



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.

6080 S. HULEN STREET, SUITE 360 PMB 396, FORT WORTH, TX 76132

(800) 997-6631 TOLL FREE / (512) 251-7690 OFFICE / (512) 532-6665 FAX / WWW.ROOFTEX.COM