

FLORES & PELAEZ-PRADA, PLLC
STORM DAMAGE LAWYERS
STORMLEX.COM

**SAY YES TO
YOUR PEACE OF
MIND!**

FORTIFY YOUR BUSINESS:

**PROVEN STRATEGIES TO SAFEGUARD
YOUR PROPERTIES FROM BEING
DENIED INSURANCE PROCEEDS**

CONTACT

(855) 786-7674
@stormdamagelawyers
info@stormlex.com

SUBSCRIBE TO OUR YOUTUBE CHANNEL!

**For Commercial Property Tips and
Insurance Policy Education!**

Scan the QR Code or find us
on YouTube:



@stormdamagelawyers



YOUR BUSINESS DISASTER PLAN

Prepared by Marco D. Flores, *Expert Property Damage Lawyer*

HOW TO	
PUT YOUR BUSINESS INTO DISASTER READINESS MODE	Disaster Readiness Mode <ul style="list-style-type: none">• Emergency Drills• Surveillance Cameras• Incident Reports
HOW TO	
TAKE ON THE PROPERTY DAMAGE CLAIM PROCESS	Property Damage Claims <ul style="list-style-type: none">• Contact the Police (if necessary)• Mitigate Damages• Contact Insurance Agent and File Claim• Contact Professionals (Contractor, Lawyer, Accountant)• Organize Documents
HOW TO	
DISPUTE YOUR CLAIM IF YOU ARE DENIED OR UNDERPAID	Prevent and Prepare for Business Disruption <ul style="list-style-type: none">• Reach out to Adjuster (and Agent)• Review Policy• Create a File and Document Everything• Litigation and Appraisal
OUR FIRM	
THE FLORES & PELAEZ- PRADA TEAM	Attorneys committed to standing up to insurance companies and negotiating settlements that will help rebuild and restore your business.

YOUR INSURANCE POLICY EXISTS TO GIVE YOU (AND YOUR BUSINESS) PEACE OF MIND IN THE FACE OF A DISASTERS.

After buying insurance (property damage, business loss, liability, etc.), you can prioritize business operations and growth.

However, due to potential challenges in the claims process, it is advisable to have a contingency plan, for several reasons:

- Keep your operations running as smoothly as possible in the face of disaster
- Navigate the claims process knowing you've held up your end of responsibilities in your policy
- Know how to dispute your claim when the insurance company denies or underpays you

PUT YOUR BUSINESS IN DISASTER READINESS MODE

#1

PLAN EMERGENCY DRILLS

Plan for likely events based on your specific situation, such as location, business type, customers, weather patterns, and industry trends. Conduct emergency drills for common scenarios like storms, earthquakes, floods, robberies, fires, etc. Designate a "point person" to oversee drill creation and execution.

#2

INSTALL SURVEILLANCE CAMERAS

Having pictures and videos of the event makes the insurance claim process easier. Install digital cameras, and assign someone to maintain equipment and footage, to manage the risk. Cameras also provide valuable information for insurance claims and help mitigate business risks by documenting evidence for potential lawsuits.

#3

IMPLEMENT INCIDENT REPORTS

Implementing an incident reporting system helps mitigate risk for business owners. Requiring staff to write reports of incidents and storing them in an organized system creates easily accessible records. Combined with video and photo evidence, this provides valuable information for managing insurance claims and lawsuits.



THE CLAIMS PROCESS

While we hope it never happens to you, the likelihood of facing a disaster or property damage is high. In such an event, taking certain steps can improve the chances of recovery, streamline the claims process, expedite resolution, and reduce the risk of claim denial or underpayment.



HERE'S A CHECKLIST TO MAKE YOUR LIFE EASIER:

Contact the Police

Most damaging events won't require you to do this but if it's truly a catastrophic event and there are hazardous conditions, contact the police. A police report can be valuable for insurance claims. Consider emergency medical and firefighting services if necessary. Post emergency service numbers visibly for staff reference. Designate a "point person" on staff to activate the disaster plan when needed.

Mitigate Damages

DON'T LET IT GET WORSE. Insurance companies use this as a reason to pay you less money. Take reasonable steps to protect the property from further damage or theft. Cover holes in the roof or windows with boards or plastic temporarily. Place buckets to collect water and arrange for temporary roof repairs. Keep receipts and document temporary repairs with photos/videos.

Contact the Insurance Agent and File a Claim

Refer to your insurance policy for claim instructions and share the relevant page with your designated "point person." Contact your insurance agent promptly to initiate the claim process and seek guidance if needed. Follow up until an adjuster is assigned and requests evidence of loss. Maintain a diary, log, photos, and videos documenting the event and damages, ensuring timely documentation when safe. Provide the adjuster with copies of evidence and keep original records with the business.

Contact Professionals (Contractor, Lawyer, and Accountant)

During the claims process, contact your contractor to assess the cost of property repair/replacement. Obtain at least three repair estimates to support the claim's value. If you disagree with the adjuster's decision or if your claim is denied, consult with a lawyer to assess the handling of your claim. Ambiguity in policy language can lead to claim denials. A lawyer can interpret the language and determine if coverage should have been granted. Legal expertise is crucial in resolving coverage disputes or disagreements over repair costs with your insurance carrier/adjuster.

YOU'LL WANT TO TRACK DOWN OR ORGANIZE THIS INFORMATION:

- **Evidence of damage:** Video footage and photos
- **Incident Reports:** From staff or others on the property
- **Police Reports**
- **Lists:** Of all damaged property and of lost documents (along with their corresponding value)
- **Business expenses:** Operational expense bills to document the business' regular expenses
- **Manuals and Warranties:** For purchased equipment
- **Invoices:** For Prices Paid for Damaged Property/Items
- **Receipts:** For any temporary repairs



More To Do's:

- **Get estimates from Contractors to Repair or Replace Damaged Property**
- Take safety precautions before entering the premises to retrieve or document items. Do not dispose of anything until shown to the police or insurance adjuster. Make copies of all relevant documents and items.
- Follow up with the insurance company on your claim and document all contacts in your log or diary. Consider hiring your own professionals to compare assessments with the insurance adjuster's values. Take the necessary time for a thorough claims process as some damages may not be immediately apparent. Seek assistance from an attorney or damage expert when reviewing the Proof of Loss document. If there are disputed damages, note it on the document or seek legal help. Utilize insurance proceeds to make the repairs included in the insurance estimate to maintain coverage. If repairs are not made, subsequent damages may not be covered.

DISPUTING YOUR CLAIM

Navigating the claims process can be stressful for business owners, especially when faced with claim denials or low settlement offers. Insurance companies may deny claims if they fall under policy exclusions or if they determine there are no covered damages. In such cases, the business may not receive the necessary funds to cover its losses and property repairs.



TIPS FOR DISPUTING A DENIED OR UNDERPAID CLAIM:

Reach out to the adjuster

Ask specific questions about policy coverage and justification for the amount paid. Inquire if additional information is needed to reconsider their decision and consider requesting a re-inspection by a different adjuster for a second opinion.

Review your policy

Understanding your policy is crucial for disputing decisions made by the insurance company. It also helps in gaining insights for future policy renewals to avoid similar issues. The policy allows you to understand how the adjuster calculated the amount paid towards your damage.

PRO TIP: Go to Flores & Pelaez Prada's YouTube Channel for tips on reviewing your policy.

Create a file and document everything

Maintain a detailed timeline of events since the loss, including reporting the claim, inspections, decisions, and correspondence. Keep a claims journal to document all contact with the insurance company, noting attempts and successful contacts. Thorough records demonstrate active involvement and policy fulfillment.

Litigation or appraisal

If dissatisfied with the outcome of the claims process, consider seeking legal assistance. Options include litigation through filing a lawsuit or exploring the appraisal process.

Let's talk more about what to expect when it comes to Litigation!



GOOD NEWS

In most states, insurance companies are responsible for attorney's fees if covered damages are unpaid, eliminating financial risk when hiring legal counsel.

For Loss of Income claims, engage an Accountant or Lawyer to assist in preparing necessary documents for proving the claim. Recovering lost income often requires expertise due to the policy's rigorous requirements.



Want to receive tips on maximizing your insurance claim? Subscribe to our email newsletter at: stormlex.com/newsletter

LITIGATION OR APPRAISAL

Litigation:

Hire lawyers on a contingency basis for insurance disputes without upfront costs.

Insurance companies may cover attorney's fees for unpaid covered damages.

Lawyers aim to resolve claims without lawsuits but should be prepared for court if needed. Most cases settle without a trial. Assess lawyer expertise and success rate by asking for references and seeing if Google Reviews are available online.

Appraisal:

Insurance policies allow both parties to use the appraisal process if they disagree on the claim payment.

Each party appoints an appraiser and pays their costs.

The appraisers assess the damage together and aim to agree on the payment, which can range from \$0 to the property's value. If they can't agree, an umpire may be hired for an additional fee to make the final decision.

However, the insurance company can accept or reject the appraisal award. In litigation cases, lawyers may cover the appraisal fees once you have representation. Otherwise, you will be responsible for paying your own appraisal fees regardless of the outcome.





FLORES & PELAEZ-PRADA

ATTORNEYS AT LAW

ABOUT OUR FIRM

At Flores & Pelaez-Prada PLLC, we have a proven track record of successfully recovering damages for our clients who have been victims of storm damage. Our dedicated, expert team is prepared to stand by your side and fight for your rights.

Living in the South-Central area of the United States means dealing with the all too frequent and violent nature of storms. Unfortunately, even as a diligent policyholder who has always paid your premiums on time, the insurance company may not always be there for you in your time of need. But don't lose hope!

If your property damage claim has been denied, delayed, or underpaid, you deserve an experienced attorney who will go above and beyond to fight for all the money your insurance company owes you. IT'S YOUR MONEY! Our expert property damage attorneys at Flores & Pelaez-Prada PLLC have a wealth of experience and a deep understanding of storm damage cases that results in the biggest recoveries possible.

MEET THE ATTORNEYS

We have been instrumental in advocating for our clients, tirelessly working to ensure they receive the compensation they deserve. We are committed to standing up to insurance companies and negotiating settlements that will help rebuild and restore your business.

Don't face the aftermath of a storm alone.

We are here to serve you in your time of need.

MARCO FLORES
Managing Partner

MANNY PELAEZ-PRADA
Partner

JAKE ROGIERS
Partner

STEVEN MARQUEZ
Attorney



JOIN THE STORMLEX ALLIANCE

We want to stay in touch with you!

By joining the Stormlex Alliance email newsletter you get high quality and lawyer-approved tips for protecting your business, property, and peace of mind.

stormlex.com/newsletter

**HAVE A CLAIM?
GIVE US A CALL:**

San Antonio Office
3522 Paesanos Parkway
Suite 301
San Antonio, TX 78231


(855) 786-7674
info@stormlex.com

Find us online at stormlex.com

Not ready to join?

Find us on social media where you can interact and learn with other business owners and homeowners alike!

Our YouTube channel features new videos weekly!

 Flores & Pelaez-Prada, PLLC

 @stormdamagelawyers

 @stormdamagelawyers

FLORES & PELAEZ-PRADA, PLLC
STORM DAMAGE LAWYERS
ATTORNEYS AT LAW

**THANK YOU FOR
LETTING US EDUCATE
AND SERVE YOU!**

BUSINESS DISASTER PLAN

CONTACT

(855) 786-7674
@stormdamagelawyers
info@stormlex.com

**DID YOU FIND THIS
TOOL VALUABLE?**

Scan the QR Code to leave a 5-star
Review on Google:



*Your review helps our firm to
reach more property owners who
want to get the most out of their
insurance claims!*

More resources at stormlex.com