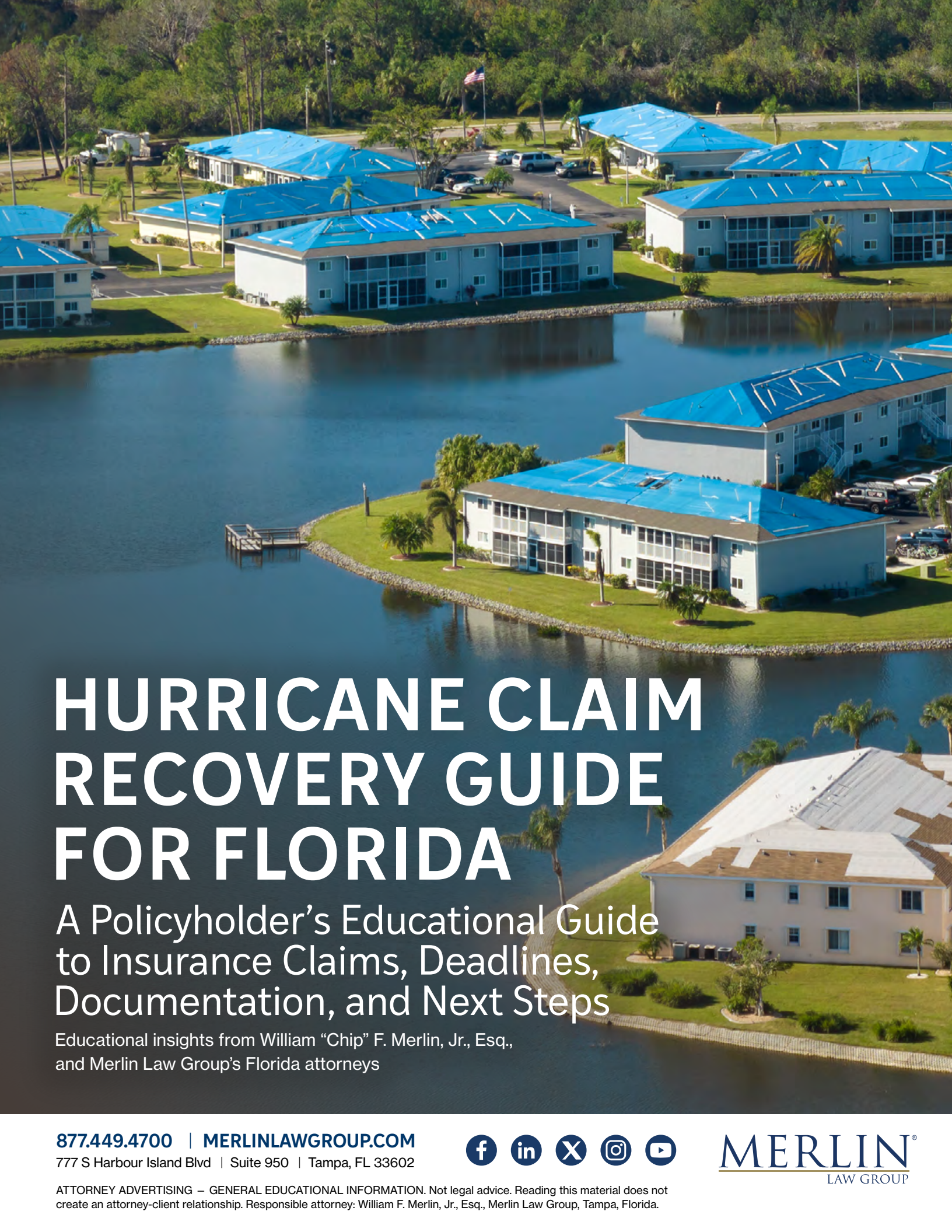


An aerial photograph of a resort complex featuring several large, light-colored buildings with bright blue roofs. The buildings are situated around a calm body of water, with a small wooden dock extending into the lake. Lush greenery and palm trees are scattered throughout the property. In the foreground, a building with a white roof is partially visible.

HURRICANE CLAIM RECOVERY GUIDE FOR FLORIDA

A Policyholder's Educational Guide
to Insurance Claims, Deadlines,
Documentation, and Next Steps

Educational insights from William "Chip" F. Merlin, Jr., Esq.,
and Merlin Law Group's Florida attorneys

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COMMON CLAIM ISSUES AFTER A FLORIDA HURRICANE

After a hurricane, insurance claims can involve many different issues. Some homeowners have total losses. Others have homes that are still standing but have roof, window, water-intrusion, mold, fence or other-structure damage.

Common issues may include:

- Disputes over whether damage was caused by wind, which a homeowners policy typically covers, or by flood or storm surge, which it typically does not.
- Disputes over the insurer's repair estimate, roof scope, or matching of undamaged materials.
- A hurricane deductible applied to the claim, or questions about how much of it remains for the year.
- Additional living expense benefits being reduced, delayed or cut off.
- Delays in acknowledgment, inspection, payment or a coverage decision.
- Payment of actual cash value only, with depreciation withheld.
- Underinsurance, where limits may not match the actual cost to repair or rebuild.
- Mold or interior water damage that appears weeks after the storm.
- Claims involving more than one policy: homeowners, a separate wind policy, flood, or excess.

In some cases, a dispute may involve whether the insurer handled the claim reasonably under the policy and Florida law. That depends on the claim file, the policy language, the insurer's communications, payments made, and the facts of the loss.

WHAT FLORIDA'S PROPERTY INSURANCE REFORMS MEAN FOR YOUR CLAIM

Florida rewrote its property insurance laws in 2022 and 2023, and most of those changes are still in force in 2026.

- **Shorter time to report.** A new or reopened claim must be reported within 1 year after the date of loss. A supplemental claim must be reported within 18 months. §627.70132, Fla. Stat.
- **Faster insurer deadlines.** Insurers generally must acknowledge your communications within 7 days and pay or deny within 60 days of notice, unless factors beyond their control apply. §627.70131, Fla. Stat.
- **Your right to the estimate.** The insurer must send you any detailed estimate prepared by its adjuster within 7 days after it is created.
- **Assignment of benefits.** For policies issued on or after January 1, 2023, you generally cannot assign your post-loss benefits to a contractor or other third party.
- **Attorney fees.** Florida repealed automatic fee-shifting for property insurance lawsuits. Which rules apply can depend on when your policy was issued.
- **Notice before suit.** Florida generally requires written notice of intent to litigate, filed through the Department of Financial Services, at least 10 business days before a lawsuit. §627.70152, Fla. Stat.

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CITIZENS PROPERTY INSURANCE CORPORATION

If you are insured through Citizens, Florida's insurer of last resort, the same Florida reporting deadlines apply. Read your Citizens policy for its own notice, proof-of-loss and dispute-resolution terms.

UNDERSTANDING YOUR COVERAGE AFTER A HURRICANE

Your Hurricane Deductible

Florida hurricane deductibles are often a percentage of your dwelling limit, commonly 2%, 5% or 10%. On a \$300,000 dwelling limit, a 2% deductible is \$6,000. Under Florida law, a homeowners hurricane deductible applies once per calendar year across covered hurricane losses with the same insurer or insurer group. If you had an earlier hurricane claim this year, ask how much of the deductible has already been met. §627.701(5), Fla. Stat.

Other Structures (Coverage B)

Fences, sheds, detached garages, screen enclosures and pool cages usually fall under Coverage B, often limited to 10% of your dwelling limit. Check your declarations page.

Actual Cash Value Vs. Replacement Cost

Replacement cost coverage pays to repair or replace with new material. Actual cash value subtracts depreciation. Many insurers pay actual cash value first and release the withheld depreciation after repairs are completed.

Recoverable Depreciation

If depreciation was withheld, ask in writing what you must submit to recover it and by when.

Mold

Many policies cap mold coverage with a sublimit. Report signs of mold promptly and document them.

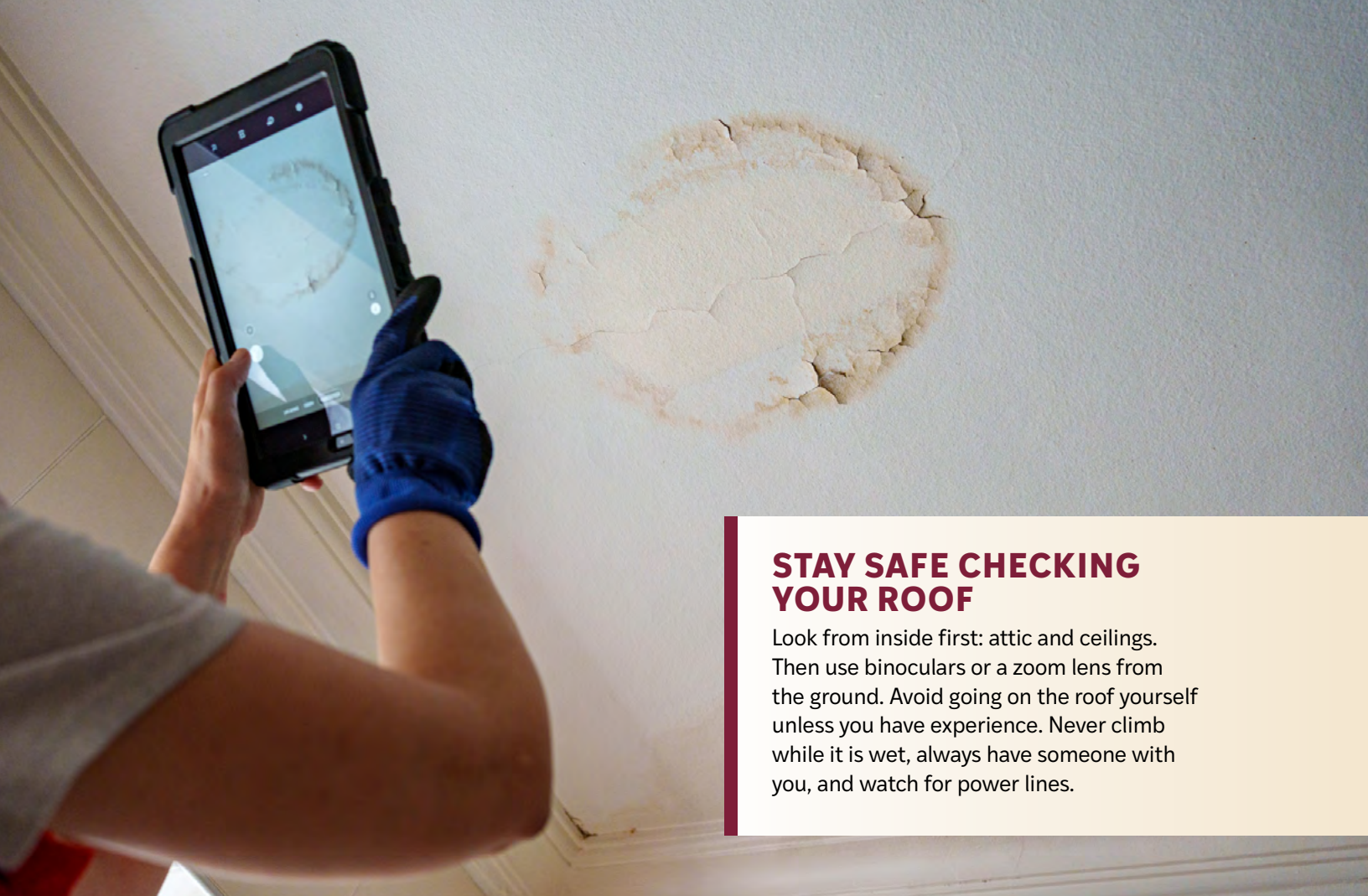
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STAY SAFE CHECKING YOUR ROOF

Look from inside first: attic and ceilings. Then use binoculars or a zoom lens from the ground. Avoid going on the roof yourself unless you have experience. Never climb while it is wet, always have someone with you, and watch for power lines.

RETURNING HOME SAFELY AND DOCUMENTING DAMAGE

When You First Return:

- Watch for downed power lines, broken limbs, damaged roofing and siding, and standing water.
- Avoid walking through floodwater; it can contain debris and contamination.
- Do not drink tap water until local officials say it is safe.
- Open closets and cabinets carefully; contents may have shifted.
- Wear gloves, sturdy boots, safety glasses and a mask or respirator during cleanup.
- Look for less visible structural damage: nail pops, cracked framing or foundation, twisted beams.
- Check for mold over the following weeks: water stains, peeling paint, musty odors.

Document Before You Clean Up

If you can do so safely, photograph and video all damage before cleanup or repairs. Take close-ups, not just wide shots. Photograph again at a different time of day; low sun can show roof dents and lifted shingles that midday light hides.

Make Temporary Repairs And Keep Receipts

Tarpping a roof or boarding a window to prevent further damage is usually expected. Save every receipt and photograph the damage first.

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WORKING WITH ADJUSTERS AND CONTRACTORS

When The Adjuster Visits

Walk the property with the adjuster and point out all damage. In Florida, the adjuster assigned to inspect your property must give you a document with his or her name and state adjuster license number. If the adjuster does not get on the roof or skips an area, note it and follow up by email the same day.

Ask Who The Adjuster Works For

Many insurers use independent adjusting firms. Write down the company name and the adjuster's license number.

Stay Involved

Have contractors take before-and-after photos, or take them yourself. Do not let repairs remove the only evidence of damage.

THOROUGHLY VET YOUR CONTRACTORS

Use licensed and insured contractors. Verify a Florida license at the Department of Business and Professional Regulation website. Be cautious of anyone offering to waive your deductible or promising a rebate. Waiving a deductible can be insurance fraud and can put your claim at risk.

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DEADLINES AND DATE WORKSHEET

Florida sets specific deadlines for reporting a claim and for the insurer's response. Your policy may add its own conditions.

- **New or reopened claim:** Report within 1 year after the date of loss.
- **Supplemental claim:** Report within 18 months after the date of loss.

- **Lawsuit:** Florida law limits how long you have to sue on a property insurance policy, and generally requires written notice of intent to litigate at least 10 business days before suit. §627.70152, Fla. Stat. Confirm your deadline with a qualified professional.

Do not calculate your deadline from this guide. Denial letters, partial payments and policy language require claim-specific review.

DATE WORKSHEET – FILL IN BEFORE SPEAKING WITH A PROFESSIONAL

Date of loss: _____

Date claim was reported: _____

Date insurer acknowledged the claim: _____

Date of inspection: _____

Date adjuster's estimate was received: _____

Date of first payment: _____

Date proof of loss was requested / due: _____

Date of any denial or partial denial: _____

Date of any reservation-of-rights letter: _____

Do not calculate your legal deadline from this worksheet alone. Use it to organize dates for review by a qualified professional.

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TAKE STOCK OF WHERE YOUR CLAIM STANDS

The following prompts are for reflection only.
They are not a diagnosis of your claim.

- ☐ My claim has been denied in whole or in part.
- ☐ The insurer says the damage was caused by flood or surge, not wind.
- ☐ The amount offered appears lower than my contractor’s estimate.
- ☐ My hurricane deductible was applied and I am not sure it was calculated correctly.
- ☐ Depreciation was withheld and I do not know how to recover it.

- ☐ My additional living expense benefits were reduced or cut off.
- ☐ The insurer has been slow to respond or has stopped communicating.
- ☐ I received a request for a sworn proof of loss or examination under oath.
- ☐ A reporting or supplemental-claim deadline may be approaching.
- ☐ I have more than one policy, such as homeowners and a separate wind or flood policy.

Notes on my situation: _____



ORGANIZE YOUR CLAIM FILE

Whatever you decide to do next, a complete file helps. Keep these together, on paper or digitally:

- ☐ Claim number, adjuster name, company and license number
- ☐ Declarations page and full policy, including endorsements
- ☐ All applicable policies: homeowners, wind, flood, excess
- ☐ Photos and videos of damage, plus any pre-storm photos
- ☐ Contractor, roofer and mitigation estimates
- ☐ Receipts for temporary repairs: tarps, board-up, water extraction
- ☐ Temporary housing receipts, meals, mileage and other added costs
- ☐ Room-by-room inventory of damaged personal property
- ☐ All insurer communications, with dated notes of phone calls
- ☐ The adjuster's estimate and any denial, partial-payment or reservation-of-rights letters
- ☐ Proof of payments received

SIMPLE RULE:

Save everything, date everything, and follow up important phone calls with an email.

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KEY TIMEFRAMES TO BE AWARE OF

TOPIC	GENERAL TIMEFRAME	NOTE
Report a new or reopened claim	1 year after date of loss	§627.70132
Report a supplemental claim	18 months after date of loss	§627.70132
Insurer acknowledges your communication	7 calendar days	§627.70131(1)
Insurer begins investigation	7 days after proof of loss	§627.70131(3)
Physical inspection	Within 30 days after proof of loss	§627.70131(3)
Copy of adjuster's estimate	Within 7 days after it is created	§627.70131(3)
Insurer pays or denies	60 days after notice of claim	§627.70131(7); may be extended up to 30 days for factors beyond insurer's control
Hurricane deductible	Applies once per calendar year	§627.701(5); same insurer or group
Notice of intent to litigate	At least 10 business days before suit	§627.70152
Lawsuit on the policy	Limited by statute and your policy	Confirm with a qualified professional

General information only, not legal advice. Your dates may depend on your policy, the insurer's letters, payments made, and the facts of your claim.

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QUESTIONS YOU MAY WANT TO ASK

Questions For Your Insurer

- Will you confirm all coverage decisions and deadlines in writing?
- Was my loss treated as a hurricane loss, and how much of my hurricane deductible remains this year?
- Are you paying replacement cost, actual cash value, or both?
- Is any depreciation being withheld, and what do I need to recover it?
- Will you send me your adjuster's detailed estimate?
- Are you attributing any damage to flood or surge? Which damage, and on what basis?
- How long will my additional living expense benefits continue?

Questions For A Licensed Public Adjuster

- Do you represent me rather than the insurer, and are you licensed in Florida?
- How do your fees work?

Questions For An Attorney

- Based on my facts, what deadlines apply to me?
- How does my policy's issue date affect my options?
- How do attorney fees and costs work under a written fee agreement

Questions For A Contractor

- Are you licensed in Florida and insured?
- Will you give me a written, itemized estimate and scope?

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IF YOUR CLAIM FEELS STUCK

Insurers commonly cite these reasons when they deny or reduce hurricane claims:

- **Excluded cause.** The insurer says the damage came from flood, surge, wear and tear, or a pre-existing condition.
- **Below the deductible.** The estimate is lower than the hurricane deductible.
- **Late reporting.** The claim was reported after the policy or statutory deadline.
- **Lack of documentation.** Photos, receipts or an inventory are missing.

If your claim is denied, ask for the reasons in writing, including the policy provisions relied on. Gather your evidence and keep track of every deadline.

There is no single right answer, and no pressure to act because of this guide. A licensed public adjuster may help value and present a claim. An attorney may

advise on legal rights, deadlines and disputes involving denial, delay or underpayment. You may choose any qualified professional you trust. No attorney-client relationship is formed unless both you and the firm sign a written agreement.

A CALM WORD

Recovery happens one step at a time. Keep your records together, stay aware of timeframes, and consider qualified help when a claim becomes difficult. Step by step, you can recover, rebuild, and move forward.

This guide's Florida-specific content was prepared with insights from Merlin Law Group's Florida attorneys.

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Merlin Law Group — Florida Attorneys

William “Chip” F. Merlin, Jr., Esq.

Anthony Angelone, Esq.

Lucas Austin, Esq.

Larry Bache, Esq.

Dennis Bailey, Esq.

Daniel Ballard, Esq.

Brian Braddy, Esq.

Jonathan E. Bukowski, Esq.

Tamara C. Chen-See, Esq.

Nicholas Conklin, Esq.

Yanet Cordova Quintero, Esq.

Javier Delgado, Esq.

James DePalo Jr., Esq.

William L. “Trey” Flournoy, Esq.

Etienne Font, Esq.

Mary Fortson, Esq.

F. Todd Frederick, Esq.

Robert Gregory, Esq.

Ashley N. Harris, Esq.

Corey Harris, Esq.

Lauren Hussey, Esq.

Iris Kuhn, Esq.

W. Anthony “Tony” Loe, Esq.

Christopher N. Mammel, Esq.

Shaun J. Marker, Esq.

Ron Saunders, Esq.

Shane S. Smith, Esq.

Matthew Tiffany, Esq.

Donnie Worrell, Esq.

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