

Draft 5/28/24

Public Adjuster Licensing Working Group  
Virtual Meeting  
May 2, 2024

The Public Adjuster Licensing (D) Wo(Do(D h<o.001 Tc511I 4.9.039 Tw 0.1D(e)7.813[(4)6.9 ( BDC 0.004 Tc30.02

B. Section 14: Public Adjuster Fees

Anthony DiUlio (American Association of Public Insurance Adjusters (AAPIA)) said the language in the current model, which allows a public adjuster to charge a reasonable fee, should not be amended or deleted. DiUlio said this language allows a public adjuster to modify fees depending on the claim complexity and services provided while still allowing a state insurance department to review a fee being charged if there is a concern. Holly Soffer (AAPIA) agreed and said each firm

Jeff Butler (Collision Consulting of Washington) said fees are challenging forrg fg fg8-3.2 (l)-3.3 (n)-0.9 (h)-0 .3 (l)

Draft: 10/12/23

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Compilation of Comments by Section – Updated May 28, 2024, with comments of Delaware DOI.*

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of the loss or damage by the insurer or their representative, and the insurer is given an opportunity to interview the policyholder directly about the claim of loss. The insurer must be allowed to obtain necessary information to investigate and respond to the claim of loss.

AAPIA

Suggests: “Within 3 business days of receiving such notice, The insurer shall verify the public adjuster holds a valid license with the Department.” Without this time limitation, there will be a resulting claim delay.

Insurance Adjustment Bureau

Section 15, Contract Between Public Adjuster and Insured of the proposed Model Act, at subsection H, would add the following sentence to the end of the subsection: “The insurer shall verify the public adjuster holds a valid license with the Department.” It does not specify how the insurer shall verify it. At times, we have had problems with adjusters representing insurers demanding that we produce a copy of our public adjuster’s license, even though they know we are licensed, and it is really meant to harass the public adjuster. Furthermore, the most reliable way to verify that someone is licensed as a public adjuster is through the relevant state’s Insurance Department. In Pennsylvania, this information is readily available to the public on the Insurance Department’s website.



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assignable, may limit to whom such rights and benefits under the insurance may be assigned, and may explicitly prohibit assignment of rights and benefits to any other person, including a property repair contractor.. Property repair contractors operating in this State may not subvert the public adjuster licensing requirements of [insert appropriate reference to state law] through the acquisition of a power of attorney from the named insured.”

Insurance Adjustment Bureau

Section 15, Contract Between Public Adjuster and Insured, of the proposed Model Act, adds a new subsection L, relating to assigning rights and benefits under a property insurance policy. In that regard, we note the following for your consideration.

First, this new subsection L begins by stating that the insured’s right to assign post-loss benefits owed under a property insurance policy is: “Subject to its terms relating to

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**Section ~~18~~19. Standards of Conduct of Public Adjuster**

C. A public adjuster shall not advertise or infer damage has occurred as result of unless an inspection of the property has been completed.

Florida Department of Financial Services

A public adjuster may not directly or indirectly through any other person or entity solicit an insured or claimant by any means except on Monday through Saturday of

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Florida Association of Public Adjusters

Public adjusters play a crucial role in recommending reliable service providers, especially after disasters when scammers often target policyholders. Delays or poor repairs worsen property damage. Like doctors referring specialists, public adjusters connect policyholders with experts, enhancing service. Existing language in the Model Act prohibits financial interests and kickbacks, addressing concerns of impropriety.

Florida supports the prohibition of public adjusters accepting additional fees or kickbacks and we believe that is already addressed in the proposed section 19 G of the Model Act. Flor