

Advertorials response submitted by:

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I would like to respond to Scott's Comment, Posted on August 31, 2011;

PA ADVERTORIAL – Need the whole truth!

Scott is right. Much has been said, and written, about the allegedly unsavory and/or unscrupulous practices of public adjusters practicing in Florida, most of it transparent drivel, and Scott's rant fits the pattern. However, were it not for the availability of public adjusters to aggrieved policyholders, to assist them in achieving fair and reasonable settlements of covered losses, many of Florida's citizens would be unable to repair their homes and businesses, because of the unscrupulous and dishonest practices, and on occasions, perhaps fraudulent practices of certain Florida insurance companies, who daily follow the Three Ds Doctrine – Delay, Deny and Defend, in flagrant violation of the principle of "Utmost Good Faith" which used to be the ruling doctrine of conduct, throughout the insurance industry, worldwide.

And, apparently, they do so with impunity.

In the very few instances in which "rogue" public adjusters have behaved unprofessionally and/or perhaps dishonestly, the Florida Department of Financial Services is right in taking appropriate action permanently to prevent those individuals from practicing, by revoking their licenses.

Scott complains that President Cuccarro of FAPIA "...never mentioned calling a lawyer. In some instances, the services of a qualified, duly licensed attorney can be helpful and their fees are usually recouped from the insurer". Scott, in his turn, failed to mention that attorneys fees may be recouped from an insurer, ONLY IF SUIT IS FILED, and a settlement results therefrom, whether or not the suit actually goes to trial.

Scott glibly stated: "...hiring a public adjuster often results in paying "again", especially the vast majority of situations when the hiring of a public adjuster is unnecessary to receive fair payment.

Scott ignored the findings of the Office of Program Policy Analysis & Government Accountability, an independent office of the Florida Legislature, which reported that policyholders who hire a public adjuster receive settlements between 500% and 750% more than

the insurance company wanted to pay to settle a claim. And Scott has the audacity to describe settlements without the assistance of a public adjuster, as “fair”!

Scott chooses to ignore the now almost universal practice throughout the Florida Property Insurance industry when handling property claims, known as the “Three Ds. – DELAY, DENY AND DEFEND. As standard practice in my office, i am now presenting every client who seeks our assistance, with a copy of the book entitled DELAY, DENY, DEFEND by Jay M. Feinman, Professor of Law at Rutgers University, as a gift with a request that they pass it on to a friend, when they have read it.

I have a question for Scott, and it is this: If the insurance industry is so fair and reasonable in its handling of property claims in Florida, why are they so terrified of public adjusters, to the point of actively trying to get legislation passed, with the aid of Scott and his lobbyist friends, to put public adjusters out of business.

My Father used to say: “If someone is attacking you, and you don’t think the attack is justified, calm down. Consider the source and all will be explained”. How right he was.

YOU WANT THE TRUTH, SCOTT? THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

HERE IT IS:

IF THE INSURANCE INDUSTRY PAID ITS CLAIMS IN ACCORDANCE WITH ITS PROMISES TO ITS POLICYHOLDERS, WHEN IT SOLD THEIR POLICIES, AND IN COMPLIANCE WITH FLORIDA STATUTE LAW, FLORIDA CASE LAW AND THE RULES OF THE FLORIDA DEPARTMENT OF FINANCIAL SERVICES, INCLUDING THE DEPARTMENT’S CODE OF ETHICS, THERE WOULD BE NO NEED FOR, OR BUSINESS FOR, PUBLIC ADJUSTERS..

I rest my case.

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