



**Roofing Contractors Association of Texas**

## **What You Can and CANNOT Do/Say as a Roofer Related to Insurance**

*Texas law **does not allow** a roofing contractor to act as a public insurance adjuster without a license, or advertise to adjust or advertise to adjust claims for any property for which the contractor is providing or may provide roofing services.*

### **Roofing Contractor Marketing Materials**

*(website, contract, social media, brochures, flyers, signage, etc)*

#### **DO (o.k. to say)**

- You are storm restoration experts
- You are roofing experts
- You are Xactimate experts
- List your various certifications, memberships and, if applicable, that you are licensed through RCAT

#### **DON'T**

- Don't say you are insurance experts
- Don't say you are experienced in dealing with insurance adjusters or in helping clients with the insurance claims process (this statement opens the door for claims of promising public adjusting services)
- Don't say you'll work with the insured's insurance adjuster, especially in relation to ensuring their repairs are covered
- Don't say you have licensed public adjusters on staff (even if you do – it's an optics issue)
- Don't list your public insurance adjuster's license on any materials, including business cards and contracts. In fact, TDI is cross-checking roofer names with public insurance adjuster licenses, so better not to even have a current license.
- Don't – to the extent possible – allow your customers/clients to post reviews that talk about how you helped them negotiate, settle with, or otherwise deal with their insurance company adjuster

## **When Speaking with the Insured's Insurance Adjuster**

#### **YOU CAN**

- Show the areas of damage and explain why you believe the damage is the result of hail, wind, storm, etc.
- Explain and answer questions regarding the scope of your suggested repairs and why each item of repair is necessary
- Identify additional items of work required due to code upgrades
- Answer questions regarding how the work was priced
- Explain your policy of charging OH&P on all work included in your bid

#### **YOU CANNOT**

- Discuss what the insured's policy may or may not, or should or should not, cover
- Insist that the insurance adjuster authorize any particular item(s) of work be included in the repair
- Engage in any discussions with the adjuster about why they have an obligation to pay for OH&P or any other items in your bid
- "Agree" with the adjuster on some form of modification to your scope
- "Agree" with the adjuster on some form of modification to your pricing

*A special thank you to RCAT member Karen Ensley for the above information and advice. If you have any questions or have a client whose claim has been underpaid or unfairly denied, you can contact Karen at 817.538.6894 or your own attorney.*