

IOWA REQUIRES LICENSURE OF PUBLIC ADJUSTERS

>> GUIDANCE FOR CONTRACTORS AND PUBLIC ADJUSTERS

A public adjuster is any person who for compensation acts on behalf of an insured regarding damage to their property by doing any of the following:

- Negotiate with the insurance company on behalf of the insured to receive fair compensation for the loss or damage to the property of the insured.
- Advertise for employment as a public adjuster on a property claim when the insured is dealing directly with their insurance provider, or otherwise soliciting business or representing to the public that the person is a public adjuster.
- Directly or indirectly solicit an insured's business through advertising, which includes employing their services to investigate or adjust losses for the insured's property damage claim.

*If you are a contractor and a customer asks you to help with an insurance claim, here is what you **CAN** and **CANNOT** do without a public adjuster license according to the State of Iowa.*

**ANY PERSON FOUND TO BE ACTING AS AN UNLICENSED PUBLIC ADJUSTER
WILL BE SUBJECT TO BOTH CRIMINAL AND ADMINISTRATIVE ACTION.**

What a contractor **CAN DO** without a public adjuster license.

- In compliance with local regulations, contractors may approach a homeowner or business owner offering repair or reconstruction services.
- Offer an opinion to a policyholder as to whether damage is from a storm or other incident normally covered by a homeowner's policy.
- Prepare an estimate and scope of work for the loss.
- Discuss the estimate or scope of work with your customer.
- Recommend that the policyholder file an insurance claim with his or her insurer.
- Be present when an insurer's adjuster inspects the damage.
- Answer questions the insurer or the insurer's adjuster has about the estimates.

What a contractor **CANNOT DO**, unless they are licensed as a public adjuster.

- Investigate, appraise, evaluate, give advice, advocate on behalf of or assist their customer in the adjustment of a claim.
- Negotiate or effect the settlement of the claim with the insurance company.
- Offer to review the insurance policy or advise the customer on the insurance policy's coverage, or prepare the claim for the consumer.
- Advertise or provide information that the contractor can negotiate or investigate a claim on the customer's behalf. This includes advertising to be "claim specialists or analysts," claiming that the contractor can "deal with insurance companies", or in any way increase the claim settlement amount for the policyholder.
- File an Iowa Insurance Division complaint on behalf of the Iowa consumer.
- "Partner" with a Public Adjuster or enter into a contract with a Public Adjuster or other third parties.

To avoid violating Iowa Code all contractors and other third-party entities must be aware of what actions violate Iowa Code 522C and Iowa Administrative Rule 191.55 regarding Public Adjusting when an Iowa consumer has a loss which involves the consumer's insurance company.

It is a potential violation when a contracting company uses terms or phrases similar or like the following:

“We are insurance claim experts.”

“We are an advocate for you against your insurance company.”

“At (Company name) we advocate for homeowners.”

“Committed to providing the best roofing solutions and insurance services.”

“At (Company name) we'll assist you with the claims process to ensure you get your full payment.”

“It is our responsibility to ensure that your claim is successfully submitted to the insurance company.”

“Our company is well equipped with experts who will help you in negotiations with the insurance company to make sure you get a good price for all your repairs.”

“We can interpret insurance coverage and assist with line-of-sight settlements with your insurance carrier.”

“Our knowledgeable Insurance claim specialists work through an easy claims process to help you get covered by insurance.”

“Our claim specialists are here to take care of your insurance claim.”

Contractor Insured Authorization:

“The purpose of this authorization is to enable (company name) to speak with the below named insurance company regarding the claim listed below.”

“(Company name) has trained professionals who will meet with your insurance adjuster, review the damaged areas, pursue your best interests, and help you through the entire insurance claim process.”



Insurance Division