

Roofing and insurance: Know the law

Texas doesn't allow a roofer or contractor to act as a public insurance adjuster on insurance claims if they're also doing the work. You can't advertise that you would do so, either.

Avoid problem language and conduct

Make sure your websites, ads, and other materials don't say or imply that you will act as both a contractor and adjuster on a project. Examples of improper language or conduct include:

- Offering to negotiate claim settlements or file a claim for the policyholder.
- Promising to recover "every dime you are owed" from an insurer.
- Advertising to help homeowners avoid "incorrect settlement pricing."
- Telling others, including insurance companies, that you represent the policyholder or can speak for them on coverage issues.

Don't waive deductibles

It's also illegal in Texas for a contractor to offer to waive, rebate, or absorb a property policyholder's deductible. State law:

- Requires contracts for \$1,000 or more that involve an insurance settlement to include a notice that the policyholder must pay the deductible.
- Allows insurance companies to request proof from the policyholder that the deductible was paid.

Report violations to the Texas Attorney General at 800-621-0508.

Know the law

Insurance Code [4102.163](#): Prohibits acting as a public adjuster or advertising to adjust claims if you provide or may provide contracting services on the property.

Texas Administrative Code, Title 28, [21.102\(1\)](#): Defines advertisement to include a website.

Insurance Code [4102.001\(3\)](#): Defines a public insurance adjuster.

Insurance Code [Chapter 707](#): Requires a property insurance policyholder to pay the deductible and authorizes insurance companies to request proof of payment.

Business and Commerce Code [27.02](#): Prohibits waiving or rebating a deductible and includes a required notice on contracts of \$1,000 or more involving insurance settlements.