

THE Journal of Public Adjusting

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FAPIA at the Forefront in Building a Stronger PA Industry through Wide Array of 2015 Initiatives

Through a recent 2014 year-end review, FAPIA provided a glimpse of what's in store for the Florida PA industry in 2015. Here's a look at several of the association's initiatives:

Upcoming 2015 Conferences – The association will be returning to the Koven's Conference Center on May 18 and 19 with their partners at the Florida International University in North Miami. The Spring Golf tournament will return to the Diplomat Resort on May 17. A venue search for the November 2015 conference is currently underway.

2015 Legislative Session – The FAPIA Legislative Committee and Lobby Team have been in high gear advancing the association's legislative agendas for 2015. There have been meetings between FAPIA, NAPIA and AAPIA garnering support for FAPIA's initiatives. The Executive Committee has been collaborating with associates in New York to learn more about Regulation 10 and how it has affected the industry in that state.



Immediate Past President Paul Handerhan, President Darryl Davis and President Elect Mike Rump will be traveling to Tallahassee on behalf of FAPIA to attend CFO Atwater's Inaugural Barbecue. Mike Rump will be attending Governor Rick Scott's Inaugural Ball.

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Citizens Enters 2015 Positioned to Cover Storm of the Century without Tapping Taxpayers Wallets

President, CEO and Executive Director of Citizens Property Insurance Corporation, Barry Gilway, recently informed Board of Governors members that the insurer is expected to be able to cover claims costs on a colossal, once-in-a-century-type storm without financial assistance from Florida taxpayers.

The Citizens customer base is reported to have decreased from 1.5 million in 2012 to 727,000, impacting the insurer's ability to protect its clients through ample surplus and reinsurance coverage. Further reductions in the policyholder count are anticipated for 2015 as Citizens continues its efforts to transfer more of its clients to private insurance companies.

To foster a more efficient company, Citizens reports 2015 budget requests calling for overall spending reductions, improved efficiencies by consolidating operations and a reduction in the number of contingency employees. ♦





A Peek at FAPIA's Plans for 2015, Some Good News on PA Ethics, a DFS

Compliance Reminder and More

In our first issue of 2015, we're taking a look at what FAPIA has in store for 2015. When you read, "FAPIA at the Forefront in Building a Stronger PA Industry through Wide Array of 2015 Initiatives," you will likely want to take part in the vast assortment of professional opportunities being offered to you.

Also in this issue, we have some great news on how PAs are showing their commitment to industry ethics in our recurring column, "The Bulletin Board – A Good News Forum for Public Adjusters."

Wrapping up this issue we have a compliance reminder from the DFS in a FAQ format in which 20 commonly asked questions are addressed.

Here's to another successful year,

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The Bulletin Board

A Good News Forum for Public Adjusters No Ethics Complaints Reported for FAPIA Members in 2014

In a recent news release, FAPIA announced that it has not received a single ethics complaint from policyholders about any FAPIA member. The news release also stated that they have received less than a handful of reports about non-members in 2014. FAPIA members subscribe to the following code of ethics:

1. Members shall conduct themselves in a spirit of fairness & justice to their clients, the insurance companies and the public.
2. Members shall refrain from improper solicitation.
3. No misrepresentation of any kind shall be made to an insured or to the insurance companies.
4. Commission rates shall be fair and equitable and strictly in accordance with the prevailing laws or regulations of FDFS.
5. Members shall conduct themselves so as to command respect and confidence. They shall work in harmony with one another, with their clients and the insurance company representatives, so as to foster a cordial and harmonious relationship with all branches of insurance business, and work with the general public.
6. Members must be fitted, by the knowledge and experience, for the work they undertake. They must not endanger the interests of the public adjusting profession, or risk injustice to insureds or to the insurance companies by attempting to handle losses or claims for which they are not qualified, and for which they cannot find competent technical assistance.
7. Members shall not engage in the unauthorized practice of law.
8. Members shall not acquire any interest in salvaged property or participate in any way, directly or indirectly, in the reconstruction, repair, or restoration of damaged property, except with the knowledge, consent and permission of the Insured.
9. Members shall be cooperative and assist one another in every possible way.
10. Members shall not disseminate or use any form of agreement, advertising, or any printed matter that is harmful to the profession of public adjusting, or which does not comply with the rules and regulations of the Florida Insurance Department, or which might subject public adjusting and public adjusters to criticism or disrespect.

To become a member of FAPIA, visit the application page on the association's website at: <https://www.fapia.net/apply--renew.html>. ♦



<https://www.fapia.net/apply--renew.html>

DFS Provides Public Adjuster FAQs to Help Maintain Compliance

If you have a question or two on compliance you've been meaning to have answered, the Department of Financial Services offers the following answers to 20 frequently asked questions:

1 I have a 3-44 Public Adjuster Property and Casualty License, can a 31-20 Public Adjuster Apprentice work under me?

No.

2 Can my public adjusting firm appoint the 31-20 Public Adjuster Apprentice?

Yes.

3 How many 31-20 Public Adjuster Apprentices can work under a 3-20 Public Adjuster?

A 3-20 Public Adjuster can appoint up to 3 Public Adjuster Apprentices. A public adjusting firm can appoint up to 12 Public Adjuster Apprentices.

4 If I do not complete the 31-20 Public Adjuster Apprenticeship, how long must I wait to reapply for the Apprentice license?

Two years after expiration, surrender, termination, revocation or cancellation of the apprentice license.

5 What are the apprenticeship requirements for the 31-20 Public Adjuster Apprenticeship?

Find all requirements for it on the Resident Public Adjuster Apprentice License page on the DFS website.

6 Once I have completed the 31-20 Public Adjuster Apprenticeship, am I required to apply for the 3-20 Public Adjuster Examination Immediately?

No.

7 I have a Chartered Property Casualty Underwriter (CPCU) designation, do I have to take the 3-20 Public Adjuster Exam?

Yes.

8 Does the 31-20 Public Adjuster Apprentice have to disclose that he is an apprentice to the client?

No.

9 Does the supervising Public Adjuster's name need to be on the Apprentice's Business Card?

No.

10 Can a 31-20 Public Adjuster Apprentice act as a Public Adjuster (in other words, there are no restrictions on what we do) but ultimately the supervising Public Adjuster is responsible?

No.

11 When I apply for the 31-20 Public Adjuster Apprentice License do I need a bond?

Yes. You must file an original fifty thousand dollar (\$50,000) surety bond along with a bond form provided by the Department.

12 How long is the 31-20 Public Adjuster Apprentice License good for?

Eighteen (18) months.

13 Can a 31-20 Public Adjuster Apprentice work in the field on hurricane disasters?

Yes.

14 What are the requirements for opening a Public Adjusting Firm?

They must have a licensed and appointed all-line public adjuster and complete the Designation/Deletion of Primary Adjuster for Adjusting Firm (DFS-H2-63/64) form.

15 Can a Public Adjuster Apprentice sign their contracts?

No.

16 Can a non-resident All Lines Public Adjuster supervise a 31-20 Public Adjuster Apprentice?

No.

17 I obtained a 3-20 All Lines Public Adjuster License in 2004 with an Accredited Claims Adjuster (ACA) designation but currently hold a 5-20 Independent All Lines Adjuster License. Can I apply for the 3-20 Public Adjuster All Lines License without examination?

No, you are required to pass the new

Public Adjuster examination.

18 Which designation can qualify me to apply for the public adjuster apprentice license?

The Accredited Claims Adjuster (ACA), Certified Adjuster (CA), or Certified Claims Adjuster (CCA) designation is acceptable.

19 Is Saturday considered a business day for the purposes of rescinding a contract with a public adjuster?

No. Saturday is not considered a business day for the purposes of rescinding a contract with a public adjuster, pursuant to section 626.854(7), Florida Statutes.

20 If my license is suspended, terminated, or revoked will I have to take an exam once the action is complete?

Yes. Florida Statute 626.865(3) states, "The department may not issue a license as a public adjuster to any individual who has not passed the examination for a public adjuster's license. Any individual who is applying for reinstatement of a license after completion of a period of suspension and any individual who is applying for a new license after termination, cancellation, revocation, or expiration of a prior license as a public adjuster must pass the examination required for licensure as a public adjuster after approval of the application for reinstatement or for a new license regardless of whether the applicant passed an examination prior to issuance of the license that was suspended, terminated, canceled, revoked, or expired."

For more information on compliance, visit the DFS website at www.myfloridacfo.com. ♦



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FAPIA at the Forefront in Building a Stronger PA Industry through Wide Array of 2015 Initiatives

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Public Relations Committee – FAPIA will be launching *Public Adjusters Stand Up for Policyholders* campaign in January with a new brochure about the PA industry and the value of retaining a public insurance adjuster. The campaign will include a series of white papers, community bulletins, letters to editors and pre-hurricane season and other event-appropriate press releases and announcements.

Community Affairs Committee – This committee put together the *Public Adjusters Pay it Forward* Campaign which made its first stop at the Joe Dimaggio Children’s Hospital in September of 2014. Thanks to the generosity of FAPIA members, they are already planning the next fundraiser to be held in the Summer of 2015 benefiting Boca Helping Hands for those in need. The association hopes to present them with a substantial check and to spend the day volunteering at their food bank. To learn more about the work this important committee is doing, visit <https://www.fapia.net/community-affairs.html>.

Membership Committee – The association currently has 378 members. FAPIA’s membership committee will be kicking off a major recruitment effort in the first quarter of 2015 and expects to surpass 400 members in the near future.

Past Presidents Committee – The association is gathering information from its past presidents to create an online archive of FAPIA’s History.

Continuing Education Committee – This committee is in the process of selecting topics and speakers for the Spring and November 2015 conferences. FAPIA recently launched its Faculty Application Page on the fapia.net website so anyone can make suggestions about topics they would like to cover at the association’s conferences or apply to participate as a member of the faculty at an upcoming conference.

For more information, visit the FAPIA website at www.fapia.net. ♦



<https://www.fapia.net/community-affairs.html>