



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

NOTICE TO INDUSTRY AND CONSUMERS: Rights and Obligations Arising during a Declared State of Emergency

To: Interested Stakeholders
From: Florida Department of Financial Services
Date: September 28, 2024

In response to Hurricane Helene, the Department of Financial Services (DFS) reminds all insureds and industry licensees of certain rights and obligations that arise during a declared state of emergency, including:

Extended Cancellation Period for Public Adjusting Contracts

An insured may cancel a public adjuster contract within 30 days after the date of loss or 10 days after the date the contract is executed, whichever is longer. See Section 626.854, Florida Statutes.

Limitation on Public Adjuster Compensation

A public adjuster may not charge more than 10 percent of the amount of the insurance claim payment or settlement, exclusive of attorneys' fees and costs, on any insurance claim that occurs due to Hurricane Helene. This limitation applies to any claim that arises due to Hurricane Helene during the year following the Governor's declaration of state of emergency. See Section 626.854, Florida Statutes.

Cancellation Period for Roofing Contracts

For Consumers:

A residential property owner with damage from Hurricane Helene is entitled to a cancellation period, without penalty or obligation, of 10-days from the date a roofing contract is executed or until the Official Start Date of a roofing project, *whichever comes first*. The "Official Start Date" is the date on which the contractor commences installing materials that will be included in the final work on the roof, whether that be a full replacement or temporary repair performed in accordance with the Florida building code. Cancellations may be effectuated by sending notice thereof via certified mail, return receipt requested, to the address identified in the roofing contract. See Section 489.147, Florida Statutes.

For Roofing Professionals:

All roofing contracts entered into during a declared state of emergency must contain the following language in bold face, and at least 18-point font:

Heightened Penalties Applicable to DFS Licensees

DFS licensees, including public adjusters, independent adjusters, adjuster apprentices and other field representatives that violate the insurance code with respect to any claim caused by Hurricane Helene are subject to heightened penalties during a declared state of emergency, including:

- A fine up to \$25,000 for each non-willful violation
- A fine up to \$200,000 for each willful violation

See Section 626.9521, Florida Statutes.

The Department of Financial Services has deployed law enforcement officers, licensing agents and other personnel to the counties affected by Hurricane Helene. DFS employees are well-versed in the consumer rights and industry obligations that arise during a declared state of emergency. If you need help with an insurance claim, please contact the Florida Department of Financial Services, Division of Consumer services at 1-877-MY-FL-CFO (693-5236) or visit [PrepareFL.com](https://www.preparefl.com).