

HOMEOWNER CLAIMS BILL OF RIGHTS

Section 627.7142, Florida Statutes, sets forth the Homeowner Claims Bill of Rights. An insurer issuing a personal lines residential property insurance policy in this state must provide a Homeowner Claims Bill of Rights to a policyholder within 14 days after receiving an initial communication with respect to a claim, including claims resulting from an event that is the subject of a declaration of a state of emergency by the Governor.

YOUR RIGHTS*

In summary, the Homeowner Claims Bill of Rights dictates that:

1. Your insurance company must send you an acknowledgment of your insurance claim within seven days after submittal.
2. If you submit a written request to the insurance company, within 30 days after you have submitted a complete [proof of loss statement](#), your insurance company must advise you that your claim is covered in full, partially covered, denied, or a written statement advising that your claim is being investigated.
3. The insurance company must provide to you any detailed estimate of the amount of the loss within seven days of it being generated by the insurance company's adjuster.
4. Within 60 days, you should receive full settlement of your claim, payment of the undisputed portion of your claim, or a denial of your claim. Please note, if there is a "dual interest" (such as a home with a mortgage), your mortgage company may be listed as a co-payee on the settlement check.
5. As of January 1, 2022, you may be eligible to receive payment of interest, as provided in [section 627.70131, Florida Statutes](#), from the insurance company, which begins accruing from the date the claim is filed if the insurance company does not pay full settlement of the initial, reopened, or supplemental claim or the undisputed portion of the claim or does not deny the claim within 60 days after the claim is filed. The interest, if applicable, must be paid when the claim or the undisputed portion of the claim is paid.
6. You may be eligible to participate in mediation to resolve your disputed claim, facilitated by the Florida Department of Financial Services, Division of Consumer Services. The insurance company pays the cost of Residential Property Mediation.
7. You may be eligible to participate in a free Neutral Evaluation to resolve your disputed claim if your claim is for damage caused by a sinkhole and is covered by your policy.



KNOW YOUR RIGHTS Homeowner Claims Bill of Rights



WHEN YOU HAVE A CLAIM

The Homeowner Claims Bill of Rights includes the following advice to help you successfully navigate through the claim process and increase the chances of a satisfactory outcome.

1. Contact your insurance company before entering into a contract for repairs to ensure you adhere to the repair provisions included in the policy.
2. Make and document emergency repairs that are necessary to prevent further damage. Keep the damaged property, if feasible; keep all receipts; and take photographs of the damage before and after any repairs.
3. Carefully read any contract that requires you to pay out-of-pocket expenses or a fee that is based on a percentage of the insurance proceeds that you will receive to repair or replace your property.
4. Confirm that the contractor you choose is licensed to do business in Florida. You can verify a contractor's license and check to see if there are any complaints against him or her by calling the [Florida Department of Business and Professional Regulation](#). You should also ask the contractor for references from previous work.
5. Require all contractors to provide proof of insurance before beginning repairs.
6. If the extent of the damage requires you to leave your home, secure your property, turn off your gas, water, and electricity, and contact your insurance company to provide a phone number where you can be reached.



ADDITIONAL RESOURCES

Homeownership is a multifaceted responsibility that can be overwhelming and involve unfamiliar terms and topics. Browse the Consumer Guides web page for resources with detailed information pertaining to specific types of insurance.

SOME OF THESE RESOURCES INCLUDE:

- Homeowners Insurance Toolkit
- Premium Discounts for Hurricane Loss Mitigation Guide
- Residential Property Mediation Program Brochure
- Disaster Assistance Brochure
- Natural Disasters Guide
- Getting Help with Your Property Insurance Claim Guide
- Emergency Financial Preparedness Toolkit

[MyFloridaCFO.com/Division/Consumers/UnderstandingCoverage/Guides](https://myfloridacfo.com/Division/Consumers/UnderstandingCoverage/Guides)

CONTACT US

For assistance with any insurance claim or questions pertaining to the handling of your claim, contact the Florida Department of Financial Services, Division of Consumer Services:

Toll-free Insurance Consumer Helpline
1-877-MY-FL-CFO (1-877-693-5236)
[MyFloridaCFO.com/Division/Consumers](https://myfloridacfo.com/Division/Consumers)

*The Homeowner Claims Bill of Rights does not represent all of your rights under Florida law regarding your insurance policy. There are also exceptions to the stated timelines when conditions are beyond your insurance company's control.

The Homeowner Claims Bill of Rights does not create a civil cause of action by an individual policyholder, or a class of policyholders, against an insurance company and does not prohibit an insurance company from exercising its right to repair damaged property in compliance with the terms of an applicable policy.



1-877-MY-FL-CFO
(1-877-693-5236)

Out of State (850) 413-3089
[MyFloridaCFO.com/Division/Consumers](https://myfloridacfo.com/Division/Consumers)

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