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Saturday, 18 June 2011

Florida Water Mitigation Claims



News - Articles

Written by Patrick Russell

Florida Water Mitigation Claims Assignment of Insurance Benefits

Water mitigation companies and restoration service companies perform a very valuable service to Florida homeowners at a great time of need. This time of need is when the homeowner's home has suffered damages due to a flood, leak, broken pipe or fire. A water mitigation company answers the call to remove all the standing water from the home to minimize the damages. The mitigation company will also dry out the home and all of its cracks and crevices with dryers, extractors and other water humidity removal devices. Finally, restoration service companies remove soot, dust, and smell from a home and its contents as a result of a fire. In most cases, the water mitigation or restoration service company is instructed to go to the home by the homeowner's insurance company to minimize the damages to the home and to preserve as much of the home and contents as possible. When these type of damages are addressed sooner rather than later, the insurance company will minimize the amount of money it must pay since the damages will be contained.

A recent problem has arisen now when insurance companies deny the water mitigation claim or restoration services bill. Imagine the frustration when you are not paid after performing services that benefits everyone but yourself. The insurance company does not deny that the services were rendered or needed, rather it states the the underlying insurance claim by the homeowner is not covered under the insurance policy. Why should that make a difference to you? In any other industry you might call this a bait and switch. The fact is, if the water mitigation or restoration services were reasonable and necessary to make either temporary repairs or to preserve the property, they are covered regardless of the status of the insurance claim with the homeowner. An insurance company in the end cannot have it both ways. That is, the insurance company cannot require that a homeowner mitigate the loss and make temporary repairs or lose coverage for the claim but at the same time, deny a claim for those same exact efforts to mitigate the loss and to make temporary repairs. As such, a Florida water mitigation or restoration services company should not blindly accept an insurance company's blanket denial of their claim.

A solution to this problem for the Florida mitigation company or restoration service company is to secure an assignment of insurance benefits from the homeowner. The purpose of an assignment of insurance benefits is to place the water mitigation company in the shoes of the homeowner as an insured so that they can make a claim directly against the insurance company. The assignment of insurance benefits is a powerful tool that should not be ignored. With an assignment of benefits in hand, the mitigation and restoration services company can not only sue the insurance directly but get all of its attorney's fees paid by the insurance company should it prevail in Court.

We have extensive experience in handling Florida insurance claims against the insurance companies. Our [Florida insurance lawyers](#) have worked on both sides of the insurance industry, for and now against insurance companies. Let us use our unique experience to help you get paid for your Florida water mitigation claim or restoration services bill. We can implement a strategy for your company that utilizes a legal assignment of insurance benefits with a system for organizing and filing your claim. If in the end you are not paid in a timely manner, everything will

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About the Author: [Patrick Russell, Esq.](#) is a Florida insurance lawyer with Russell Law who helps Florida homeowners and mitigation companies with insurance claims in the State of Florida. If you need help or assistance with your insurance claim, do not hesitate to contact us at (305) 373-3826 or by [email](#) .

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