FLORES & PELAEZ-PRADA, PLLC
STORM DAMAGE LAWYERS
STORMLEX.COM

Spend more time focusing on family + Growth!

PROTECT YOUR HOME:

EXPERT TIPS TO GET YOUR PROPERTY DAMAGE CLAIM PAID

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For Homeowner Tips and Insurance Policy Education!

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Your insurance policy exists to give you (and your home) peace of mind in the face of disasters.

After buying insurance (property damage, liability, etc.), you can prioritize spending time with your family.

However, due to potential challenges in the claims process, it is advisable to have a plan for several reasons:

- Know how your family's lifestyle may be impacted in the face of natural and unexpected disasters
- Navigate the claims process knowing you've held up your end of responsibilities in your policy
- Know how to dispute your claim when the insurance company denies or underpays you

PREPARE FOR SEVERE STORM DAMAGE AT HOME

#1

Prepare Emergency Kits

Plan for likely events based on your specific situation, such as location, weather patterns, or other disasters. Prepare emergency kits including water, first-aid supplies, non-perishable foods, and flashlights.

#2

Install Surveillance Cameras

Having pictures and videos of the event makes the insurance claim process easier. Install digital cameras and maintain equipment and footage to manage the risk. Cameras also provide valuable information for insurance claims and help mitigate risks by documenting evidence for potential lawsuits.

THE CLAIMS PROCESS

While we hope it never happens to you, the likelihood of facing a disaster or property damage is high. In such an event, taking certain steps can improve the chances of recovery, streamline the claims process, expedite resolution, and reduce the risk of claim denial or underpayment.

Here's a checklist to make your life easier:

Contact the Police

Most damaging events won't require you to do this but if it's truly a catastrophic event and there are hazardous conditions, contact the police. A police report can be valuable for insurance claims. Consider emergency medical and firefighting services if necessary.

Mitigate Damages

DON'T LET IT GET WORSE. Insurance companies use this as a reason to pay you less money. Take reasonable steps to protect the property from further damage or theft. Cover holes in the roof or windows with boards or plastic temporarily. Place buckets to collect water and arrange for temporary roof repairs. Keep receipts and document temporary repairs with photos/videos.

Contact the Insurance Agent and File a Claim

Refer to your insurance policy for claim instructions on filing a claim. Contact your insurance agent promptly to initiate the claim process and seek guidance if needed. Follow up until an adjuster is assigned and requests evidence of loss. Maintain a diary, log, photos, and videos documenting the event and damages, ensuring timely documentation when safe. Provide the adjuster with copies of evidence and keep original records with the business.

Contact Professionals (Contractor, Lawyer, and Accountant)

During the claims process, contact your contractor to assess the cost of property repair/replacement. Obtain at least three repair estimates to support the claim's value. If you disagree with the adjuster's decision or if your claim is denied, consult with a lawyer to assess the handling of your claim. Ambiguity in policy language can lead to claim denials. A lawyer can interpret the language and determine if coverage should have been granted. Legal expertise is crucial in resolving coverage disputes or disagreements over repair costs with your insurance carrier/adjuster.

You'll want to track down or organize this information:

- **Evidence of damage:** Video footage and photos
- **Police Reports,** if necessary
- **Lists:** Of all damaged property and of lost documents (along with their corresponding value)
- **Manuals and Warranties:** For purchased equipment
- **Invoices:** For Prices Paid for Damaged Property/Items
- **Receipts:** For any temporary repairs

More To Do's:

- Get estimates from Contractors to Repair or Replace Damaged Property
- Take safety precautions as necessary based on the hazards created by the loss event.
- Do not dispose of anything until shown to the police or insurance adjuster. Make copies of all relevant documents and items.
- Follow up with the insurance company on your claim and document all contacts in your log or diary. Consider hiring your own professionals to compare assessments with the insurance adjuster's values. Take the necessary time for a thorough claims process as some damages may not be immediately apparent. Seek assistance from an attorney or damage expert when reviewing the Proof of Loss document. If there are disputed damages, note it on the document or seek legal help. Utilize insurance proceeds to make the repairs included in the insurance estimate to maintain coverage. If repairs are not made, subsequent damages may not be covered.

DISPUTING YOUR CLAIM

Navigating the claims process can be stressful for home owners, especially when faced with claim denials or low settlement offers.

Insurance companies may deny claims if they fall under policy exclusions or if they determine there are no covered damages.

TIPS FOR DISPUTING A DENIED OR UNDERPAID CLAIM:

Reach out to the adjuster

Ask specific questions about policy coverage and justification for the amount paid. Inquire if additional information is needed to reconsider their decision and consider requesting a re-inspection by a different adjuster for a second opinion.

Review your policy

Understanding your policy is crucial for disputing decisions made by the insurance company. It also helps in gaining insights for future policy renewals to avoid similar issues. The policy allows you to understand how the adjuster calculated the amount paid towards your damage.

PRO TIP: Go to Flores & Pelaez Prada's YouTube Channel for tips on reviewing your policy.

Create a file and document everything

Maintain a detailed timeline of events since the loss, including reporting the claim, inspections, decisions, and correspondence. Keep a claims journal to document all contact with the insurance company, noting attempts and successful contacts. Thorough records demonstrate active involvement and policy fulfillment.

Litigation or appraisal

If dissatisfied with the outcome of the claims process, consider seeking legal assistance. Options include litigation through filing a lawsuit or exploring the appraisal process.

Let's talk more about what to expect when it comes to Litigation!

GOOD NEWS

In Texas, insurance companies are responsible for attorney's fees if covered damages are unpaid, eliminating financial risk when hiring legal counsel.

Want to receive tips on maximizing your insurance claim?

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LITIGATION OR APPRAISAL

Litigation:
Hire lawyers on a contingency basis for insurance disputes without upfront costs.

Insurance companies cover your attorney's fees for unpaid covered damages.

Lawyers aim to resolve claims without lawsuits but are prepared for court if needed. Most cases settle without a trial. Assess lawyer expertise and success rate by asking for references and seeing if Google Reviews are available online.

Appraisal:
Insurance policies allow both parties to use the appraisal process if they disagree on the claim payment.

Each party appoints an appraiser and pays their costs.

The appraisers assess the damage together and aim to agree on the payment, which can range from $0 to the property's value. If they can't agree, an umpire may be hired for an additional fee to make the final decision.

However, the insurance company can accept or reject the appraisal award. In litigation cases, lawyers may cover the appraisal fees once you have representation. Otherwise, you will be responsible for paying your own appraisal fees regardless of the outcome.

ABOUT OUR FIRM

At Flores & Pelaez-Prada PLLC, we have a proven track record of successfully recovering damages for our clients who have been victims of storm damage. Our dedicated, expert team is prepared to stand by your side and fight for your rights.

Living in Texas means dealing with the all too frequent and violent nature of storms. Unfortunately, even as a diligent policyholder who has always paid your premiums on time, the insurance company may not always be there for you in your time of need. But don't lose hope!

If your property damage claim has been denied, delayed, or underpaid, you deserve an experienced attorney who will go above and beyond to fight for all the money your insurance company owes you. ***IT'S YOUR MONEY!*** Our expert property damage attorneys at Flores & Pelaez-Prada PLLC have a wealth of experience and a deep understanding of storm damage cases that results in the biggest recoveries possible.

PROTECT YOUR HOME
FOCUS ON GROWTH

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Our team wants to stay in touch with you!

By joining the Stormlex Alliance email newsletter you get high quality and lawyer recommended tips for protecting your home and peace of mind.

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WE'RE READY TO HELP WITH YOUR CLAIM.

GIVE US A CALL NOW:

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