

Special Report:

# **12 Things You Should Know When Filing Your Hurricane Insurance Claim**

## **How to Successfully Deal with Your Insurance Company after a Hurricane... and Get What You're Entitled to**

In the event you have experienced damage to your home, business or personal property (cars, furniture, boats and other personal property) as a result of a hurricane, there are certain steps that are very important in filing a claim for damage.

- 1. INITIAL CONTACT** - Immediately contact your insurance company and report the loss or damage to the company. Ask the representative what it wants you to do, and then take precise notes. Make sure you note when you called in to report the claim; what you reported; and what you were told to do.
- 2. LOCATING INSURANCE POLICIES** - Try to retrieve your insurance policies and keep them in your possession. An insurance policy is a contract between an insurance company and the insured (you). If you have lost the policies, try to get copies from your insurance agent.
- 3. PHOTOGRAPHS** - Try to take photographs of the damaged property – whether it is a house, business, office, automobile or other property. It is not absolutely critical to have photographs, but it is extremely helpful.
- 4. NOTES** - Make written notes about your losses. In other words, write out notes about where and how your house, office or business was damaged. Write out notes about the automobiles, clothing and other items that were damaged. This should be helpful to you in later refreshing your memory as to your losses.
- 5. TYPE OF DAMAGE** - In ascertaining the damage to your property, please try to make a written note about what damage was caused by flood. Also try to note what damage was caused by rain. If you have insurance coverage for

*Please read on...*

wind damage and also for flood damage, it is very important to make a note as to what damage was caused by wind, and what was caused by flood – and even what damage was caused by rain. You can simply take a pen and pad and write these notes and save them to help you in the processing of your claim.

6. **CAUSE OF DAMAGE** - If you have both wind and flood damage to your home, office or business, or any other real property (such as condominium or timeshare unit), please make a written note about how high the flood level was in your property. In other words, typically the flood water will leave a water stain and you will know the top of the water stain is the height that the flood water was on your property. You will then know that everything above the water stain level was most likely damaged by wind or rain, and everything at and below the stain level was caused by flood, although it may have been earlier damaged by wind or rain.
  
7. **UNDERSTANDING YOUR INSURANCE POLICY** - Try and read and understand your applicable insurance policy. Most policies are made up of what is called a “declaration sheet” which shows the specific type of coverage you have, and also has an insurance booklet which contains general provisions regarding the insurance coverage that is given to every insured. The declaration sheet usually has the insured’s (your) name on it and, again, shows the specific amount of insurance coverage for each type of covered matter.
  
8. **YOUR BEST INTERESTS** - When an insurance adjuster contacts you, be sure to write down his name and telephone number. Certainly, be careful not to let him take advantage of the situation by offering you less than you know the insurance coverage should provide you. Again, an insurance policy is a contract between you and the insurance company, and the insurance adjuster is the one responsible for resolving the claim. The law requires that the insurance company provide for the best interests of its insureds (you), even in difficult circumstances such as hurricane loss.
  
9. **DOCUMENT ALL COMMUNICATION** - Try to keep written notes as to the history of the communications between the insurance company and you as the insured. That is, make a written note as to what the insurance representative told you, what he/she did, and what you told him/her and did.
  
10. **CLAIM FORM** - When you talk to your adjuster, ask him if a “Proof of Loss Claim” form, or similar claim form, needs to be filed. If he/she says

*Please read on...*

yes, then ask the adjuster to immediately send you the appropriate claim form. Once you receive it, you should promptly fill it out and send it back to the insurance company.

**11. YOUR FAIR TREATMENT** - The insurance company has a responsibility to handle your claim in a fair and reasonable manner, and to pay you promptly. Certainly, the insurance company should not be allowed to intimidate you in any way or take advantage of the situation caused by the hurricane losses and pay you less than your policy requires.

**12. CONSULTING AN ATTORNEY** - If the insurance company does not treat you fairly, you may have legal options. An attorney can best advise you of your rights. Many attorneys do not charge for an initial consultation and many claims can be resolved without the necessity of a lawsuit. Typically, if the attorney cannot help you, you do not owe him/her anything.

Keep in mind when dealing with the insurance company that this is *your* insurance company and you have rights. You paid premiums for this company to provide you with exactly the type of service that is called-for when you suffer a hurricane loss. You are entitled to prompt and responsible evaluation of the loss and for payment for the loss. Many insureds have paid premiums for many years and have never had a claim. The insurance industry is in the business of evaluating and paying for claims based on losses such as those sustained in hurricanes... and your insurance company should provide you with the same care and sense of responsibility that you did in selecting that company and paying premiums to that company.

If you have filed a claim – or are considering filing one – due to hurricane property damage, and have questions on whether your insurance company is treating you fairly, please contact:

**Samuel W. Bearman, Attorney at Law**  
**Law Office of Samuel W. Bearman, LC**  
**820 N. 12<sup>th</sup> Avenue**  
**Pensacola, FL 32501**  
**Tel. (800) 760-6065**  
**[www.FloridaHurricaneLaw.com](http://www.FloridaHurricaneLaw.com)**  
**Email: [SBearman@bellsouth.net](mailto:SBearman@bellsouth.net)**

Please feel free to pass this information along to anyone you know who has property damage from a hurricane.

The hiring of a lawyer is an important decision that should not be based solely upon advertisements. Before you decide, ask us to send you free written information about our qualifications and experience. This report is to be used for general informational purposes only. Nothing contained herein should be construed as legal advice, nor is a client-attorney relationship created merely by requesting or possessing this report.