

STORM RENOVATION LAWS – A STATE-BY-STATE SURVEY

A wave of states have now adopted laws relating to what a storm renovation contractor must do and cannot do relating to residential insurance paid storm renovation claims. Most of these laws prohibit the contractor from acting as a public adjuster, require a mandatory cancellation period and disclosure notice, and prohibit the contractor from rebating any of the insurance deductible against the work performed. Wisconsin is the latest state to adopt such laws. A summary of these laws on a state-by-state basis is provided below for the benefit of Alden Pearson, P.A., storm renovation contractor clients who work in multiple states. This list is not a comprehensive list of all laws that apply to storm renovation contracting but is focused on the recently enacted residential insurance paid construction renovation laws. Alden Pearson, P.A., strongly recommends contractors engage competent legal assistance in navigating the increasingly regulated process of contracting for insurance paid storm renovation work. Alden Pearson, P.A., provides this assistance to our clients.

State	Deductible Rebate	Cancel Right on Denial	Contract Disclosure	Contractor as Public Adjuster
Alabama		Yes, residential roofing: 10 days from contracting	Yes, Residential roofing: statutory form disclosure required	No – cannot negotiate insurance claim
Arizona		Yes, residential: 4 days from contracting or 72 hours from insurer denial of the claim	Yes, residential: statutory form disclosure required	No – cannot negotiate insurance claim but allowed to communicate with insurer if statutory requirements met
Arkansas		Yes, residential: 3 days from insurer denial of claim	Yes, residential: statutory form disclosure required	

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Colorado	Prohibited	Yes, residential roofing: 72 hours from contacting or 72 hours from insurer denial of the claim	Yes, residential roofing: no specific statutory form	No – public adjuster statute applies and P.A. cannot participate in the construction
Georgia	Prohibited	Yes, residential roofing: 5 days from insurer denial of the claim	Yes, residential roofing: statutory form disclosure required	Yes – but only if a licensed public adjuster
Illinois	Prohibited	Yes, residential: 5 days from insurer denial of the claim	Yes, residential: statutory form disclosure required	No – cannot negotiate insurance claim; public adjuster statute applies and P.A. can have interest in contractor if disclosed to insured
Indiana	Prohibited	Yes, residential: 3 days from insurer denial of the claim	Yes, residential: statutory form disclosure required	No – cannot act as a public adjuster
Iowa	Prohibited		Yes, residential: statutory form disclosure required	No – cannot negotiate insurance claim for residential roofing system
Kentucky	Prohibited	Yes, residential roofing: 5 days from insurer denial of the claim	Yes, residential roofing: statutory form	No – cannot negotiate insurance claim for residential roofing system;

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			disclosure required	Public adjuster exception may apply
Louisiana	Prohibited	Yes, residential roofing: 72 hours from insurer denial of the claim	Yes, residential roofing: statutory form disclosure required	No – cannot act as a public adjuster
Minnesota	Prohibited	Yes, residential roofing or siding: 72 hours from insurer denial of the claim	Yes, residential roofing or siding: statutory form disclosure required	No – cannot act as a public adjuster
Missouri	Prohibited	Yes, residential roofing: 5 days from insurer denial of the claim	Yes, residential roofing: statutory form disclosure required	No – cannot negotiate insurance claim for residential roofing system and cannot act as a public adjuster
Nebraska	Prohibited	Yes, residential: 3 days from contracting or 3 days from insurer denial of the claim.	No specific disclosure requirement	
Oklahoma		Yes, residential: 3 days from insurer denial of claim	Yes, residential: statutory form disclosure required	No – cannot negotiate insurance claim for residential roofing system and cannot act as a public adjuster (with a limited exception)

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South Carolina	Prohibited	Yes, residential roofing: 5 days from insurer denial of the claim	Yes, residential roofing: statutory form disclosure required	No – cannot negotiate insurance claim for residential roofing system and cannot act as a public adjuster
South Dakota	Prohibited	Yes, residential roofing: 72 hours from insurer denial of the claim	Yes, residential: statutory form disclosure required	
Tennessee		Yes, residential roofing: 3 days from insurer denial of the claim	Yes, residential roofing: statutory form disclosure required	No – cannot negotiate insurance claim for residential roofing system; Public adjuster exception may apply
Texas				No – cannot act as a public adjuster
Wisconsin	Prohibited	Yes, residential: 3 days from insurer denial of the claim	Yes, residential: statutory form disclosure required	No – cannot negotiate insurance claim

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