



Telephone: (855) LOSS-PRO (567-7776)

Email: Info@Dantighe.com

Florida Hurricane/Windstorm Claim Time Limit Statute § 627.70132

Florida property owners have only three years from the date the hurricane made 'landfall' or the windstorm caused the damage to give notice of (report) a claim or they will likely lose out on their right to bring the claim.

Florida Statute § 627.70132

627.70132 Notice of windstorm or hurricane claim.—A claim, supplemental claim, or reopened claim under an insurance policy that provides property insurance, as defined in s.624.604, for loss or damage caused by the peril of windstorm or hurricane is barred unless notice of the claim, supplemental claim, or reopened claim was given to the insurer in accordance with the terms of the policy within 3 years after the hurricane first made landfall or the windstorm caused the covered damage. For purposes of this section, the term "supplemental claim" or "reopened claim" means any additional claim for recovery from the insurer for losses from the same hurricane or windstorm which the insurer has previously adjusted pursuant to the initial claim. This section does not affect any applicable limitation on civil actions provided in s. 95.11 for claims, supplemental claims, or reopened claims timely filed under this section.

Note that this also applies to supplemental claims and reopened claims. These terms refer to claims that are caused by the insurance company's failure to fully cover the property damage initially.

Be aware that some insurance companies will also require a more formal written proof of loss within a limited time in order to bring a claim.

If you suspect that you have property damage it is in your best interest to seek professional help immediately to report your claim and comply with all the conditions of your insurance policy.



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Florida Matching Statute § 626.9744

In Florida we have what is referred to as a “matching statute.” This is the *law* in Florida and applies to all residential property damage claims.

Florida Statute § 626.9744

626.9744 Claim settlement practices relating to property insurance.—Unless otherwise provided by the policy, when a homeowner’s insurance policy provides for the adjustment and settlement of first-party losses based on repair or replacement cost, the following requirements apply:

...

(2) When a loss requires replacement of items and the replaced items do not match in quality, color, or size, the insurer shall make reasonable repairs or replacement of items in adjoining areas. In determining the extent of the repairs or replacement of items in adjoining areas, the insurer may consider the cost of repairing or replacing the undamaged portions of the property, the degree of uniformity that can be achieved without such cost, the remaining useful life of the undamaged portion, and other relevant factors.

The Florida Matching Statute requires your property owners insurance carrier to pay for not only the direct damage to your home in a loss, but also reasonable replacement of items in adjoining areas so that your home’s appearance matches in quality, color and size.



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Florida Building Code 25% Rule

For property owners who have suffered windstorm related roof damage, it is important to familiarize yourself with the Florida Building Code 25% Rule.

Florida Building Code Section 708.1.1

Not more than 25 percent of the total roof area or roof section of any existing building or structure shall be repaired, replaced or recovered in any 12 month period unless the entire roofing system or roof section conforms to requirements of this code.

This means where more than 25% of the area of any roof section needs to be repaired, replaced, or recovered, the policyholder is *entitled* to a complete replacement of that section.

After catastrophic storms like the ones that have recently impacted Florida, roof damage is very seldom limited to less than 25% of a roof section. Most roofs that need some repair will actually require a full replacement to comply with Florida Building Code.