

Trade Association Sues Florida Insurance Commissioner for Allowing Property Insurance Companies to Circumvent State Law

~ Lawsuit asserts that state regulators approved policy changes denying statutory rights enacted by the Legislature ~

TALLAHASSEE, Fla. – With the Florida Legislature preparing to debate property insurance legislation during the upcoming special session, a nonprofit trade association advocating for the rights of homeowners and independent contractor businesses this week sued the Florida Office of Insurance Regulation and two insurance companies. [The lawsuit](#) asserts that Florida Insurance Commissioner David Altmaier improperly allowed the companies to circumvent state law in order to change customers' policies, violating state law and the Florida Constitution.

The Restoration Association of Florida (RAF) filed suit in Leon County Circuit Court, arguing that Altmaier violated public policy established by the Legislature when he allowed American Integrity Insurance Company of Florida and Heritage Property & Casualty Insurance Company to change consumers' insurance policies. Those changes restricted homeowners' rights regarding repair work and violated Florida's Homeowner Claims Bill of Rights, the lawsuit says.

"Every year, Florida homeowners and businesses pay the ever-increasing cost of property insurance premiums with the expectation that they will be covered when they need it most," said RAF President Richie Kidwell. "It's only then that they realize state regulators have allowed insurance companies to unjustifiably stack the deck against them and erode their ability to be made whole."

The complaint states that insurance companies have been allowed "to mount as many barriers as possible to homeowners receiving the proceeds of their policies for lawful claims while, at the same time, reaping the benefits of policy premiums paid by Floridians."

The association is seeking an injunction declaring the revised insurance policies invalid and allowing its members to continue to work with homeowners to perform necessary repairs or inspection services without the threat that these important activities would be restricted by the two insurance companies' revised policies.

Kidwell noted that insurance companies have reaped billions of dollars in profits over the last several years, even as homeowners and other property owners have suffered from escalating insurance premiums. He said home insurance-related lawsuits have reportedly declined as a result of legislation passed by the Legislature in 2021, but insurance companies have still refused to lower premiums.

"Insurance companies have shown a steady and repeated pattern of grabbing every dollar they can from consumers and then doing everything they can to keep that money for themselves, rather than lower rates for their customers," Kidwell said. "This must change if Floridians want to receive relief from skyrocketing insurance premiums."

To view a copy of the lawsuit, click [here](#).

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Restoration Association of Florida (RAF) is a nonprofit restoration contractors association with more than 110 members across Florida whose mission is to serve as an advocate for independent contractors who specialize in water, fire, and mold restoration. Learn more at www.raflorida.org.