

## **HURRICANE CLAIM DEADLINES**

### Wind/ Other Peril

- Claims must be reported within a "reasonable time" – preferably ASAP.
- Claims must be reported within at least 12 months after loss per Fla. Stat §627.70132.
- Supplemental Claims must be made within 18 months after loss.
- Proof of Loss must be filed with insurance company typically 60 days after request or otherwise specified in the policy's duties after loss provision.
- Deadlines can be extended by the company. Partial compliance can be argued with a showing of a lack of prejudice to the carrier.
- Statute of Limitations is 5 years from breach of contract (date of ins. denial letter).

### Flood – FEMA (for private flood claim – follows above guidelines)

- Claims must be reported within a "reasonable time" – preferably ASAP.
- Proof of Loss must be filed typically 60 days but has been extended for recent Hurricanes :
  - Helene 120 days – January 22, 2025
  - Milton 120 days – February 7, 2025
- Proof of Loss –
  - ○ Must be done for disputed amounts claimed
  - ○ Insured may file successive Proofs of Loss
  - ○ No partial Compliance
- Statute of Limitations is 1 year from date of denial of any part of the claim or the claim in its entirety.
- Appeal – within 60 days of FEMA decision letter.
- Appraisal – within 20 days after “dispute” arises.
- Cannot do appraisal and appeal at the same time – appraisal and/or appeal or continuing adjustment of the claim will not extend Statute of Limitations.
- Deadlines CANNOT be extended by carrier, no waiver, and no partial compliance.