



A Post Hurricane Eta Report from the Sunshine State: Perspectives from the Trenches” an IAQradio+ Roundtable.

This week, in the IAQradio+ tradition, we hosted a classic round table format podcast in the open mic “Around the Horn” style with an all-star panel of Floridians. Hurricane Eta plagued almost every major region of the Sunshine state for over a week with heavy rain, strong winds and power outages. Severe flooding and wind damage created a need for mitigation, roof cover-ups, temporary power requirements and a need for restoration and IAQ remedial services statewide. As in past hurricane seasons, these kinds of needs can often bring out the opportunists and national scammers who descend on ravaged regions to take advantage of the vulnerable. Radio Joe and the Z-man this week with IAQradio+ field reporter, the Restoration Global Watchdog got feedback from IAQ and Restoration professionals based around the sunshine state, who reported on what is happening on the ground in their region of Florida.

#607

A Post Hurricane Eta Report from the Sunshine State: Perspectives from the Trenches

Peter Crosa, David Drinard, John Lapotaire

Ken Larsen, Ken Siders, David Popper

Panelists

Peter Crosa (Adjuster/Claims perspective) is an independent insurance adjuster and past president of the National Association of Independent Insurance Adjusters (NAIAA).

David Drinard (Equipment Rental Supply Chain perspective), - Sunbelt Rentals, Inc., National Strategic Customer Manager.

John Lapotaire (IEP/ Expert Witness perspective) - is a Building Envelope & Indoor Environment Consultant providing IAQ consultation for commercial and residential properties.

Ken Larsen (RTPE /Restoration perspective) - has been in the restoration industry since 1978. His career includes 18 years as an independent property restoration contractor, consultant to restorative drying during catastrophes and large loss drying coordination and expert witness.

David Popper (Legal/Risk Management perspective) - DH Popper PA of Orlando, FL from 2016 to Present. He specializes in Commercial Litigation, Insurance Litigation, Construction Litigation, Real Estate Litigation, and Fraud and Suspicious Claims Litigation.

Ken Siders (IEP/ CAT Response perspective) - National Sr. VP of Environmental Services for Capstone Environmental (a Housecheck company) Mr. Siders has been active as a structural environmentalist for over twenty years.

Topics and discussion points:

- 1. What are you seeing in the field, how are claims being handled; comments on the entire gulf region from the hurricane season are acceptable if you have experience and projects outside of Florida from just Eta*
- 2. What is happening regarding availability in the supply chain, how has the COVID-19 pandemic affected the industry response and what kind of health and safety protocols are being employed.*
- 3. What kind of special contracts are being used in the COVID-19 era, are there any policy exclusions that are problematic and how are contractors managing risk and ensuring payment?*

4. *What kind of scams are you seeing, how about the national companies mobilizing to the disaster zones and are there any special local government jurisdictional issues people should be aware of and do you have any comments on FEMA's response, have they and the major carriers set up field offices in the hard hit regions.*

Peter Crosa

- As to catastrophes, Insurance companies are scrambling to get boots on the ground. Storm adjusters are overwhelmed. He received a call from an adjuster who had 5,000 claims in Oklahoma. Jokingly, he could have sent his 70 year older sister, who has no property claims experience, they needed help that bad.
- Adjusters need education and training. The restoration industry must train and advise insurance companies on industry standards.
- Peter, a former IICRC board member, previously curtailed his IICRC efforts to take care of needs at the independent adjuster's association. He opined that his former involvement at IICRC needs revisited. It would be helpful to have a page on their website dedicated to adjusters.
- Scams? He sees some exaggerated damage claims. The public has gotten wise and much has changed since the fly-by-night scams after Katrina.
- Negligence and incompetence are different. More and more mistakes are being made due to incompetence, e.g. insufficient claims personnel education. Insurance companies are more likely to be sued than restoration contractors.
- FINAL COMMENTS - Policyholder has the duty to mitigate the loss. What needs to be done should be done, and the expenses sorted out later.
- When working with a new adjuster, always get your estimate done quickly so the adjuster will be aware of the severity of the damages and what it will cost.

David Drinard

- Wildfires, derechos, Louisiana storms, COVID-19, along with hurricane response are keeping Sunbelt Rentals very busy. 600

tractor trailer trucks of equipment have been deployed. Has stockpiled filters for AFDs.

- FEMA? Providing power and air-conditioning equipment to FEMA contractors who have state contracts.
- In response to COVID, Sunbelt began social distancing, instituted a call-ahead “no touch” curbside equipment delivery. Sunbelt cleans equipment touchpoints before and after each rental. Historically, Sunbelt relied upon volunteers during catastrophes; this year Sunbelt needed to source additional labor from 3rd parties.
- FINAL COMMENTS: It’s been a very busy year.

John Lapotaire

- His firm provides advice to property owners. Relationships are key. With so many people providing emergency services, assessing and adjusting; trusted firms will be permitted to move forward without unnecessary delays and red-tape.
- Some unscrupulous mold assessors are taking advantage by taking 100’s of air samples on damaged properties prior to closing-in and stabilizing properties.
- Due to COVID a balance needs to be struck between tenant wants and what is actually necessary for re-occupancy. Availability of PPE has turned the corner, ordering on line and staying ahead of the curve.
- Scams? Categorizing all water intrusion from storm claims as Category 3 water. Some dishonest contractors are double billing by drying properties for several weeks and then removing the equipment and gutting the interiors of the properties. Pump jockeys taking 100’s of mold samples before properties are stabilized.
- FEMA? Not seeing as much of a FEMA presence as in years past.
- We work for property owners. We represent the best interests of the property. Our restoration plan is to restore in the shortest amount of time and a fair price.

This is where relationships are important. We don’t waste time waiting for the insurance company to approve our scope, the clients trust us, so we move forward. We’ll document the damage with video.

When an adjuster won't give us permission to move forward, we'll escalate up the insurance company's chain of command.

- FINAL COMMENT: Do what's right for the property owner. Restore in the shortest amount of time and at a fair price.

Ken Larsen:

- Relationships are very important. Adjusters are resorting to using 3rd party consultants. Many of these 3rd party consultants are inexperienced. Insurance companies are bringing 3rd party consultants into large losses that are being professionally handled. Inexperienced 3rd party consultants are slowing down or stopping work progress. Some 3rd party consultants are being escorted off jobsites. He is consulting on standards of care and practice.
- Serving along with Ken Siders on volunteer committees providing guidance on the protection, cleaning and disinfecting of occupied environments. Pay attention to the details, keep things clean.
- Scams? Some contractors are leaving buildings very wet after drying. Water related health hazards are real, some contractors aren't cleaning and sanitizing properly before drying.
- The restoration contractor knows what needs to be done. Insurance companies have the right to inspect or may withhold payment. Insurance companies have 90 days to accept the claim.
- FINAL COMMENT: Wear a mask to protect others.

David Popper:

- While a claim means everything to a homeowner, it may be just another case to a law firm. Claims for 'needy' homeowners can quickly go off the rails when owners don't get the attention and communication they need and deserve. Contractors must continue to communicate with their customers.
- In Florida, a Direction of Payment is now the same as an Assignment of Benefits (AOB). AOBs formerly served an important purpose allowing; contractors to stand in the shoes of the property owner to make the needed decisions to get things done. Over the course of many hurricanes AOBs have been abused and were outlawed except for limited circumstances in July 2019.

- Contractors need to avoid liens and litigating with property owners because even when the contractor wins, the mortgage company's interest will usually need to be taken care of first level behind inadequate funds for the contractor.
- In order to spread their risks, insurance companies only sell a limited number of policies in each zip code. COVID is everywhere and insurance companies can't raise premiums until renewal. He is watching insurance policy interpretation; two states are covering COVID contaminated surfaces as physical damage.
- Adding 'time is of the essence' and 'pandemic clauses' to his client's contracts.
- IICRC standards are not mandatory. No law requires work be performed to IICRC standards. IICRC standards may be relied upon by experts.
- When risks to people result in harm there is legal liability. Aspergillus and Stachybotrys are known to be harmful. Contractors are subject to great liability when they leave mold behind, it might even be criminal. Contractors may be subject to punitive damages. The value of many contractors' total assets is insignificant.
- FINAL COMMENT: Contractors, when the policyholder doesn't have the money and you aren't sure the insurance company is willing to do, start a writing campaign to the insurance company including the subject of 'bad faith'. Don't fall on your sword without a payment guarantee.

Ken Siders:

- Recent large loss experiences in Louisiana, Pensacola storms and derechos created such a dearth of adjusters that one insurance company is sending its desk adjusters into the field to handle large church losses. It's hurry up and wait as 'pressed into service field adjusters' unaware of industry standards and practices are stopping progress on claims due to their lack of technical knowledge and experience. Asking naïve questions such as can't we just leave the contamination in the walls in churches with daycare and elementary school?
- Has worked from Philadelphia to California and goes over the top with PPE on work sites: Tyvek suits, gloves, booties.

- Along the roads in storm drenched Louisiana are hundreds of handwritten signs offering mold remediation and cheap prices. These are slash and grab contractors who are preying on homeowners who need remediation work. In one case a homeowner paid an unscrupulous contractor \$90K to have a house gutted and treated, when Ken visited the site the inside of the home was moldy.
- FINAL COMMENTS: Masks don't protect men with beards.

The Global Restoration Watchdog, Pete Consigli:

- Major Long was the 2nd most influential person in fire damage restoration.
- Thanked the panel.

Z-Man final comment:

Yesterday, I learned that fire restoration pioneer Major Long, passed away. I wasn't surprised to learn that over 20+ years ago Peter Crosa had a large claim with a furrier and met Major Long who handled the restoration work well. Major Long was a class act.

Z-Man signing off

Trivia:

When did the US begin using female names for storms?

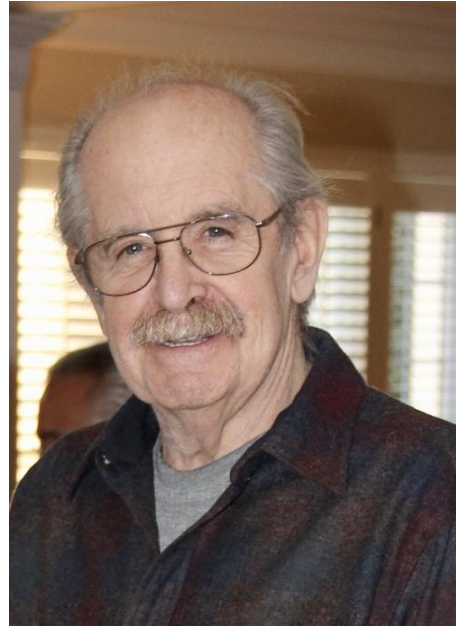
Answer:

1953

Answered by: Vic Cafaro, Richmond, VA

Major Impact

Major L. Long, Sr., 81, long time resident of Cashiers, NC died peacefully September 22, 2020. Major was born in Madison, WI on September 2, 1939 to the late Dr. Leonard Long and Florence Long. Major entered the construction business building spec homes with his father-in-law. From there he went into carpet cleaning and morphed into fire restoration calling his business Smoke Master.



Major was the disaster restoration industry's earliest, early adopter. So as not to compete with contractors who gave him work, by only cleaning contents and cleaning and deodorizing structures. He rented a small warehouse, for cleaning and storage of customer's smoke damaged personal property. He purchased boxes and moving supplies from local moving companies, where he first saw storage vaults. He felt storing contents in vaults was neater looking and more efficient so he adopted their use.

A key to his success was his self-confidence, "he knew no one else could do it and he knew he could."

His Atlanta business was doing very well so he expanded by opening additional Smoke Master offices in Tampa and Houston. He was first to franchise fire restoration only and quickly sold franchises in: Memphis, St. Louis and Joliet. He then spun-off his Tampa and Houston offices as franchises. At this point he was sued in Federal Court for trademark infringement by ServiceMaster.

More Disaster Restoration Firsts:

In the the mid 1970s; he was the first to use full color literature.

Years before laptops and tablets, he used a portable self-contained audio visual projector which used 35mm slides, narration and music to tell his story.

He was the disaster restoration industry's first technical consultant: Major ran a small classified ad in the RIA magazine, advertising his service to consult with pricing on large or unusual projects.

One project of which he is very proud was Jackie Gleason's Florida mansion. The home was spectacular in both size and appointment. The playroom had 4 full size pool tables. Gleason had a collection of 3,000 leather bound first edition books, valuable paintings and other fine arts.

Introduction of computer estimating: To assist him with estimating, in 1977 he purchased an IBM PC and developed a system of take-off sheets and worked with a computer programmer to develop an estimating program. He marketed his estimating system to other restorers.

His most proud business accomplishments, were his life as a restorer, volunteer service in RIA where he was the first restorer to be president, and for his stint as technical director when Marty King was on sabbatical. He retired from restoration in 1986,

Some of the adjectives that describe Major Long are: humble, kind, soft-spoken, generous, creative and bold. For some of us restoration old-timers, Major is the guy who made a Major impact on our careers.

He was the person who taught me the most about fire restoration. I'll never forget him!

Radio Joe and I interviewed disaster restoration pioneer Major Long on September 19, 2008. [Here's the link to the flashback of that show.](#)