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OIR Poised to Eliminate AOB Language Protections from Policies **Move would impact six homeowners insurance companies**

Six Florida homeowners insurance companies caught-up in a regulatory contradiction stand to have consumer protection language stripped from their policies by the Florida Office of Insurance Regulation (OIR). The six companies successfully submitted policy forms to OIR in 2013 that require any AOB signed by a policyholder also include signatures of mortgagees and others with an insured interest. OIR, after recently turning down another insurance company that wanted to put the exact same language in its policies, now says those previous companies' approvals shouldn't have happened and technically, weren't approvals at all.

As we reported here in the LMA Newsletter last month (see [Another Day, Another DCA Decision](#)), OIR's decision to deny the same language to Security First Insurance was upheld by an administrative hearing judge and last month by a panel of the Fifth District Court of Appeal (DCA), which ruled such language was in violation of Florida statute. This despite the 2nd DCA having ruling last fall in favor of another insurer using the same language. Amy O'Connor in her excellent [Insurance Journal story last week](#) notes that Security First has now requested a hearing by the 5th DCA's full bench and certification of questions to the state Supreme Court "of public interest and importance" from this case.

As I was quoted in Amy O'Connor's story, those policyholders insured with the six companies that require mortgage company approval for a valid AOB are actually protected from unscrupulous vendors at a time we need further AOB protections desperately in this rampant environment of fraud. "It's unfortunate that all policyholders cannot access this benefit because of regulatory, judicial and legislative limitations," I told her.

The Insurance Journal also reports that OIR is awaiting a "mandate from the 5th DCA to take appropriate action" but if that means to eliminate a consumer protection, then we all need to rethink how to tackle this well-documented consumer abuse of a piece of paper called an assignment of benefits becoming a weapon for bad people to take advantage of good people. We'll stay on this ongoing story!