

On Property Newsletter

Spring 2013



[Dick Tutwiler](#)

"As our group continues to try and help Sandy victims, we are struck daily with the heart breaking calls and emails we get from policyholders in flood zones whose homes and businesses have been determined to be damaged beyond 50% of their value, triggering law and ordinance issues that require them to elevate the property to current flood map requirements."

Single Indemnity, Double Indemnity or No Indemnity....Learning from Super Storm Sandy Claims

In the 1944 movie "Double Indemnity" the infamous claims manager (starring Edward G. Robinson) says, "It's the company. The way they do things. The way they don't do things. The way they'll write anything just to get it down on the sales sheet. And I'm the guy that has to sit here up to my neck in phony claims so they won't throw more money out the window than they take in at the door ... I get darn sick of picking up after a gang of fast talking salesman."

If there is a present day equivalent to claims manager Robinson, his problems would not be with phony Sandy claims. Folks, these claims are real and from my firm's perspective, devastating to the thousands of homeowners and businesses all along the northeastern seaboard. Thankfully, the likely inflow of new Sandy losses has probably been reduced to a trickle. But the clean up, construction repairs, building permit problems, adjustment of claims and attempts to arrive at fair settlements continues unabated. To add insult to injury, this year's extreme northeast winter weather has only added to the woes of struggling property owners who can't seem to get a break from "Old Man Winter." With the 2013 hurricane season fast approaching, most folks in the property insurance adjusting profession I know

(including our firm's adjusters) are still working with Hurricane Sandy matters. I sure hope they speed things up so the troops can be freed up for the fast approaching June 1st start date of the 2013 hurricane season...[read more](#)

FAST FACT: Forgot about Super Storm Sandy? New York City hasn't. The Statue of Liberty and the Ellis Island National Historical Park are still closed due to the extensive damage inflicted by the storm. Read Article: ["Hundred of Storm Damaged Homes in Long Beach Need Rebuilding"](#)

Featured Claim

Tutwiler Helps Margarita Villas Resort Get Fair Insurance Settlement Despite Road Access Challenges

On October 29, 2012 Super Storm Sandy abruptly came ashore impacting many states along the Northeastern coast causing significant damage to many commercial, industrial, and residential properties. Margarita Villas, a specialty lodging resort located in the scenic beachfront community of Kismet on Fire Island sustained both wind and water damage as a result of Sandy...[read more](#)



"Margarita Villas faced severe delays getting its business up and running from Sandy Damage."



Policyholder Question About Condo Association Declaration Changes to Switch Out Old Water Heaters

Q Our association has an issue with water heaters that are original, 15+ years old. Multiple tanks have failed over the last several years. Luckily, I was able to contain the flooding before any significant damage occurred. I have posted and sent notices to all owners requesting that they change out their old heaters. I still have a few that do not take this issue seriously. Do you have any advice with Declaration changes that require water heaters to be replaced every 10 years on pros and cons that may influence my recommendation to the board?...[read answer](#)

"These water losses are a nightmare for association boards and units owners. You are likely to have damage to both unit owner and master association property and have everyone pointing fingers as to who is responsible."

Sponsorships

Tutwiler & Associates was recently honored to sponsor The Florida Communities of Excellence Awards. It is the only independent recognition program for community associations throughout Florida and represents the pinnacle of achievement for community associations in our state. It has recognized dozens of outstanding communities throughout Florida since its founding in 2008 and we applaud this year's honorees.



"The award recognizes dozens of outstanding communities throughout Florida."



Tutwiler to be Featured Instructor at Disaster Planning Summit

"We salute companies like Greenacre who

sponser these type of workshops and contribute to the highest professional standards of their staff.

Dick and Rick Tutwiler will be the featured instructors at a hurricane planning seminar being conducted by Greenacre Properties, Inc. in Tampa for its property managers. Greenacre Properties, Inc. (GPI) is one of the oldest association management companies in Florida and currently assists the boards of 140 communities throughout West Central Florida, serving almost 50,000 Florida homeowners. The one-half day program will cover the connection between good disaster planning and proper claims handling techniques and also demonstrate how planning does not always take into account the reality of what happens after a disaster. The program will demonstrate how the lack of proper plans can also impact an insured property damage claim when it is not handled properly during the critical time after a catastrophe like a hurricane. Common pitfalls that can compromise the integrity of the claim leading to delays and inadequate settlements will also be reviewed. In addition representatives from the Tampa Police Department, fire department, city utility companies and disaster specialists covering other industries will be on hand to share their disaster planning tips. If you are conducting a seminar or would like Tutwiler & Associates to speak to your group, you can contact Rick Tutwiler at: ricktutwiler@publicadjuster.com or 727-599-4224. In some cases In some cases our programs provide continuing education credits required by the State of Florida.

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