# Louisiana Department of Insurance POST - DISASTER INSURANCE GUIDE



JAMES J. DONELON

COMMISSIONER OF INSURANCE

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#### The Louisiana Department of Insurance: Who We Are and How We Can Help You

By Commissioner of Insurance Jim Donelon



The Department of Insurance is a state agency created by the Louisiana Legislature. One of our major functions is to make sure you get the insurance coverage you are paying for. Regulation of insurance companies and producers (also known as agents) is an especially important task. We constantly monitor the insurance industry so that you can be reasonably sure your insurance will be there when you need it.

Here's a very general overview of how the regulatory process works:

#### **Insurance Companies:**

First, to write insurance in the state, a company must file an application with the Department of Insurance requesting permission to write specific types of insurance under specific guidelines. Department staff members check to be sure the company is offering the type of insurance policies Louisiana citizens need and that it has adequate financial resources to pay claims.

Once licensed to write insurance in Louisiana, companies must file quarterly and annual reports with the Department and undergo routine examinations or special examinations as needed. The Department's extensive examination of insurance companies ensures that they are financially sound, able to pay policyholders' claims, follow Louisiana's laws and meet the high standards required to do business in our state.

#### **Licensed Producers:**

Similar rules apply to anyone wanting to become a licensed producer in Louisiana. You must submit an application to the Department, meet the high standards set forth for insurance producers and pass a rigorous written exam. Once licensed, producers must earn continuing education credits to stay licensed.

#### **Consumers:**

Some of the reasons you may want to contact the Department of Insurance are: if you have a specific insurance related question, if you are having trouble resolving a dispute with your company or producer, if you need to learn more about an insurance company or if you want to report suspected insurance fraud.

Consumer complaints most frequently filed with the Department include: an insurance company not being cooperative when a claim is filed, not paying claims on time and denying claims that should be paid. With the help of Department of Insurance staff, the majority of these problems can be worked out to everyone's satisfaction.

There are some limits to what the Department can do for you. The Department cannot give you legal advice, act as your lawyer or interfere in a pending lawsuit. We cannot recommend one insurance company or producer instead of another, decide disputes based on who is negligent or at fault, determine the facts surrounding a claim or resolve a complaint if the only evidence is your word against that of others.

I hope this helps you better understand what we can and cannot do. Please contact us if you have any questions or concerns you feel need our attention, toll free: 1-800-259-5300; in Baton Rouge: 225-342-5900; on the web at www.ldi.la.gov or by email: public@ldi.la.gov.

### Understanding Hurricane Deductibles

One of the key pieces of information you need to know is whether your homeowners insurance policy carries a hurricane, named-storm or wind and hail deductible. Homeowners policies carry a basic all peril deductible typically ranging from \$250 to \$2,000 depending on the insurance company. However, after Hurricanes Katrina and Rita, separate hurricane, named-storm and wind and hail deductibles became common in coastal states. These deductibles typically run between two and five percent.

Keep in mind that a higher deductible means higher out-of-pocket expense in the event of a loss. For example, if your home has an insured value of \$150,000 with a two percent deductible, you would pay \$3,000 out of pocket before the company would pay towards the damage. That means if the damage to your home is \$3,000 or less, the insurance company will not be responsible for paying on your claim.

You can find out how much your deductibles are on the first page of your homeowners policy, or call your producer for more information.

In 2009, the single season hurricane deductible law was enacted after Hurricanes Gustav and Ike struck Louisiana back to back in 2008. Having a single season hurricane deductible lessens the impact the policyholder must bear when multiple storms cause damage to an insured property during a single storm season or calendar year. This will allow homeowners to better plan and manage the cost of recovery if they are hit more than once in a hurricane season or calendar year.

If the amount of your claim falls below your deductible so that you paid the entire claim out of pocket, make sure to document the damage with photographs and keep receipts for the repairs, because that money spent will count toward the next deductible if you sustain damage from a second storm during that same storm season.

Louisiana Department of Insurance: 1-800-259-5300; www.ldi.la.gov; public@ldi.la.gov

#### Dealing with Health Insurance After a Disaster



If you or your loved ones are injured or become ill as the result of a disaster, there are many things you need to keep in mind in order to make sure you get the medical care and coverage you need.

If you have health insurance, find out from your insurer what coverage your plan provides when you are displaced and need medical care outside of your area. Local emergency services may be able to direct you to alternative care locations if your regular treatment settings are unavailable.

You can call your health insurer's customer service department to find out what you need to do to make a claim. Learn about your plan's coverage for catastrophic or long-term injuries, including coverage for rehabilitation and the lifetime maximum the policy will pay.

Also, if you have a Flexible Spending Account (FSA), save any medical or prescription receipts to submit for reimbursement. Ask your doctor to keep records about your progress. Your insurance company may need records of your continued progress toward recovery if you end up in rehabilitation.

Finally, know your rights. If you are not receiving payment for the medical treatment you need, you or your doctor should contact the insurance company to explain the circumstances.

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#### **Now's the Time to Better Understand Your Homeowners Insurance**

Homeowners Insurance is a "package" policy that covers both property and liability claims. Property claims are made when loss or damage occurs to your home or personal possessions. This coverage extends to possessions that you carry for personal use when you travel. Liability claims arise when someone else suffers a bodily injury or damage to their property because of something you did or did not do. Liability claims may result in a lawsuit against you.

There are six basic types of homeowners coverage that are designed to provide varying amounts of protection. Different insurance companies may give them different titles, but the perils they insure are basically the same.

The Basic Form protects your home and personal property such as furniture, carpeting and personal belongings. The policy covers damage due to fire or lightning, removal of property endangered by peril, windstorm or hail, vandalism or malicious mischief, theft, damage from vehicles and aircraft, explosion, riot or civil commotion, glass breakage and comprehensive liability.

Along with benefits provided by the Basic Form, the Broad Form insures your home and personal property against building collapse, freezing of or accidental discharge of water or steam from within plumbing, heating/air conditioning systems, domestic appliances, falling objects, weight of ice, snow or sleet and rupture or bursting of hot water heating systems. It also provides comprehensive personal liability coverage.

The Special Form covers your home against "all risks" except for certain specified exclusions, such as floods and earthquakes. This policy covers other structures (such as a detached garage) and all perils covered in the Broad Form, damage to or loss of personal property and comprehensive liability.

The Tenants Policy is a Broad Form policy that supplies coverage for personal property and liability. This policy provides no coverage for the dwelling.

The Comprehensive Form insures a dwelling and personal property against all risks except certain specified perils such as floods and earthquakes. This is often the

most expensive homeowners policy because it covers so many potential losses.

Special Condominium Coverage is designed for condominium unit owners and is not presently offered by all insurance companies. It provides the basic coverage offered in the Tenants Form and provides special protection needed by owners of condominium units. It insures only the interior of the dwelling, not the structure itself

When deciding which form is right for you, be aware that there are some properties and perils that are excluded from most homeowners policies. Animals, birds, fish, automobiles and business property that are away from the covered premises are not covered by most homeowners policies. Loss and damage caused by flood, surface water, water that backs up through sewers or drains, earth movement, nuclear damage and war are not covered. In some instances you can purchase additional coverage for excluded items.

Personal liability and medical payments do not apply to operation or ownership of any aircraft, automobile, recreational motor vehicle, water craft powered by more than a 50-horsepower motor, or to bodily injury or physical damage caused by an intentional act of the insured.

#### **Figuring Out the Costs**

The settlement amount the insurance company offers, of course, differs with each situation. However, it helps to know the two basic ways to value your property.

Actual Cash Value is the replacement cost of the item minus depreciation. For example, if a new television set costs \$2,000 and your 7-year-old television set is damaged in a fire, you may end up receiving only \$1,200 because of depreciation of your television's value over time.

Replacement Coverage is the cost of replacing an item without deducting for depreciation. For example, if the current cost of a television similar to the one you bought seven years ago is \$2,000, you will receive the full \$2,000. Most policies require you to actually replace the item in order to receive reimbursement.



Check your policy to see which kind of coverage you currently have. If you have actual cash value and would prefer replacement coverage, it may be added to your policy for an increase in your premium of about 10 to 15 percent.

Don't forget about deductibles. Check with your producer to find out if there is a hurricane deductible written into your policy. There is a trend among insurance companies in Louisiana to apply a hurricane deductible to homeowners policies due to the frequency of storms in our state. For example, a two percent hurricane deductible would require you to pay up to two percent of the insured value of your home instead of the usual deductible you pay when you have other types of losses. When considering the purchase of a policy, keep in mind that most companies restrict the sale of insurance once a hurricane or tropical storm is approaching.

Most policies limit the amount of reimbursement for valuable items, such as jewelry, furs, silverware, guns, antiques and computer equipment. If you have some particularly valuable items in these categories, you may need to purchase additional coverage. This type of coverage is usually not expensive and is based on the value of the item being insured. Contact your insurance company or producer for more information about valuable items coverage.

A personal liability, or umbrella, policy pays liability limits above those you can get on your homeowners or other basic liability policy. If you are thinking of buying a personal liability policy, begin by finding out the maximum amount of personal liability your homeowners policy provides. Make sure you coordinate the liability limits so that the umbrella policy covers any liability claim in excess of the amount your basic policy will pay, up to the maximum limits of the policy.

#### Handling Your Insurance When You Have to Relocate

Whether you move to another state, or even to another town, there are certain

steps to take with all primary insurances. Primary insurance includes Homeowners Insurance or Renters Insurance, Health Insurance, Auto Insurance and Life Insurance.

First, remember to notify your current insurance producers of your new address so they will be able to contact you if necessary. Also, keep in mind that rates for Homeowners and Auto Insurance are not the same in every state, so your premium could go up or down depending on where you move.

#### Homeowners Insurance: If

you buy a home, you will, of course, need to insure it and cancel the policy on the previous home if you sell it. Always be sure you have coverage on any property from the day you buy it until the day you no longer own it. If you plan to rent, even temporarily, renters insurance is available on your personal belongings. Whether you

own or rent, remember that flood insurance comes under a separate policy and should



be considered as a possibility by anyone in Louisiana who has a residence with a ground floor.

Auto Insurance: If you move out of state, you will have to register your automobile in your new location. Check with your local Department of Motor Vehicles for further information on how

to properly register your vehicle. Keep in mind that insurance requirements differ,

depending on what state you move to. Even if you move to another location in Louisiana, make sure registration and insurance information on your vehicle and all other policies are properly updated.

Health Insurance: If you have an HMO (Health Maintenance Organization), a PPO (Preferred Provider Organization) plan or other health insurance plan that involves a list of approved physicians and health care facilities, be sure to get a list of the ones nearest your new location. Not choosing doctors and medical facilities on that list can cost you hundreds, or even thousands of dollars.

**Life Insurance:** Remember to notify your insurance producer and company of your new address so that they can continue to serve you, especially if there are updates concerning your policy (or policies) or changes in contact information for your producer or company.

#### **Answering Your Questions About Business Insurance**

Many new issues and questions about business insurance surfaced after Hurricane Katrina in 2005. The following are the most commonly asked questions of Department of Insurance staff about business insurance. The answers are general in nature. As with all types of insurance, you should contact your producer or company regarding your specific policy and the coverage afforded.

#### Coverage

**Question:** Is my business covered for property damage?

Answer: A typical business owner's policy covers damage due to wind, wind-driven rain and fire. So if your business has been damaged or destroyed by one of these perils, your insurance company will pay to have your business repaired or rebuilt. Flood damage is usually excluded or very limited unless you have purchased flood coverage from the National Flood Insurance Program or a private insurer.

#### **Lost Revenue**

**Question:** I had to shut down my business. Will my insurance cover the lost revenue? If so, for how long?

Answer: Business interruption insurance usually covers the actual loss resulting from a total or partial interruption of business, and reasonable expenses incurred to reduce the period of interruption, up to the limit of insurance written. It usually covers the profits a business would have earned, based on its own financial records, had the property loss due to an insured peril

not occurred. Generally, the policy covers additional operating expenses incurred as a result of the loss such as the extra expense of operating out of a temporary location, even though business activities have come to a temporary halt.

Reimbursement under business interruption insurance is generally triggered by some kind of damage to the property where the business is conducted, and only when the damage is the result of a covered peril such as wind. Evacuation orders do NOT trigger business interruption insurance coverage. Acts of "civil authority" which preclude a business from reopening can trigger business interruption coverage if the declaration was the result of a covered peril. Often, there is a deductible either in a flat dollar amount or a waiting time. If it is a waiting time, it is typically 24 to 72 hours, meaning that payments do not begin until the business has been disrupted for one to three days.

Most business interruption forms do not include coverage for perils such as emergency evacuation by civil authority or a major utility disruption, unless they were added by endorsement. Typically, when business interruption insurance is purchased, the time frame for coverage is one year. The overall cost of business insurance is determined by the amount of coverage required during the period specified.

The National Flood Insurance Program does not provide coverage for business interruption.

#### **Keep Closed Business Going**

**Question:** Can insurance help me keep my business going while it is closed?

Answer: If you purchased business income coverage, it will typically reimburse you for lost profits and continued fixed expenses during the time that the business must stay closed while the premises is being restored. If you have ordinance or law coverage it will help pay for the extra costs of tearing down the structure and rebuilding it.

#### Extra Expense

**Question**: What about extra expenses incurred beyond normal operating expenses?

**Answer:** IF you have extra expense insurance, it will generally reimburse your company for what it spends, over and above normal operating expenses, to relocate to avoid shutting down during the restoration period.

#### Theft and Vandalism

**Question:** The contents of my business were stolen and the property was vandalized. Am I covered?

**Answer:** Standard business owners policies cover theft and vandalism, so any losses due to looting would be paid.

#### **Supplier Unable to Deliver**

Question: My business is in another state, but my supplier, located in Louisiana, is closed because of storm damage. The supplier is unable to deliver parts or other items necessary for my business to continue. Does insurance cover my loss? Answer: More and more companies are purchasing coverage - called contingent business interruption or contingent business income - which helps soften the

See BUSINESS INSURANCE, Page  ${\bf 6}$ 

#### **Disaster Contact Information**

#### Federal Emergency Management Agency (FEMA):

www.disasterassistance.gov www.fema.gov 1-800-621-FEMA (3362)

For speech or hearing impaired: (TTY) 1-800-462-7585

#### **American Red Cross:**

www.redcross.org 1-800-REDCROSS (1-800-733-2767)

# Ask Insurance Commissioner Jim Donelon

**Question:** My mobile home was damaged in the storm. Will my policy pay for the repairs even though my mobile home was not tied down?

**Answer:** Most companies have very specific requirements regarding tie downs for mobile homes before they will provide coverage. You should contact your producer regarding the specifics in your policy. Generally, if the company issues a policy on a home that was not tied down, they are still obligated to provide some coverage in the event of a loss. The only exception might be if the company can show that there was misrepresentation on the application for coverage by the insured and that the company would not have issued the policy if it had known the true facts regarding the tie downs.

**Question:** I live in a condominium that was damaged by the storm. My unit was damaged as well as the common areas of our complex. What part of the loss am I responsible for and what part should the Condominium Association policy pay for?

Answer: You should check the bylaws of the association to see who is responsible for what property. In general, your policy would pay for damages to your unit. The Association's policy would pay for damages to the buildings (roof, exterior walls, etc.) and to the common areas. You may be responsible for an assessment to help pay for damages covered by the Association's policy. Check your unitowners policy to see what coverage you have to help you pay this bill. Most policies include a minimum of \$1,000 for loss assessment coverage.

**Question:** Why did my check for payment of damages from the insurance company go to my mortgage company? This is only prolonging the time it takes to get the repairs made to my house.

**Answer:** The situation you describe appears to be part of the terms entered into between you and the lender. Your mortgage company has an insurable interest in the home until the loan is paid in full, and each lender writes their contract procedures to assure that damages to the property are properly repaired. You should refer to your loan agreement for more information on the process involved. The LDI doesn't have any jurisdiction over mortgage agreement contracts, but we suggest you contact the LA Office of Financial Institutions for guidance at 225-925-4660 or visit www.ofi.state.la.us.

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#### How to Avoid Being Hit Twice

- \* Home repairs: Do business with licensed and insured contractors and always get a written estimate of repair costs. Call to verify a contractor's licensure status.
- \* Contractor references: Ask for and check out references from the contractor. Satisfied customers are an excellent resource when selecting a contractor.
- \* Purchase of used vehicles or watercraft: Many automobiles and watercraft have been damaged by hurricanes in the past. Their damage can be concealed and the vehicles may be sold to unsuspecting consumers. To help prevent fraudulent sales, check the vehicle identification number (VIN) or hull identification number (HIN) in the National Insurance Crime Bureau database online at www.nicb.org
- \* Personal Information: Do not give personal information such as your bank account numbers, social security number or other identification information to strangers, whether on the phone, online or in person. If you think someone has stolen your identity, call or write all three credit bureaus and ask them to place a fraud alert on your credit report. The fraud alert tells creditors to contact you before opening any new accounts or making any changes to your existing accounts.

#### The credit bureaus to contact are:

**Equifax** (www.equifax.com): 1-866-349-5191, P.O. Box 740256, Atlanta, GA 30348

**Experian** (www.experian.com): 1-800-397-3742, P.O. Box 949, Allen, TX 75013-0949

**TransUnion** (www.transunion.com): 1-800-680-7289, P.O. Box 6790, Fullerton, CA 92834

If you cannot cover all of your living expenses following a disaster, contact your creditors to negotiate a payment

\* Disaster Officials and Inspectors: Always ask for identification from any official who stops at your home or temporary shelter. Among the legitimate officials who may visit your home are FEMA inspectors, U.S. Small Business Administration loss verifiers, federal/state community relations teams and local building officials. If a visitor refuses to show his or her ID, contact local law enforcement authorities immediately.

Scam artists have been known to appear on the scene after a disaster claiming to be government officials and say they can help you qualify for financial disaster relief for a "processing fee." FEMA does not charge fees for processing disaster aid. Others may masquerade as safety inspectors or utility repairmen and say immediate work is required and charge a fee for unnecessary work.

#### Having to Deal with Life Insurance After a Disaster

In the unfortunate event that circumstances have caused you to need to make a claim with your life insurer after a disaster, there are some things you need to keep in mind.

#### **Lack of proper documentation**

Lack of documentation is one of the biggest concerns of claimants due to life insurance policies being lost or left behind. But often, disaster victims can obtain the benefits they are entitled to even without the actual life insurance policy or death certificate in hand. Most life insurers are prepared to verify an individual policy without a policy number as long as claimants can provide basic information on the policyholder.

If you are unable to obtain a death certificate, you may be able to make a life insurance claim with an affidavit from the funeral home director, an affidavit from surviving family members, hospital records or a statement from a physician.

Also, the Department of Insurance offers a service that allows the public to search for life insurance policies of deceased relatives if the policy was purchased in Louisiana. You can access the service form on our website or obtain

a copy by calling our toll-free number, 1-800-259-5300. However, a copy of the official death certificate must be submitted with the form.

#### Cash loan against life insurance policy

You may want to find out if your company offers emergency loans against the cash value of a current policy. These types of loans are aimed at those who need help in recovery and rebuilding. Cash loans are not available in a standard term-life policy. Policyholders with a cash-value life insurance policy accrue cash based on the premiums paid. And, unlike a bank loan, these policies can be borrowed against without providing any security or credit information.

However, remember that the loan does have to be paid back, and with interest. If the policyholder dies before the loan is paid off, the beneficiary will receive the death benefit minus the amount that was owed on the loan.

#### Look into all benefit options

Don't forget to look into any group life policies you may have through your employer. Group life policies can provide some financial relief, but are easily overlooked during a crisis because the policyholder is often unsure of which company provides the policy. Employers are usually the best source of information when it comes to finding out the terms of a group life policy. However, the Department of Insurance may be able to help if you are unable to reach your employer or coworkers.

Also, many financial institutions offer small complimentary accidental death policies. If you think your loved one may have had an accidental death policy, it's worth looking into.

#### Don't cheat

Don't expect a handout or try to take advantage of the company's leniency in paying out claims without strict documentation. A company will follow up on claims that are paid out and will take action if there is any evidence of fraud.

#### Make plans for the future

It's a good idea to keep copies of important life insurance documents with trusted family members or in a safety deposit box, in case of an emergency.

#### What You Need to Know About Filing an Insurance Claim

After a disaster, it is important to call your insurance producer or the insurance company's claims hotline and file your claim as soon as possible. Have your policy number and other relevant information readily available. Your policy might require that you make the notification within a certain time frame.

When calling about your claim, keep a record of the conversation, including the person's name, title, date and time of the call, and make notes about what was discussed.

Collaborate with your insurance company. Ask what documents, forms and data you will need to file a claim. Provide your insurance company with accurate, detailed information. Incorrect or incomplete information will cause a delay in processing your claim.

Your company will submit a loss form and an adjuster will be assigned to your claim. If you are unable to stay in your home, let your insurance company or producer know the phone numbers and addresses where you can be reached day or night.

An insurance company has up to 30 days to pay your claim after you give them satisfactory proof of loss.

In most cases, you may need to make temporary repairs to prevent further damage to your property from the weather or from looting. This would include boarding up windows and placing plastic over the roof if it is leaking.

If you make temporary repairs, keep a list of all work done and save receipts for all materials used. Do not sign any agreements with contractors until you have spoken with your insurance company.

If your home is damaged to the extent that you cannot live there, ask your insurance company if your policy covers additional living expenses.

Many people have multiple insurance policies, such as a homeowners policy, a flood policy and a windstorm policy, and aren't sure which policy to file their claim under. Use your best judgment once you have determined your damages. You may need to file your claim with all three policies. The adjuster or adjusters will take care of determining which policy covers which part of your loss.

How soon does the insurance company have to pay you the money it owes you for the repairs to your property? Sometimes you will receive a check quickly. However, an insurance company has up to 30 days to pay your claim after you give them satisfactory proof of loss.

#### The Importance of Renters Insurance

You need insurance when renting to protect your personal belongings. Owners of rented condos, apartments or single-dwelling homes have no reason to carry insurance that protects the renter. Generally, any insurance landlords carry will only cover their personal liability and damage to the building itself.

Renters insurance is usually not very expensive. Some renters fail to insure their personal possessions because they believe insurance is too expensive, when in fact, renters insurance is typically available for as little as \$100 a year.

To estimate how much it would cost you to replace just the major items in your home, do a quick inventory of televisions, computers and other big ticket items. That is only the beginning of the dollar amount of loss you will suffer if your home is destroyed or badly damaged by a fire, burglary or storm; yet, an estimated two-thirds of renters in Louisiana do not carry any property and personal liability insurance. An even higher percentage of renters do not carry flood insurance, even if they live on the ground floor or in a low lying area.

There may be an occasional situation in which the owner of the building would be responsible for a renter's loss, but in most cases you are on your own. People in apartments or condos who share common walls with other residences have limited control over their exposure to fire, water and other types of damage that can spread from one part of a building to another.

Besides coverage for damage to your

belongings, two additional concerns are liability and flood coverage. Liability insurance coverage protects you, for example, if a visitor is injured by tripping over a piece of your furniture or is bitten by your dog. Liability is included as a part of your renter's insurance coverage, however, flood is not.

Anyone who has a ground floor residence in Louisiana should consider buying flood insurance. A local insurance producer can sell you flood insurance, but it will be a separate policy from your regular property insurance. It is provided by the National Flood Insurance Program and only covers flooding.

Renters policies normally pay only the actual cash value of your losses, but replacement coverage is available.

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Question: How are losses to swimming pools covered? I have an in-ground pool and my neighbor has an above ground pool. Our companies are paying differently. Is this right?

**Answer:** Yes, coverage is different for in-ground and above ground pools. In-ground pools are considered to be like the foundation of the house and damages to the structure of the pool are covered. If a tree or debris has cracked the walls or floor of the pool or the concrete decking surrounding the pool, your homeowners policy should cover repair costs. However, if damage was caused by water - usually undermining or pop-up caused by water pressure there is no coverage.

Above ground pools are considered to be appurtenant structures - similar to a shed or detached garage - and will be covered if the policy provides for appurtenant structure coverage. If detached structures are not covered by your policy, your claim will not be paid. Damage caused by water is excluded as for in-ground pools. Note: Your flood policy also excludes damage to swimming pools whether in or above ground.

Question: Many family members will be staying at our home due to the disaster. Do I need to make changes in my homeowners policy to be sure they are covered as members of the household?

**Answer:** You should let the insurance representative and company who handles your homeowners policy know of the change in your household as soon as

Your family will be covered under the liability provisions of your homeowners policy. If, for example, someone visiting your home makes a claim against your homeowners policy for something for which a family member is allegedly responsible, it would be covered. However, as a member of your household, your family member cannot claim liability damages under your homeowners policy.

Personal belongings could present a special problem, depending on their dollar value. If, for instance, your guests have jewelry or other valuables with them, you will want to consider additional insurance. A rider, similar to the one you might have on your own valuables, might be your best solution in that case. Your insurance representative can help you decide on your best option, depending on the specific situation.

A word about minors: your basic homeowners coverage would extend to minors living in your home, with some possible exceptions. If the minor is a foster child or an evacuee, discuss with your insurance company what special rules may apply. Be prepared when you contact your representative by having with you any written contracts concerning the arrangement that may affect your homeowners liability.

Adult relatives and their possessions would be considered a part of your household, as minor relatives are. However, the personal possessions of adult non relatives might be covered under your homeowners policy, even though they personally would not be covered by the liability provision.

#### **Common Questions About Trees**

The following questions and answers address the most common "tree" questions posed over the years by consumers to the Louisiana Department of Insurance:

**Question:** A tree fell on my roof during high winds and caused extensive damage. Will my company pay for removing the tree as well as fixing my roof?

**Answer:** You should check the terms of your policy, but usually the company will pay for removal of the tree because it damaged your insured dwelling. The cost of repairing the damage to your home would be covered.



**Question:** Wind blew one of my trees down in my yard. Am I covered for the loss of the tree? Am I covered for the ornamental shrub that was crushed by the tree? What about the expense of removing it from my yard?

Answer: You should contact your producer as this may or may not be covered under your particular policy. Some policies provide coverage to remove a fallen tree if it blocks the insured's driveway.

Question: Wind blew two of my neighbor's healthy trees down on my property. One of them crushed my fence but nothing else was damaged. Whose policy should pay for the damages and what is covered?

**Answer:** If your neighbor's healthy tree falls on your home, fence or other property, it is your insurance company's responsibility to pay for repairing the damage. Your neighbor's insurer would probably only accept liability and pay for the damage if the tree was dead or weakened in such a way that the owner should have known it was dangerous before it fell. So, your policy pays for the damage to your fence. You also have coverage under your policy for the removal of the tree that damaged your fence since it was considered a "covered structure."

Question: Wind blew down one of my trees and it fell on my garage. My car was in the garage and was also damaged. Does my homeowners policy cover this damage?

Answer: Your homeowners policy will pay for the damage to the garage but not to your car. Your auto insurance policy will pay for the damage to your car if you have comprehensive coverage.

**Question:** The wind uprooted a big tree near my patio and the tree's roots tore up the patio. Do I have any coverage?

Answer: Yes, both the damage to the patio and the cost of removing the tree are covered.

#### **Reporting Suspected Insurance Fraud:** It's Everyone's Responsibility

Unfortunately for everyone, some Insurance Fraud" link. for victims of a disaster. You may be surprised to know that Louisiana law requires you to report any knowledge of insurance fraud to the Fraud Section of the Department of Insurance. In 2012, this law was expanded to require individuals to report any suspected fraudulent insurance activity that will be, is being, or has been committed.

Reporting insurance fraud is also in your best interest because it costs all of us money. Statistics indicate that more than 10 percent of every insurance dollar we pay goes to make up for insurance claims fraud. Insurance fraud reporting may be done anonymously on the department website at www.ldi.la.gov at the "Report

people will exploit relief efforts meant Individuals usually contact us quickly when they feel their insurance producer is pocketing their money instead of sending it to the insurance company. However, we also need to hear from you and your neighbors if you have reason to believe that someone is committing, has committed or is planning to commit claims fraud. The bit of information you give us may not seem like much to you, but it could be that one piece of the puzzle that will lead to the conviction of a perpetrator of fraud. If you have reason to believe that an individual or group has committed or is planning to commit insurance fraud, do your part by passing that information along to us. We'll do

#### What are "Acts of God" & "Acts of Nature"?

The terms "Acts of God" and "Acts of Nature" are used to describe similar kinds of occurrences that, for the most part, are beyond human control. An Act of God is defined as an incident due directly to natural causes and exclusively without human interaction. Common examples are hurricanes, earthquakes, tornados and floods. However, most insurance policies do not use either term.

Your insurance company cannot cancel, refuse to renew or increase the amount of the premium on your homeowners policy based solely on a loss caused by an Act of God. However, the insurer may make such changes to your policy due to an Act of God if they make the changes on an area-wide rating basis at the beginning of a new policy period.

While flooding, wind damage and hurricanes may all be defined as Acts of God, they are treated quite differently in property and casualty insurance policies. Flooding is a peril that you can almost always expect to see excluded from your homeowners policy. Flood insurance must be purchased as a separate policy.

Property insurance coverage on your home can range from a standard fire insurance policy that offers minimal coverage, to a homeowners policy that is much more comprehensive. Some property insurance policies exclude wind and hail damage while others may include the additional cost of a separate hurricane deductible. Many of these commonly excluded perils can be purchased for an additional premium.

The rules governing Acts of God on homeowners insurance also apply to renters and commercial property insurance. However, automobile insurance must be considered as a separate issue. If a vehicle is covered by comprehensive insurance, it is generally insured for most physical losses, including fire, flood, damages from fallen trees and theft. One notable exception is that comprehensive coverage excludes collision, which must be added to the policy for an additional cost



#### Tips for Working with Insurance Adjusters

There are three kinds of adjusters who operate in Louisiana: **insurance company adjusters**, **independent adjusters** who contract with insurance companies, and **public adjusters** who offer their services, for a fee, to policyholders and others, who want help with getting their claims paid by the insurance company.

Insurance adjusters, whether contractors or employees of companies, play a vital role in the claims process. That is never more evident than it is after a disaster. Many companies do not have enough people on staff to handle an unexpectedly large workload so they rely on contract adjusters to help them expedite the overwhelming number of claims they receive

Adjusters go into disaster areas as soon as they are permitted to do so by emergency officials. The time this will take depends on the severity of the damage in the area. If you have reported your loss to your company, they should be able to give you an estimate on the time the adjuster will arrive. Remember, in a severe disaster, claims are prioritized by the severity of damage.

Anyone who is representing a company should be able to show you an ID. If you have any concerns about an adjuster or any other insurance company representative, contact the insurance company for verification. Ask for proof of license, as all adjusters in Louisiana are required to be licensed by the Department. Non-resident adjusters responding to catastrophes must be registered with the Department. You can find adjuster licensing forms and information on our website at www.ldi.la.gov. The adjuster will need to see the damage to evaluate your loss but generally you should make temporary repairs that will prevent further damage to your property. You might want to postpone permanent repairs until the adjuster has inspected the property and



you have reached an agreement with your insurance company on the repair costs. Check with your insurance producer or company for specific instructions. When possible, before meeting with the claims adjuster, determine what it will cost to repair your property.

If your property was damaged by windstorm and by flood, you will likely have separate adjusters. If your homeowners and flood policies are written through the same company, it is possible your losses will be handled by the same adjuster.

Be present when the adjuster comes to inspect your property. Make sure you have your insurance policy, your list of possessions, any "before and after" pictures you may have taken, and all of your receipts for materials used to make emergency repairs. Also be prepared to provide the claims adjuster with records of any property improvements you made prior to the damage caused by the disaster. All of this will make the adjuster's work easier and will help settle your claim sooner. It is also important that you and the adjuster come to an agreement on what needs to be repaired or replaced.

After inspecting your property, the adjuster will prepare a repair estimate. Ask the adjuster for an itemized explanation of the claim settlement offer. If the first settlement offer does not meet your expectations, do not accept it and be prepared to negotiate. If you cannot reach an agreement, call your insurance company or contact the Department of Insurance at 1-800-259-5300.

#### Understanding the Louisiana Citizens Property Insurance Corporation

The Louisiana Citizens Property Insurance Corporation was created by the Legislature in 2003 to provide coverage to policyholders in high risk areas. Citizens serves as the insurer of last resort for consumers who are unable to obtain property insurance in the regular insurance market. Citizens also encourages its depopulation by facilitating the ability of policyholders to obtain insurance from private insurers.

Some homeowners policies, especially for property along the coast, exclude coverage for wind and hail damage. Citizens offers this type of supplemental coverage, along with other basic property insurance.

In carrying out its mission, Louisiana Citizens Property Insurance Corporation complies with statutory requirements and uses its best efforts to provide comprehensive coverage to policyholders at rates that are not competitive with rates charged in the voluntary market.

Citizens works to respond timely and efficiently to changes in the property insurance marketplace with due consideration for the needs of Louisiana Citizens policyholders, meets its obligations to policyholders by maintaining financial resources adequate to meet regular operating requirements and follows established procedures to secure necessary financial resources in the event of a catastrophe.

Any property and casualty producer is eligible to place coverage with Citizens on your behalf.

If you need to file a claim with Citizens, contact them at 1-877-815-5055 or at www.lacitizens.com.

#### **Things to Consider When Hiring a Contractor**

If damage to your home has left you in need of a contractor, be extra careful. Most of the time, an insurance company does not recommend a contractor, so be wary of those who claim the insurance company sent them. Always ask to see something in writing.

Get bids from at least three different sources. Do not do business with a contractor who cannot show proof of insurance. If possible, go one step further and ask that the contractor's insurance carrier mail a certificate of insurance coverage directly to you. With all contractors, request the names and phone numbers of at least two references who have had similar work done by them in the last year. Follow through by calling each reference and discussing the contractor's work in some detail.

Only do business with a contractor who is bonded, which will offer you some protection if the job is not satisfactorily completed or supplies purchased to make your repairs are not paid for. Check the licensing of the contractor with the State Licensing Board for Contractors by

calling (225) 765-2301, or visiting www. lslbc.louisiana.gov and clicking on "Find a Contractor." You can also call your Better Business Bureau to learn if there have been any complaints filed against the contractor.

Be on the look out for out-of-state con artists who may have just breezed into town to take advantage of the local situation. Also be wary of contractors who demand payment in full before work is completed.

If the contractor needs payment to buy supplies, accompany the contractor and pay the supplier directly. It is also a good idea to record the contractor's license plate number and driver's license number.

Before any work is started, request a clearly worded, itemized contract. Review it with the contractor and make sure you understand and agree with its content before the contract is signed.

#### The contract should include the following:

- \* A separate breakout of labor and cost of materials.
- \* The contractor's responsibility to get all required permits.
- \* The date the project is to begin and the date it is to be completed.
- \* Proof of insurance coverage from the job's start date until work is to be completed.
- \* A statement guaranteeing that the work area will be left in its original condition when the job is done.

#### From BUSINESS INSURANCE, Page 3

financial impact of events outside the firm's control. If you purchased this coverage, you may be reimbursed for your lost profits and the extra expenses resulting from an interruption of your business at the premises of a customer or supplier.

#### **Business Interruption Insurance**

**Question:** I have a small business operation with one location and a larger one with three locations. Do I need business interruption insurance?

Answer: When there is a national disaster, a lot of attention becomes focused on business insurance. In regard to your particular businesses, ask yourself this question: "If my business was shut down for three months during my busy season, what would it cost me?" And then ask, "Could I afford to absorb the loss myself?" If you could afford 50 percent of the loss, you can buy insurance to cover the other 50 percent. In fact, you can get insurance for whatever percentage of the loss you want to consider insuring.

The above questions apply to you, no matter whether you have a large business operation, a 'Mom and Pop' store, or some other kind of income-producing business, such as rental on an apartment building you own. If you have more than one location for the same business, you can insure them all under a single policy. The policy would cover any one or more of the locations that were shut down.

Business interruption insurance coverage may vary from insurance company to insurance company. However, you can expect certain perils to be specifically covered in a good basic contract.

Common Perils include fire, theft,

most acts of nature, road construction that shuts down your business, and collision, such as the Riverwalk shopping area in New Orleans being hit by a ship, or an out-of-control car crashing through the front door of your place of business.

The destruction of the Twin Towers in New York City illustrates how business interruption insurance provides coverage directly or indirectly. Businesses that were directly involved and had business interruption insurance were covered, as were those not damaged directly but closed because they were in the immediate area.

To make an informed decision about business interruption insurance, sit down with your producer or other insurance company representative to discuss the matter. Your accountant should be able to help you prepare for the meeting.

#### **Home-Based Business**

**Question:** I operate a business out of my home. Do I need business property insurance?

Answer: If you operate a business out of your home, you should consider purchasing a separate business insurance policy. Purchasing a business insurance policy will protect your business property and your personal liability if someone is injured in your home due to business activities.

For example, if you do not have business property insurance and your house is burglarized, your homeowners policy will only pay a limited amount for the replacement of your business property. Also, if someone is injured as a result of your business activity, you could be held liable to pay their medical bills and make restitution if you are sued.

#### **Understanding Flood and Windstorm Insurance**

Since flood damage is not covered under homeowners policies, purchasing a separate flood insurance policy can help homeowners and commercial interests protect their homes and businesses. Although the Louisiana Department of Insurance (LDI) can answer basic questions about flood insurance, the Department does not regulate the National Flood Insurance Program (NFIP), approve its rates or changes or have any authority over the program. However the LDI monitors how these changes impact policyholders in Louisiana. For more information on flood insurance, please visit the NFIP's website at www. floodsmart.gov or call 1-800-427-2419.

As a coastal state, Louisiana has relied heavily on the National Flood Insurance Program (NFIP), whose majority of current indebtedness resulted from Hurricane Katrina and Rita payments in our state. There are 5.6 million NFIP policyholders nationwide.

#### **Flood Insurance Basics**

Flood insurance protects homes, condominiums, apartments and nonresidential buildings, including commercial structures. While some may believe that flooding only affects properties in coastal and low lying areas. the truth is everyone is vulnerable to floods. In fact, property owners outside of high-risk flood areas are responsible for 25 percent of NFIP claims in Louisiana. Rising floodwaters can prove to be hazardous no matter where you live, yet only one out of every four single family homes in Louisiana have flood insurance. This is why it is advisable for everyone to have flood insurance, even if you live in an area that is not flood prone.

When we talk about flood insurance, "flood" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- \* The overflow of inland or tidal waters.
- \* The unusual and rapid accumulation or

run off of surface waters from any source.
\* Mudflow, which is a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water.

According to the NFIP, just a single inch of floodwater can cause more than \$10,000 in damage to a home. Here are additional flood facts from the NFIP:

- \* For those who live in a Special Flood Hazard Area (SFHA) or high-risk area and have a federally backed mortgage, the mortgage lender requires a flood insurance policy.
- \* The Standard NFIP flood insurance policy does not provide coverage in excess of \$250,000 for your house (Coverage A) and \$100,000 for its contents (Coverage B). If more coverage is necessary, it can be acquired through excess flood insurance that can be purchased through private insurers.
- \* The Standard NFIP flood insurance policy provides coverage up to \$500,000

for a commercial structure (Coverage A) and up to \$500,000 for its contents (Coverage B).

- \* In a high-risk area, a home is more than twice as likely to be damaged by flood than by fire.
- \* Floods and flash floods happen in all 50 states.

#### **Purchasing Flood Insurance**

Contact the National Flood Insurance Program (NFIP) at 1-888-CALL FLOOD or visit www.floodsmart.gov. But don't wait until a storm is coming to purchase flood insurance. It may take 30 days after purchase for a flood insurance policy to go into effect.

#### What if You Have No Flood Insurance

If you do not have flood insurance, there are other possibilities for reimbursement from some flood damages. Check other property and casualty policies

See FLOOD INSURANCE, Page 8

#### Filing a Complaint with the Department of Insurance

If you need to file an insurance claim following a disaster, we hope your insurance company will respond in a timely manner and you will receive all of the payments and benefits that you are due.

However, if you feel your insurance company is not treating your claim fairly, the Department of Insurance may be able to help. Helping you negotiate your insurance disputes is one of the most important services we provide.

All complaints against insurance companies should be submitted in writing to the Department of Insurance. You can call us for a form at 1-800-259-5300 or 225-342-1258, or print it off of the website and mail the completed form and copies of any supporting material to:

#### Louisiana Department of Insurance Property and Casualty Consumer Complaints P.O. Box 94214 Baton Rouge, LA 70804

If they are available, try to provide the following supporting materials with your complaint:

- \* Letters you have written to the company or producer dealing with the problem.
- \* Letters you have received from the company or producer.
- \* Other letters about the problem, such as those from your doctor or lawyer.
- \* Your policy or the excerpt from your benefits handbook that covers the situation, and any relevant sales literature or worksheets.
- \* Your insurance ID card copied front and back.
- \*A copy of the claim you filed, if applicable.
- \* If you have any new information after the complaint is submitted, send it to your examiner and include your file number.

Once the Department of Insurance receives your complaint, you should receive an acknowledgment letter stating your file number and the name of the compliance examiner in charge of investigating your complaint. An investigation usually takes about 60 days, depending on the complexity of the case.

The Department will send a copy of your complaint to the company or other appropriate party and ask for an explanation of their position. Your examiner will then review all responses received to assure the problem has been property addressed. Your examiner will then send you a letter with the results of the investigation.

If no evidence of a violation is found, the examiner will so advise and explain why the investigation is being closed. However, if your examiner is not satisfied with the company's response, the investigation will continue.

If we feel the law has been violated, the Department will pursue administrative action to correct and punish the wrongdoing.

Keep in mind that there are limits to what the Department can do for you. Please be aware that the Department of Insurance cannot give you legal advice, act as your lawyer, interfere in a pending lawsuit or decide disputes based on who is negligent or at fault.

The Department also cannot decide disputes of a medial fact or opinion, determine the facts surrounding a claim or resolve a complaint if the only evidence is your word against the word of others.

If you find you are not satisfied with the decision and explanation given to you by your examiner, you may contact our Office of Consumer Advocacy to pursue further assistance.

To contact the Office of Consumer Advocacy, call toll free 1-800-259-5300 and ask for "Consumer Advocacy," or call the office directly at 225-219-0619. You may also email the Office of Consumer Advocacy at <a href="mailto:consumeradvocacy@ldi.la.gov">consumeradvocacy@ldi.la.gov</a>.

#### Auto and Boat Storm Damage Q & A

#### **Storm Damage**

**Question:** What types of storm damage are covered under my auto policy?

#### **Answer:**

- **A.** If Comprehensive coverage, sometimes called "Other Than Collision" coverage is included in your policy, wind and flood damages should be covered.
- **B.** Vehicles that are overturned by the force of the wind or blown into or against other objects by the wind are considered damaged by windstorm and should be covered under Comprehensive.
- C. Broken auto glass caused by objects blown by the wind is usually covered by Comprehensive.
- **D.** Auto glass that pops out due to sudden drops in atmospheric pressure is usually covered by Comprehensive.

#### **Flooding**

**Question:** Do automobile insurance policies cover flooding?

**Answer:** Yes, if you have purchased Comprehensive coverage. If you only have Liability coverage, your vehicle is not covered for flooding.

#### My Boat Damages Neighbor's House

**Question:** My boat was blown into my neighbor's house during the storm. Should my boat policy cover the damage to his house?

**Answer:** No. Your neighbor's homeowners policy would cover the damage to his house unless you were negligent and held liable due to that negligence.

## Cleaning Up After the Storm

After calling your producer or insurance company there are certain things you can do to clean up your property without causing problems with your claim.

- \* Before you enter your home, check to make sure the structure is not in danger of collapsing.
- \* Make sure the electricity is turned off at the main switch, and do not attempt to turn on any electrical lights or appliances until an electrician has checked your system.
- \* Open windows and doors to help dry out the house, let the air circulate to remove foul odors and help protect you from any leaking gas. Do not light any type of open flame because you could cause an explosion.
- \* Take pictures or video of the damage that occurred both inside and outside your home before you begin to clean up
- \* Once inside your home, be on the lookout for animals - especially snakes. Such animals may have found shelter in your home. Be careful walking around. After flooding, steps and floors may be slippery with mud and covered with debris such as nails and broken glass.
- \* It is a good idea to hose down hard goods such as major appliances, even if they are destroyed. But do not throw the damaged hard goods away because the adjuster will need to see them. The adjuster can help you decide what should be thrown away and what should be kept.
- \* It is best to throw out perishable foods as they may be contaminated. If your homeowners policy covers perishable foods, keep an itemized list of the things you throw out. Until local authorities proclaim your water supply safe, boil water for drinking and food preparation for five minutes before using.
- \* If possible, make temporary repairs to your property to prevent further losses from the elements and to secure your property. This would include boarding up windows, placing plastic over holes in the roof and drying out wet carpets and furniture. Keep receipts for materials used and keep a record of the repairs you make for the adjuster. Do not make permanent repairs until you are authorized to do so by the adjuster.
- \* When making repairs, beware of "fly-by-night" contractors. Get more than one bid, and hire a local reputable contractor to do the repairs. Do not pay for repairs until the job is done.

#### From FLOOD INSURANCE, Page 7

for all opportunities for recovery. These may include:

- \* Your homeowners policy covering loss of food by spoilage due to electrical outages or damage from power urges related to storms;
- \* Your auto policy covering damage to your motor vehicle if you have comprehensive coverage;
- \* Your homeowners policy covering damage by fallen trees.

You may be eligible for Federal Management Emergency Agency (FEMA) federal disaster assistance in the form of low-interest loans or grants if your home is in a federally declared disaster area. Parts of Louisiana have been declared to be a natural disaster after past storms and hurricanes and, therefore, eligible for FEMA assistance. However, federal disaster assistance declarations are awarded in less that 50 percent of flooding incidents. If you are uninsured and receive federal disaster assistance after a flood, you must purchase flood insurance to receive disaster relief in the future.

#### If Impacted by a Flood

If your property is flooded, you should contact your insurance producer or insurance company right away. Have your policy or policy number handy at all times and provide your phone numbers and addresses where you can be reached day or night. You will want to protect your property from further damage. Take photos of your damaged property and make whatever reasonable temporary repairs are needed. Especially cover broken windows and holes in the roof or walls. Keep a record of these repairs for possible reimbursement by your insurance company.

#### Wind, Rain and Hail Insurance

Wind-driven rain isn't considered "flooding" and most homeowners policies cover wind, rain, and hail damage. If your policy excludes coverage for windstorm, you should have a separate policy to insure your property for these kinds of losses. If your property is damaged by wind, wind-driven rain or hail, or if you are not sure if the damage is from flood or wind, contact your insurance producer or insurance company right away. Submit your claim for all damages. Your company will send an adjuster to investigate your claim and determine the cause of loss.

Generally windstorm damage is covered under your homeowners policy with a separate "named-storm deductible" or "hurricane deductible," which usually ranges from two percent to five percent of the insured property value and could be higher.

#### **NFIP Changes**

In 2012, the Biggert-Waters Flood Insurance Reform and Modernization Act was signed into law. The act reauthorized the NFIP until 2017 and revamped the program in order to make it actuarially sound going forward. In 2014, the Homeowner Flood Insurance Affordability Act was signed into law, not only delaying but in effect canceling some of the provisions of Biggert-Waters by limiting increases in flood insurance premiums to no more than 18 percent per year. The Act also repeals the property sales trigger that required homebuyers to pay the full-risk flood insurance rate at the time of purchase. The measure also repeals the new policy sales trigger which required property owners to pay full-risk rates when buying a new policy. It also reinstates grandfathering. Homes that complied with previous flood maps will no longer be hit with large increases when new maps show greater risk of flooding.

The Homeowner Flood Insurance Affordability Act does not address rate hikes for businesses, secondary vacation homes and homes that repeatedly flooded that were all grandfathered into lower premiums for flood insurance before flood maps were created. Such affected policyholders will see annual increases over the next few years of 25 percent of the actuarial cost until those policies are actuarially priced.

There is also non-mandatory language directing FEMA to strive to reach the goal that most policyholders have a premium of no more than one percent of the value of their coverage - in other words, \$2,000 for a \$200,000 policy. In order to pay for the continued subsidizing of rates, annual assessments will be implemented. Assessments of \$25 per year for primary residences and \$250 per year for businesses and vacations homes will be charged to property owners who get NFIP coverage.

#### **Help Reduce Your Flood Risks**

Policyholders can take action to reduce their flood risks in several ways. They can: \* Take a look at their current, effective flood maps.

- \*Talk with the local floodplain administrator to learn if there is a preliminary flood insurance rate map available.
- \* Know their risk and start planning for mitigation actions.
- \* Call their insurance agent for more details on their policy.
- \* Look into FEMA Mitigation programs available to them.

#### We've got mail

To assist Louisiana residents after a storm, we've cleaned out the LDI mailbox to answer some of your most frequently asked questions about post-disaster insurance. Check them out below.

#### What steps can we take if we are not happy with an adjuster's estimation?

Any Louisiana insurance consumer who feels that they have not been fairly compensated for their insurance claims can contact the LDI at 1-800-259-5300. Consumers may also file a complaint against their insurance company online at www.ldi.la.gov/ConsumerComplaintForm. Keep in mind that in order to complete your complaint form, you will need to have your insurance card, claim number, insurance company and/or agent name and any electronic documents you would like to attach to your complaint.

#### Can we hire an independent adjuster?

No. Independent adjusters are representatives of insurance companies and cannot be hired by policyholders. They are typically contracted through an independent firm or agency to process and settle claims for an insurance company.

They receive compensation from the insurer, not the insured.

Public adjusters, however, are hired and paid by policyholders directly to represent them during the insurance claims process. They act on behalf of the insured, compiling evidence to help support their clients and get them the best settlement possible.

Common duties of a public adjuster are to:

- Investigate and prepare claims on behalf of the insured.
- Research and examine relevant documents, including insurance policies and other forms.
- Inspect property and determine the amount for settling covered damages.
- Negotiate a settlement with the insurance company.

#### Does the insurance company need to see the trash pile in front of our house in order to make a claim?

Your insurance company will need to see proof of damage to properly process your claim. However, they do not need to see actual damaged items as long as you remember to take plenty of pictures of them before they are discarded.



#### Should we write down serial numbers of our property?

When filing an insurance claim, it's always best to record the model and serial numbers for all of your damaged property. Doing so will greatly benefit you in getting the best settlement for your claim and assist your adjuster during the claims process.

#### How should we document the damage for the insurance company?

Taking photos and videos of your property is the best way to document damages for your insurance company. Creating a home inventory before a disaster strikes will help make the process of documenting damages to your property a whole lot simpler. The National Association of Insurance Commissioners (NAIC) offers a free downloadable app for your smartphone called myHOME scr.APP.book that can help you document photos and descriptions of your valuables.

#### **Personal Property Inventory**

#### LIVING ROOM

Article	BRAND	Date of Purchase	Price	Article	Brand	Date of Purchase	Price
Carpet/Rugs				Sound System			
Window Treatments				CDs/DVDs			
Sofas				Bookcases			
Ottomans				Books			
Chairs				Musical Instruments			
Coffee Tables				Plants/Planters			
End Tables				Mirrors			
Armoire/Enter. Center				Collectibles			
Wall Hangings				Clocks			
Television/DVD				Lamps			
Computer & Printer				Smart Phones			
Video Camera							

#### DINING ROOM

Article	Brand	Date of Purchase	Price	Article	Brand	Date of Purchase	Price
Carpet/Rugs				C	Crystal		
Window Treatments				Glass	sware		
Buffet				C	Clocks	<u> </u>	
Tables				Lamps/Fix	xtures		
Chairs							
China Cabinet							
China				Wall Han			
Silverware							

#### Ватняоомѕ

Article	Brand	Date of Purchase	Price	ARTICLE	Brand	Date of Purchase	Price
Clothes Hamper					Scale		
Window Treatments				Shower C	Curtain	<u> </u>	
Wall Hangings				Linens/1	Towels		
Mirrors		<u> </u>		Bath Mats	;/Rugs		
Dressing Table Toilet Articles					Other	<u> </u>	
Electrical Appliances							

#### KITCHEN

Article	BRAND	Date of Purchase	PRICE
Table/Chairs			
Linens/Towels		_	
Window Treatments			
Cabinets		_	
Lighting Fixtures			
Bowls			
Pots/Pans			
Utensils			
Cutlery			
Dishes			
Glassware			
Refrigerator		_	
Stove		_	
Dishwasher		_	

Article	Brand	Date of Purchase	Price
Trash Compactor		_	
Disposal Unit		_	
Freezer			
Washer		_	
Dryer		_	
Small Appliances		_	
Clocks		_	
Radios		_	
Step Stool		_	
Television		_	
Microwave		_	
Food Supplies			
Wall Hangings			
Other		_	

#### Bedrooms

Article	BRAND	Date of Purchase	Price
Beds			
Mattresses			
Bed covers/Linens			
Dressers		_	
Jewelry Box/Contents			
Nightstands			
Bookcases			
Books	-		
Chairs			
Carpet/Rugs			
Window Treatments			
Lighting Fixtures		_	
Lamps			
Armoires/Chests			

Article	Brand	Date of Purchase	Price
Mirrors			
Clocks			
Radios			
TV//DVD Player			
Telephone			
Toilet Articles			
Computer Equipment			
Games			
Toys			
Collectibles			
Clothing			
Shoes			
Wall Hangings			
Other			

#### Patio/Porch

ARTICLE		Brand	Date of Purchase	PRICE
	Tables Chairs			

Article	Brand	DATE OF PURCHASE	PRICE
Grill/Barbecue Pit			
Swing Set			
Other			

#### ATTIC/GARAGE/STORAGE ROOM

Article	Brand	Date of Purchase	PRICE	Article	Brand	DATE OF PURCHASE	Pri
Furni	ture			Wheelbarrow			
Luggage/Tru	ınks			Rake/Leaf Blower			
Exercise Equipn	nent			Lawn Mower		<u> </u>	
Sports Equipn	nent			Weed Eater			
Camping Equipm	nent			Garden Tools			
٦	Toys			Ladders/Step Stools		<u> </u>	
Outdoor Gar	mes			Workbench			
Bicy	cles			Shop Tools			
Lawn Decorati	ions			Pet Supplies			
Shovels/H	loes			Vacuum Cleaner			
Sprinklers/Ho	oses			Storage Freezer			
				Other			

#### **Contact the LDI**

Louisiana Department of Insurance

1702 N. 3rd Street, Baton Rouge, LA 70802

P.O. Box 94214, Baton Rouge, LA 70804

www.ldi.la.gov

General Information: (800) 259-5300, or (225) 342-5900

Senior Health Insurance Information Program (SHIIP): (225) 342-5301

Agents Licensing: (225) 342-0860

Company Licensing: (225) 342-1251

Insurance Rating: (225) 342-5203

Fraud Investigation: (225) 342-4956

Consumer Services: (225) 219-0619

Consumer Advocacy: (225) 219-4775



# POST - DISASTER INSURANCE GUIDE

# Information on Federally Declared Disasters

Whether you have insurance or not, everyone who has damage to their home or incurred a loss because of a federally declared disaster should file for help with FEMA. Visit www.fema.gov to start the process with FEMA. There is no penalty for filing a claim with FEMA unless your claim is fraudulent or based on untrue claims of damage. If you do not have insurance and your home meets certain requirements, you may be eligible for assistance from the government with rebuilding your home. There are also resources available for expenses incurred while you are unable to return to your home and losses that were the result of power loss across the area even if your home did not take on water.

In case of a flood event, there are resources to help you begin rebuilding after the danger has passed. Flood insurance is the most powerful of those resources. Flooding is generally not covered under standard and commercial insurance policies. Flood insurance is available through a separate policy under FEMA's National Flood Insurance Program and some private insurers. If you have flood insurance your first step once you are safe and dry is to contact your insurance agent and file a claim. If your insurance agent is unavailable or unreachable, contact the main claims hotline for you insurance company to file a claim and get the ball rolling.

Businesses may be covered by a commercial flood policy. Call your agent or read your policy to find out under what circumstances you can file a claim.

For more information about flooding insurance for home, business and auto, call the Department of Insurance at 1-800-259-5300. Information is also available on the website at www.ldi.la.gov.