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VIA E-MAIL:Charlie.Crist@MyFlorida.com
VIA FACSIMILE 850 487-0801
& REGULAR U.S. MAIL

The Honorable Charlie Crist
Office of Governor Charlie Crist
State of Florida
PL-05 The Capitol
Tallahassee, FL 32399-0001

RE: Senate Bill 2044 (Insurance)

Dear Governor Crist:

I respectfully request that you veto the insurance legislation recently passed in SB 2044. While there are many good provisions in this bill including some of the Public Adjusting proposed changes, other provisions will cause great harm to Florida policyholders particularly when the next big storm or other perils impact already struggling Floridians.

As an example, the provision to withhold replacement cost payments particular to policyholders who paid for this coverage is very disturbing and has the potential to cause great financial harm. As you may or may not know, this is not new to those of us who have made a career in the adjusting profession in this State. Sadly, we seem to have a lack of institutional knowledge in this State coupled with a lack of an impounded panel or council of sages/experts that could provide input on issues given our history. In my opinion this alone could be a very important step to help all stakeholders going forward with legislation on property insurance.

As an example, when Hurricane Andrew hit 18 years ago this August, those of us who worked that storm remember well the outrage and controversies that resulted when insurance companies went to the insured's home and told them they would not be getting the replacement cost of their loss but a lesser amount known as actual cash value. This controversy continued on and into the 2004 storm season when the legislature then addressed it by requiring full replacement cost to be paid if this was what was purchased by the homeowner.

My question to you and I am sure you will be asked by the Citizens of Florida when the next storm hits is: Where will already struggling homeowners go to get the money to first replace things before they get the benefit of the replacement cost insurance they purchased?

In closing we need some of the reforms as outlined in SB 2044 such as getting the mitigation discount issue on track which should be a very high priority given where our housing stock has been built (coastal areas) and how it is built (remember Country Walk in Dade County?) and reforms on new property insurance companies. As reported by the Sarasota Herald Tribune reporting one set of numbers to the SEC (a profit) and another set to the Office of Florida Insurance Regulation (a loss) is outrageous in my view.

Tampa
5401 West Kennedy Blvd., Suite 757
Tampa, Florida 33609
P: 813.287.8090 F: 813.287.0862
TF: 1.800.321.4488

South Florida
800 South Federal Highway
Hollywood, Florida 33020
P: 305.374.5223
TF: 1.800.321.4488

Treasure Coast
3477C SW Palm City School Ave.
Palm City, Florida 34990
P: 772.828.2406 F: 561.348.2108
TF: 1.866.903.1718

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Governor Crist, please veto SB 2044 for the benefit of all Floridians struggling in the wake of the "Great Recession" and the meltdown of our Citizens greatest assets--their homes. Let's take some time and work on real property insurance reform. What just passed obviously pleased the insurance lobbyists given their report cheers, but silence from the consumer was deafening! Thank you.

Sincerely yours,



Charles R. "Dick" Tutwiler, C.P.C.L.A., P.C.L.A.
Licensed Public Adjuster / Loss Appraiser / Certified Windstorm Umpire

CRT/hef