

**Syllabus Part 2**

Step by Step Educational Training Library

* State Test
* Step by Step Claim Processing
* Residential Policy & Client Paperwork
* Commercial & Business Policies
* Power Estimating Made Systematic
* Build Authoritative Notes for Power Estimates Library
* Complete Master Library of Contracting
* Presentation & Negotiating of Claim
* Documenting & Templates
* Appraisal Claims Resolution
* Preparing A Claim for Lawsuit
* National Case Law Library
* Unique Marketing for Public Adjusters
* Building Your Firm & Association Store
* Engineering Training Better than Haag Engineering

**State Test**

* State License Test: Preparing Paperwork for Public Adjusting License
* Insurance Glossary
* Insurance Basics
* Adjusting Losses
* Dwelling Policy
* Homeowner’s Policy
* Commercial Package Policy
* Business Owner Policy
* Other Coverage’s & Options
* Your State Regulations

**Step by Step Claim Processing**

**Meeting with Client (record and document)**

1st Do a home inspection for all damage in the home that could be covered by the policy

2nd Check Declaration page of policy see what kind and what insurance company they have

3rdInterview client about damage and policy history

4th Fill out Paperwork with client

* Public Adjuster Client Contract
* Representation Authorization
* Signature Authorization
* Homeowner / Borrower’s Authorization
* Assignment Contract

**Covered Peril**

Get a copy of the declaration page and full policy

1st You must have damage

2nd You need a peril Named or all risk

3rd Check to see what kind of policy HO or DP and 1, 2, 3

4th See if there are any exclusions and has the client met all the conditions if Yes

**Great you have a covered peril and a claim**

**Step 1 –** policy and endorsement review, any claim that is taken on should include a policy review.

**Recommendation**– Review policy prior to signing the loss. This saves a lot of time and hassle if the insured does not have the adequate coverage, and saves a lot of headache. Highlight and pull necessary coverage from the policy to shape/frame your argument. This begins the narrative of your claim. It sets the basis for your arguments and pulls the insurer into a box that they cannot get out of.

**Step 2 –**Damage review and policy alignment

Personally, Inspect EACH Loss. It is better to have seen and touched each loss personally, than to rely on photos provided by contractor/policyholder. See the loss, you’ll have a better understanding of how to adjust it, And Document EVERYTHING Photos are of the utmost importance. Even in cases of fire total losses, the more photos you have, the easier it is to win.

Each piece of damage should align with policy coverage. Shape your strategy based on your personal inspection, policy coverages and damage review.

**Step 3 –** create estimate

Only ask for what is needed. Trust me, I know this sounds like common sense, but it is still important. Include photos throughout your report and highlight WHY it is covered. I, personally, use Simsol. In my estimates, I will add a photo to nearly every line item and reference the necessary information in a footnote with the photo so there is ZERO ambiguity or room for question.

Include Case Law, Manufacturer Specifications, Engineering Reports, State Statutes, etc. in the Estimate. My estimates typically range around 120-150 pages each. The reason being, I am responsible for adjusting the loss thoroughly. The bigger the loss, the larger the packet. All information is packaged and added to one document.

**Step 4 –** create narrative

Set the stage – Introduction

“The insured suffered a loss at this address and this time on this date…” You are telling the story that you are basing your adjustment on. Give them details and a storyline to follow that YOU want them to follow. As a Public Adjuster, you take the lead and give them direction. They are not able to establish that direction fairly, which is why you are involved in the first place.

Discuss the loss – MEAT

Detail your findings and the alignment of your damages with the policy in a summary. Be sure to include information necessary (Case Law, Statutes, Etc.) This should take, depending on the loss, 2-5 paragraphs. In each paragraph, you’re highlighting a portion of policy and the damages that fall under it.

Wrap it up – Conclusion & Findings

In the final paragraph, you will detail your professional opinion and recommendation and this is what leads into your estimate.

**Step 5 –** package and send as MANY ways as you can! I typically fax (and spend a few hundred dollars), email (.Zip) and mail Certified into the insurance company all on the SAME DAY. Occasionally, I will also send a separate Certified package with a flash drive with my entire claim package loaded on it.

**Build the scope for estimate use the *covered peril***

1st Take as many photos as you can

2nd Diagram damaged area take accurate measurements

3rd Determine damaged materials and grades

4th Calculate amounts of materials and actions

5th Determine all waist and added special equipment

6th How many trades

**Determine section C Contents if necessary**

**Determine section** **D Loss of Use or Loss of Rents Documentation**

**Build estimate**

1st add third party authoritative notes for as many lines as you can

2ndPrint out Scope sheets estimate without dollar amounts with notes

3rd Print out complete estimate with notes

4th Add case law and any FC&S reports and code docs like O&P Descriptions and follow-up docs.

**Line Item Descriptions**

 1st One of the most important things to know in dealing with Simsol is the line item descriptions.

2nd Adjuster’s biggest lie is what they “include” in other parts of the estimate. “It’s included in tear off.” “It’s a cost of doing business.”

3rd Your knowledge of these items is your true power in conquering adjuster’s arguments.

4th You will use these items and descriptions in your arguments against the adjusters, but you can only win if you know what you’re talking about. Invest time into learning the items that you need the most.

**Contact Insurance Company**

1st Send client paperwork and copy of your public adjuster license and cover letter for client’s other documentation

2nd Schedule meeting with Insurance adjuster making sure they have your list of the rules they must abide by

**Talk to and prep your client**

1st It is very important that your homeowners understand the reason behind supplementation.

2nd What is your goal on their file? What items are you asking for, and why do you need them?

3rd The KEY is to EDUCATE your policyholders. This is what TRULY sets your organization apart, and if you do this properly, you will see the immense change in the quality of your sales!

4th The insurance companies use this process as a way to discredit your organization and dispute your credibility. If you’re warning them prior to them having the opportunity to do so, they will trust you more and fight WITH you.

**Dealing with Difficult Insurance Companies is About to Get Much Easier**

**Everything Predicated on:**

1st LEGITIMATE DAMAGE

2ndREASONABLE METHOD OF REPAIR

**Prepare the Property Owner**

1st An Hour or Two Before the Adjuster Meeting, Have a Pre-Adjustment Conference with the Owner.

2nd Damage – LEGITIMATE

3rd M.O.R. – REASONABLE

4th Proof: Facts & Evidence

5th Objective, 3rd Party Source Material

**Do They Have the Authority to Say ‘Yes?**

1st On Residential Claims now days, Many Times the ‘Adjuster” is Actually Just an Estimator and Has Not Been Vested with the Authority to say Yes

2nd You’re Wasting your Time Trying to Persuade Them – they Aren’t Allowed to say Yes

3rd Have the Insured Request “**Who Does**Have the Authority to Say Yes?”

**Disarm the Estimator’s Pre-Canned Talking Points**

1st Question Skillfully

2nd Listen Carefully

**Remain Professional**

1st The Inspection is Your Rodeo

2nd Smile

3rd Be Kind

4th If Rude – Hot Potato Back Their Statements

**Opening Statement**

1st I Believe That We Ought to Include Everything That’s Legitimate & Reasonable and Exclude Everything That’s Illegitimate and Unreasonable.  Is That Fair?

2nd We Will Use Their Own Statements to Back Them into a Corner if Being Unreasonable

**MAJIC QUESTION #1**

1st Did You Get a Chance to Look Over My Scope of Damages Report? (No Pricing).  Try to Get it Into Their Hands Before the Inspection.

2nd If Yes, ask**MAGIC QUESTION #2:**  Are There any Line Items That are Illegitimate or Unreasonable on There?

**When the Adjuster Disagrees Regarding Damage or Method of Repair**

**MAGIC QUESTION #3:**  Are you Saying That the Particular Line Item is Illegitimate or That it’s Unreasonable?

**If Yes:**

**Ask MAGIC QUESTION #4**: Why do you say that?

1st This is My Favorite Question of All Time

2nd It’s a nice way to say, “Put Up or Shut Up – Where Are your Facts & Evidence?”

**MAGIC QUESTION #5**

1st How Did you Draw that Conclusion?

2nd What is the Basis and Foundation for your Position/Conclusions?

3rd Help Me Understand.

**Ask for Help**

1st Help me Understand How you Drew Your Conclusion.

2nd Hold His Feet to the Fire – Make Him Justify His Conclusion Regarding Construction and Policy

**We Don’t Pay for That:**

1st So, You Don’t Dispute That the Line Item is Reasonable and Legitimate, then?

2nd Then Why are You Omitting Legitimate and Reasonable Damage AND/OR Methods or Repair From your Scope of Damages?

**The ‘Building Material’ isn’t Damaged, So We’re Not Going to Include it.**

1st You’re Including the Felt Aren’t You?  It Isn’t Storm Damaged – What’s the Difference?  Why are You Including the Felt?

2nd With all Due Respect, What Facts and Evidence do you Have to Support your Position Regarding Omitting Legitimate & Reasonable Construction Items?

3rd Do you Have any Objective, Third-Party Source Material that you’re Basing your Position on?

**Regarding Pricing**

I’ve Already Submitted Myself to Insurance Pricing by Using Craftsman’s Book Data Base National Standard for fifty year before Xactimate which has lost in court over and over again for complicity.

**Document**

1st Reiterate phone conversations.

2nd Memorialize agreements

3rd Memorialize any disagreement and refute, giving your reasoning in a rational tone. State their position and explain why mistaken.

4th Stick to facts.

5th If you want to add topics not discussed, make that clear or draft a separate letter.

6th Know your statutes and Insurance Codes, but no unauthorized practice of law!

**Managing Communications Between Insurer and Insured’s Representative**

1st Speaking with one voice.

2nd Make sure all members of your firm know of previous conversations with insurer.

**Writing the Demand Letter/Presenting a Proof of Loss**

1st Have a Cover Letter with Proof

2nd Include your scopes, repairs and documentation.

**Information Which Must Be Sent with Proof of Loss**

1st Any and all supporting documentation in the possession of the insured

2nd Itemized (room by room) estimates (both building and contents) are critical

3rd Engineer’s report

**Information Which Must Be Sent with Proof of Loss**

1st Photographs

2nd Videos

3rd Paid Receipts or invoices for completed repairs

4th Any other relevant documents

**Other Concerns Related to Proof of Loss**

1st Must be complete, signed and sworn to by insured.

2nd Person signing on behalf of corporation must have authority

3rdList specific #s for damages. Do not state “to be determined”

4th Do not write “partial” on NFIP Proof of Loss.

5th If you send a “Supplemental” Proof of Loss, attach ALL supporting documentation

**Letter Writing**

1st Be Professional!

2nd Be firm and authoritative but not condescending

3rd Be the ultimate reasonable insured!

4th Make sure your disagreement is spelled out on paper and use plain English.

5th No name calling.

6th Treat the insurer the way you want to be treated.

7th Assume that everything you write will end up as an exhibit in front of a judge and jury.

**WHAT IF THEY CONTINUE TO REFUSE TO BE REASONABLE?**

**APPRAISAL**

What is Appraisal?

Alternative Dispute Resolution

Is it Really the Magic Bullet?



 **INDEPENDENCE**

What is **INDEPENDENCE**?
“The State or Condition of Being Free From [Dependence](http://thelawdictionary.org/dependence/), Subjection, or Control.” Blacks Law Dictionary Client Cannot Tell Their Appraiser What to Think, Say or Do

**REASONABLE COST**

**Before Appraisal Demand: Supplemental Letter/Re-inspection Request**

* Sample Supplemental Claim & Re-inspection Letter that Gets RESULTS!

**IF THE CARRIER HAS AGREED TO PAY ANYTHING**

* + **All Scope & Pricing is Appreciable**

**Power Estimates**

1st Estimates that you (or we create for you) that leave not a single legitimate and reasonable line item off – leaving no money on the table

2nd Estimates that get you & your client significant results

3rd Line item notes chock full of documentation justifying the line item

**Everything Predicated on:**

1st LEGITIMATE DAMAGE

2nd REASONABLE METHOD OF REPAIR

3rd Facts & Evidence

4th Objective, 3rd Party Source Material

5th Estimates that you (or we create for you) that leave not a single legitimate and reasonable line   item off – leaving no money on the table

6th Estimates that get you & your client significant results

7th Line item notes chock full of documentation justifying the line item

**Comparative Analysis**

1st Go through scope of both IA and PA estimate and compare

2nd Go through unit pricing and compare

**Example Talking Point**

1st Question to ask the adjuster: How do you define waste? Stare… crickets…

2nd Here’s my definition, “Building materials collected on site to be disposed of in a legal landfill due to the cutting loss of excess materials removed at valleys, hips, ridges, and rake edges. Can we agree that this is a reasonable definition for roofing waste? If my definition is inaccurate, please correct me.

3rd So, can you show me where waste is located in this definition? If not, how can you say that these legitimate building materials are included in waste then? Again, PLEASE DEFINE WASTE.

4th I am happy to wait while you call your supervisor”. Crickets… more stares…

 **Using Facts and Evidence to Overcome Unreasonable and Uncooperative Claims Adjusters**

 **Understanding How Adjusters Think and What Motivates Them**

 **Should You Litigate/Hire an Attorney?**

 **Carrier Obligations Under the Contract**

 **Examination Under Oath**

 **Solving Problems**

**1st** Identifying the Legal Perspective

**2nd** Developing A Working Guidelines

**3rd**The Plaintiff’s Expert

**4th** The Daubert – Proofed Expert

**5th**Troubleshooting Your Guidelines

**6th** Fitting the Guidelines into Your Case Story

 **The Art of Arguing Your Claim Like an Attorney**

**1st**Why Argue

**2nd** Winning Without Arguing

**3rd**The Pistol That Fires in Both Directions

**4th**The Incredible Power of Credibility

**5th** The Power of Listening

**6th** The Power of Prejudice

**7th** The Power of Words

**8th**Structuring the Winning Argument

**9th**How to Present the Winning Argument

**Residential Policy & Client Paperwork**

* ISO Residential ISO Policy Form
* Policy Workshop
* Must Memorize
* ISO Overview
* Eligibility
* Declarations, Agreement & Deductible
* Definitions
* Common Conditions
* Dwelling and Other Structures
* Personal Property
* Coverage D – Loss of Use
* Additional Coverage
* Perils and Exclusions
* Conditions
* Underwriting Considerations
* Rating Considerations
* Available Endorsements
* In Home Business

**Understanding the Client's Process & Paperwork**

* Home Inspection Video
* First Meeting with Homeowner
* The Client’s Contract & Paperwork
* Paperwork

**Commercial & Business Policies**

**Commercial Property Coverage Form**

* Overview, Eligibility and Declarations
* Coverage, Limits and Definitions
* Coverage Discussions
* Conditions
* Conditions Discussions
* Causes of Loss-Special, Broad and Basic
* Commercial Property Program Underwriting and Rating
* Commercial Property Program Available Endorsements
* Endorsements That Should Always Be Considered

**Commercial Policy Break Down Annalists**

* Common Policy Conditions
* Commercial Property Conditions
* Building and Personal Property Coverage Form
* Builders Risk Coverage Form
* Causes of Loss – Basic Form
* Cause of Loss – Board Form
* Causes of Loss – Special Form

**This Endorsement Changes the Policy**

* Earthquake and Volcanic Eruption
* Windstorm or Hail Percentage Deductible
* Ordinance or Law Coverage
* Pollutant Clean Up and Removal
* Outside Signs
* Glass Coverage Form
* Business Income (And Extra Expense) Coverage Form
* Business Income (Without Extra Expense) Coverage Form
* Extra Expense Coverage Form
* Business Owners Policy Declarations
* Business Owners Coverage Form

**ISO Businessowner Coverage Forms**

* Overview and Declarations
* Eligibility
* Common Conditions
* Definitions for Property and Liability Sections
* Limits of Insurance for Property and Liability Sections
* Property Section Coverage
* Property Section Causes of Loss, Exclusions and Limitation
* Property Coverage Endorsements
* Property Section Conditions
* Liability Coverage
* Liability Exclusions
* Liability Coverage Endorsements
* Who Is an Insured?
* Liability Section Conditions
* Underwriting Considerations
* Rating Considerations
* Available Endorsements and Their Uses
* Industry-Specific Endorsements

**Business Income Loss Defined Net Income Plus Continuing Expenses**

* Loss of Business Earnings
* Financial Records
* Stocks of Merchandise
* Adjustment of Reporting Form Losses
* Important Terms in Business Income Losses
* Analyzing A Profit and Loss Statement
* Cash Versus Accrual Method
* Business Income Loss Checkout
* Business Income Loss Defined

**Commercial Docs**

* How Profit & Loss Statements Are Typically Organized
* Manufacturing Business
* Retail Store Income Statements
* Service Business Profit & Loss Statement
* Cash Versus Accrual Method
* Cash vs. Accrual Accounting
* Calculation of Business Income Loss
* Profit & Loss Statement

**Build Authoritative Notes for Power Estimates Library**

* **OSHA 2019 Regulations Link**

**OSHA Construction Training Library (30 Hours)**

* + - Introduction to OSHA (video)
		- Construction Focus Four: Fall Hazards (video)
		- Construction Focus Four: Electrocution (video)
		- Construction Focus Four: Struck-By Hazards (video)
		- Construction Focus Four: Caught-In/Between Hazards (video)
		- Health Hazards (video)
		- Materials Handling (video)
		- Tools - Hand and Power (video)
		- Managing Safety and Health (video)
		- Stairways and Ladders (video)
		- Fire Protection and Prevention (video)
		- Welding and Cutting (video)
		- Scaffolds (video)
		- Cranes (video)
		- Excavations (video)
		- Concrete and Masonry (video)
		- Personal Protective Equipment (PPE) (video)
		- Confined Space Entry (video)
		- Signs, Signals and Barricades (video)

**Building Code Library**

* Building Code Manual (pdf 729 Pages)
	+ - Building Codes 101, Part I: Introduction to Building Codes (video)
		- Building Codes 101, Part II: ICC and Building Codes (video)
		- International Building Code (IBC) Essentials for Wood Construction Based on the 2015 IBC (video)
		- 2018 IBC and 2018 IRC Significant Changes Related to Wood Construction (video)

**Manufactures Recommendations for Installation**

* GAF Manufactures Recommendations for Installation (pdf)

**Complete Contracting Education Library**

**Construction Encyclopedia**

* Acoustical Tile
* Acoustics
* Adhesives
* Asbestos
* Asphalt Paving
* Bathroom Fixtures
* Brick Masonry
* Cabinetry
* Carpet
* Ceramic Tile
* Concrete
* Concrete Block
* Concrete Reinforcement
* Countertops
* Doors
* Drywall
* Electrical Installation
* Financing
* Fireplaces and Chimneys
* Floor Framing
* Flooring
* Framing Materials and Planning
* Heating and Air Conditioning
* Insulation
* Insurance
* Painting
* Paneling
* Plaster
* Plumbing
* Porches and Decks
* Radon and Other Pollutants
* Resilient Flooring
* Roof Framing
* Roofing
* Siding
* Stone Masonry
* Stucco
* Trim
* Ventilation
* Wall Framing
* Wallpaper
* Windows and Skylights
* Wood Flooring

**Estimating Home Building Costs**

* The Building Site
* Preliminary Costs
* Site Clearing Excavation and Fill Dirt
* Footing
* Foundations
* Floor Systems
* Superstructures
* Roofing
* Electrical Plumbing, Heating, and Air Conditioning
* Estimating Brickwork
* Saving Energy
* Interior Wall and Ceiling Finish
* Exterior Trim
* Concrete Floors, Walkways Terraces
* Interior Trim
* Painting, Floor Covering and Appliances
* Gutters On-site Improvements Miscellaneous
* Overhead and Contingency and Profit

**Basic Engineering for Builders 8th Printing**

* Permits and Engineering
* Surveying for Construction
* Concrete
* Wood Basics
* Steel
* Masonry
* Plumbing
* Heating Ventilating and Air Conditioning

**Roofing Construction**

* Measuring and Calculating Roofs
* Roof Sheathing, Decking and Loading
* Underlayment on Sloping Roofs
* Asphalt Shingles
* Mineral- Surfaced Roll Roofing
* Wood Shingles and Shakes
* Tile Roofing
* Slate Roofing
* Metal Roofing and Siding
* Built-Up Roofing
* Elastomeric Roofing
* Insulation, Vapor Retarder and Waterproofing
* Roofing Repair and Maintenance
* Estimating (and Maximizing) Production Rate

**Basic Plumbing with Illustrations**

* Introduction to Plumbing
* The Plumbing System
* Plot Plans
* Isometric Drawings and Definitions
* The Drainage System
* The Vent System
* Traps
* Cleanouts
* Floor Plans and Layouts
* DWV Materials and Installation
* Septic Tanks and Drain fields
* Water Supply and Distribution System
* Valves and Faucets
* Hot Water Systems
* Water Pipes and Fittings
* Installation of water systems
* Private Water Wells Sprinkler Systems
* Roughing-In
* Plumbing Fixtures
* Maintenance of Plumbing Systems
* General Plumbing Repairs
* Simple Gas Installation
* Private Swimming Pools

**Plumbers Handbook**

* Plumbing and the Plumber
* Designing Drainage Systems
* Designing Vent Systems
* Fixture Traps
* Cleanouts
* Interceptors, Special Traps and Neutralizing Tanks
* Indirect Waste Piping, Receptors and Special Wastes
* Installation of Drainage and Vent Pipes
* Septic Tanks and Drain Fields
* Mobile Home and Travel Trailer Parks
* Graywater Recycling Systems for Single-Family Residences
* Public Water Supply and Distribution Systems
* Hot Water Systems
* Installing Water Systems
* Private Water Supply Wells
* Fire Protection
* Swimming Pools and Spas
* Harnessing Solar Energy
* Gas Systems
* Materials and Installation Methods for Gas Systems
* Plumbing Fixtures

**Pipe and Excavation Contracting**

* Estimating, Bidding, Bonding
* Crew & Equipment Productivity
* Reading Plans & Surveying
* Site Preparation
* Operating A Backhoe
* Soil Compaction
* Installing Water Systems
* Installing Sewer & Stormwater Systems
* Estimating Surface Excavation
* Dealing with Rock & Groundwater
* Pipe Materials

**Excavation and Grading Handbook**

* Understanding Road Survey Stakes
* Plan Reading
* Grade Setting
* Setting Grade Stakes Using A Contour Plan
* Grading with Lasers GPS and Other Specialized Equipment
* Road Building Equipment
* Planning for Excavation
* Excavation Rock
* Excavating Subdivisions
* Excavating Commercial Site
* Highway Grading and Excavation
* Widening Rural Roads
* Building Narrow Embankments
* Drainage Channels
* Unsuitable Materials
* Compaction
* Curb and Sidewalk Grading
* Preparing Subgrating for Aggregate
* Aggregate Base
* Lime-Treated Base
* Asphalt Paving
* Trenching and Pipe Laying
* Trench Shoring, Shield and Sloping
* Constructing Manholes
* Underdrains Culverts and Down drains

**Estimating Excavation**

* Get Started Right
* The Site Visit
* Property of Soils
* Area Take-Off by Plan and Profile
* Reading Contour Maps
* Area Take-Off from A Topo Map
* Irregular Regions & Odd Areas
* Using Shrink and Swell Factors
* Topsoil, Slopes & Ditches
* Basements, Footings, Grade Beams and Piers
* All About Soil and Borrow
* Balance Points, Centers of Mass & Hall Distances
* Earth Moving Equipment: Productivity Rates and Owning and Operating Costs
* A Sample Take-Off
* Cost and The Final Bid for The Sample Estimate

**Electrical Blue Print Reading**

* Electrical Drawling
* Layout of Electrical Drawlings
* Electrical Symbols
* Types of Building Drawlings
* Sectional View and Electrical Details
* Electrical Wiring Diagrams
* Electrical Schedules
* Site Plan
* Electrical Specification
* Reproduction of Drawlings
* Equipment and Appliance Wiring
* Assignment

**Estimating Electrical Construction**

* What Does It Take to be an Electrical Estimator?
* Finding Work & Submitting Bids
* First Steps in Estimating
* The Job Walk & Pre-Bid Conference
* Accurate Material Takeoff
* The Material Cost Estimate
* Completing Your Estimate Manually
* Takeoff Worksheets with a Computer
* Figuring Costs with the National Electrical Estimator
* Overhead & Profit
* Other Costs to Consider
* Completing Your Estimates & Bids Manually
* Completing Your Estimates & Bids Electronically
* Cost Recording
* Smart Bidding
* Pricing Strategies & Selling Your Bid
* Change Orders
* Claims & Disputes

**Residential Wiring**

* Electrical Energy
* Distribution of Alternating Current
* Tools and Safety
* Conductors
* Grouped Conductors
* Electrical Boxes
* Wiring Switch Circuits and Outlets
* Plans
* The Service Entrance
* Rough Wiring
* Finish Wiring of New Wiring
* Additions and Alterations to Old Work
* Trouble Shooting and Repairs
* Supplemental System

**Commercial Metal Stud Framing**

* Wall Methods
* Headers
* Suspended Drywall Ceiling Method
* Soffit Methods
* Interior Walls
* Hollow Methods Jambs
* Furred Walls
* Structural Stud Walls
* Fire Rated Walls and Ceilings
* Columns
* Soffits
* Drywall Ceiling Systems
* Drywall Methods

**Concrete Construction**

* Concrete: The Man-Made Stone
* Planning and Site Work
* Footing Forms
* Prefabricated Forms
* Insulated Polystyrene Concrete Forms
* Reinforcing
* Planning for The Concrete
* Concrete Pour
* Testing Concrete
* Pumping Concrete
* Concrete Slabs
* Concrete Joints
* Concrete Finishing
* Curing Concrete
* Sidewalks and Driveways
* Formwork for Steps
* Small Projects
* Estimating Concrete Quantities
* OSHA

**Construction Forms for Contractors**

* Accounting Forms
* Change Order Forms
* Contracts
* Client Forms
* Estimating Forms
* Job-Related Forms
* Human Resource Forms
* Liens
* Office Forms
* Bids & Proposals
* Subcontractor Forms
* Timesheets

**Contractors Survival Manual**

* Which Way Is Up?
* Finding Money and Buying Time
* Got That Sinking Feeling?
* One Problem at a Time
* Bring Some Sanity to Your Business
* Who's Minding the Store?
* Who, Me Work?
* The Equipment Payment's Past Due
* So, You Can't Find a Job?
* Your Purpose and Goals
* Go Where the Money Is
* Over-Design, Under-Design and No Design
* Second, for the Third Time
* Investing in Inflation

**Estimating & Bidding for Builders**

* Get Started Right
* Planning Your Estimate
* Getting Ready to Estimate
* The Estimating Process
* Estimating Repair and Remodeling Work
* Estimating Commercial Work
* Pricing with A Computer
* Cost Recording
* Planning Overhead
* Estimating and Overhead
* Smart Bidding
* Pricing Strategies

**Fences and Retaining Walls**

* Fence & Wall Specialties
* Layout & Design
* Wood Fences & Gates
* Block & Brick Walls
* Chain Link & Wire Fences
* Metal Fences, Gates & Railings
* Finishes
* Troubleshooting & Repair
* Wiring & Plumbing
* Retaining Walls & Stone Walls
* Get Your Business Started Right
* The Books You Keep
* Sales & Contractor’s Law
* Safety on the Job
* Estimating
* Contractor’s Math

**Steel Frame House Construction**

* What Is Light Gauge Steel?
* Design and Standardization
* Light Gauge Steel
* Steel Framing Tools
* Steel Framing Fasteners
* Types of Construction
* Before Construction Begins
* Foundations and Anchoring
* Floor Joists — First Floor
* Wall Construction — Loadbearing Walls
* Second Floor Construction
* Roof Framing with Rafters
* Roof Framing with Trusses
* Roof Completion Details
* Specialty Framing
* Thermal Considerations
* Wall Construction — Nonbearing Walls
* Exterior Finishes
* Working with Utility Subcontractors
* Inspections
* Selling to the Homebuyer

**Home Building Mistakes and Fixes**

* Selecting the Site
* Excavating & Leveling
* Slabs & Basements
* Concrete
* Working with Lumber
* Walls & Insulation
* Roofing
* Electrical
* Plumbing
* Fireplaces & Chimneys
* Drywall & Plastering
* Windows & Doors
* Eaves & Vents
* Siding
* Stairways
* Countertops & Cabinetry
* Outdoor Work

**Insurance Restoration Contracting**

* Is Insurance Restoration the Business for You?
* Understanding the Basics of Insurance Policies
* Understanding Water & Water Restoration Equipment
* Water Losses & Restorative Drying
* Mold Remediation & Contaminated Water Losses
* Specialty Drying Situations & Other Water Loss Considerations
* Understanding Fire & Smoke
* Structural Fire Losses
* Structural Cleaning & Deodorization
* Wind, Snow, & Other Storm Damage
* Impact Damage, Vandalism & Trauma Scenes
* Mobile, Manufactured & Modular Homes
* Contents
* Contents: On-Site Storage, Loss Inventories, & Non-salvageable Items
* Contents: Pack-Outs, Cleaning, & Off-Site Storage
* Getting Set Up for Emergencies
* Responding to Emergency Calls
* Your Business Plan
* Setting Up Your Company
* Staffing Considerations
* Finding Work
* Working with Insurance Adjusters
* Structural Estimating
* Estimating Books & Software
* Dealing with Finances, Remodeling, & Clients

**Builders Guide to Accounting**

* Why Keep Records
* Accounting Methods
* Cash and Charge Sales
* Managing Receivables
* Bad Debt Procedures
* Sales Records and Cash Budgeting
* Sales Planning
* Planning for Profits
* Cost and Expenses
* Accounting for Materials
* Payroll Accounting
* Overhead Expenses
* Equipment Records
* Cash Budgeting
* Cost and Expense Record
* Accounting for Costs and Expenses
* Petty Cash Funds
* Balancing the Checking Account
* Accounting for Estimates
* Financial Statements
* Recording Before the Event
* Financial Statements
* Using Financial Information
* Financial Ratios
* Putting Together A Statement
* Comparative Period Statements
* Restatements by Accounting Methods
* Statements by Jobs
* Statements for Loan Applications

**Professional Kitchen Design**

* Kitchen Design Basics
* The Compact Kitchen
* The L-Shaped Kitchen
* The U-Shaped Kitchen
* The Peninsula Kitchen
* The Island Kitchen
* Unusual Kitchen Layouts
* Cabinets and Countertops
* Sinks and Plumbing
* Major Appliances and Exhaust Systems
* Small Appliances & Special Kitchen Features
* Kitchen Floors
* Kitchen Lightning
* Decorative Kitchen Materials
* Your Kitchen Design Business

**Your Own Construction Business**

* Taking the Plunge
* Knocking on Opportunity’s Door
* Digging Up Business
* Making the Sale
* Dealing with Clients
* Making it Legal
* Financing
* How Much to Charge and how Much to Bill it
* Estimating with Accuracy
* Scheduling the Job
* Finding and Keeping Good Employees
* Running an Efficient Office
* The Paper Shuffle
* Keeping the Books
* Buying Insurance
* Looking Ahead

**Moving to Commercial Construction**

* Making the Change
* Staffing the Commercial Office
* Finding Commercial Work
* Working with Architects and Engineers
* Construction General Requirements
* Creating A winning Estimate
* Owner Contractor Relationship
* Design Building and Partnering
* The Submittal and Shop Drawing Process
* Subcontractor and Supplier Selection
* The Profitable Job Site
* Bonding and Insurance. Worker's Compensation and Safety
* Marketing and Promotion
* The ADA Impact
* The Contractor The computer and The Internet
* Success and Failure in Commercial Construction

**Presenting & Negotiating**

* Is Cosmetic Damage A Covered Loss (Video)
* Matching Materials, Aesthetics and Diminished Value (Video)
* Damaged Property - Repairable or Total Loss (Video)
* Fact & Evidence (Video)
* Understanding How Adjusters Think (Video)
* Unfair Claims Settlement Practices Act (Video)
* Unusual Everyday Issues (Video)
* Twenty-Five Insurance Insider Secrets Revealed (Video)
* Building Code and OSHA Compliance (Video)
* Dealing with Difficult Insurance Adjusters (Video)
* Do Better (Steve Patrick Video)
* **CPCU training for #1 Adjuster designation top definition for Overhead and Profit**
* Who's in Charge (Video)
* Actual Cash Value (Video)
* Public Adjusting and Engineers (Video)
* How to Deal with IA Adjusters Writing Authority (Video)
* Poor Workmanship (Video)
* Round Table Discussion 1 (Video)
* Round Table Discussion 2 (Video)

**Negotiating Gambits & Tactics**

* The Rules and Were They Come From
* The Insurance Adjusters Position and Reasoning
* Presentation Layout to Insurance Adjuster
* Insurance Company Trend with Policy
* Final Ways to Have A Resolution
* Understanding Conflict
* Recording Rules
* Forms
* The Basics, Flinching & Power Negotiating Tips
* Nibbling, Hot Potato & Power Negotiating Tips
* Put It in Writing, Splitting the Difference & Never Say Yes to the
* First Proposal
* Never Walk Away, The Power of Time & Ask for More Than You
* Expect to Get
* You Will Have to Do Better Than That, Reading People & Win-Win Negotiating
* Understanding Body Language & Power Negotiating Tips
* Meeting with the Insurance Adjuster

**Documenting & Letter Writing**

**Practical Letters**

* Final Offer Before Appraisal
* Re-open Claim
* Assignment
* Owe to Match
* Miss-Matched Siding
* Withdrawing Our Representation
* Referring Individuals
* Appraiser Settlement
* Undisputed Proof of Loss Statement Client
* Simple Undisputed Proof of Loss Statement
* Proof of Loss 1
* Proof of Loss 2
* Hold Back Insurance Company
* Settlement Check
* Payment by Client Settlement Check
* Endorse the Draft
* Client Signing Check
* Homeowner Borrower Authorization
* Mailed Our Fee
* Sign Draft
* Lender Authorizing to Release Our Fee
* Client Repairs for Hold Back
* Partial Settlement

**The John Meli Letters**

 **Master Letter Writer**

* Meli Letter 1
* Meli Letter 2
* Meli Letter 3
* Meli Letter 4
* Meli Letter 5 & 6
* Meli Letter 7
* Meli Letter 8
* Meli Letter 9

**Client Template Letters**

* Client Thank You
* Detailed Settlement
* No Claim Letter
* Settlement Letter
* Fee Payment Letter
* Referral 2
* No Claim Referral

**Template Letters to Adjusters & Supervisors**

* Adjuster 1
* Adjuster 2
* Adjuster 3
* Adjuster 4
* Adjuster 5
* Hold Back
* Hold Back 2
* New Mortgage Company
* Proof of Loss Flood Letter
* Proof of Loss Letter

**Appraisal**



**Steve Patrick Master Trainer**

**An Introduction to The Appraisal Process**

* Association’s Prospective
* History / Legislative / Judicial
* Appraisal as Distinct from Arbitration

**Circumstances Warranting Appraisal**

* Disagreement Necessary
* Appraisal Where There Are Questions of Liability or Coverage
* Time and Other Benefits
* In Actions Against Brokers and Agents

**Scope of The Issues Covered by The Appraisal Clause**

* Appraisers May Not Exceed Their Commissions
* Appraisal of Loss and Value of Property as Well As Economic Loss
* and Other Claims
* Valued Policies and A Total Loss
* Issues of Scope of Loss, Causation and Coverage
* Issues of Bad Faith

**Issues of Waiver and Estoppel**

* Waiver of The Appraisal Provision by Claim Denial, Ligation or
* Repair
* Waiver of Policy Provisions or Defenses to Liability by Submission
* to Appraisal
* Reservation of Rights to Litigate Liability
* Waiver of Right to Participate by Non-Appointment or NonParticipation
* Waiver of Breach of Contact Claim by Acceptance Of Award

**Timing Issues**

* When Appraisal Should be Demanded?
* Timing of the Award
* When the Loss Is Payable
* Time to Bring Suit
* Completing Demands
* When Appraisal Should be Demanded?
* Timing of the Award
* When the Loss is Payable
* Time to Bring Suit
* Completing Demands

**The Mechanics of Demanding an Appraisal**

* The Demand
* The Appraisal Agreement
* Remedies If Appraisal Is Wrongfully Refused
* Failure of Appraisal

**The Appraisers**

* Qualifications
* Disinterested but Permissibly Predisposed
* Fees

**The Umpire**

* The Umpire’s Qualifications, Duties & Scope of Authority
* Fees
* Written Agreement with the Umpire
* Court Appointment of the Umpire
* When to Appoint the Umpire

**The Appraisal**

* Generally
* Consultation Necessary
* Determining Value
* Outside Experts
* Notice Adjournments & Cancellations
* Hearings & Inspections

**Preparing Claim for Lawsuit**

|  |  |
| --- | --- |
| Chip Merlin Attorney Speaker | Jonathon Wheeler Attorney Speaker |

* Jonathon Wheeler Class Action

**Going to Court**

* Set the Claim Up for A Law Suit
* Two Ways to Court
* Witness / The Claim File What do lawyers call a claim file?

**Be A Better Witness**

* Examination Under Oath
* Under Oath
* Be a Better Witness: Deposition Basics-Practical Pointers from
* Preparation to Testimony

**How to Prepare A Case for A Lawsuit (with Chip Merlin)**

* How to Prepare A Case for A Lawsuit

**Learn What the Best Attorneys Know**

* Problem Solving
* Identifying the Legal Perspective
* Developing A Working Guidelines
* The Plaintiff's Expert
* The Daubert - Proofed Expert
* Troubleshooting Your Guidelines
* Fitting the Rules into Your Case Story
* Should You Litigate

**The Art of Arguing Your Claim Like an Attorney**

* Why Argue
* Winning Without Arguing
* The Pistol That Fires in Both Directions
* The Incredible Power of Credibility
* The Power of Listening
* The Power of Prejudice
* The Power of Words
* Structuring the Winning Argument
* Opening Them Up
* How to Present the Winning Argument
* The Magical Argument
* The Unbeatable Power Argument

**How to Ask Leading Questions Like an Attorney**

* How to Ask Leading Questions

**What Is Bad Faith?**

* Bad Faith
* Understanding Basics of Bad Faith

**Public Adjuster Ethics**

Kevin Kaufmann



Public Adjuster Ethics

**Case Law Library**

**Actual Cash Value**

* Depreciation of Labor Costs When Determining Actual Cash Value
* Arkansas Bars Depreciation of Labor When Calculating
* Fifth Circuit: Total Loss Amount Caps Insured’s Recovery Even
* Under Multiple Policies Covering Different Risks
* Kansas Court Sanctions Depreciation of Labor to Determine
* Kentucky Court: Depreciating Labor to Get Actual Cash Value Is
* Like Making the Insured Use a Very Old Roofer with Debilitating Arthritis to Repair the Roof
* Sixth Circuit Holds That Declines in Market Value are Not a Factor in Determining Actual Cash Value
* Arkansas’ Supreme Court Prohibits the Depreciation of Labor Costs Under an Actual Cash Value Policy

 **Additional Insured**

* Florida Property Manager’s Insurable Interest

 **All Risk**

* Florida Court Holds Arson is a Type of Excluded Vandalism and Malicious Mischief
* Florida Court: Under All-Risk Policy, Insured Does Not Bear Burden of Showing Loss Was Caused by a Sinkhole

 **Ambiguity**

* Vermont: First-Party Pollution Exclusions Are Not Confined to Traditional Environmental Pollution
* Fifth Circuit Refuses to Predict Texas Will Adopt a Sophisticated Insured Exception to Contra Proferentem
* California Court Holds Pre-Loss Preventative Measures to Avert A Collapse Are Not Covered as Mitigation.
* California Court Adopts Expansive Reading of Contamination and Product Recall Coverage
* Utah Court: Seepage Over A Months-Long Period Is Excluded as Moral Hazard
* Massachusetts Court Refuses to Apply Discovery Rule to Commencement of the Suit Limitations Period
* Under Illinois Law, Mine Subsidence Held to Be a Type of Excluded Earth Movement
* Texas Court Rejects Ambiguity Arguments Bottomed on a Single Phrase
* New York Court: Undefined Word “Occurrence” in a Deductible Provision Must be Construed by the Finder of Fact
* Washington Supreme Court Misses Opportunity to Clarify the Meaning Of “Collapse”

 **Anti-Concurrent Causation**

* New Jersey Court Rejects Theory of Spoliation by Encouragement
* Florida to Decide What Test Applies When Concurrent Multiple
* Perils Cause a Loss
* Ninth Circuit: Under Arizona Law Mudslide Can Be Covered as the Direct Result of Fire
* Iowa Court: Anti-Concurrent Causation Language Mandates That the Jury Determine Whether an Excluded Peril Was One Cause of the Loss
* Texas Supreme Court Enforces Anti-Concurrent Causation, Bars Coverage Where Wind and Flood Combine to Cause the Loss
* Iowa’s Highest Court: Damage by Rainwater is Damage by Rain
* Anti-Sequential Causation Clause Upheld in Hurricane Irene Case in New Jersey

 **Arbitration & Appraisal**

* Texas Court Addresses What Constitutes an “Itemized” Appraisal Decision
* California Court: Appraisers Cannot be Directed to Assign Loss Values to Undamaged or Non-Existent Items in the Insured’s
* Scope
* Florida Court: Your Own Attorney is Simply Not a “Disinterested”
* Appraiser
* Florida Court Holds “Retained Rights” Provision Does Not Render an Appraisal Clause Unenforceable
* Pennsylvania Court Addresses What Is a Coverage Dispute for Appraisal Purposes
* Florida, Georgia and Texas Appraisal Update: Is Causation A Coverage Question for The Court or A Damages Question for The Panel?

 **Arson & Fraud**

 **Bad Faith**

* California: Service of Suit Endorsement Trumps Forum Selection Clause in Case Involving Product Recall Due to Contamination.
* Claim for Fraudulent Wire Transfer Under Commercial Crime Policy Found to be Covered, Although Denial Not in Bad Faith
* Order of Civil Authority Claim for Superstorm Sandy Barred by Flooding Exclusion in New York
* Pennsylvania Court Addresses What Is a Coverage Dispute for Appraisal Purpose

 **Builder’s Risk**

* Indiana Court Nixes Requests for Reinsurance and Reserves
* Missouri Court Clarifies What Constitutes an Ensuing Loss
* New York Court: All Sandy Losses, including “Downstream”
* Financial Ones, Capped by Annual Aggregate Limit for Flood
* New York Court: Broadly-Worded Flood Limit “Meaningless”
* Unless it Applies to Any Kind of Loss Caused by Flood

 **Burden of Proof**

* Florida Court: Under All-Risk Policy, Insured Does Not Bear Burden of Showing Loss Was Caused by a Sinkhole
* New York’s Highest Court Enforces a Water Damage Exclusion Despite an Ensuing Loss Exception

 **Business Interruption**

* A New York Court Bars Coverage for a Power Outage Caused by Superstorm Sandys
* Arizona Court: Argument that All Business Income Loss Caused by a Wildfire is Covered is “Off Base”
* New York Court: All Sandy Losses, including “Downstream” Financial Ones, Capped by Annual Aggregate Limit for Flood
* New York Court: Broadly-Worded Flood Limit “Meaningless” Unless it Applies to Any Kind of Loss Caused by Flood
* Saving Green by Going Green
* The Fourth Circuit Clarifies Who Is A Direct Supplier Under Contingent Business Interruption Coverage

 **Cancellation**

* California: Service of Suit Endorsement Trumps Forum Selection Clause in Case Involving Product Recall Due to Contamination.

 **Catastrophes**

* Anti-Sequential Causation Clause Upheld in Hurricane Irene Case in New Jersey
* Fifth Circuit: Total Loss Amount Caps Insured’s Recovery Even Under Multiple Policies Covering Different Risks
* Florida to Decide What Test Applies When Concurrent Multiple
* Perils Cause a Loss
* Late Notice Held to Bar a $6,000,000 Hurricane Wilma Claim in Florida
* New Jersey Court Holds $22 Million “Named Storm” Deductible Applicable to a Superstorm Sandy Loss
* New Jersey Court Rejects Theory of Spoliation by Encouragement
* New Jersey Judge Writes a Primer on How Not to Draft a Denial Letter
* New Jersey Panel: If a Flood Is Excluded, So Are the Unhealthy Water-Borne Substances that It Leaves Behind
* New Jersey Trial Court Holds Storm Surge Not Subject to Flood Sublimity Where Policy Expressly Includes “Ensuing Storm Surge” in Named Windstorm Coverage
* New York Court: Broadly-Worded Flood Limit “Meaningless” Unless it Applies to Any Kind of Loss Caused by Flood
* New York Court: Storm Surge is a Species of Excluded Flood
* Order of Civil Authority Claim for Superstorm Sandy Barred by Flooding Exclusion in New York
* Pennsylvania Court Addresses What Is a Coverage Dispute for Appraisal Purposes
* Second Circuit Affirms a Southern District Decision Construing
* “Covered Location” Narrowly
* Texas Supreme Court Enforces Anti-Concurrent Causation, Bars Coverage Where Wind and Flood Combine to Cause the Loss

**Causation**

* Anti-Sequential Causation Clause Upheld in Hurricane Irene Case in New Jersey
* Arizona Court: Argument that All Business Income Loss Caused by a Wildfire is Covered is “Off Base”
* Forgery May Not Constitute “Theft” Under an Employee Dishonesty Coverage
* New Jersey Trial Court Holds Storm Surge Not Subject to Flood Sublimit Where Policy Expressly Includes “Ensuing Storm Surge” in Named Windstorm Coverage
* Ninth Circuit: Under Arizona Law Mudslide Can Be Covered as the Direct Result of Fire Oklahoma Holds Question of Whether Fracking Causes Earthquakes is for the Courts to Decide.
* Oklahoma Insurance Commissioner: Don’t Deny Earthquake Claims as Man-Made by Linking Them to Fracking
* Pennsylvania Joins Oklahoma, Bans Homeowners Insurers from Attributing Earthquakes to Fracking
* Texas Limits Scope of Anti-Technicality Statute and Material Breach Doctrine in Vacancy Clause Case
* Texas Supreme Court Enforces Anti-Concurrent Causation, Bars Coverage Where Wind and Flood Combine to Cause the Loss

**Hurricane**

* Fifth Circuit: Total Loss Amount Caps Insured’s Recovery Even Under Multiple Policies Covering Different Risks
* Hurricanes vs. Wildfires — 2015’s Dramatic Contrast New Jersey Judge Writes a Primer on How Not to Draft a Denial Letter
* Where Wind and Flood Combine to Cause the Loss, Late Notice Held to Bar a $6,000,000 Hurricane Wilma Claim in Florida Anti-Sequential Causation Clause Upheld Hurricane Irene Case in New Jersey
* New Jersey Court Holds $22 Million “Named Storm” Deductible Applicable to a Superstorm Sandy Loss
* Florida Property Manager’s Insurable Interest Is Limited to Its Fees

**Water**

* Summary Judgment May Be Appropriate When Insured Fails to Take Reasonable Measures to Prevent Property Damage Connecticut Court Holds No Cause of Action Against
* Fifth Circuit: Total Loss Amount Caps Insured’s Recovery Even Under Multiple Policies Covering Different Risks
* New Jersey Court Rejects Theory of Spoliation by Encouragement
* Insurers from Coast to Coast Notch Suit Limitation Victories
* Florida Court Rejects Claim Replacement of Undamaged Property Is Necessary for Aesthetic Uniformity
* New Jersey Panel: If a Flood Is Excluded, So Are the Unhealthy Water-Borne Substances that It Leaves Behind
* Utah Court: Seepage Over A Months-Long Period Is Excluded as Moral Hazard
* Massachusetts Court Refuses to Apply Discovery Rule to Commencement of the Suit Limitations Period
* Florida to Decide What Test Applies When Concurrent Multiple Perils Cause a Loss

**Unique Market for Public Adjusters**

* Marketing Webinar
* Learn How John Meli Built Up Business with A Property Manager
* Assumptive sale
* Home Inspections and Policy Valuation
* Workshop
* Good Working Habits
* Networking with Contractors
* Networking with Real Estate Investors
* Learn How to Make Speaking Pay
* Vandalism & Fire Claims
* Mind Set
* What Are the Best Practices for Networking?

**Getting Started Selling on The Web**

* Internet Marketing Unit 1
* Internet Marketing Unit 2
* Internet Marketing Unit 3
* Internet Marketing Unit 4
* Internet Marketing Unit 5
* Internet Marketing Unit 6

**Learn More About Roofing Leads**

* Working with Door Knocking
* Door Knocking Uniform
* What’s the best way to get roofing leads?

**Forecasting the Weather**

* Weather Prediction Center
* Identifying and Setting a New Market
* Secrets of Closing the Sale

**Success & Information Resources**

* The Five Columbus Principles
* The Top Ten Principles of Success
* The David And Goliath Principles
* Breaking Free
* The Third-Party Principal
* The Singleness of Purpose Principle
* The Coming Back Stronger Principal
* 4 Audios with Doug Teaching Speaking

Building Your Firm & Association Store

**Apprentice Membership**

**Your Book to Handout to Your Clients**

**Door Hangers**

**Brochures**

**NNA.online**

**Power Estimate Service**

Engineering Training Better than Haag Engineering



Matt Phelps

**PANA CE Credits**

**PANA Facebook Group**

**National Public Adjuster Conference**