

# South Florida Sun-Sentinel.com

## Time running out to file Wilma claims

### Many associations mistakenly failed to file claims for past storms

Daniel Vasquez on condos

Condo columnist

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Six major storms have struck South Florida since 2004, causing widespread damage to shared community homes and property. But many associations may have failed to file valid insurance claims fearing increased fees or canceled policies.

"Many associations were bullied by carriers into believing they should not have filed a claim for storm losses," said Donna Berger, managing partner of Katzman, Garfinkel and Rosenbaum and guest *Sun Sentinel* blogger. "Some were afraid of being cancelled or having their rates raised. Some were wrongly told their damages did not meet their deductible, others were paid money but not enough to properly cover repairs."

As a result, Berger says, many associations were forced to specially assess unit and home owners to pay for necessary storm repairs instead of pursuing their insurance companies for everything they may have been owed.

It's not too much to assume those extra assessments have served to compound owners' current financial woes.

Fortunately, there is good news. First, Florida law does not allow carriers an opportunity to punish customers in response to a claim payout. It is illegal for your insurer to drop you for filing a claim. And carriers must obtain state approval for rate increases.

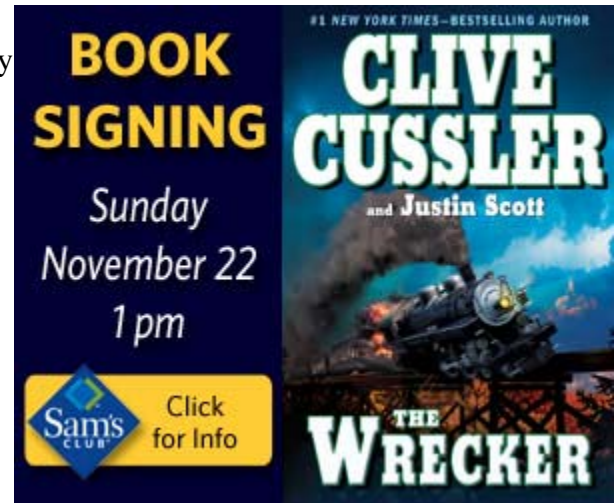
And time has not run out for associations to claim damages related to two powerful past storms.

There is a five-year statute of limitations in Florida to pursue a casualty claim. That means there is still time for associations to claim damages caused by Hurricane Katrina, which struck South Florida four years ago on August 24, 2005, and Hurricane Wilma, which hit on October, 25, 2005.

Even if your association already received an insurance check, it's not too late to reopen the claim. Merely cashing a check does not disallow an association from pursuing more funds if appropriate. It is not possible, however, to revisit a claim that already reached a release agreement that specifically used the word "release." Claims may be filed by an individual or with the help of a public adjuster or attorney. For more information from Berger on filing or refileing claims, visit <http://www.wilmaclaims.com>.

**Bottom-line:** Associations struggling with budgets depleted by storm-related costs owe it to owners to revisit past decisions not to file a claim before next year's deadlines. Some should also consider paying for a professional property inspection to better assess the cost and need for repairs.

What association these days can afford to squander funds? Failing to fight for insurance proceeds properly owed the



association amounts to the same.

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