



Consumer Perspectives on Marketplace Options and The Property Damage Claim Process

Florida Office of Insurance Regulation Insurance
Summit
April 15-16, 2026

Amy Bach, Co-Founder, Executive Director
United Policyholders, www.uphelp.org

Amy Bach, Esq.



- A professional insurance consumer advocate since 1984, UP co-founder
- Leading UP's Roadmap to Recovery®, Roadmap to Preparedness and Advocacy and Action programs since 1995
- Author of the "Disaster Recovery Handbook and Household Inventory Guide" and "Wise UP" insurance buyer's guide
- Official Consumer Representative, National Association of Insurance Commissioners since 2009
- Appointed member, Federal Advisory Committee on Insurance (US Treasury)
- Appointed Member, CA DOI Public Model and Smoke Damage Working Groups, PG&E Fire Victims Trust Oversight Committee

About United Policyholders

- A 501(c)(3) not-for-profit insurance consumer education and advocacy organization with decades of expertise in public policy, regulation flood, wildfire, hurricane, earthquake, and hail events
- A trusted information resource and voice for consumers across the United States
- This year marks our 35th year of service
- Funded by donations and foundation grants
- Partnering with government agencies and other organizations to improve disaster resilience and recovery
- Engaged at the NAIC and NCOIL since 2009

Three Programs

- **Roadmap to Recovery**
 - *Helping people solve insurance problems after disasters.*
 - *See e.g.: www.uphelp.org/Milton*
- **Roadmap to Preparedness**
 - *Increasing insurance literacy and promoting financial preparedness for adverse events*
- **Advocacy and Action**
 - *A voice for consumers in legislative, regulatory and court proceedings and in the media.*

Educating consumers on shopping smart for insurance and reducing risk

uphelp.org/preparedness-handouts-library/

New Chrome av



LOG IN

ASK AN EXPERT

FORUMS

Search



HOME

ABOUT

MEDIA

RECOVERY HELP

GET PREPARED

ADVOCACY

ASK AN EXPERT

EVENTS

SUPPORT UP

United Policyholders
ROSE LISTOS

Dropped by your home insurer? Steps to take in California

Act Promptly
Read the paperwork from your insurer. Contact them and ask if there are home improvements you can make that will get them to reverse their decision to drop you. **STEP 1** You have 90 days to file a lawsuit. If you believe that you are being non-renewed in violation of the law, file a "Consumer Complaint" with the California Department of Insurance www.insurance.ca.gov/00-consumers

Know Your Rights & Get Help
If you believe that you are being non-renewed in violation of the law, file a "Consumer Complaint" with the California Department of Insurance www.insurance.ca.gov/00-consumers

Shop for Options
Work with a good agent to find all options including "non-admitted" insurers. Watch UP shopping help videos and see CIO tools www.uphelp.org/namurandhelp

Be Prepared to Pay More, Avoid Cutting Coverage
Aim to insure your home for what it would cost to rebuild it and the risk you face in your area. Keep good notes of your conversations. **STEP 2** **STEP 3**

Dropped by your home insurer?

United Policyholders
ROSE LISTOS

What's UP with Flood Insurance?

Generally speaking, damage caused by wind-driven or falling rain that enters your home through an opening is covered under your home policy, but damage from rising water/flood damage is not. You can buy flood insurance to fill that gap.

What you should know:

- You can add a flood insurance endorsement to your policy or buy flood insurance through the National Flood Insurance Program ("NFIP").
- There is generally a 10-30 day waiting period from the date you buy it to the date it kicks in.
- Flood insurance can be very affordable but the cost

What's UP with Flood Insurance?

United Policyholders
ROSE LISTOS

Improve Your Home's Chances of Surviving a Wildfire

- Have a Class A fire rated roof
- Install screens to keep embers out
- Gutters should be kept clear of leaves and needles
- Clear plants so there's 5 feet of space around your home
- Remove all combustible materials from

Improve Your Home's Chances of Surviving a Wildfire

United Policyholders
ROSE LISTOS

Home Insurance Check UP

Home Insurance Check UP

United Policyholders
ROSE LISTOS

Flood Insurance for Renters

Renters insurance does not cover damage caused by flooding. Most renters buy flood insurance through the National Flood Insurance Program (NFIP). Depending on where you live, the cost may be reasonable.

What you should know:

The flood insurance a renter can buy through the NFIP only covers the contents of your home.

Flood Insurance for Renters

United Policyholders
ROSE LISTOS

Earthquake Insurance: Is it right for you?

Earthquakes are a reality in California yet the damage is excluded from most home insurance policies and you have to purchase it separately. Ask yourself the following questions to make an informed decision on whether it makes sense for you to buy it.

What is your home's earthquake risk?

Enter your address at <https://myhazards.caleos.ca.gov>
How close is your home to a fault line? Does it have a slab foundation or a post and pier? Is the home wood frame

Earthquake Insurance: Is It Right For You?

United Policyholders
ROSE LISTOS

What's UP with Renters Insurance?

Basic renters insurance covers your "stuff" from theft, fire and, in some cases, sudden water damage, but not flood damage. It also covers moving costs and temporary housing if your home becomes uninhabitable.

What you should know:

- Renters insurance may be cheaper than you think.
- Your landlord's insurance policy will **NOT** cover your belongings if they are damaged or destroyed.
- Most renters policies **exclude** coverage for damage caused by earthquakes or flooding. You can buy

What's UP with Renters Insurance?

United Policyholders
ROSE LISTOS

What's UP with insuring your mobile/manufactured home?

Aim for insurance that covers replacing your home.

- Verify and confirm the policy will be adequate to buy a replacement manufactured home.
- Choose Replacement Cost Value coverage, not Actual Cash Value.
- Ask if the costs of foundation work and siting a new unit are covered or can be.
- Confirm whether appliances are considered

What's UP with insuring your mobile/manufactured home?

UP's history in Florida

- After Hurricane Andrew, UP had an office in Tampa, helped impacted residents navigate fair and prompt claim settlements
- Since that time, UP has remained a staunch advocate for property insurance policies to indemnify consumers for losses
- UP interfaces with Florida consumers, lawmakers, the Florida Office of Insurance Regulation, Department of Financial Services, Fair Insurance Rates in Monroe, Florida Association of Public Insurance Adjusters, Florida Justice Association, agents, brokers, insurers and journalists.

Roadmap to Recovery® work in Florida

- Consumer-facing webinars, workshops and office hours, Case Manager and Legal Aid trainings
- Florida-Specific Help Resources with Step-by-Step Guidance
- One Click Links to Sign UP for Events And Email Notifications
- Links to Professional Help www.uphelp.org/findhelp
- Sample Letters & Claim Forms www.uphelp.org/samples
- Survivors Speak Tips www.uphelp.org/survivorsspeak



A typical UP R2R webinar expert panel:

Moderator: Amy Bach, Esq. United Policyholders

- Cecile Latimore, Director of Customer Experience & Advocacy at Citizens Property Insurance Corporation
- Rick Tutwiler P.C.L.S., Florida Public Adjuster since 2005, Pres. and CEO of Tutwiler & Associates
- Leslie Webb, Liaison in the Research & Regulation Unit at Florida Department of Financial Services
- Michael Cassel Esq., Cassel & Cassel, P.A.

Consumers may not know the word "indemnity", but that's what they expect and want

- Affordable, understandable policy options
- Insurance that will cover repairs/restoration to pre-loss condition after everyday events and large disasters
- Producers who help them procure adequate protection
- Advance knowledge of gaps in coverage
- Knowledgeable human adjusters
- A non-adversarial claim process, no need for litigation
- The right to choose who works on their home
- The right to hire professional help when needed
- Appropriate rewards for risk reduction investments

Florida property insurance consumers:

- First to be hit with reduced availability and affordability due to destructive weather events associated w/climate change, reinsurance cycles, higher building and labor costs and property values, rating and underwriting models, and investor-driven anti-consumer practices
- Relying on OIR and DFS to protect them via
 - Rate regulation
 - Market Conduct Exams, penalties and fines
 - Maintain and administer the Hurricane CAT Fund
 - Review and approve private models, keep the FL Public Hurricane Model up to date and continue using it to review rate filings

HURRICANE ANDREW AND INSURANCE: THE ENDURING IMPACT OF AN HISTORIC STORM

AUGUST 2012

Many of the insurance market changes that have occurred nationally over the last two decades can be traced to the wakeup call delivered by Hurricane Andrew. These include:

- More carefully managed coastal exposure.
- Larger role of government in insuring coastal risks.
- Introduction of hurricane deductibles.
- Greater use of reinsurance capital from around the world.
- The birth and rapid evolution of sophisticated catastrophe modeling.
- Strong support for strengthened building codes and the importance of enforcement of these codes, as well as enhanced understanding of the necessity of mitigation.

Consumers need safeguards to ensure that models don't overstate risk

- Florida's public model is critical
- OIR must continue to have adequate resources to review rate filings based on models and oversee fair AI practices
- Models dramatically impact availability (L.I. Sound e.g.) and affordability (RMS 11 e.g.)

Especially post tort reform and with the impact of AI and insuretech, policyholders need...

- To be able to rely on DFS and OIR to thoroughly and timely investigate and act on complaints, conduct regular data calls, identify patterns of problems through regular Market Conduct Examinations, penalties/fines and restitution actions to deter unfair practices
- Premiums to *fully* reflect significant insurer savings from ACV only roof coverage and other roof damage coverage reductions
- Restored confidence that property insurance is worth buying, even if a lender is not requiring it

Data provided is as of December 9, 2025

| | Residential Property | Homeowners | Dwelling | Mobile Homeowners | Commercial Residential | Commercial Property | Private Flood | Business Interruption | Commercial Auto | Private Passenger | TOTALS |
|-------------------------------|----------------------|------------|----------|-------------------|------------------------|---------------------|---------------|-----------------------|-----------------|-------------------|---------|
| Number of Claims | 304,408 | 242,719 | 30,466 | 27,456 | 3,767 | 23,901 | 2,046 | 466 | 1,388 | 43,397 | 385,146 |
| Open Claims With Payment | 8,944 | 7,417 | 958 | 269 | 300 | 7,339 | 88 | 9 | 20 | 63 | 16,572 |
| Open Claims Without Payment | 8,672 | 7,211 | 1,130 | 120 | 211 | 5,202 | 68 | 23 | 42 | 62 | 14,403 |
| Claims Closed With Payment | 172,135 | 132,246 | 16,451 | 21,591 | 1,847 | 4,154 | 1,386 | 320 | 994 | 34,326 | 219,994 |
| Claims Closed Without Payment | 114,657 | 95,845 | 11,927 | 5,476 | 1,409 | 7,206 | 504 | 114 | 332 | 8,946 | 134,177 |
| Percent of Claims Closed | 94.2% | 94.0% | 93.1% | 98.6% | 86.4% | 47.5% | 92.4% | 93.1% | 95.5% | 99.7% | 92.0% |
| Total | | | | | | | | | | | |

OIR required insurers report estimated and paid losses. Estimated or case incurred losses include indemnity case reserves and payments to date.

| Lines of Business | Number of Claims Reported | Number of Open Claims with Payment | Number of Open Claims without Payment | Number of Claims Closed with Payment | Number of Claims Closed without Payment | Percent of Claims Closed |
|--------------------------|---------------------------|------------------------------------|---------------------------------------|--------------------------------------|-----------------------------------------|--------------------------|
| Residential Property | 565,101 | 16,176 | 9,665 | 381,815 | 157,445 | 95.4% |
| Homeowners | 458,743 | 13,689 | 8,207 | 302,125 | 134,722 | 95.2% |
| Dwelling | 58,140 | 1,920 | 1,314 | 40,147 | 14,759 | 94.4% |
| Mobile Homeowners | 44,050 | 219 | 52 | 37,094 | 6,685 | 99.4% |
| Commercial Residential | 4,168 | 348 | 92 | 2,449 | 1,279 | 89.4% |
| Commercial Property | 32,850 | 5,332 | 1,296 | 13,290 | 12,932 | 79.8% |
| Private Flood | 5,731 | 324 | 60 | 3,821 | 1,526 | 93.3% |
| Business Interruption | 591 | 16 | 11 | 424 | 140 | 95.4% |
| Other Lines of Business* | 184,793 | 917 | 282 | 154,863 | 28,111 | 99.4% |
| TOTALS | 789,066 | 22,765 | 11,314 | 554,213 | 200,774 | 95.7% |

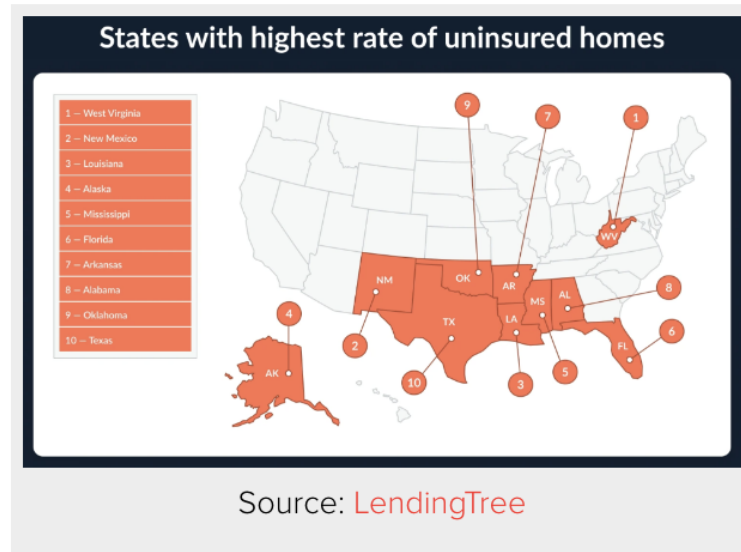
Date as of March 4, 2025

| | Residential Property | Homeowners | Dwelling | Mobile Homeowners | Commercial Residential | Commercial Property | Private Flood | Business Interruption | Commercial Auto | Private Passenger | TOTALS |
|-------------------------------|----------------------|------------|----------|-------------------|------------------------|---------------------|---------------|-----------------------|-----------------|-------------------|---------|
| Number of Claims | 72,037 | 57,992 | 6,550 | 6,617 | 878 | 7,137 | 4,344 | 146 | 1,424 | 62,578 | 155,182 |
| Open Claims with Payment | 2,564 | 1,998 | 262 | 275 | 29 | 757 | 300 | 9 | 45 | 414 | 4,398 |
| Open Claims without Payment | 2,204 | 1,860 | 239 | 50 | 55 | 3,329 | 721 | 30 | 26 | 225 | 7,195 |
| Claims Closed with Payment | 29,315 | 22,385 | 2,124 | 4,446 | 359 | 993 | 1,910 | 65 | 1,174 | 54,822 | 93,451 |
| Claims Closed without Payment | 37,951 | 31,748 | 3,925 | 1,846 | 435 | 2,058 | 1,413 | 42 | 179 | 7,117 | 50,138 |
| Percent of Claims Closed | 93.4% | 93.3% | 92.4% | 95.1% | 90.4% | 42.7% | 76.5% | 73.3% | 95.0% | 99.0% | 92.5% |

Homeowners Going Bare

Homeowners Going Bare: Lagging metrics

show the importance of bringing costs down. A new [study](#) by LendingTree shows nearly 20% of Florida homes were uninsured in 2024, the sixth-highest percentage in the country according to the latest available figures. That's an 8% increase from 2023. The Lakeland area saw the largest increase (up 45.7%) of those without homeowners insurance, with 28% total uninsured. Other areas that ranked high include Miami (22.5% uninsured), Tampa (19.1%), and Cape Coral (18.6%). Nationwide in 2024, nearly one in seven homes (14.1%) were going bare. Experts say affordability has been a big reason. "Many people who go without home insurance aren't ignoring the risks, they're making a trade-off they feel they can't avoid," said LendingTree home insurance expert Lindsay Bishop. "Rising home insurance rates are making home insurance harder to afford, especially for people on fixed incomes."



Consumers need help prioritizing the most important coverages, choosing the right deductible and making risk reduction home improvements

- Affordability is a challenge, so we need to help consumers find ways to economize without losing essential protection
 - Allow lower contents limits, make “Other Structures” optional
- Now that ACV roof coverage is legal and ok w/Fannie Mae, still promote RCV
- Increase funding for My Safe Florida Home and boost insurer engagement in incentivizing and rewarding roof fortification
- Some FL lenders are rejecting policies with deductibles above 5% - puts the consumer in an impossible position

“Basic tenets of capitalism provide that a healthy economy thrives on consumer choice. The proposed limitations on recovery of roof claims deprive people of the choice to purchase adequate coverage, since the only notice to the consumer that the policy provides limited benefits is on the roof chart, buried in the policy, and not seen until after purchase, if at all...

Homeowners won't discover these limitations until after a claim, when it is too late to obtain better coverage—depriving Floridians of the ability to make an educated choice. Even worse, the roof depreciation itself is dangerous to homeowners, as they will lack the funds to rebuild properly. The depreciation charts do not mirror real world conditions of viability of existing roofs and roofing materials. These charts lead to even more underinsurance, which, in the upcoming hurricane season will place more of a burden on the Florida state and local governments for disaster management. The repercussions that flow from this mandated underinsurance will lead to insolvency and mortgage issues, which in turn, negatively impact housing markets and other related construction economies.”

Excerpt from UP's April, 2021 letter to Gov. DeSantis re: SB76/HB305

We commend OIR for reducing Citizens
policy count, but...

Takeout companies must have integrity and
adequate surplus

CBS NEWS
INVESTIGATIONS

Florida homeowners were forced into a new insurance company. Whistleblowers say it siphoned millions in profits.

As Florida moves homeowners' policies out of its state-run insurer of last resort, insiders question one new company's finances.

By **Scott Pham, Joe Enoch and Ash-har Quraishi**

Published March 20, 2026



Proposal to require state oversight of insurance affiliate payments clears first hurdle in Legislature

Ron Hurtbise, South Florida Sun-Sentinel
South Florida Sun Sentinel

Property insurance companies would face increased scrutiny by state regulators over payments they make to parent and affiliate companies — which critics say can be used to cloud profits and justify rate increases — under a bill unanimously supported by a House insurance committee.

Supporters say the measure, if enacted by the full Legislature, will save policyholders money by preventing insurers from paying excessive fees.

The bill, sponsored by Pinellas County Republican Kimberly Berfield, addresses findings and recommendations in a study that surfaced last year and was later investigated by the House Insurance and Banking Subcommittee.

The study, by Risk & Regulatory Consulting LLC, covered three years — 2017 to 2019 — after hurricanes Irma and Michael, when many insurers sought rate increases by claiming they lost money on claims and litigation.

It found that during that period, 19 insurers based in Florida or surrounding regions funneled billions of dollars in fees to holding companies and other affiliates that were not “fair and reasonable,” as defined by various industry rules. The insurers were not identified in the study.

Contacted by email after the meeting, Amy Bach, executive director of United Policyholders, a California-based consumer rights group, lauded the bill, saying that homeowners have the right to trust that state regulators are verifying that insurers’ assets are solvent “and not paying excessive fees to affiliates that deplete their ability to pay claims.”

| VOTE | DATE | CHAMBER | RESULT |
|--------------|------------------|---------|-----------------------------------|
| H 1399 Filed | 2/4/2026 5:58 PM | House | 106 Yeas - 3 Nays |

3/13/2026


Senate

• Died in Rules

Consumers need effective oversight of non-admitted insurers and MGAs

- The Commissioner's post-disaster bulletin appropriately applied to surplus lines insurers and admitted insurers.
- UP believes it's critical to strengthen regulation of non-admitted insurer solvency, payments to affiliates, excessive compensation and profits, policy forms and claims handling

FILED
OCT 16 2024
INSURANCE REGULATION
Docketed by: _____


OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

IN THE MATTER OF:

Hurricane Milton

Suspension of Certain Rules and Statutes
Based on State of Emergency – Natural Disaster

Extension of Grace Periods; Limitations on
Cancellations and Nonrenewals; Deemers
and Limitations on "use and file" Filings and
Miscellaneous Provisions

Index: OIR 2024-134
CASE NO.: 400473-24

EMERGENCY ORDER

TO: All Insurers, HMOs, Premium Finance Companies, Surplus Lines Insurers, and other entities regulated by the Office of Insurance Regulation.

On MGAs...



Many reinsurers, and insurers as well, support managing general agents (MGAs), which is a bad bet in the majority of cases. An MGA is an agent with underwriting authority. (No conflict of interest in that!) MGAs are not new – they have been around for many decades – but during the recent hard market they proliferated

As agents, they don't retain underwriting risk. Instead, for a commission, they bind others – insurers, reinsurers, hedge funds, private equity – to risk gathered from retail and wholesale brokers who generally do business with them because they offer cheaper prices and good commissions.

Often, the MGA also uses a “front” insurance company, whose purpose is to “front” the risk for a fee, take the counterparty risk (don't worry, no risk there), and then pass it along to the ultimate risk taker through another broker who also takes a commission.

When you add it up, risk can pass through four or five layers of intermediaries, who all take commissions before the risk finally gets to the ultimate risk taker...

The clear losers are the ultimate risk takers – cheap prices with huge intermediation costs. It's also policyholders, because as claims mount and losses build, claims end up paid late or never at all.

We've seen this movie before, and it doesn't end well. Underwriting is the core function of insurers and reinsurers, who are the ultimate risk takers. Insurers who outsource underwriting but retain the risk do so at their peril.

Consumers need claim handling transparency and ethics rules to be enforced on engineers and adjusters

The screenshot shows the Florida Senate website page for House Bill 1287. The page title is "HB 1287: Access by Insureds to Claim-related Documents". It is a GENERAL BILL by Cassel; (CO-INTRODUCERS) Bartleman; Joseph. The bill's purpose is to define "claim-related documents" and require insurers to provide them to insureds, agents, and attorneys upon request. It also authorizes civil actions for recovery of attorney fees and costs. The effective date is 7/1/2024. The last action was on 3/8/2024 in the House, where it died in the Insurance & Banking Subcommittee. A PDF link for the bill text is provided.

Bill History

| DATE | CHAMBER | ACTION |
|-----------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1/5/2024 | House | • Filed |
| 1/9/2024 | House | • 1st Reading (Original Filed Version) |
| 1/13/2024 | House | • Referred to Insurance & Banking Subcommittee • Referred to Civil Justice Subcommittee • Referred to Commerce Committee • Now in Insurance & Banking Subcommittee |
| 3/8/2024 | House | • Died in Insurance & Banking Subcommittee |

<https://lisamillerassociates.com/episode-62-questionable-engineering-reports/>

Citizens policyholders need Florida Division of Administrative Hearings (DOAH) to be fair

Why homeowners are losing 90% of cases against Florida's biggest insurer

By [Allaire Conte](#)

Published Sep. 29, 2025, 12:26 p.m. ET

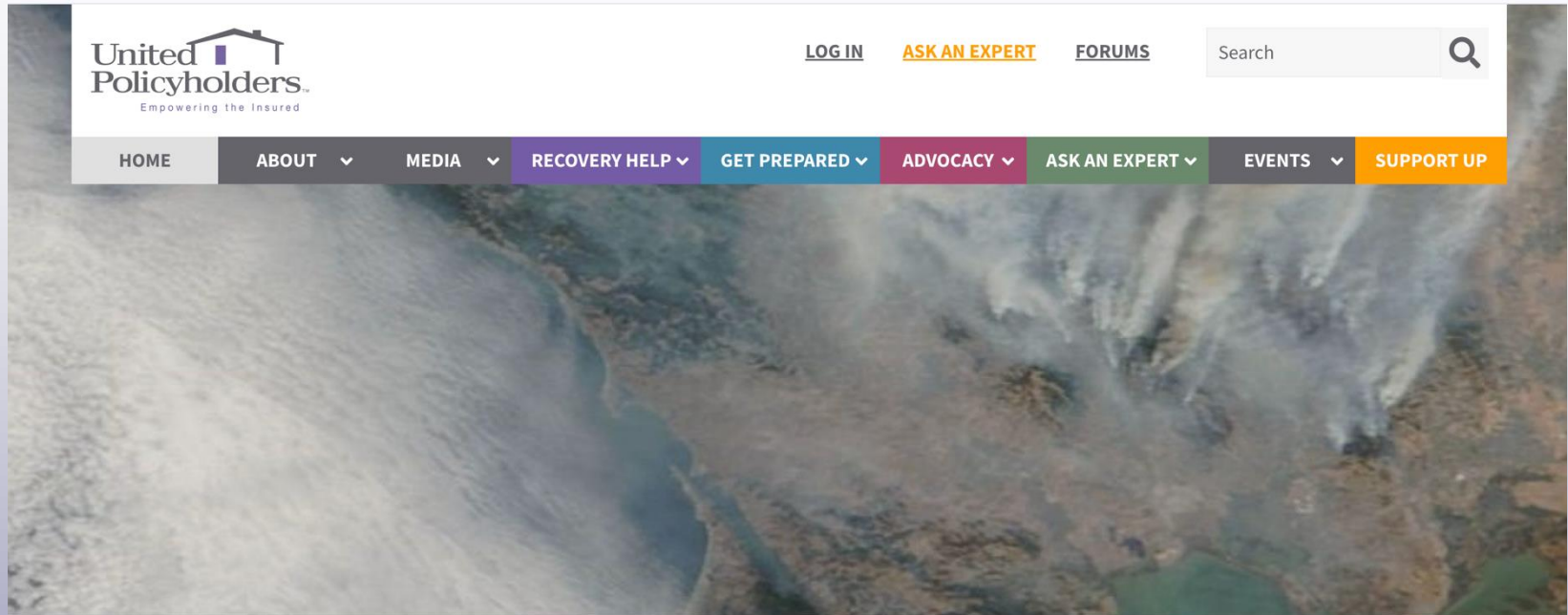
 12 Comments

The data showed that for catastrophe claims, the average ALAE on DOAH cases was about 67 percent of what Citizens spent on comparable non-DOAH cases. For non-catastrophe claims, it dropped even further to about 52 percent. In other words, DOAH claims cost Citizens roughly a third to a half less to litigate.

That's not evidence that policyholders are being helped. Instead, it's evidence that Citizens is saving money by steering disputed claims into a process it created and controls. It is also evidence that the Citizens claims executives are merely building a business model case for DOAH's use. The insurer's internal records even referred to this analysis as "support for the DOAH adjustment selection." This is a telling phrase that frames DOAH not as a fairness initiative but as a cost-reduction tool to save Citizens money rather than take care of its policyholders through full and prompt payment.

The deeper concern is what's missing from the data: it doesn't show indemnity, the actual payments to policyholders for their losses. If Citizens is systematically resolving claims in DOAH for less expense and less indemnity, then it's fair to question whether the "savings" represent justice or just less money in the hands of those who suffered losses.

Thank you for your attention



We've got your back when insurance matters

United Policyholders (UP) is a non-profit 501(c)(3) whose mission is to be a trustworthy and useful information resource and a respected voice for consumers of all types of insurance across the United States. We don't sell insurance or take money from insurance companies. We give you the straight scoop....Guide you on buying insurance and navigating claims...Fight for your rights.