



Show Number: 632

July 9, 2021

Kristy Cohen, Mark Springer, Katie Smith, Ed Cross & Jon Isaacson
"The RIA 75th Diamond Anniversary Convention Highlight Show"

This week we welcomed a cast of restoration all-stars for an update on the state of the industry following the RIA's 75th Diamond Anniversary Convention last week in Orlando, FL. RIA is the Big Daddy of the restoration industry and their convention is the highlight of the year.

Hot topics at this year's event included what RIA has identified as the top three issues facing contractors today: Pricing, Third Party Adjusters (TPA's) and Consultants. There was also a lot of talk about the RIA's Advocacy and Government Affairs (AGA) Committee which has now formed three task forces to create position statements that articulate a shared stance for the industry.

The AGA work product contains 10 total position statements including a groundbreaking TPA scorecard, hours of videos on pricing and a nationwide resource document on assignment of benefits. In the past year, RIA also released eight Third Party Consultant (TPC) position statements. These position statements educate restorers on best practices for working with consultants. There was also a town hall discussion on how RIA responded to the global pandemic, past president's panel with lessons learned and much more.

Guest BIOS

Mark Springer, CR

Mark Springer is the President of Dayspring Restoration, a company that performs restoration services in properties that are damaged by disasters such as water, fire, wind, or environmental damage. Dayspring performs these services across the great state of Montana where Mark has lived his entire life. The Dayspring family has grown to over 125 team members who work hard to delight their customers who have experienced property damage in their homes or businesses.

Serving in the communities that Dayspring operates in has always been a priority for Mark and he has been a board member for many not-for-profit organizations such as the Chamber of Commerce, children's outreach, hospital foundations, and medical research. Mark is also very passionate for the sustainability of the property restoration

industry. He is the President-Elect for the Restoration Industry Association, an international trade association that advances professional practices and advocacy for their members. Mark has been married to his high school sweetheart, Angie for 20 years and they have been in Montana accentuates the dream as he is able to pursue doing things he loves like downhill skiing, bow hunting, competitive shooting, and the mountains in general.

Ed Cross, Esq.

Ed Cross, “The Restoration Lawyer” has dedicated his 26-year legal career to the representation of restoration contractors across the country, and has recovered many tens of millions of dollars for them. He is the Restoration Industry Association’s Restoration Advocate, pursuing a fair and level playing field, legally and financially, for restorers and remediation contractors nationwide. He is the host of *Face the Advocate*, the show where restoration industry stakeholders respond to peer reviewed positions taken by the Restoration Industry Association. He recently released two books: *The Book on the Assignment of Benefit* and *The Book on Restoration Collections*. In June, he was awarded the Martin L. King Award, the restoration industry’s most prestigious award.

Katie Smith, CR

Katie Smith, CR is the second generation owner of PHC Restoration in North Carolina, an independent company committed to making a positive impact on its team, customers and community. Passionate about servant leadership and building relationships, Katie plays an active role both inside of her company and within the industry and serves as the Restoration Industry Association President-Elect and Chairwoman of the Advocacy and Government Affairs Committee.

Jon Isaacson

Jon Isaacson, “The Intentional Restorer”, is an author and host of The DYOJO Podcast. Jon speaks, writes, and coaches through his organization The DYOJO helping the start-up phase owners and growth-minded restoration professionals to shorten their DANG learning curve for personal and professional development. For over two decades Jon has been working in leadership roles with organizations in the construction, hazards abatement, and property restoration industries. Jon recently published two books, *Be Intentional: Estimating* addressing mindset and habits for insurance claims estimating and *Be Intentional: Culture* which is a collaborative work discussing how small things enhance or undermine your efforts to build a strong workplace culture.

Kristy Cohen, CEO

Kristy serves as the CEO of the Restoration Industry Association and Executive Director of NADCA, the HVAC Inspection, Cleaning and Restoration Association. Kristy has over 20 years of nonprofit experience driving organizational growth through strategic leadership. Her specialties include strategic planning, financial management, program development and volunteer management.

Kristy's motivation to deliver exceptional results for her association clients is driven by her passion for working with volunteer leaders, many of whom are entrepreneurs and small business owners. The opportunity to positively impact the growth and success of businesses and industries through a strong, innovative association is what Kristy enjoys the most about her work in association management. Kristy holds a Bachelor of Science degree in Political Science from Appalachian State University. She is a member of the Mid-Atlantic Society of Association Executives (MASAE) and the American Society of Association Executives (ASAE).

Nuggets mined from today's episode:

Kristy Cohen: The 75th anniversary had almost 700 attendees and 74 exhibitors. RIA has over 1,000 member firms. The AGA is the industry's unifying voice. Both members and nonmembers can report advocacy issues on the website. These issues will help shape the future direction of the Association. Some advocacy data is restricted to members only distribution. The 2022 Convention will be at the Peppermill Resort and Casino in Reno, NV.

Mark Springer: There was great energy at the RIA Diamond Anniversary event. It was great to see people face-to-face. The RIA 75th Anniversary convention kicked off with a 90 minute Town Hall session. This session was led by RIA President Mark Springer and included 12 other presenters who provided numerous updates on the many initiatives and projects that have been progressing since the last convention. Among the presenters, several representatives from IICRC spoke to the current status of the partnership that it and RIA embarked on in spring of 2019. Also, there was a significant amount of time dedicated to the efforts of the AGA as it pursues its mandate of advocacy for its members.

Katie Smith: AGA Committee Chair Update and thoughts on being RIA President Elect. Ed Cross was the first chair of the AGA committee. RIA has 1,000 members, the members don't have 1,000 problems; among RIA membership the universal 3 biggest problems are: pricing, TPAs and 3rd Party Consultants. RIA's pricing document was peer reviewed (e.g. J.S. Held). She offered a real world example of how she was able to explain to an insurance carrier why her pricing is the same in two different cities. Third party consultants cause payment delays. We are first to arrive on site we make good decisions and then need to justify them.

Ed Cross: Premiered the AGA Academy, familiarizing members with the tools and teaching members how to use and implement them. AOBs should not be judged by what has happened in Florida. Foremost among the tools is a 50 state reference guide and legal reference manual on AOBs and Bad Faith. He advises franchisees and TPA program members to review their agreements to determine whether AOBs are permitted. Restorers are suffering losses from delays, denials of coverage and bad faith actions. This is an existential threat to the insurance repair industry which needs to be dealt with on a national basis. Insurance companies can be forced to pay again if proceeds are misappropriated by policyholders. Adjusters are underpaying claims, using global pricing and failing to live up to the terms of the policy. Under a proper assignment of rights document, rights under the policy can be enforced. Policyholders don't have the resources to prosecute claims with insurance carriers. Under proper assignment of rights documents contractors can bill insurance company directly and be paid directly in case of dispute, the contractor can pursue the right to trigger appraisal or sue for breach of contract or bad faith. ED's dream for 2021 is for adjusters to understand and honor enforceable assignment of Insurance rights.

Cliff: Highlights from the Past President's Panel and recap of the "lessons learned".

Threats to the restoration industry:

- **Ongoing loss of control due to prescriptive industry standards.**
- Loss of respect due to prescriptive industry standard, the standard is now the de facto expert not the contractor.
- Prescriptive standards create uniformity of service, allow little opportunity for technical creativity, and allow no differentiation between service providers.
- Working on standards development, some committee members are gleeful every time they put the mandatory trigger word "should" into the document. They aggressively seek opportunities to insert these triggers.
- Special interests Indoor Environmental Professionals are worming their way into our standards, citing inherent conflicts of interest of restorers. IEPs with little to no experience in doing what we do, write the protocol that define what we must do? It's crazy. We need to stop abdicating and releasing control now!
- **Enemy within.** We've met the enemy and it's us. We must protect the organization from threats posed by those who seek to advance their business and financial interests by misappropriating organization assets. They need to be resected, AKA surgically removed.

Jon Isaacson: Thoughts from the perspective of a first time attendee and viewpoint of the next generation's "Intentional Restorer". It was exciting to meet people for the first time in person. The quote of the convention was made by Katie Smith thousands of contractors, not thousands of problems, we all have the same headaches. All restorers are welcome to participate, all RIA members benefit.

Katie Smith Convention Wrap up

While there may be thousands of contractors in America, the RIA knows there aren't thousands of problems. We've identified Pricing, TPAs, and Consultants as the top three issues facing contractors today.

The RIA's Advocacy and Government Affairs (AGA) Committee formed three Task Forces to create position statements that articulate a shared stance for the industry so we can speak with one voice to unite the industry.

The AGA Work Product Contains 10 Total Position Statements, A Groundbreaking TPA Scorecard, Hours of Videos on Pricing, and a nationwide resource document on Assignment of Benefits.

The RIA's most recent position statement addresses pricing. The topic is "Deviation From Standardized Price Lists." The Industry Stance: Insurance carriers and their partners should not prohibit deviations from standardized price lists. The paper is backed with numerous references from the major pricing software companies.

Last Year the RIA Released eight Third Party Consultant (TPC) Position Statements. Many people ask, "What is a TPC?" A consultant is usually brought in by the carrier during a large commercial loss, many times after work is underway or complete. These position statements educate restorers on best practices for working with consultants. The topics addressed are:

- The Role of the Consultant
- Project Control, Pricing Methodology
- Labor Rates and Classifications
- Evidence of Costs to Perform Work
- Evidence of Ownership of Equipment
- Undisputed Sums and Timeliness of Payment

These statements have been peer reviewed by Jon Held and the JS Held leadership team.

The first position statement released by RIA addressed Third Party Administrators and scope change requests that are not in line with the controlling documents. When a TPA tells a contractor to change their estimate based on "program requirements" that they can't find in writing, this paper lays out a process for the contractor and the TPA to follow to resolve the issue.

In October 2020, the RIA released the industry's first TPA Scorecard where we scored TPAs by Fees, Scoring and Standards, Contractor Services, Credentialing, Opportunities, and Volume & Geographical Representation. Almost 1000 contractors took the survey, and they also had the opportunity to provide open-ended feedback to each TPA. The TPAs have received a summary of the responses that includes their top three opportunities for

improvement. We are actively working to improve the contractor/TPA relationship and we will conduct the survey annually.

Where can contractors find these AGA Resources?

- All AGA Investors have received an Investor Report that includes all of the resources listed above.
- RIA members can access them at restorationindustry.org by clicking on Advocacy, then Members-Only AGA Resources.
- Anyone who invested in the AGA during the convention received an electronic copy of the Investor Report.

Jon Isaacson Convention Wrap up

Reflections on my first RIA Convention (in a long time)

I am writing this as I reflect on my time at the Restoration Industry Association (RIA) 2021 Convention and Expo. This event was packed with anticipation as it was the first in-person event since the shutdowns of 2020 as well as a celebration of the 75th anniversary of RIA's rise to become, in the words of Ed Cross, *The Restoration Lawyer*, "The oldest, largest, best funded and best organized association representing the interests of restoration contractors in the US and around the world." Many titans of our industry returned to reconnect with their peers, of whom they have worked side by side to tackle the issues shared by restoration professionals over these past decades. Katie Smith so eloquently characterized this common plight as she received the award for the 2021 Women in Restoration, "There are thousands of contractors, but we don't have thousands of problems. We all have the same major headaches." In the midst of celebrating all of this amazing history and looking to build upon the advocacy momentum of recent years, one nugget that stuck out to me was the power of humility.

The calm assurance of a humble achiever

How many countless hours and resources, literally blood, sweat, and tears, have been invested in the formation of our industry? It is beyond quantification. When you dig into property restoration history, you uncover innovators like those that [Pete Consigli](#), *The Global Watchdog*, dubbed "The Founding Fathers of Restoration" in his penultimate article from March 2007. Two of them, Lloyd Weaver and Martin "Marty" L. King, are no longer with us. Yet the other two faces on Mount Restoration, Cliff "The Z Man" Zlotnik and Claude Blackburn, along with many other incredible contributors, humbly walked the halls of this event. They don't introduce themselves as founders of marquee brands or creators of some of the most successful products and industry-leading processes. Their mark is embedded into the fabric of how dedicated restorers do business. Being around several of these persons of character reminded me that being humble does not mean thinking of yourself too lowly. Someone who thinks too highly of themselves caps their contributions with self-aggrandizement, and someone who thinks too lowly of themselves caps their contributions

with self-elimination. Claude and Cliff both spoke about seeing a need and having the willingness to attempt to help their fellow restorers find solutions to their problems.

Having the persistence to be helpful

Some young restorers, like myself, have discovered that it isn't easy to pierce the veil of what is perceived as the inner sanctum. I am still patiently knocking on doors that have only been cracking after many months of work behind the scenes to prove my intentions. I am thankful to call Pete, and several others, among my friends and growing acquaintances, but my progress hasn't come easy. It may be missed that even though many of these giants are friends, or friendly, now, this current reality does not mean that they didn't have their disagreements and interpersonal issues as they were each trying to do the right thing. As the industry matured, so did the need for codifying how upstanding restorers should conduct themselves. Out of these initiatives arose principles such as the industry standards of care, training programs, designations, and the RIA Code of Ethics. Rusty Amarante shared sentiments from the stage, that were echoed by others, that before you brag about how much money you are making you should first be proud of your ethics and the manner in which your team members do business as doctors of disaster.

Unity does not mean conformity

The property restoration industry has had its issues with collaboration, from top to bottom and all levels in between, wherever ego arises it erodes progress. Cliff Zlotnik shared something that was true *back then* and not surprisingly is still true of the modern era, "Change didn't occur very easy." He made this comment while talking about the development of the Water Loss Institute (WLI), at a time when water damage restoration was "the new kid in town." This is hard for modern restorers to believe as mitigation is one of the largest segments under the restoration umbrella of services in this era. The early water guys had to fight to elevate their representation and develop their educational opportunities. Many of them are humble warriors who have a calm assurance of what they were able to contribute and with whom they were able to find common ground in order to achieve their goals. Speaking of the value of RIA, Cliff noted, "The shortcut to growth is community." This aligns with our goal at The DYOJO Podcast to help restorers shorten their DANG learning curve. To the degree that our pioneering restoration alumnus operated *in a manner consistent with ethical principles and sound business practices*, they were able to achieve benchmarks such as consensus-based industry standards that have helped guide the development of our craft. This spirit of connecting over shared values and collaborating to conquer our obstacles is one that we must carry forward if our industry is going to continue to thrive and gain back some of the ground that has been lost.

Knowing when to listen

My favorite proverb goes, "I applied my heart to what I observed and learned a lesson from what I saw." I have to constantly remind myself to shut up and listen, especially when I am sitting with people who have forgotten more restoration truths than I am likely to obtain.

The internet has democratized information, in that there is no barrier to sharing your thoughts, but it has also created a lot of noise which can make it difficult to discern quality content. I would encourage anyone reading to seek out excellence through arenas where you can break bread with those who have endured the problems that you are facing. Unity does not mean that we all fall in line, which some may perceive as the key to being in the 'good ol' boys' club. I can guarantee you that restorers, even the old dogs, are not a monolith. Unity means that we have face-to-face discussions, not just to air perceived grievances, but to find common ground to move the greater good forward. As Mark Springer, and many others expressed, it's not about you, if it is it will only go so far. Give everyone the opportunity to show you who they are, rather than be shaped by perceptions, and show people who you are by rolling up your sleeves before you open your mouth.

RIA members adopt and abide by the following Code of Ethics

As providers of property damage restoration, remediation and cleaning services to the public, we subscribe to the following principles in our relationships with customers, employees and business associates:

- To treat our customers and their property with care and respect.
- To provide professional service in accordance with high standards of practice that will, where possible, restore the customer's property to its pre-damaged or pre-soiled condition.
- To operate in a manner consistent with ethical principles and sound business practice.
- To be proficient in our work through ongoing participation in education and training.
- To provide our customer with accurate information concerning the scope of work required and its costs, maintaining strict impartiality in our professional opinions.
- To disclose to the customer any connection we may have to their insurer or any other interested third party.

Ed Cross

RIA rolled out the first session of The AGA Academy, the training program where RIA teaches members how to use the tools created by AGA, including position statements, surveys, reports, videos and more. In this session, we did a deep dive into how to use the RIA's new 50-State Reference Guide on the Law of Assignment of Benefits and Insurance Bad Faith. We explained that Assignments are a transfer of ownership of rights from one party to another, and that in many situations restorers can obtain assignments of insurance rights to bill an insurance company directly and directly enforce the terms of an insurance policy.

On Day 2, we had a live session of Face the Advocate, the talk show where restoration industry stakeholders respond to peer-reviewed positions taken by RIA. We had a robust discussion with Jon Miko of Alacrity and Kevin Reilly of Westhill Global about the role of

the TPA, who is the client of the TPA, referral fees for jobs that were not referred by the TPA, pricing, and more. RIA is working with TPAs to improve the TPA/contractor relationship.

Kristy Cohen

RIA's 75th International Restoration Convention & Industry Expo was a tremendous success with nearly 700 attendees and 74 exhibiting companies. RIA is appreciative of the support we received from our event sponsors and exhibitors and the excellent engagement and participation of our attendees both in-person and via live stream.

It's an exciting time to be part of RIA, as the association is laser focused on addressing the biggest challenges facing restoration professionals through advocacy, education and elevating the industry. In 2021, we exceeded the 1,000 member mark and we've made significant progress with our advocacy work in developing key position statements, including the statement on deviation from standardized price lists.

We look forward to conducting another Third Party Administrator Scorecard Report survey later this year to assess progress in improving the contractor/TPA relationship. We'll be launching additional AGA Academy sessions to help restorers use the advocacy tools RIA has developed in their own business as they navigate challenges related to pricing, TPCs and TPAs. We encourage restorers to share their feedback and bring issues to the AGA via our online AGA issue submission form at www.restorationindustry.org. AGA is the unified advocacy team working on behalf of restorers and we use the input provided to shape the scope and focus of our advocacy work.

We invite the industry to save the date and join us in 2022 for RIA's International Restoration Convention & Industry Expo taking place April 11 - 13, 2022 at the Peppermill Resort Spa Casino in Reno, Nevada.

Mark Springer

Right before Covid, RIA switched management companies and then canceled the annual convention. Some silver lining to Covid: big companies have joined. RIA instructors volunteered time to pivot to remote learning. In Montana (population 1 million) there are 46,000 people on unemployment (the size of a city). People are staying at home collecting government subsidies and making more money than when they were working. Two competitors closed because they couldn't get staff. Hiring staff is the biggest challenge. Rusty Amarante said that the problems we had in the past are the same problems we have today they appear in a different form. The lasting economic challenges of Covid are not health related. Michael Dakduk, IICRC CEO said that RIA is IICRC's best partner. Existential threats threaten the industry of insurance repair, RIA has committed to member advocacy.

Round-Up

Global Restoration Watchdog Pete Consigli-

- Thanked Mark Springer for his leadership during unification with the IICRC.
- Honorable Mention to Jon Miko served on the RIA board and deserves an attaboy shout out.
- Jon also wrote an article in C&R magazine about the direction in which TPAs are going.
- Positioning, the battle for your mind book by Reis and Trout, RIA is in position and speeding down their lane.
- Restoration is really a higher level of detailed cleaning & deodorization.
- As RIA historian people often reach out to him.
- He is looking forward to RIA's future.

Once around the horn

Mark Springer - Be in touch with the pulse and needs of the members. Rusty Amarante said that the problems we had in the past are the same problems we have today they appear in a different form. The purpose of the AGA is to respond to carrier centric issues and to make the future sustainable for restorers.

Katie Smith - (RIA President elect) Mark Springer is an exceptional leader and speaker. He has high expectations of himself and of others. RIA is driven by a strategic plan. RIA will stay in its lane. She wants to make new members feel welcome.

Kristy Cohen - RIA has a focus on education, while the IICRC manages the certification process. RIA is working closely with IICRC on a restoration career path. Restoration skills need to be recognized and respected. Focus, don't chase shiny objects. New environmental program rolling out. Lobbying, the legislative piece of advocacy is coming.

Ed Cross - Ed loves Face the Advocate.. He is optimistic about Katie's administration. An RIA member has spent a considerable amount of time preparing a spreadsheet/document comparing Lowe's and Home Depot material pricing to Xactware and they have given it to the AGA to pursue action. Xactware is introducing a pricing analyst Golden Contractor program. The AGA is getting bigger and wider. AGA is an investment not a donation, we expect you to get your money back.

Jon Isaacson - Advice to Katie, weed through the noise. The shortcut to business growth is community. Bore witness to hearty behind the scenes conversations at the 75th RIA Anniversary.

Z-Man-

- "Every person owes a portion of their time and money to the industry where they earn a living." Teddy Roosevelt.
- In 1946 the association came together, for 75 years we stayed together, now we are working together for success.

Z-Man signing off

Trivia:

During the time period when Martin King was the association's technical director for restoration, who was the technical director for fabrics and textiles?

Answer:

Steven Spivak, PhD

Answered by Don Weekes