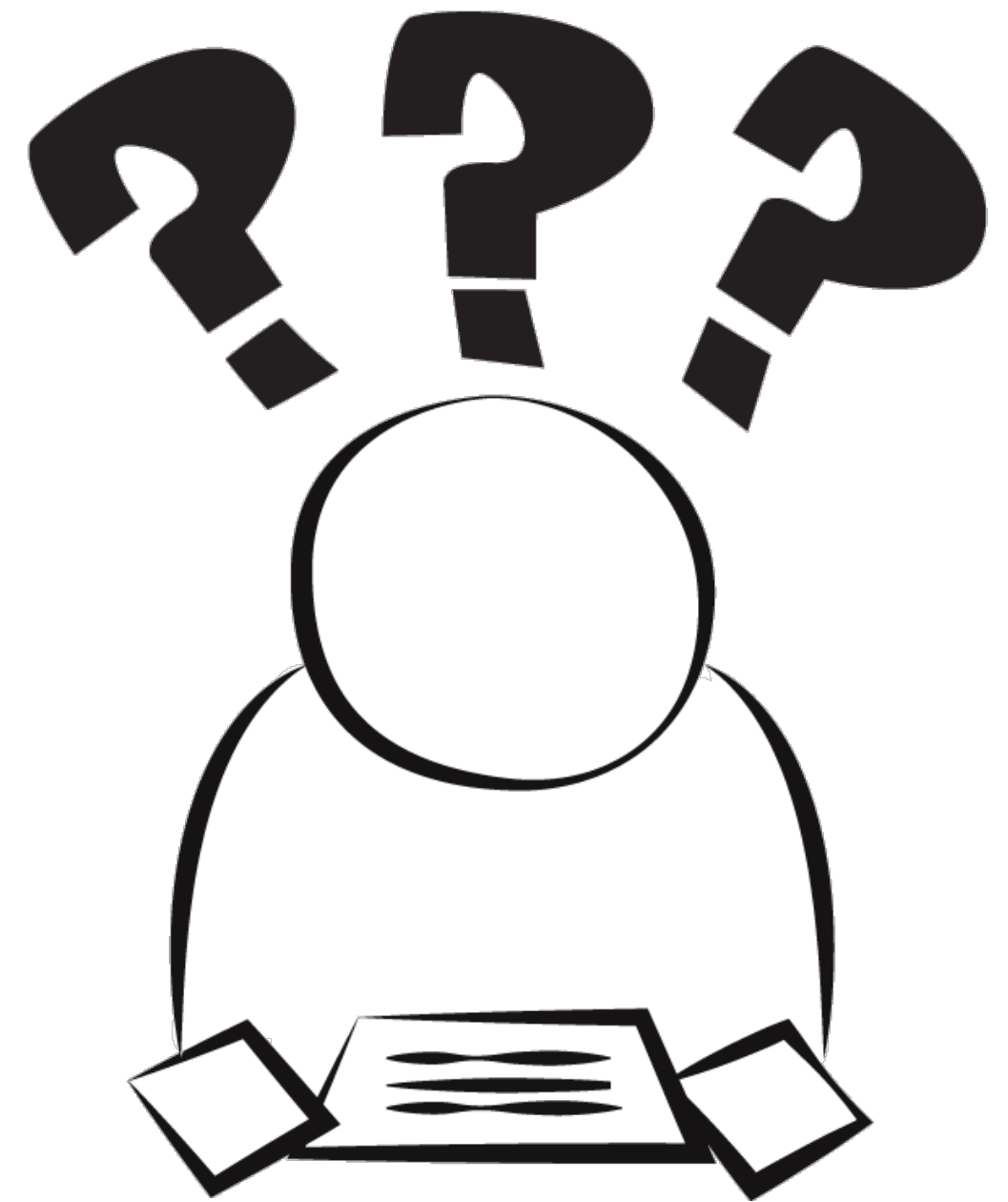


**When it's
actually like this!**



Makes sense to
file a claim.

Now what??



STEPS IN THE PROCESS

STEPS IN THE PROCESS:

1st step: Call in claim.

2nd step: Insurance company assigns an Independent Adjuster (IA).

Guess who the IA Represents?

- IA prepares an estimate / report.
- IA submit report to Examiner.
- Examiner is decision maker who sits at a desk.
- Examiner has supervisors.

3rd step: A coverage decision is made.

DISPUTE - NOW WHAT?



3 THINGS CAN HAPPEN:



5 OPTIONS:

LET IT GO

MEDIATION

LITIGATION

APPRAISAL
(IN POLICY?)

ARBITRATION



RESIDENTIAL vs COMMERCIAL POLICIES **DIFFERENCES?**

Commercial policies are written through 'Surplus Lines' carriers which means they are not domiciled in the State of Florida. As such, they are not overseen by the Department of Financial Services (DFS) or Office of Insurance Regulations (OIR). Residential policies are relatively standardized and overseen by both the DFS and OIR.

Surplus lines companies are not bound by Florida Statutes or Florida Law. For example, the 90-day coverage decision statute does not apply. Claims can take much longer.

Arbitration provisions for resolution disputes. Arbitrations are typically held in New York (!!) and governed by New York law. Yikes.

The insurance companies put most of their resources on their biggest exposure.

DEFINITIONS:

MEDIATION: Parties meet with a mutually selected impartial and neutral person who assists them in the negotiation of their differences.

LITIGATION: The process of resolving disputes by filing or answering a complaint through the public court system.

APPRAISAL: A replacement cost analysis which provides an accurate estimate of the amount of insurance required to replace each structure and/or amenity exactly as it stands on the day the report was prepared.

ARBITRATION: Instead of filing a lawsuit, the insurer and the policyholder both present their case to the arbitrator. The arbitrator reviews the facts and comes to a decision about how to resolve the dispute.

CLASS LEARNING CHECK:



What is the difference
between **mediation**
and **appraisal**?

CLASS LEARNING CHECK:



Mediation - neutral party assists with negotiations

Appraisal - both sides pick and appraiser. Both appraisers pick an umpire. Process is binding.

LOTS OF **LANDMINES!**



COMMON **PITFALLS** WE SEE:

- Reporting wrong date of loss.
- Using wrong vocabulary.
- Not following all post loss obligations.
- Assuming the carrier decision is the end of the road.

CLASS LEARNING CHECK:



What is one of the **most common pitfalls of filing a claim** without a licensed professional?

CLASS LEARNING CHECK:



- Wrong date of loss
- Wrong vocabulary
- Assuming carrier decision is the final decision
- Not following all post loss obligations

WHO CAN HELP?

Who can be my **ADVOCATE**?

- PUBLIC ADJUSTERS?
- INSURANCE ATTORNEYS?
- ROOFERS?
- ENGINEERS?
- RESTORATION COMPANIES?

THE **B?G**
QUESTION

Who can be my **ADVOCATE**?



	ATTORNEYS	PUBLIC ADJUSTER	RESTORATION COMPANY	ENGINEER	ROOFER / RESTORATION CONTRACTOR
Read & Interpret a policy	✓	✓	✗	✗	✗
File a claim	✓	✓	✗	✗	✗
Adjust & negotiate a claim	✓	✓	✗	✗	✗
Litigate	✓	✗	✗	✗	✗

Who can be my **ADVOCATE**?

Example: Public Adjuster Or Restoration Contractor?

- 1. Only a Public Adjuster or Attorney is licensed to discuss insurance policies and coverage.**
- 2. Public Adjusters can handle any dispute resolution options (mediation, appraisal, arbitration).**
- 3. The association/policyholder retains control of the insurance proceeds.**
With a contractor, they do the work, and you write a check for your deductible (and the contractor knows the claim amount).

Why is this important?

You receive the check

You shop the bids

You negotiate the best price

You control the process



When To Get **Professional** Help?

We recommend **the beginning** of the process for 2 reasons:

1. **Documentation!** Any photographs that their adjuster takes are considered 'work product' and the carrier is not required to hand them over. Having your own documentation will reduce future disputes.
1. **It's important to influence the IA adjuster's initial report.** By pointing out all damage with thermal cameras and moisture meters, the scope of the dispute is increased. It's much harder to get the carrier to overturn a coverage decision once it is in writing.

What if I don't have an **ADVOCATE** when I Filed a Claim?

**Getting help at the
beginning is best.**

But...

**You can get help in the
middle and the end too.**



CLASS LEARNING CHECK:



Who can help you **document** the damage, has a team to help **mitigate the damage**, and will **meet the Independent Adjuster** at the property?

CLASS LEARNING CHECK:



A Licensed Public Adjuster

CONTRACTOR DAMAGE

IF CONTRACTOR **ACCIDENTALLY** CAUSES DAMAGE...

Who's responsible?

GL policy of contractor
or Condo Policy?

Now what?



ASSOCIATION POLICY or OWNER'S POLICY

5TH FLOOR PIPE BREAK – FLOODS 4 FLOORS BELOW

- Who's responsible?
- Condo policy responsible for common areas (Drywall out).
- Individual Owners Policy responsible for wall coverings in.



CLASS LEARNING CHECK:



Who is ultimately responsible if a
contractor causes damage?

CLASS LEARNING CHECK:



GL Policy of Contractor

CLASS LEARNING CHECK:



In the case of contractor damage,
what is another possible option?

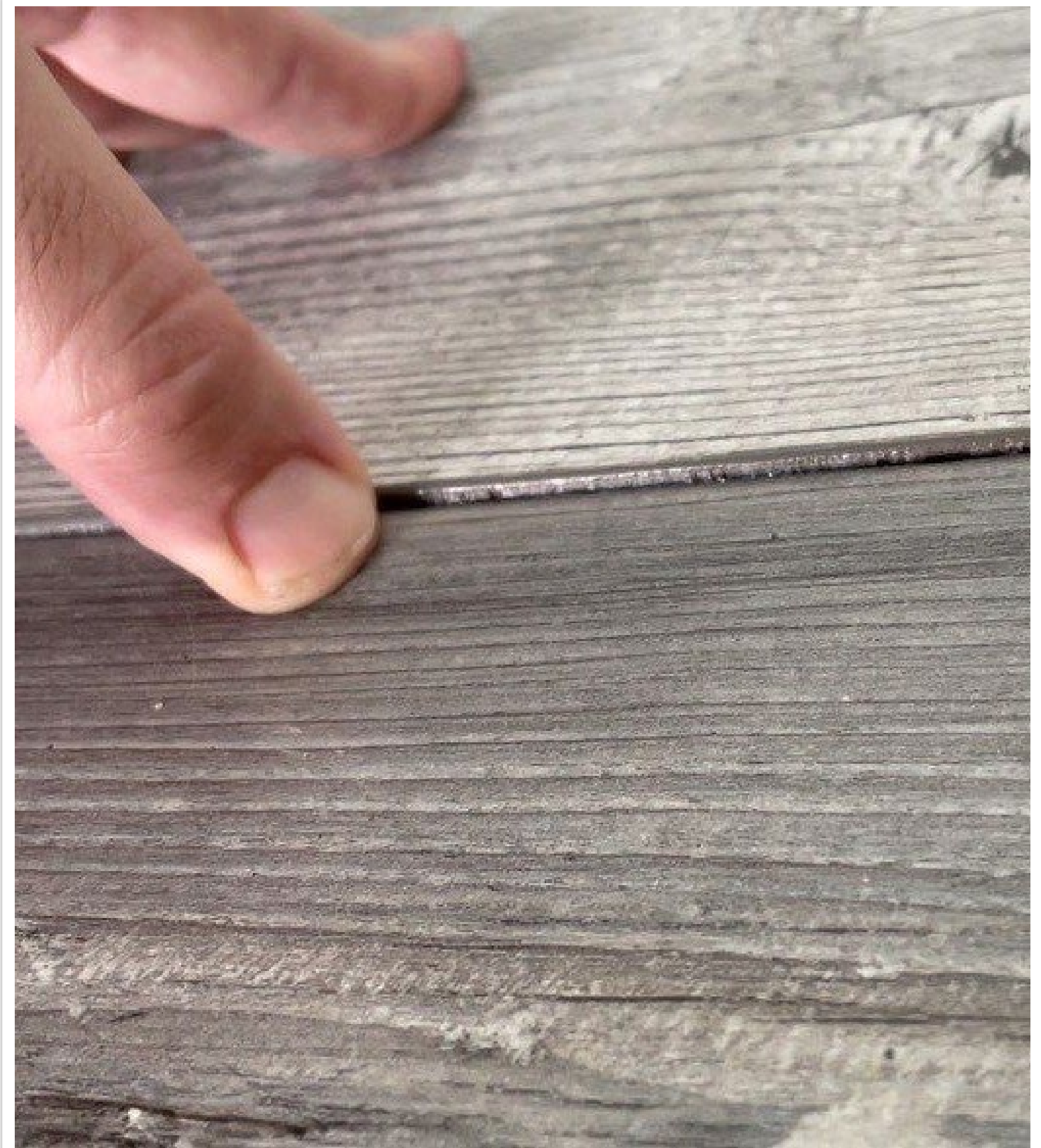
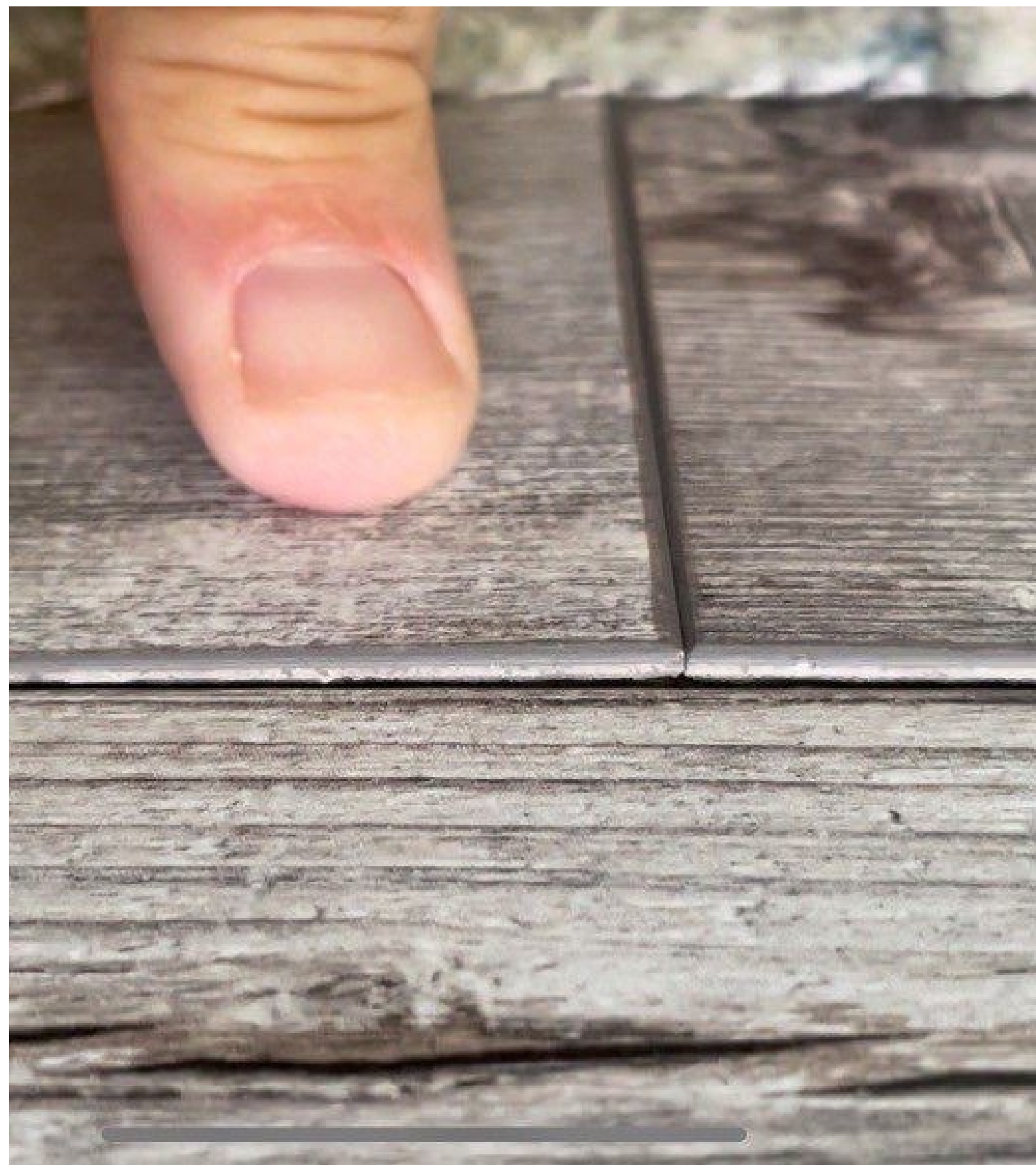
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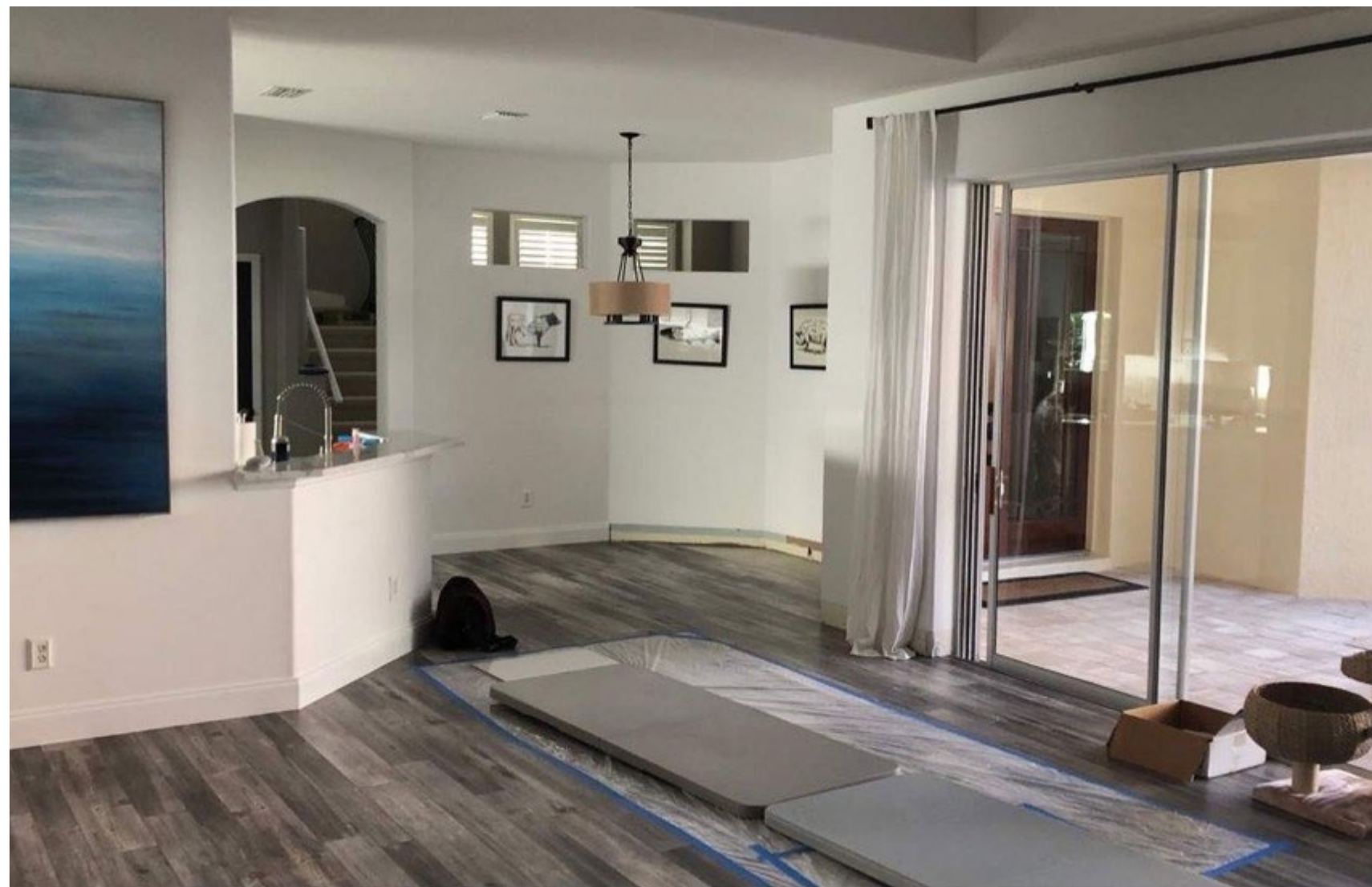
**The Property Policy,
Insurance Company
(Subrogation)**

DAMAGE – THINGS TO LOOKOUT FOR

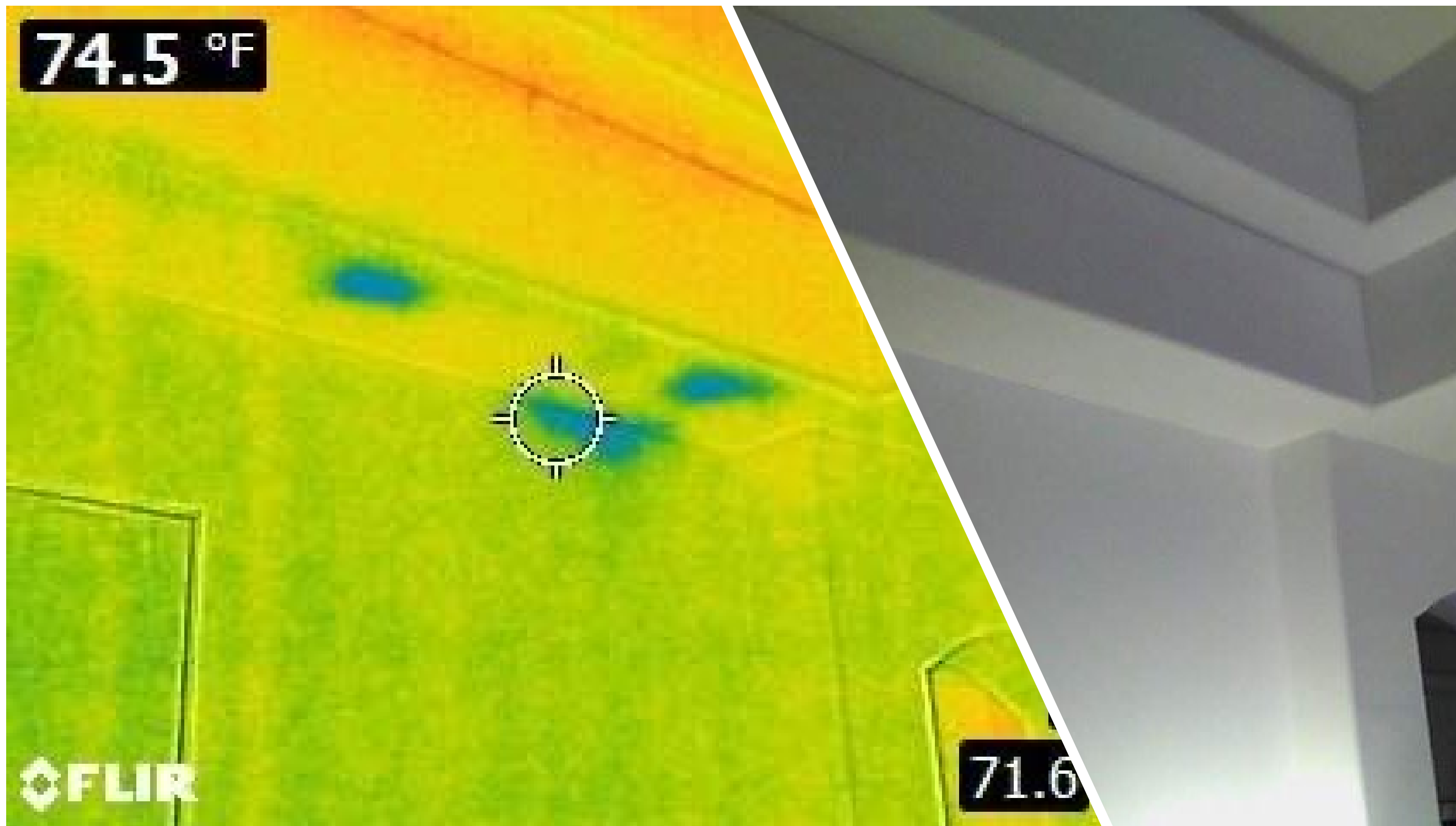
THINGS TO BE ON THE LOOKOUT FOR SIGNS OF **WATER DAMAGE**



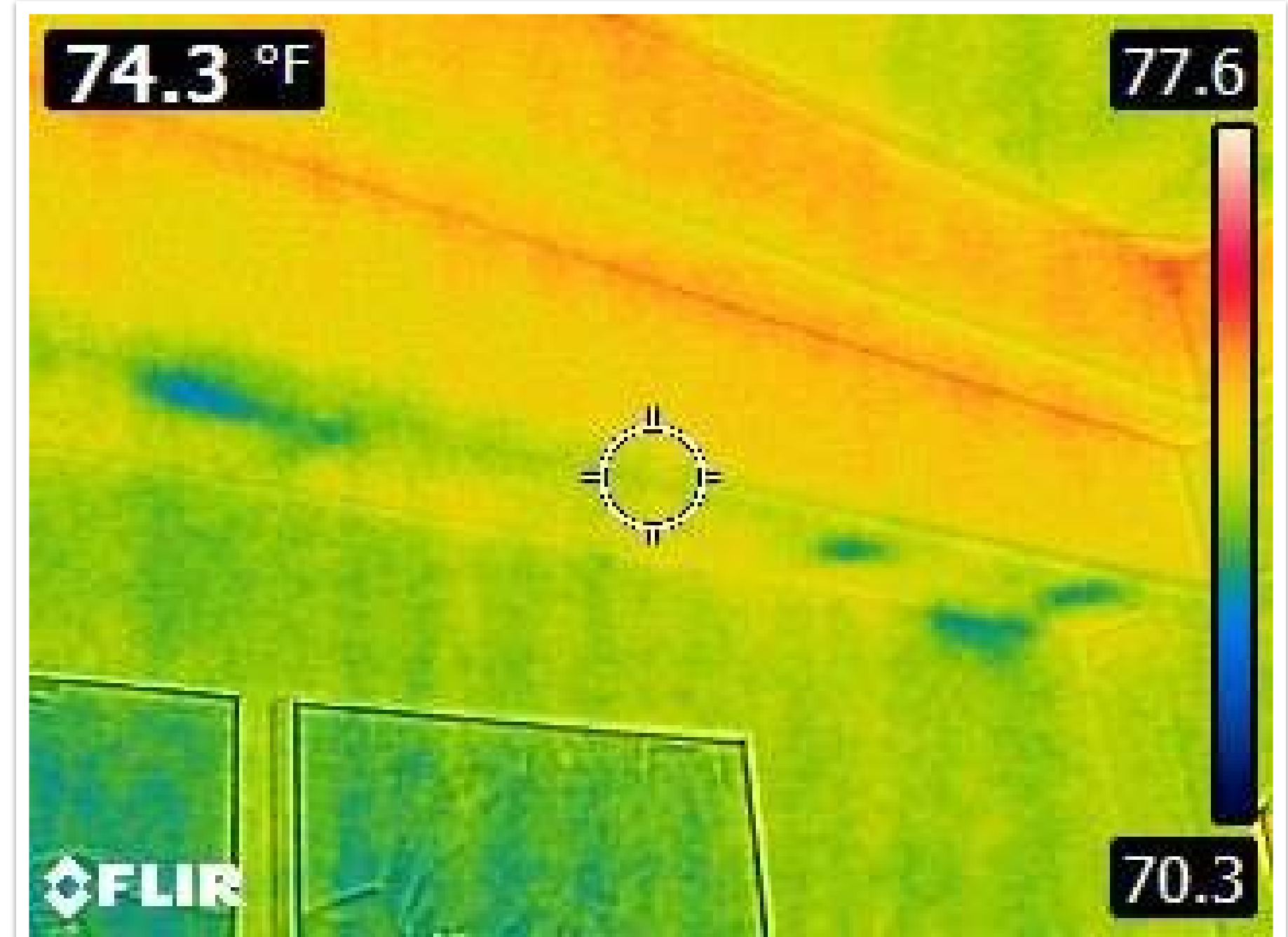
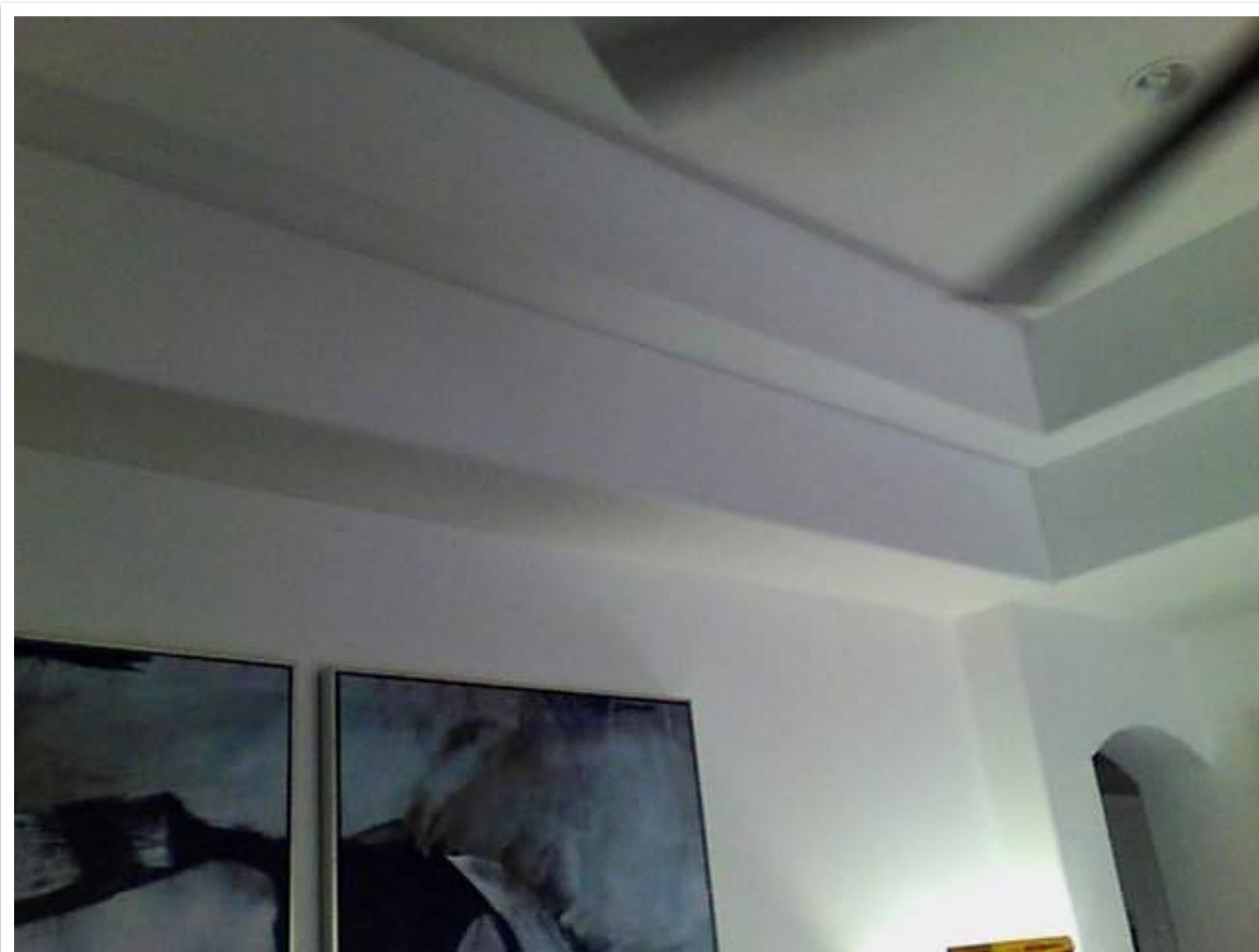
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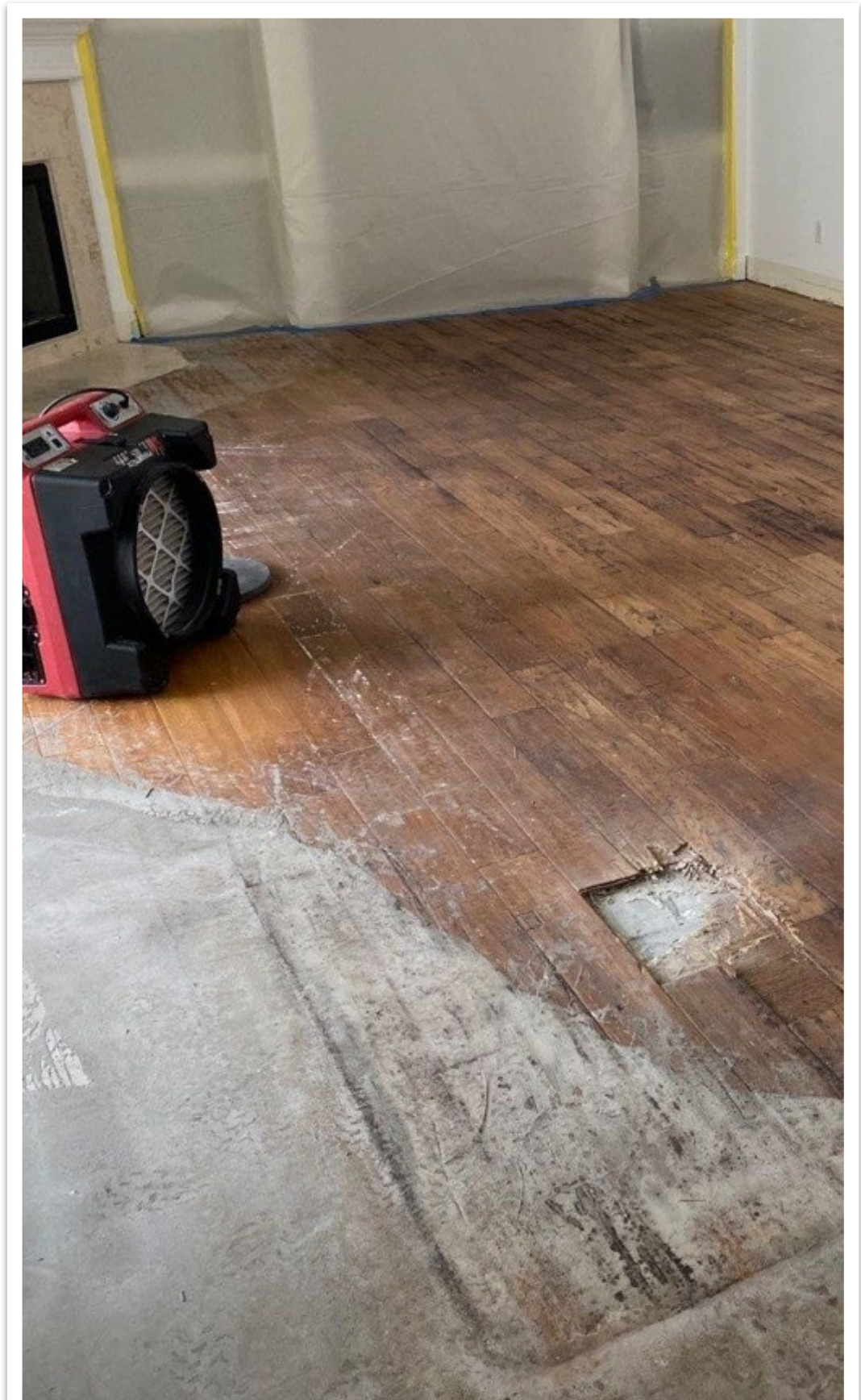
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THINGS TO BE ON THE LOOKOUT FOR SIGNS OF **WATER DAMAGE**



THINGS TO BE ON THE LOOKOUT FOR SIGNS OF **ROOF DAMAGE**



THINGS TO BE ON THE LOOKOUT FOR SIGNS OF **ROOF DAMAGE**



THINGS TO BE ON THE LOOKOUT FOR BUT MAY NOT SEE **MOLD**



The **MOLD** Process

1. An Industrial Hygienist tests for the presence of mold with either a Swab sample or Air Sample. The IH takes the sample back to lab to perform the testing.
2. Assuming mold is present, the IH puts together a Protocol for remediation of the mold.
3. A separate and independent Restoration Company will follow the steps listed in the protocol and remediate the mold.
4. The IH comes back and does same test to confirm the mold has been removed.

What is happening in the industry?

1. Rates are going up
2. Coverages are going down
3. Statute of deadline has decreased from 2 years to 1 year
4. No more statutory fees

What have we learned?

- ✓ Types of Insurance Claims
- ✓ Your role in the process
- ✓ How to validate a claim
- ✓ The steps of filing a claim
- ✓ The claims process
- ✓ Advocates in the claims process
- ✓ Contractor damage responsibility
- ✓ Association and owner policy responsibility
- ✓ Signs of damage and how to spot it

QUESTION TIME

WHAT?

WHY?

WHEN?

WHO?

Thank you,

