

Property insurance preparations key for hurricane season

Jul. 25, 2013 9:54 PM |



Written by

Kevin F. Jursinski

Filed Under
[Opinion](#)

Southwest Florida is in the midst of the 2013 hurricane season. We have already experienced one tropical storm and are keeping our fingers crossed that we do not suffer any further serious storms or hurricanes.

However, an absolute certainty in Southwest Florida is that significant rain storms will hit our area causing damage to both real and personal property.

Residents need to be made aware of how property damage claims should be handled when losses by storms or other causes occur.

Property damage claims are legal claims that involve damages to real property (such as your home or commercial building) as well as damage to your personal household or business property (such as equipment or furniture). Property damage claims typically involve insurance companies, either the property owner's insurer or that of the person or entity causing the damage. Normally, the policy that covers such losses will be your homeowner's policy or the policy at your place of business.

If your real or personal property has been damaged in Florida due to a natural disaster, or some other occurrence, you need to be aware of your legal rights and the procedure to address those rights and pursue your claim.

Most insurance policies require you to provide a Notice of Loss to your insurance company in the event you suffer property damage or loss. Timely written communication is important.

If property damage occurs, you will need access to your policy. Consider keeping your insurance policy in a safe and secure location in your home or in a safe deposit box at your bank.

In Florida, when damage occurs to real or personal property, the person suffering the loss cannot stand idly by and allow further damage to be incurred. For example, if a water leak has resulted in damage to your property, you need to attempt to stop the leak or hire a professional to avoid additional damage.

If you cannot make your mortgage payments for a few months because the damage may require major repairs resulting in the home being uninhabitable or your place of business unable to conduct operations, contact your lender who may be able to provide you short-term relief.

Both the State of Florida and the Federal Emergency Management Agency may provide assistance to Florida residents.

You may also be entitled to make claims for your losses against your prospective income taxes. Seek the advice of your tax adviser on how to effectively file for tax relief.

On occasion, the insurance company that reimburses you for your loss may seek to recover against a third party who may have contributed to the loss. As in this entire procedure, it is important to cooperate with your insurance representative and know your legal rights.

Kevin F. Jursinski is a Florida Bar board certified real estate attorney in Fort Myers.