

GUIDE FOR



PROPERTY OWNERS

HURRICANE DAMAGE IN FLORIDA



Injured on the go?
JustCallMoe.com

WWW.JUSTCALLMOE.COM



Table of Contents

- 03** Facing the Storm: Hurricane Preparedness and Recovery in Florida
- 06** Before the Storm: Preparing Your Property
- 13** Understanding Your Insurance Coverage
- 20** Assessing and Documenting the Damage
- 26** Top 6 Claim Mistakes—and How to Avoid Them
- 31** Frequently Asked Questions (FAQs)
- 32** Take Control of Your Recovery Today!
- 38** A FINAL WORD

1 FACING THE STORM:

**Hurricane Preparedness
and Recovery in Florida**



Injured on the go?
JustCallMoe.com





Florida's warm climate and scenic coastline make it an attractive place to live, but with paradise comes the seasonal threat of hurricanes. Each year, property owners in Florida face the potential for severe weather that can damage homes, disrupt lives, and lead to significant financial burdens. Recent storms have shown the devastating impact a hurricane can have on communities, underscoring the importance of proactive preparedness for property owners.

Given Florida's unique regulations, such as the Financial Responsibility Law and requirements surrounding windstorm and flood insurance, it's crucial to understand your rights and responsibilities as a property owner. Therefore, this guide is designed to walk property owners in Florida through the essential steps to safeguard their property, understand their insurance coverage, and deal with the aftermath of a hurricane.



While Florida law does not mandate homeowners' insurance, lenders typically require it if you have a mortgage. However, standard homeowners' insurance policies often exclude flood damage, which is covered separately by flood insurance through the National Flood Insurance Program (NFIP) or private providers. For those in high-risk areas, additional coverage, such as windstorm insurance, may be necessary. In some Florida counties, these policies are essential, as state law mandates insurance for homes in hurricane-prone regions.

Whether you're preparing for an impending storm or dealing with the aftermath, understanding your insurance policy, documenting your property, and knowing how to file a claim are all vital for minimizing financial strain. This guide will take you through each of these steps to equip you with the knowledge you need to protect your home and assets when hurricanes strike.

So, let's delve into the essentials every property owner in Florida should know to face the storm with confidence and resilience!



2 BEFORE THE STORM:

Preparing Your Property



Injured on the go?
JustCallMoe.com



Preparation is everything when it comes to hurricane season in Florida. Even before a storm is on the radar, property owners can take steps to minimize damage and streamline insurance claims in case of an emergency. Here's what you need to know to ensure your property is storm-ready and financially protected.

2.1 Securing Important Documents



One of the most critical steps in hurricane preparedness is to have copies of essential documents safely stored and easily accessible. Ensure you have digital backups of items like insurance policies, property deeds, marriage certificates, and recent photos of the property's condition. In Florida, it's also wise to keep a record of any permits or licenses of recent renovations, as these documents could expedite insurance claims if you need to prove the value of repairs or upgrades.

TIP: Store physical copies of documents in a waterproof, fireproof safe, and keep digital copies backed up on a secure cloud service to access from anywhere.



2.2 Understanding Your Insurance Policy



It's crucial to know exactly what your insurance policy covers and to be aware of any limitations specific to hurricane-related damages. In Florida, standard homeowners' insurance often doesn't cover flood damage; this typically requires a separate flood insurance policy from the National Flood Insurance Program (NFIP) or private insurers. Additionally, windstorm insurance might be needed, especially in high-risk coastal areas.

- ✓ **Review Your Deductibles:** Hurricane policies often include a separate hurricane deductible that's higher than other types of claims. Knowing this amount in advance can help you budget accordingly.

- ✓ **Check for Exclusions:** Some policies exclude or limit coverage for wind damage or flooding. Make sure your policy addresses these specific threats, as Florida law mandates windstorm insurance in certain high-risk zones.

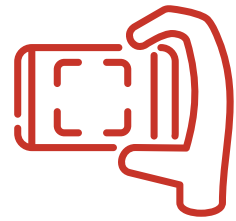
TIP: Consider meeting with an insurance agent to review and update your policy annually, particularly before hurricane season starts, to ensure you have adequate coverage for both wind and flood damage.





2.3

Documenting Property Condition



Before hurricane season, conduct a thorough home inspection and document the current condition of your property. Take clear, high-resolution photos or videos of key areas of your home, such as the roof, windows, exterior structures, and any valuable indoor items. These records will be invaluable when filing insurance claims as they establish a pre-damage baseline.



Exterior

Documentation:

Include photos of your roof, gutters, siding, and landscaping. If you have trees near the house, make note of their condition to distinguish pre-existing damage from storm impact.



- ✓ **Interior Documentation:** Photograph valuable items, appliances, and structural details like flooring and walls.

TIP: Keep a digital copy of these photos with your insurance documents, as they're crucial for proving damage in the event of a claim.

2.4 Preparing the Physical Property



Ahead of hurricane season, consider making protective upgrades to your property to mitigate potential damage. In some areas, the Florida Building Code may even require hurricane-resistant improvements for new constructions or major remodels, such as impact-resistant windows or reinforced roofing. Check local guidelines to see if these apply to your property.

- ✓ **Storm Shutters or Window Boards:** Install storm shutters on windows and glass doors, or keep plywood boards on hand that can be quickly secured.



- ✓ **Roof Reinforcements:** Ensure your roof is in good condition and meets wind-resistant standards. Florida’s Building Code requires new and replacement roofs to withstand high wind speeds in hurricane-prone areas.
- ✓ **Secure Outdoor Items:** Clear your yard of potential projectiles like patio furniture, grills, and gardening tools. Store these items indoors or in a secure location before a storm hits.

TIP: Consider making these upgrades even if they aren’t required by code, as they can protect your home and may qualify you for insurance discounts under Florida law.



2.5

Developing an Emergency Evacuation and Safety Plan



Your property isn't the only thing to protect; it's essential to have a family emergency plan in place. Prepare an evacuation route, designate a safe meeting location, and assemble a hurricane kit with essentials like water, non-perishable food, first aid supplies, and flashlights.

- ✓ **Know Your Zone:** Florida's evacuation zones are based on storm surge risk, so check the Florida Division of Emergency Management website or local resources to find out your area's risk level.

- ✓ **Stay Informed:** Monitor weather alerts and emergency updates from local authorities during hurricane season. Knowing when to evacuate can save lives and allow you to act on your preparations effectively.



3 UNDERSTANDING YOUR INSURANCE COVERAGE



Injured on the go?
JustCallMoe.com



3.1 Understanding the Financial Responsibility Law in Florida



In Florida, the Financial Responsibility Law places a unique emphasis on being financially prepared to cover damages from natural disasters. This means that while property insurance may not be legally mandated for all owners, those in high-risk areas are expected to have sufficient insurance to meet potential damage costs. Failing to have adequate insurance in these areas could leave you facing serious financial hardship or even liability for injuries sustained on your property due to hurricane damage.

- ✓ **Requirement to Cover Full Losses:** If you lack sufficient insurance and cannot cover damages, you may be held personally liable for losses to neighboring properties or public infrastructure damaged by debris from your property.
- ✓ **Possible Fines and Legal Actions:** Under Florida's Financial Responsibility Law, those who fail to meet financial obligations post-hurricane may face fines or legal action, particularly if negligence is suspected.

TIP: Always check with your insurer to verify that your policy aligns with both state and local financial responsibility requirements, especially if you own property in a designated high-risk area.



3.2

Deductibles and Hurricane-Specific Fees



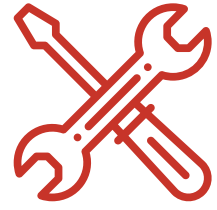
Hurricane-specific deductibles can vary from those for other damages, so it's essential to review these carefully.

- ✓ **Hurricane Deductibles:** Florida law permits insurers to set special hurricane deductibles that only apply in the event of a named storm. These deductibles are often calculated as a percentage of your property's insured value—typically ranging from 2% to 5%. This amount is separate from your regular deductible, so even if your regular deductible is met, you may still face out-of-pocket costs specifically tied to hurricane damage
- ✓ **Understanding “Calendar-Year” Deductibles:** In Florida, some policies use a “calendar-year deductible,” which applies once per year rather than per incident. This means if multiple hurricanes occur within the same year, your deductible only applies once. For homeowners in high-risk areas, this can be a financial advantage if you face several named storms in a single season.

• • • • • • •
• • • • • • •



3.3 Temporary Emergency Repairs Coverage



After a hurricane, Florida law allows property owners to make emergency repairs to protect their homes from further damage without waiting for an insurance adjuster's visit. However, it's essential to document these repairs fully for reimbursement.

- ✓ **Documenting Repairs:** Photograph and video each repair step and keep all receipts, as insurers will require proof of costs for reimbursement.
- ✓ **What's Covered:** Temporary repairs generally include items like boarding up windows, covering roof leaks, and removing debris blocking entrances. Repairs that exceed these initial emergency measures may not be fully reimbursed without prior adjuster approval.

TIP: Work only with licensed contractors for emergency repairs, as some policies specify licensed professionals for coverage.



3.4

Claim Timelines and What to Expect from Adjusters



Florida has specific timelines for handling claims following natural disasters, providing some peace of mind for property owners.

- ✓ **Initial Response**

Time:

Florida law requires insurance companies to acknowledge a claim within 14 days of receiving it. Within 90 days, the insurer must pay or deny the claim, ensuring that property owners aren't left in limbo for extended periods after a hurricane.

- ✓ **Working with Adjusters:**

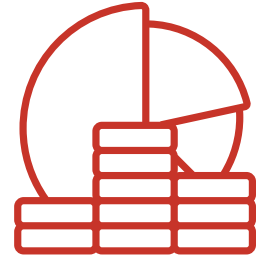
In the wake of a storm, insurers may bring in independent or out-of-state adjusters to handle the surge in claims. Be prepared to provide all documentation, including photos, videos, and itemized lists of damages, to streamline the process.

- ✓ **Appraisal Clause:**

If you and your insurer disagree on the amount of damages, you can invoke the appraisal clause found in most Florida policies. This process allows both parties to select appraisers to settle disputes without going to court.



3.5 Additional Living Expenses (ALE) Coverage



In the event your home is uninhabitable after a hurricane, Additional Living Expenses (ALE) coverage can help with temporary relocation costs. ALE is often part of a homeowners policy but may have specific limits.

✓ **Coverage**

Inclusions:

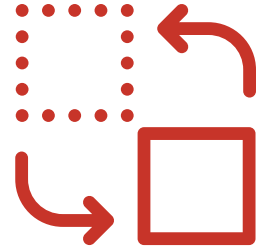
ALE covers costs like hotel bills, rental property expenses, meals, and even pet boarding if you're displaced. However, this coverage usually has daily limits, so it's wise to budget accordingly if extended relocation is required.

✓ **Time Limits:**

ALE typically covers expenses only for a limited period—often six months to a year—depending on your policy. Some insurers offer extended ALE coverage, which may be worth considering for those in hurricane-prone areas.



3.6 Ordinance and Law Coverage for Post-Hurricane Repairs



In high-risk hurricane areas, local building codes may require that repairs following a storm meet updated structural standards. Ordinance or Law coverage helps with costs associated with these upgrades.

- ✓ **What It Covers:** If a hurricane severely damages your roof, for example, your local code might require the replacement to meet wind-resistant standards. Ordinance or Law coverage helps bridge the gap between standard repair costs and the higher expense of meeting new regulations.
- ✓ **Why It Matters:** Many Florida counties have strict post-hurricane repair codes, especially in wind-borne debris regions, and failing to meet these can result in fines or reduced claim payouts.



4 ASSESSING AND DOCUMENTING THE DAMAGE



Injured on the go?
JustCallMoe.com



Once a hurricane has passed, taking the right steps to assess and document the damage can make a huge difference when it's time to file an insurance claim. Here's what to do to ensure a smooth claims process.

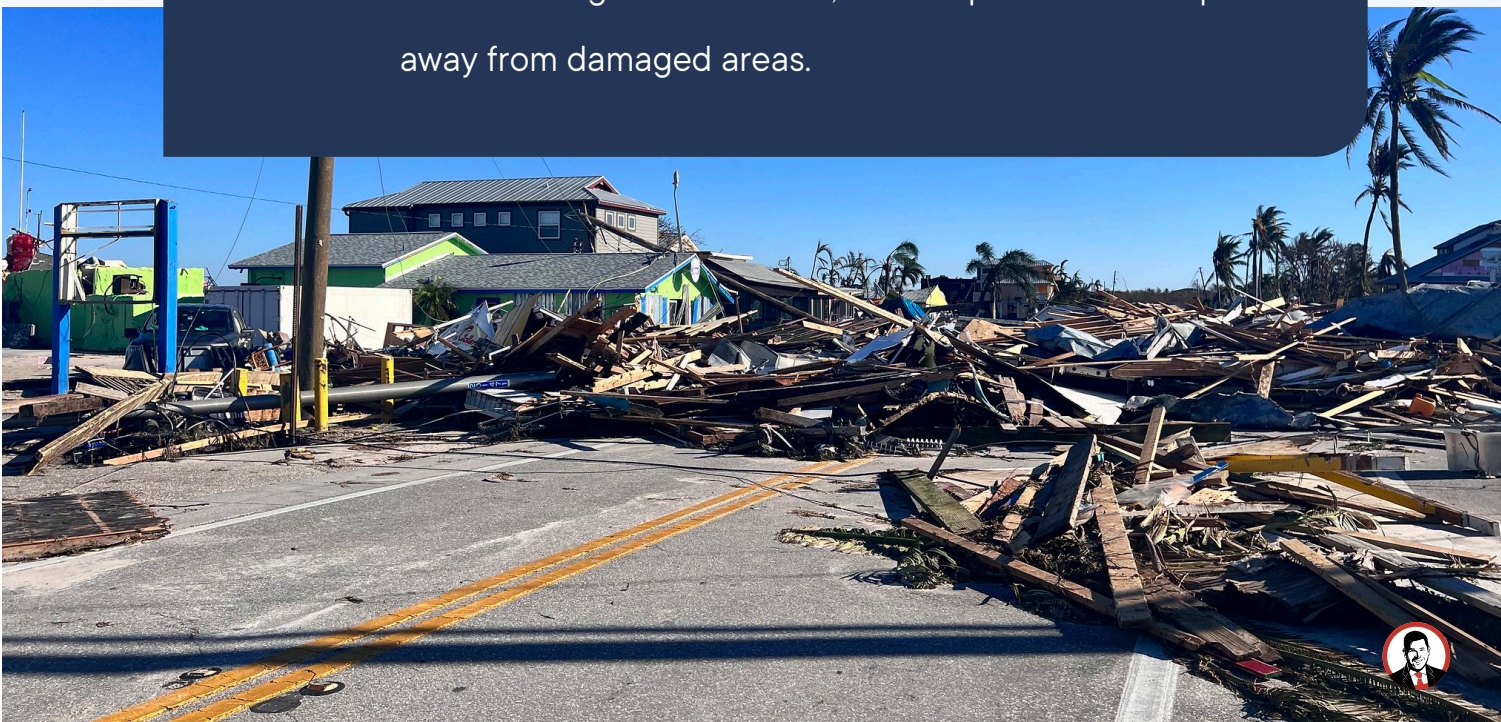
4.1

Ensure Safety First



Before you inspect your property, check for potential hazards like downed power lines, flooding, and structural instability. Prioritize safety and, if necessary, wait for emergency services to declare the area safe.

TIP: Wear protective gear, including gloves and sturdy boots, when walking around debris, and keep children and pets away from damaged areas.



4.2

Conduct a Systematic Inspection

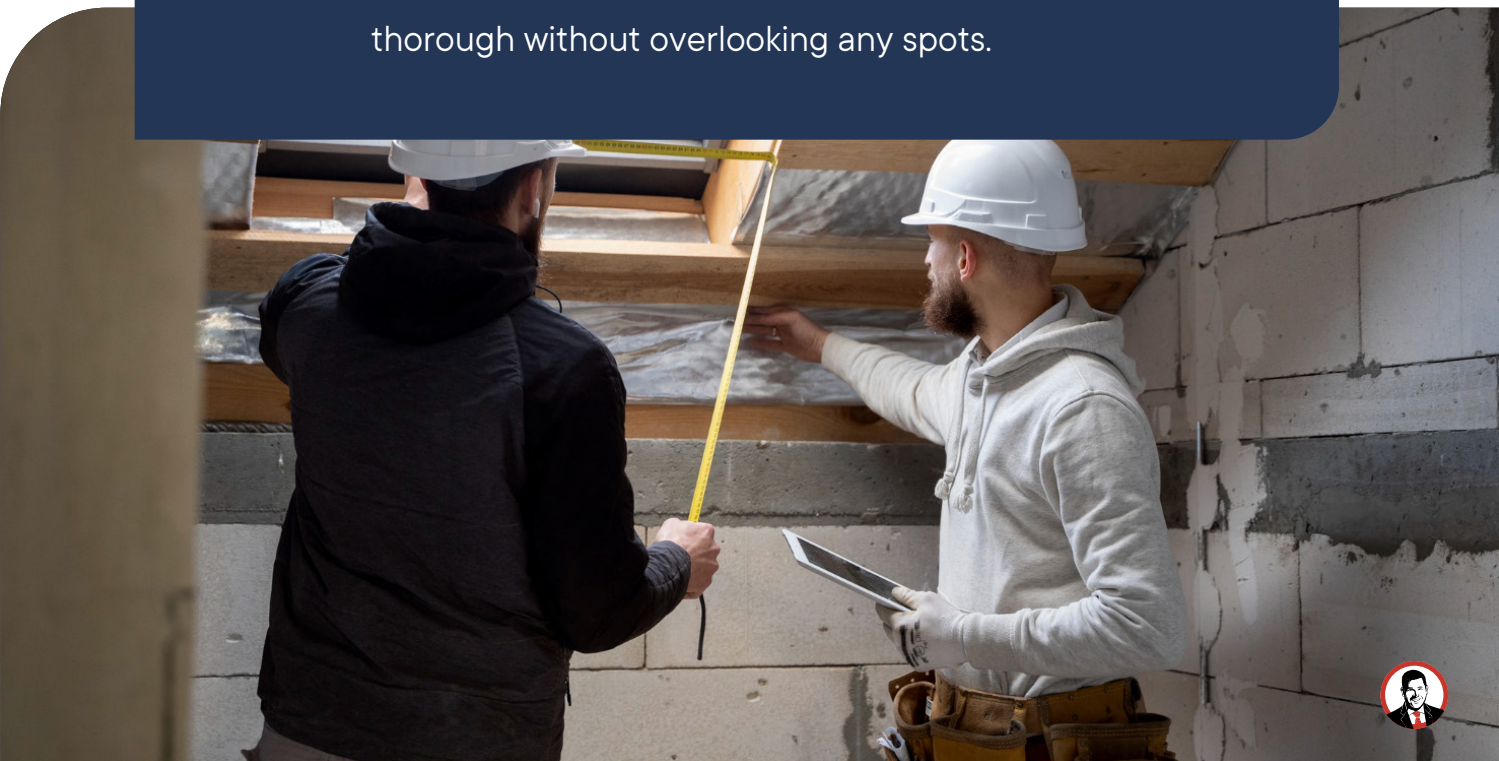


Inspect both the exterior and interior of your home, noting specific damage areas. Common spots for hurricane damage include roofs, windows, and siding.

- ✓ **Exterior**
Inspection: Look for missing shingles, broken windows, damaged gutters, and signs of water damage or flooding around the foundation.

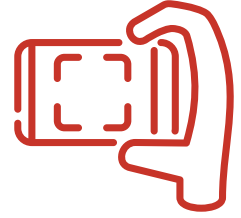
- ✓ **Interior**
Inspection: Check ceilings, walls, and floors for water stains, cracks, or leaks, as these may indicate hidden structural damage.

TIP: Make a checklist of the areas to inspect so you can be thorough without overlooking any spots.



4.3

Document Everything Thoroughly



Accurate documentation is crucial for your insurance claim. Use both photos and videos to capture all visible damage, and be sure to include close-ups and wide-angle shots to provide context.

- ✓ **Photograph Each Area:** Capture every room and angle, showing the extent of the damage to structural elements, appliances, and personal belongings.
- ✓ **Create a Written Inventory:** List damaged items, including details like make, model, purchase price, and estimated repair/replacement cost. This inventory can help streamline the claims process by providing specific item details.

TIP: Date-stamp your photos and videos if possible, as this can serve as extra proof of damage following the hurricane.





4.4

Obtain Professional Inspections if Needed

For serious structural damage, hire a licensed contractor or structural engineer to assess your property. Some insurers may require an expert's evaluation for claims involving major repairs.

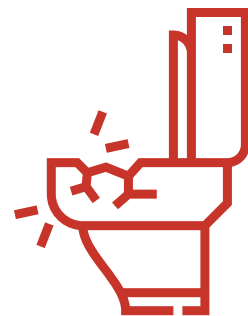


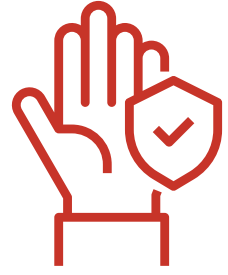
TIP: Keep all inspection reports and receipts, as they can serve as additional evidence when filing your claim.

4.5

Preserve Damaged Property

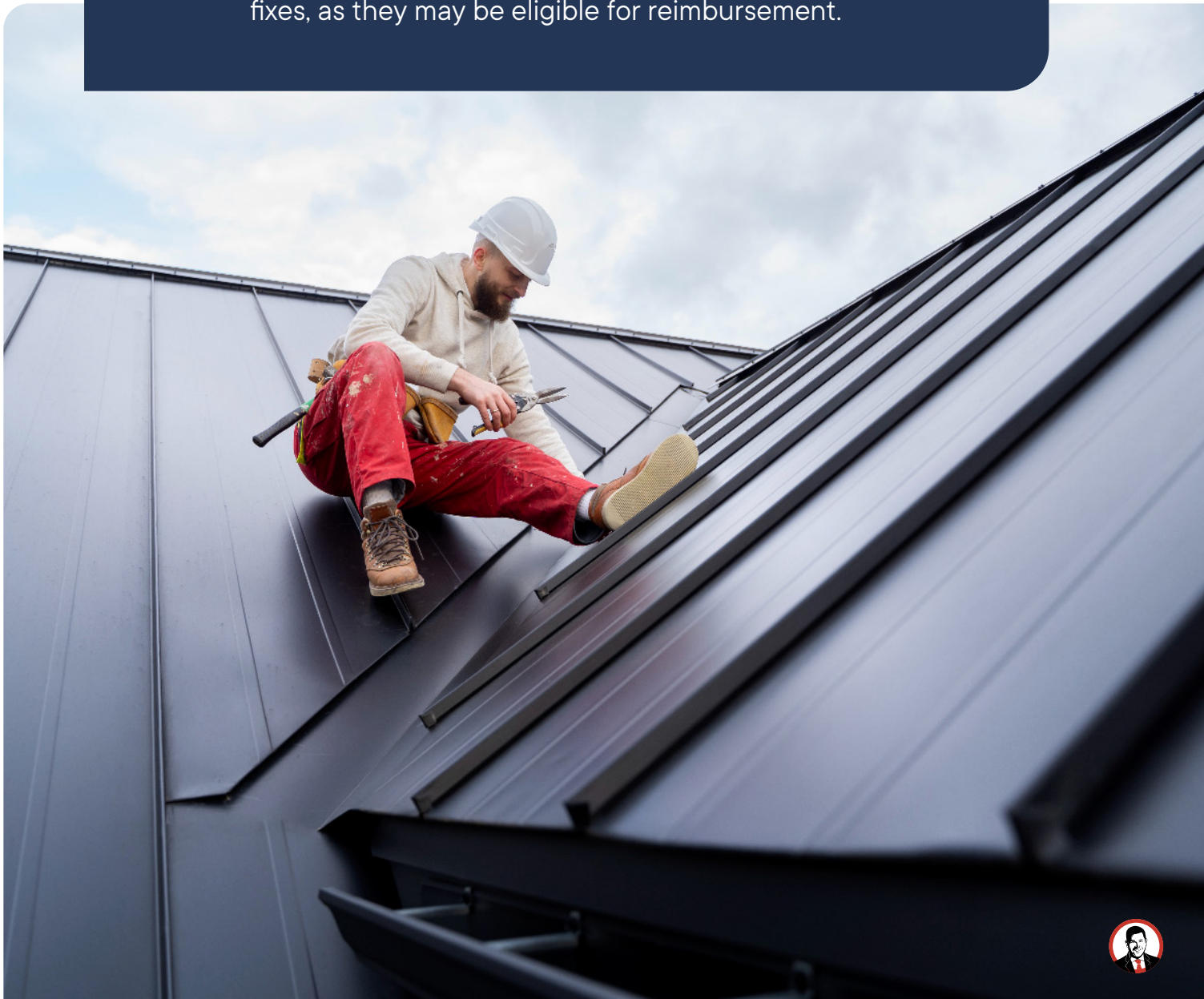
Do not dispose of damaged items until the insurance adjuster has seen them, as they may serve as critical evidence. If an item is a safety hazard, photograph it thoroughly before disposing of it.



4.6**Take Preventative Measures to Avoid Further Damage**

Once documentation is complete, take reasonable steps to prevent further damage, like covering broken windows or roof leaks. Insurers often expect property owners to take basic precautions to minimize losses.

TIP: Keep receipts for any materials or labor used in temporary fixes, as they may be eligible for reimbursement.



5 UNDERSTANDING YOUR LEGAL RIGHTS AND OPTIONS



Injured on the go?
JustCallMoe.com



Undergoing insurance claims after a hurricane can be challenging, but as a property owner in Florida, you have specific legal protections that ensure your claim is handled fairly and efficiently. Understanding your rights can empower you to take the necessary steps if your claim faces delays, disputes, or denials. Here's a breakdown of what Florida law offers for hurricane-damaged property claims.

5.1

Right to Prompt and Fair Claims Processing



Florida law mandates that insurance companies handle claims promptly and with good faith. Under Florida Statute §627.70131, insurers must acknowledge claims within 7 days of receipt. Once you've filed, your insurer is required to approve or deny the claim within 90 days, unless they can demonstrate circumstances beyond their control. This regulation ensures that policyholders aren't left waiting indefinitely.

- ✓ **Fair Adjustment of Claims:** Insurers are obligated to process claims in a fair and unbiased manner. If delays occur or your insurer fails to communicate in a timely manner, you can report these issues to the Florida Department of Financial Services (DFS), which oversees insurance compliance.



TIP: Document all interactions with your insurer to support any potential complaints or legal actions.

5.2 Protection Against Unfair Denials or Underpayments



When an insurance company denies or undervalues a claim, Florida law allows property owners to dispute the decision. Most policies include an appraisal clause, which permits both parties to hire independent appraisers to determine the claim's value. This process is especially helpful if there's a disagreement about the damage's extent or repair costs.

- ✓ **Re-evaluation of Claims:** You also have the right to request a re-evaluation of your claim if you feel the assessment was incomplete or inaccurate. In cases where a settlement offer seems unreasonably low, consult your policy for the appraisal process, which is a common tool for resolving these disputes without litigation.



WARNING: Avoid signing any “final settlement” agreement until you’re certain it fully covers your losses, as accepting it may limit your right to seek additional compensation.

5.3

Right to Hire a Public Adjuster or Attorney



If you encounter difficulty getting fair compensation, you can seek assistance from a public adjuster or an attorney specializing in insurance claims. Public adjusters work independently of the insurance company to evaluate damages and negotiate with insurers on your behalf. Florida law regulates these professionals through Florida Statute §626.854, ensuring they operate ethically and within specific fee limits (usually a percentage of the claim payout).

- ✓ **Legal Representation:** Attorneys can be helpful when facing complex cases or if you’re considering filing a lawsuit. In Florida, property owners can pursue legal action if an insurance company acts in bad faith by refusing to settle a valid claim, misrepresenting coverage terms, or failing to comply with the policy.



5.4 Legal Recourse for Bad Faith Insurance Practices



Florida's Bad Faith Insurance Law (Florida Statute §624.155) protects policyholders from unfair treatment. If you believe your insurer has engaged in deceptive practices, unfairly denied your claim, or failed to meet its obligations, you may file a bad faith lawsuit. This action seeks additional compensation beyond the original claim, covering expenses for financial loss, emotional distress, and legal fees.

- ✓ **Requirements for Filing a Bad Faith Claim:** To pursue a bad faith claim, you'll need to notify your insurer of their alleged bad faith and provide them with an opportunity to resolve the issue. If the insurer does not correct their actions, you may proceed with legal action, potentially seeking punitive damages in extreme cases.

TIP: Bad faith lawsuits are complex, so working with an experienced attorney is recommended if you're considering this route.



6. TOP 6 CLAIM MISTAKES— AND HOW TO AVOID THEM



DELAYING YOUR CLAIM

File your claim fast—waiting could mean losing out.



NOT DOCUMENTING THE DAMAGE PROPERLY

Capture all damage thoroughly. Missing details weaken your case.



NOT READING YOUR POLICY

Know your policy's fine print. Surprises don't help during a claim.



FAILING TO MITIGATE FURTHER DAMAGE

Make quick fixes to prevent extra damage—or risk losing coverage.



SIGNING OFF TOO SOON

Hold off on signing if the offer feels short. You may deserve more.



NOT SEEKING LEGAL ADVICE

If the payout seems unfair, consult a pro for the best results.



7 FREQUENTLY ASKED QUESTIONS (FAQS)



Injured on the go?
JustCallMoe.com



Q.

Do I need to have homeowners insurance in Florida to cover hurricane damage?

A.

While Florida doesn't legally require homeowners insurance, lenders usually mandate it if you have a mortgage. However, homeowners insurance alone may not cover flood damage from hurricanes, which often requires separate flood insurance through the National Flood Insurance Program (NFIP) or a private provider.

Q.

How soon after a hurricane should I file a claim?

A.

In Florida, you generally have up to three years from the date of the hurricane to file a claim. However, it is advised to file your claim as soon as it's safe to inspect your property and assess the damage. Florida law requires insurers to respond within 7 days of receiving a claim and to decide within 90 days. Prompt filing helps initiate the process and ensures compliance with these timelines.



Q.

What's the difference between a hurricane deductible and a regular deductible?

A.

In Florida, hurricane deductibles are separate and typically higher than regular deductibles. They are often calculated as a percentage of your home's insured value (usually between 2% and 5%) and only apply to damages from named storms. Regular deductibles apply to other types of damage.

Q.

Can I make temporary repairs to my property before the adjuster arrives?

A.

Yes, Florida law allows for emergency repairs to prevent further damage, like boarding up windows or covering leaks. However, make sure to document all repairs with photos and receipts, as insurers will likely need this evidence to reimburse you.

Q.

What if my insurance company undervalues or denies my claim?

A.

If you believe your claim is unfairly denied or undervalued, you can request a re-evaluation or invoke the appraisal clause in your policy, allowing both sides to hire independent appraisers. Additionally, you can contact a public adjuster or an attorney to help negotiate or litigate on your behalf.



Q.

How does flood insurance work with hurricane coverage?

A.

Flood insurance is separate from standard homeowners or hurricane policies. Flood insurance, available through NFIP or private providers, covers water damage from storm surges, heavy rains, and other hurricane-related flooding, which is typically excluded from other policies.

Q.

What does 'actual cash value' versus 'replacement cost' mean in my insurance policy?

A.

Actual Cash Value (ACV): The current value of damaged property, factoring in depreciation.

Replacement Cost: The amount needed to replace damaged property at today's prices, without depreciation.



Q.

Can I dispute my insurer's assessment of the damage?

A.

Yes, if you disagree with the insurance adjuster's assessment, you can invoke the appraisal clause in your policy to have an independent appraiser reassess the damage. This process helps resolve disputes without going to court.

Q.

What rights do I have if my insurer handles my claim in bad faith?

A.

Under Florida's Bad Faith Insurance Law (Statute §624.155), you can file a bad faith claim if your insurer unfairly denies or delays payment. You may be able to recover additional compensation, including punitive damages if the insurer is found to have acted in bad faith.

Q.

Is it necessary to hire a public adjuster for my claim?

A.

Hiring a public adjuster is optional but can be beneficial if you have a large or complex claim. Public adjusters work independently of the insurer and can negotiate on your behalf. They usually charge a percentage of the claim payout, so weigh the cost against the potential benefits.



Q.

Take Control of Your Recovery Today!

A.

Facing hurricane damage in Florida can feel overwhelming, but with the right preparation and support, you can protect your property and ease the path to recovery. From proactive insurance planning to understanding your rights, this guide empowers you to make informed choices and act quickly. When the storm clears, don't hesitate to reach out—whether to an insurance adjuster, public adjuster, or legal professional—to help you secure the compensation you deserve.

Stay Hurricane-Ready, Florida! Protect Your

Property and Peace of Mind Today!



A FINAL WORD

Anytime you have a legal question, we want you to call us. We will take the time to talk with you, so you will know what to do.

Don't let insurance companies and the complexity of the legal system add to your stress after enduring a natural disaster. We will fight for your rights and for what you are entitled to.

If you have been denied claims, dealing with underpaid settlements, or struggling to secure the full value of your insurance coverage, we will help you get all possible insurance and assets – anything and everything you deserve for just compensation. Our firm has successfully settled complex claims and obtained financial compensation for aggrieved clients and their families.

Even if you think you're dealing with something that we don't handle, we still want you to call us for legal advice. We have worked closely with many law firms over the years.

If we cannot take your case, we will get you to the right attorney/firm to help you and your family move forward.

Let us shoulder the legal burden while you focus on recovery.

Contact JustCallMoe Injury & Accident Attorneys TODAY! →



Moe DeWitt

