

On Property Newsletter

Summer 2011



[Dick Tutwiler](#)

"I am just not sure the powers to be fully understand the consequences of this piling on in our current economic state."

Florida Property Insurance Reform Version 2011

The Tampa Bay Business Journal recently reported that "nearly half of Tampa Bay area homes are underwater (48.1%) at the end of the first quarter." Miami, Orlando, Jacksonville, and Ft. Lauderdale reportedly were very close to the same percentages. Times change, markets correct, and as night follows the day, abuses in business, overheated markets and bad conduct are often examined by our elected officials and compensated for in the form of new legislation. Nothing wrong with that, but sometimes things get too far out-of-hand and the consumer ends up damaged by the process....[read more](#)

Featured Claim

Disco Deluge

In July of 2010, a prominent real estate group that owned a building in Tampa's Ybor City which housed a well known nightclub was informed by their tenant that two air conditioning units on the roof were not working. Upon inspection, the owners were shocked to see the A/C units had been severely vandalized and stripped of their copper parts. They could not fathom how someone could climb onto the roof, but quickly discovered a way to access the roof from the building next door. The owners filed an insurance claim for the vandalism and were given an offer



"Public adjuster [Rick Tutwiler](#) decided to inspect the building after every storm and document the water entering the building."

from the insurer. However, no estimate or detail was provided on how they arrived at their figure. So the owners rejected it. Subsequently, their tenant closed their business and vacated the property...[read more](#)



"Get any sinkhole issues resolved or investigated before next year."

Ask Tutwiler Insurance Claims Questions

New Florida Legislation in the form of Senate Bill 408 has changed the rules for property insurance policyholders in several areas. A couple of changes specifically impact Citizens Insurance policyholders' sinkhole coverage and their ability to engage a public adjuster to assist them with any claim. The new law states the following:

"For any claim filed under any policy of the corporation (Citizens Insurance), a public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value greater than 10 percent of the additional amount actually paid over the amount that was originally offered by the corporation for any one claim."

"CPIC (Citizens Insurance) must provide that new or renewal policies issued by the corporation on or after January 1, 2012, which cover sinkhole loss do not include coverage for any loss to appurtenant structures, driveways, sidewalks, decks, or patios that are directly or indirectly caused by sinkhole activity. The corporation shall exclude such coverage using a notice of coverage change, which may be included with the policy renewal, and not by issuance of a notice of nonrenewal of the excluded coverage upon renewal of the current policy."

Read some common questions that may help you understand this part of the new law and how it might impact you...[more](#)

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information you need to make informed and knowledgeable decisions regarding the



2011 hurricane season.

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Remember be prepared. Always be prepared.