



Procedures For Claims

Solicitor Step 1

Meeting with Client (record and document)

Set Up Appointment (Client) Email Client Reminder

1 – policy and endorsement review, any claim that is taken on should include a policy review. Check Declaration page of policy see what kind and what insurance company they have. (Get a copy of the declaration page and full policy Check to see what kind of policy HO or DP and 1, 2, 3, 6 and endorsements)

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.

2 – Damage review and policy alignment: Do a home inspection for all damage in the home that could be covered by the policy personally, Inspect EACH Loss. It is better to have seen and touched each loss personally, than to rely on photos. 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. (Scope out damage and peril)

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

1st You must have damage

2nd You need a peril Named or all risk

- 3rd Make sure there are no Exclusions
- 4th Make sure the client meets all Conditions
- 5th You now have a **Covered Peril**
- 6th Interview client about damage and policy history (Have you ever put in a claim what kind and with what insurance company)
- 7th Fill out Paperwork with client
 - Client Contract (If state has approved contract use it first)
 - Representation Authorization
 - Limited Power of Attorney
 - Homeowners Borrower Authority (Client Mortgage Status and information Good/Bad)

Client Thank You Letter

- 8th Client Assigned Insurance Adjuster / call and send Representation Authorization, cover letter and copy of license ***** (Create Cover letter)** Get Insurance company client case #
- 9th Gather everyone in insurance company in line with this claim phone, email and levels (#)

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.

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 Method of Repair – REASONABLE
- 4th Proof: Facts & Evidence

5th Objective, 3rd Party Source Material

Client Claims Procedures

Estimator Step 2

- Eagleview Roof, Siding, Measuring App Plnar interior
- Fill up scope sheets (**Scope Sheets**)
- Complete estimates for claims level 1 Certified Master Public Adjuster
 - Roof & Siding
 - Wind
 - Hail
 - Water
 - Smoke & Fire
 - Freezing
 - Theft

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, Building Code, OSHA, 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.

Build the scope for estimate use the covered peril

- 1st Take as many photos as you can
- 2nd Diagram damaged area take accurate measurements use PLNAR App
- 3rd Determine damaged materials and grades
- 4th Calculate amounts of materials and actions
- 5th Determine all waist and added special equipment and debris
- 6th Determine section C Contents if necessary
- 7th Determine section D Loss of Use or Loss of Rents Documentation

Build Both Estimate Types Scope and Full Estimate

8th add third party authoritative notes for as many lines as you can

9th Print out Scope sheets estimate without dollar amounts with notes

10th Print out complete estimate with notes

11th Add case law and any FC&S reports and argument docs like O&P Descriptions and follow-up docs.

Line Item Descriptions

12th One of the most important things to know in dealing with Simsol is the line item descriptions.

13th 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."

14th Your knowledge of these items is your true power in conquering adjuster's arguments.

15th 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 (facts & evidence).

Client Claims Procedures

Field Adjuster Present, Negotiate and Document, Claim Step 3

Contact Insurance Company

- A. Contact Clients insurance company: Send client paperwork and copy of your public adjuster license and cover letter and Authorization Representation. Schedule meeting with Insurance **adjuster making sure they have your list of the rules they must abide by**
- B. Document insurance company adjuster and supervisor and soon information also.
- C. Contact assigned Insurance adjuster setup meeting at clients damaged property

Remain Professional

- 1st The inspection is your rodeo take charge
- 2nd Smile
- 3rd Be informative and accurate (facts & evidence)
- 4th If Rude – Hot Potato Back Their Statements
- 5th Ask trapping questions so you can document

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?"

- D. Demonstrate damage to Insurance adjuster (Record) and go over scope with their authority and give insurance company our Scope Power Estimate.

Create Narrative Set the - 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.

Everything Predicated on:

1st Legitimate Damage

2nd Reasonable Method of Repair

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 Full Power Estimate.

Opening Statement

3rd Talking to the adjuster if you see anything that is not legitimate or reasonable, I want you to point them out because this client is not to profit from insurance right. But if it is legitimate and reasonable then you are going to pay for it agreed? Is That Fair?

4th We Will Use Their Own Statements to Back Them into a Corner if Being Unreasonable

When the Adjuster Disagrees Regarding Damage or Method of Repair

Magic Question #1: Are you Saying That the Particular Line Item is Illegitimate or That it's Unreasonable?

If Yes:

Ask Magic Question #2: Why do you say that?

5th This is My Favorite Question of All Time

6th It's a nice way to say, "Put Up or Shut Up – Where Are your Facts & Evidence?"

Magic Question #3

7th How Did You Draw that Conclusion?

8th What is the Basis and Foundation for your Position/Conclusions?

9th Help Me Understand.

Ask for Help

10th Help me Understand How you Drew Your Conclusion.

11th Hold His Feet to the Fire – Make Him Justify His Conclusion Regarding Construction and Policy

We Don't Pay for That:

12th So, You Don't Dispute That the Line Item is Reasonable and Legitimate, by all professional standards then?

13th Then why are You Omitting Legitimate and Reasonable Damage and/or Methods or Repair From your Scope of Damages?

Disarm the Adjuster's Pre-Canned Talking Points

14th Question Skillfully

15th Listen Carefully

"The 'Building Material' isn't Damaged, So We're Not Going to Include it."

Example:

16th You're Including the Felt Aren't You? It Isn't Storm Damaged – What's the Difference? Why are You Including the Felt?

17th With all Due Respect, What Facts and Evidence do you Have to Support your Position Regarding Omitting Legitimate & Reasonable Construction Items?

18th Do you Have any Objective, Third-Party Source Material that you're Basing your Position on?

Example Talking Point

19th Question to ask the adjuster: How do you define waste? Stare... crickets...

20th 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.

21st 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.

22nd I am happy to wait while you call your supervisor". Crickets... more stares...

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.

23rd Wait for insurance company's estimate

24th Review and compare scope and unit pricing of insurance company's estimate

25th Send letter and (Call and Record) to agreeing with the estimate or disagree with explanation

26th 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. (Proof of Loss)

Client Claims Procedures

Field Adjuster Other Claims Resolutions Step 4

WHAT IF THEY CONTINUE TO REFUSE TO BE REASONABLE?

- Go up The Line of adjusters and their supervisors and realize everyone has a boss so ack for the next one up the line.
 - Send a letter and call to supervisor until you get the right answer.
 - Proof of Loss

Alternative Dispute Resolution

- Appraisal
 - What is Appraisal?

Appraisal is when each party the insured and the insurance company find a disinterested party who is competent, don't just let that go ask how many times they have worked with that insurance company, that will demonstrate how disinterested they are and can have them kicked off the appraisal from the same judge. Both appraisers then have lists and they try to pick an umpire, if they can't then the county courthouse judge will and you can bring up if the other appraiser is disinterested. Ant two of the three agree then the amount and scope will be set match done.

- Is it Really the Magic Bullet? No But what it is changes thing the last decision of the insurance company is who will be their appraiser then them out of the case.
- Letter and call to invoke appraisal process
 - Many times, insurance companies say we aren't going to appraisal. Guess what you contact the court administrator and they send it to the judge you will be amazed how many insurance companies will show up.
 - Use our forms and letters for appraisal (we go into major understanding about appraisal in the appraisal section).
 - Can you as the public adjuster be the public adjuster and the appraiser, not on the same claim.

IF THE CARRIER HAS AGREED TO PAY ANYTHING

- All Scope & Pricing is Appreciable

What is INDEPENDENCE?

“The State or Condition of Being Free from Dependence, Subjection, or Control.” (**Black’s Law Dictionary** Client Cannot Tell Their Appraiser What to Think, Say or Do)

- Go to Court
 - Contact expert like building construction engineer
 - Send letters
 - Letter contacting attorney for possible court action (Call association for good attorneys to use)

Examination Under Oath (Prep your client)

Solving Problem (Details in site)

- 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 (Details in site)

- 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

Client Claims Procedures

Field Adjuster Disperse Funds Step 5

Send Checks to Client to sign and Lender or lenders to sign.

Sign Checks and Deposit

Send Check to Client with claims analysis letter

Send thank You Letter

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

7th Speaking with one voice.

8th Make sure all members of your firm know of previous conversations with insurer.

Writing the Demand Letter/Presenting a Proof of Loss

9th Have a Cover Letter with Proof

10th Include your scopes, repairs and documentation.

Information Which Must Be Sent with Proof of Loss

11th Any and all supporting documentation in the possession of the insured

12th Itemized (room by room) estimates (both building and contents) are critical

13th Engineer's report

Information Which Must Be Sent with Proof of Loss

14th Photographs

15th Videos

16th Paid Receipts or invoices for completed repairs

17th Any other relevant documents

Other Concerns Related to Proof of Loss

18th Must be complete, signed and sworn to by insured.

19th Person signing on behalf of corporation must have authority

20th List specific #s for damages. Do not state “to be determined”

21st Do not write “partial” on NFIP Proof of Loss.

22nd If you send a “Supplemental” Proof of Loss, attach ALL supporting documentation

Letter Writing

23rd Be Professional!

24th Be firm and authoritative but not condescending

25th Be the ultimate reasonable insured!

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

26th No name calling.

27th Treat the insurer the way you want to be treated.

28th Assume that everything you write will end up as an exhibit in front of a judge and jury.