



SEAN MICHAEL SHAW, ESQ.
INSURANCE CONSUMER ADVOCATE

March 1, 2010

The Honorable Jeffrey H. Atwater
Senate President
The Capitol, Suite 409
Tallahassee, FL 32399-1100

The Honorable Larry Cretul
Speaker of the House of Representatives
The Capitol, Room 420
Tallahassee, Florida 32399-1300

RE: Claims Dispute Resolution Roundtable
Alternative Dispute Resolution Roundtable

Dear Honorable Sirs:

Since my appointment as the Florida Insurance Consumer Advocate, I have heard from families who were victims of the 2004/2005 hurricane seasons and still struggling to resolve their hurricane claims. In an effort to help consumers who may experience a future hurricane or an insurable loss, the Office of the Insurance Consumer Advocate hosted the Claims Dispute Resolution Roundtable. Based on concerns raised regarding the appraisal process, my Office also hosted the Alternative Dispute Resolution Roundtable.

The goals of the roundtables were to:

- discuss ways to ensure that homeowners get back into their homes quickly;
- mitigate further damage to the property;
- allow residential contractors to make repairs without burdensome delays; and,
- make the appraisal process a viable and fair alternative dispute resolution process.

During the roundtable discussions, it became apparent to me that these goals can be met through education, communication, transparency and standardized processes. If these goals are achieved, both insurers and consumers will benefit. Moreover, the Florida insurance market will benefit in the long term.

As Florida's Insurance Consumer Advocate, I must advocate for policies that will benefit the consumer in all insurance related matters. Often these recommendations are aimed at providing much needed consumer protections or access to vital information and services. However, I understand that Florida's insurance consumers are also best served by a healthy, functioning and profitable insurance market. Thus, the recommendations contained in this report are designed to

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create consumer protections as needed while also promoting a healthy insurance market to serve consumers.

For your review, enclosed are my recommendations and a summary of each of the roundtables, which identifies the concerns and recommendations made by the participants.

If you wish to pursue any of the recommendations or have any questions, please contact me and my office will be glad to assist you and your staff in anyway possible.

Thank you for your time and consideration of the attached recommendations

Sincerely,



Sean Michael Shaw, Esq.
Insurance Consumer Advocate

SMS/VT

Enclosure

cc: The Honorable Garrett Richter, Chair, Senate Banking and Insurance Committee
The Honorable Pat Patterson, Chair, House Insurance, Business & Financial Affairs
Policy Committee