

## **Storm Recovery Checklist**

By: Greg Vaughan, Esq.

This list was prepared, from the homeowner's perspective, to consider when recovering from a windstorm loss. Please consult a professional (i.e. builder, city building official, structural engineer, architect, and/or lawyer) if you have specific concerns related to your storm loss. The information contained herein is for informational purposes only as a service to the public, and is not legal advice or a substitute for legal advice.

### **Temporary Repairs / Protection of Property:**

- Before making any temporary repairs, photograph the condition of your home (inside and outside);
- Make temporary repairs to protect your home from further damage;
- Keep all related receipts;
- Purchase a spiral notebook and start a "claim notebook" to include all important dates, contact info, and action taken;

### **Report your claim to your Insurance Company ASAP:**

- Call your insurance company and report your claim—get your claim # (be sure to write down the name of the insurance representative and the date you spoke with him/her in your "claim notebook" );
- Locate a copy of your insurance policy to keep handy during the adjustment of your claim—if you don't have one ask your insurance company to e-mail or mail you a "certified copy" of your homeowner's insurance policy;
- As soon as you hear from your adjuster, make arrangements to be present during his/her initial inspection (write down the date/time, length of inspection, and items reviewed anytime your adjuster visits your property in your "claim notebook");

### **Inventory all missing / damaged property:**

- Make a detailed list of all items of missing and damaged property (use a checklist like the one found at [www.holstonvaughan.com](http://www.holstonvaughan.com));

- Gather any receipts (or photos) you may have to support the list;
- Never throw away any items of damaged property until you have discussed this with your adjuster (and documented in your “claim notebook” the date and conversation where the adjuster gave you approval to discard the damaged property);
- Make copies of any and all documents you provide to the adjuster to support your contents claim;

### **If your home is not habitable:**

- Secure your home to prevent theft;
- Tell your adjuster that you are not staying in your home during the repair process and get his/her approval to reimburse you for additional living expenses (document your conversation in your “claim notebook”);
- Keep all receipts that document your living expenses while you are away;
- Visit your home often to ensure that it is secure;
- Contact the local police department and ask them to step up patrols in your area;

### **Your initial meetings with your insurance company’s adjuster:**

- Inspect the home with your insurance adjuster (note date, name and physical mailing address of adjuster (and their employer if different from your insurance company), and summary of discussions, etc. in “claim notebook”);
- Before committing to a preliminary agreement as the “scope of the repair work” locate and interview several reputable contractors and other professionals if needed (i.e. “structural engineer”);
  - Contact the local Home Builders Association of Mobile for information related to properly licensed and insured contractors in the local area (Homebuilders Association of Metropolitan Mobile, 1613 University Blvd., Mobile, AL 36609, Ph. 251-661-6523, [www.hbamm.com](http://www.hbamm.com)) ;
  - You can also visit the Alabama Home Builders Licensure Board for a roster of local builders, [www.hblb.alabama.gov](http://www.hblb.alabama.gov);

- If you need an engineer, go online at the Alabama State Board of Licensure to locate a roster of local engineers: [www.bels.alabama.gov](http://www.bels.alabama.gov) ;
- Conduct online research related to the contractors/engineers at consumer review sites;
- Ask friends and family for trusted references;
  - Ask the prospective contractors for photos of past work and references you can call;
- Determine if your insurance adjuster and prospective contractors/engineers **agree** on the initial scope of the repair work (note all conversations in your “claim notebook”) ;
  - If so, ask the insurance company to confirm this in writing;
- If a disagreement occurs regarding the scope of the repair work ask your insurance company for documentation from a properly licensed professional that supports their position (note your request for this information in your “claim notebook”);
- Try your best to resolve your dispute with your insurance company informally before seeking legal advice;

### **Hiring the right contractors / design professionals to repair your home:**

- Locate and interview several reputable contractors and other professionals if needed (i.e. “structural engineer”);
  - Contact the local Home Builders Association of Mobile for information related to properly licensed and insured contractors in the local area (Homebuilders Association of Metropolitan Mobile, 1613 University Blvd., Mobile, AL 36609, Ph. 251-661-6523, [www.hbamm.com](http://www.hbamm.com)) ;
  - You can also visit the Alabama Home Builders Licensure Board for a roster of local builders, [www.hblb.alabama.gov](http://www.hblb.alabama.gov);
  - If you need an engineer, go online at the Alabama State Board of Licensure to locate a roster of local engineers: [www.bels.alabama.gov](http://www.bels.alabama.gov) ;
  - Conduct online research related to the contractors at consumer review sites;
  - Ask friends and family for trusted references;

- Ask the prospective contractors for photos of past work and references you can call;
- When speaking with contractor over the phone (before the first “face to face” meeting) ask them if they are properly licensed in the city and State, have liability insurance, have workers’ compensation insurance, and whether they will provide you with copies of this information at your first “face to face” meeting. If they refuse do not hire the contractor;
  - Design professionals like structural engineers will likely be insured under a policy titled “professional liability insurance” or “errors and omissions” insurance;
- Ask the contractor whether he/she will be using any “sub contractors” on the job, and if so, require that all subs provide you with proof of the proper licenses and all forms of insurance mentioned in the above paragraphs. Basically, make sure all sub’s have a license and form of insurance that you require of your general contractor;
- When you meet with your contractor(s) compile and store copies of all licensing and insurance information;
  - After the first meeting but before you sign a contract with any contractor, call the City of Mobile Revenue Department at 251-208-7462 to confirm that the contractor(s) is properly licensed;
  - After the first meeting but before you sign a contract with any contractor, call the State of Alabama Home Builder’s Licensure Board at 800-304-0853 to inquire whether the work you are having performed requires that the contractor have a state license (many times work that has a value in excess of \$10,000 requires a state license).
  - After the first meeting but before you sign a contract with any contractor, call the “producer” listed on the Contractor’s Certificate of Liability Insurance to confirm that the contractor(s) have current polices of general liability insurance and workers compensation insurance;
    - If you hire the contractor, ask the producer to add your name as a “certificate holder” and send you a copy of the certificate documenting your request;
      - You may also want to explore being named as an “additional insured” under your contractor’s policy but this may add to the cost of the project;

- After the first meeting but before you sign a contract with any contractor, call the City of Mobile Urban Development Department 251-208-7601 to determine what type of permit must be pulled for the work being done—you may have to meet certain requirements if you live in a Historic District;
  - Make sure the prospective contractor is familiar with the permitting requirements for your home;

**When you decide to hire contractor(s) negotiate a fair “written” contract between you and the contractor(s):**

- Make sure the contract itemizes and accounts for the type of work the contractor will be performing on your home—this is known as the “scope of work” of the contract (for example: “contractor will remove and replace storm damaged roof, flashing, underlayment, and all other items damaged on roof with quality materials and the work will be done in compliance with the local building code”);
- Make sure the contract spells out how and when the contractor will be paid;
  - Be cautious of requests by the contractor for “getting started” money “up front” before any work is done;
    - Most contracts require that the contractor be paid as the contractor completes a certain percentage of the work listed in the scope;
    - Make sure your insurance company will be issuing timely payments to you for the claim that is consistent with your obligations to pay your contractor pursuant to the terms of your construction contract;
- Are you expecting your contractor to pay for all materials—or are you responsible for the materials—either way, make sure it is spelled out in the contract;
- Is the contractor pulling the permit with the City of Mobile—if so, who is responsible for paying for it and make sure that obligation is spelled out in the contract;
- Make sure the contract entitles you to request a “punch list” to handle any remaining problems or items to be completed under the contract before the contractor is paid his/her final payment;

- Do you expect a warranty from your contractor—if so, make sure it's spelled out in the contract;
- If you have questions regarding a basic construction contract terms consult a lawyer;

### **The Repair / Re-building process:**

- Visit your home often during the repair process—enter the dates, progress of work, and any communications with your adjuster, contractor, etc in your “claim notebook”;
- Keep in constant contact with your adjuster about the progress of the work (enter the dates and substance of all such communications in your “claim notebook”) ;
- Be present during any inspections conducted by the city inspectors;
- If your contractor or engineer discovers additional damage related to the storm—contact the insurance adjuster and ask for guidance on how to proceed;
  - Photograph the additional damage and give copies to the insurance adjuster;
  - If the insurance company agrees to pay for the extra repairs document the approval in your “claim notebook” and ask them to confirm it in writing;
    - Then, enter into a written addendum to your construction contract (known as a “change order”) with your contractor to identify the extra work and how much and when you will pay for it;
    - If the insurance company does not initially agree to the extra work, try your best to resolve your dispute with your insurance company informally before seeking legal advice;
- Never sign a release (or any document that references “final payment”) in favor of your insurance company regarding any aspect of your claim until you consult with a lawyer;

### **What to do if you are low-income and need free legal advice:**

- Contact the South Alabama Volunteer Lawyers Program, 56 St. Joseph Street, Suite 312, Mobile, AL 36602, [www.savlp.org](http://www.savlp.org), **Toll-Free:** (855) 99-SAVLP;

- The South Alabama Volunteer Lawyers Program (SAVLP) is a 501(c)(3) nonprofit organization that provides free legal assistance in certain civil matters to low income residents of Mobile, Baldwin, Washington and Clarke counties;