



Palm Beach County Roofing & Sheet Metal Contractors' Association

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CONSUMER ADVISORY BULLETIN

Beware of Contractors Offering Homeowners A “Free Roof”

Palm Beach County Roofing and Sheet Metal Contractors Association. For the past few years, South Florida homeowners have been solicited by an increasing number of scam operators, offering to install a new roof on their house for the settlement amount they obtain from the insurance company. As the October 24, 2010 deadline for filing Hurricane Wilma claims approaches, they have become even bolder, going door-to-door through subdivisions. By offering to assist in the claim process, these contractors are in violation of Florida Statutes, and are committing a third degree felony. Florida Statute 626.8738 states “...any person who acts as a resident or nonresident public adjuster or holds himself or herself out to be a public adjuster to adjust claims in this state, without being licensed by the department as a public adjuster and appointed as a public adjuster, commits a felony of the third degree...” Florida Statute 626.854 section 1 defines a public adjuster as any person, except an attorney, who “...acts or aids in any manner on behalf of an insured or third-party claimant in negotiating for or effecting the settlement of a claim...” and further states this “...also includes any person who, for money, commission, or any other thing of value, solicits, investigates, or adjusts such claims on behalf of any such public adjuster.” If the party offering the “free roof” is a licensed public adjuster, Florida Statute 626.8795 clearly states they cannot participate directly or indirectly in the repair or replacement of the roof. The statute further prohibits the adjuster from soliciting or accepting any remuneration from the entity performing the repair/replacement, nor can the adjuster have any financial interest in the entity performing the work.

The above referenced statutes specifically prohibit the entity assisting in the claim from having anything to do with the performance of the work. This should not discourage homeowners from using public adjusters to help them obtain a fair settlement from their insurance company. A legitimate, properly licensed public adjuster can often help obtain a larger settlement than the homeowner was able to secure on their own. The intent of this paper is to point out that, once the public adjuster has obtained the settlement, the homeowner is free to select any licensed roofing contractor they choose to repair or replace their roof. By following the process the proper way, you can achieve the same results without assisting in a crime. You also stand a much better chance of getting a properly installed new roof.

Do you think a company already committing a felony will be concerned with installing your new roof to proper code requirements?

If you have been contacted by anyone saying they will help with your claim and fix your roof, please report them to the Florida Department of Financial Services at 1-877-693-5236. If you would like the names of public adjusters or roofing contractors who are members of our association, please contact the Palm Beach County Roofing and Sheet Metal Contractors Association at 561-655-5393 or send us an email to rfrano@pbcroofers.com.