

Know Your Rights

Homeowner Claims Bill of Rights



As outlined in s. 627.7142, Florida Statutes, the Homeowner Claims Bill of Rights relates to the insurance claims process, and outlines your rights and responsibilities as a homeowners insurance policyholder.

YOUR RIGHTS*

In summary, per the Homeowner Claims Bill of Rights:

- 1) Your insurance company must send you an acknowledgment of your insurance claim within 14 days after you submitted the claim.
- 2) Within 30 days after you have submitted a complete proof-of-loss statement, if requested in writing, your insurance company must send you confirmation that your claim is covered in full; partially covered; denied; or being investigated.
- 3) Within 90 days, you should receive full payment; payment of the undisputed portion of your claim; or a written denial of your claim. Please note, if there is dual interest in the claim, i.e. your mortgage company may be a party, this payment may be submitted to both parties.
- 4) You may be eligible to participate in a free mediation to resolve your disputed claim by contacting the Florida Department of Financial Services, Division of Consumer Services.
- 5) You may be eligible to participate in a free Neutral Evaluation to resolve your disputed claim if your claim is for damage caused by a sinkhole and is covered by your policy.

www.MyFloridaCFO.com/Division/Consumers

YOUR RESPONSIBILITIES

In summary, In accordance with the Homeowner Claims Bill of Rights, you have the following responsibilities as a homeowners insurance policyholder.

- 1) Contact your insurance company before entering into a contract for repairs to ensure you adhere to the repair provisions included in the policy.
- 2) Make and document emergency repairs that are necessary to prevent further damage. Keep the damaged property, if feasible; keep all receipts; and take photographs of damage before and after any repairs.
- 3) Carefully read any contract that requires you to pay out-of-pocket expenses or a fee that is based on a percentage of the insurance proceeds that you will receive for repairing or replacing your property.
- 4) Confirm that the contractor you choose is licensed to do business in Florida. You can verify a contractor's license and check to see if there are any complaints against him or her by calling the Florida Department of Business and Professional Regulation. You should also ask the contractor for references from previous work.
- 5) Require all contractors to provide proof of insurance before beginning repairs.
- 6) Take precautions if the damage requires you to leave your home, including securing your property and turning off your gas, water, and electricity, and contacting your insurance company to provide a phone number where you can be reached.

*The Homeowner Claims Bills of Rights does not represent all of your rights under Florida law regarding your insurance policy. There are also exceptions to the stated timelines when conditions are beyond your insurance company's control.

The Homeowner Claims Bill of Rights does not create a civil cause of action by an individual policyholder, or a class of policyholders, against an insurance company and does not prohibit an insurance company from exercising its right to repair damaged property in compliance with the terms of an applicable policy.

For assistance with any insurance claim or questions pertaining to the handling of your claim, contact the Florida Department of Financial Services, Division of Consumer Services:

Toll-free Insurance Consumer Helpline
1-877-MY-FL-CFO (1-877-693-5236)

www.MyFloridaCFO.com/Division/Consumers

DEC 2018