

DRJ CLAIMS

INSURANCE CLAIM ASSISTANCE

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DANIEL R. JENKINS

RESIDENTIAL REMODELING SPECIALIST

GENERAL CONTRACTOR

CA LIC 482984 SINCE 1985

NOT A PUBLIC INSURANCE ADJUSTER

INVESTIGATOR - EXPERT WITNESS - APPRAISER

INSURANCE CODE - INS

DIVISION 5. INSURANCE ADJUSTERS [14000 - 16032]

(Division 5 added by Stats. 1980, Ch. 1190, Sec. 11.)

CHAPTER 2. Public Insurance Adjusters Act [15000 - 15062]

(Chapter 2 added by Stats. 1985, Ch. 1202, Sec. 1.)

ARTICLE 3. Regulation, Licensing, and Registration [15006 - 15032]

(Article 3 added by Stats. 1985, Ch. 1202, Sec. 1.)

15007.

A public insurance adjuster within the meaning of this chapter is a person who, for compensation, acts on behalf of or aids in any manner, an insured in negotiating for or effecting the settlement of a claim or claims for loss or damage under any policy of insurance covering real or personal property or any person who advertises, solicits business, or holds himself or herself out to the public as an adjuster of those claims and any person who, for compensation, investigates, settles, adjusts, advises, or assists an insured with reference to claims for those losses on behalf of any public insurance adjuster.

ARTICLE 3. 15007 IS UNCONSTITUTIONAL

Insurers hire licensed contractors for compensation to write estimates for restoration of real property, and appraisers for compensation to price personal property. Per Insurance Code Article 3 15007 the insured are barred from hiring these same professionals for compensation as are Public Insurance Adjusters.

The state allowing the promisor to a contract access to experts while the state denies the promisee of said contract the same access is unconstitutional.

The state tests and licenses Public Insurance Adjusters on their knowledge of insurance policies. The state does not require them to have any additional expertise yet the state allows them to write estimates to restore real property and to price personal property. Their purpose is to mediate on behalf of the insured but they lack the expertise to know what the real costs actually are and are denied access to those experts that do.

It should be up to the insured who will represent them for compensation in negotiating the settlement of a claim for loss or damage under any policy of insurance covering real or personal property limited only by the expertise of the representative(s). Public Insurance Adjusters should also be able to employ experts for compensation in their representation of an insured.

In my opinion licensed contractors should be able to assist for compensation the insured either directly or through a Public Insurance Adjuster. And the same should be true of appraisers.