BERGER SINGERMAN
FLORIDA'S BUSINESS LAW FIRM

THE CLOCK IS TICKING ON YOUR HURRICANE IRMA LOSS

August 12, 2018

By: Christopher B. Choquette

The upcoming date of September 10, 2018 is an important one for Florida's policyholders as it is the anniversary of Hurricane Irma. It also means policyholders only have two more years to report their Hurricane Irma claim, supplemental claim, or re-opened claim.

In 2011, Florida's legislature passed a law that limited the amount of time for insureds to file a hurricane claim. Pursuant to Florida Statute §627.70132, a claim, supplemental claim, or reopened claim is barred unless notice of the claim, supplemental claim, or re-opened claim is given to the insurance company within 3 years after the hurricane first made landfall.

While Florida Statute now requires you to report your claim within three years, your policy may include further restrictions. Some policies may require you to report your damages "promptly", "timely", or even "immediately". Although most policies do not define these terms or provide a fixed period of time for reporting, notice is generally necessary when there has been an occurrence that would lead a reasonably prudent person to believe that a claim for damages would arise. If you sustained damage from Hurricane Irma, it would be prudent to report the damages to the insurance company before the three-year statutory deadline.

For more information on how to properly report an insurance claim, please do not hesitate to contact Michael J. Higer, Gina Clausen Lozier, Gavin Gaukroger, or Christopher Choquette on our Insurance Team.

Related Team Member(s)

Christopher B. Choquette

Topics

Hurricane Preparedness

Insurance