

NAPIA BULLETIN



National Association of Public Insurance Adjusters

Spring 2011



Atlantis Resort, Nassau, Bahamas

PUBLIC ADJUSTERS HIT THE BOOKS AND THE BEACH AT 2011 NAPIA ANNUAL MEETING

June might be the start of summer vacation for most students, but for public insurance adjusters who attend the 2011 NAPIA Annual Meeting, class is just getting started.

Although the location for the event changes each year (the upcoming convention will be held June 8-11 at the Atlantis Resort in Nassau, Bahamas), the goal for NAPIA members to become better at what they do through education and information sharing remains the same. A little networking doesn't hurt either.

At the Annual Meeting, several attorneys will be speaking on topics such as state government advocacy, windstorm roof damage and local regulatory developments. There will even be some science thrown in when Anurag Jain, a PhD who specializes in structural engineering, speaks about the impact of hurricane damage to buildings. In addition to gaining valuable knowledge, attendees will receive needed continuing edu-

cation credits. The event qualifies for five credits towards NAPIA's certification program as well as licensing requirements in most states.

NAPIA First Vice President Ray Altieri, CPPA, notes that this conference may be especially valuable for first-time attendees who can benefit from talking to some of the most successful professionals in the field. "This is your chance to get around some of the top public adjusters in the country who are experienced in resolving complex claims that the average adjuster may have not yet had the opportunity to handle," says Altieri. "New attendees can see how seasoned adjusters develop successful settlements for their clients. It's a chance to learn from the best in the industry while improving your professionalism."

If timely information, networking and CE credits aren't enough, family-friendly Atlantis offers everything from swimming with dolphins, to exploring marine habitats, to a 141-acre waterpark that features giant high-speed waterslides. Atlantis has an assortment of things to do that will appeal to all ages, including night clubs, casinos, a health spa, golf, restaurants, children's activities and more. "It's a special destination that has something for everybody," says Altieri. "If you've never been to a NAPIA meeting, then this is definitely the one to come to."

Since Nassau is outside of the United States, attendees traveling

from the US will be required to have a passport (travel tips appear online at www.napia.com).

The convention opens Wednesday, June 8, with the welcome reception and concludes Saturday, June 11, with the farewell dinner. The winner of this year's Paul Cordish writing competition will be recognized Friday evening

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INSURANCE SEMINAR OFFERS EDUCATION AND CREDITS

The March 23, 2011 NAPIA / CAPIA Insurance Seminar at the Marina del Rey Hotel in Los Angeles, California was attended by over 70 public adjusters and attorneys. The program included six sessions on matters important to first party property insurance claims professionals.



Ron Cook, Esq. conducts session at NAPIA/CAPIA Insurance Seminar

Featured topics and speakers were:

Recent Cases Relative to Public Adjusting Practices by Ron Cook, Esq., Willoughby, Stuart & Bening

Continued on page 2

Seminar from page 1

Industrial Hygiene Data, Sampling Strategy, Analytical Methods and Interpretation by Hamid Arabzadeh, MS, CHI, CSP, REA, CHMM, HRA Environmental Consultants, Inc.

Wind Damage to Structures by Dilip Khatri, PhD, SE, Khatri International, Inc.

A Primer on How to Prepare for and Complete an Appraisal by Ron Cook, Esq., Willoughby, Stuart & Bening

Proof of Loss and the Road to Bad Faith by Henri Tartt, Esq., Law Offices of Henri Tartt

Kirkwood v. CSAA - Case Study of Class Action Litigation Involving Improper Depreciation of Personal Property Under Insurance Code Section 2051 by Ivo Labar, Esq., Kerr & Wagstaffe LLP



Seminar attracts a large audience

CAPIA members Glen Nahmais and Terry Stept provided a brief update on current activities by the California Association of Public Insurance Adjusters. The Merlin Law Group was also represented with an exhibit at the event.

The seminar was approved for six continuing education (CE) credits for all SPPAs and CPPAs, as well as all state DOIs (including California). To receive CE credits, registrants attended the entire program and were required to sign in and out.

Post seminar survey results were overwhelmingly positive as attendees were pleased with the

location (Marina del Rey), property (Marina del Rey Hotel), seminar content, program format, meals and breaks. Though there were some differences of opinion regarding speakers and topics, all were rated above average. Suggestions for future topics included:

“Business interruption and extra expense.”

“I would like to hear more from Dilip Khatri. His topic was very interesting and intriguing.”

“The contents information provided by Ivo Labar is exactly what I need to know and I would relish having more input on the same subject.”

“I would like to see more practical application of technique and strategy for common issues.”

General comments included:

“The speakers were very good at grabbing and keeping my attention. I took pages of notes.”

“I appreciate the overlap among speakers in the area of proof of loss and bad faith.”

“Substantial compliance doctrine is a real hot topic relative to some active work files I have.”

The NAPIA Professional Education Committee strives to offer informative topics and speakers at education sessions, and input from attendees is important to this process. Thanks to all those who took the time to complete the on-line survey.



Dilip Khatri talks about wind damage to structures



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PRESIDENT'S MESSAGE

Jack Kunz, SPPA

I am happy to report that there has been a great deal of activity since my last message, starting with our successful Mid-Year Meeting in Miami, Florida. One of the highlights of that event was presentation of the Person of the Year Award to Randy Goodman of The Goodman-Gable-Gould Company/AI. Congratulations to Randy who has worked tirelessly for the Association over the many years he has been a member.

NAPIA has implemented a New Public Adjuster Promotional Membership Program that offers introductory rates for company membership and also provides a category for a temporary individual membership. Both of these have been well received, with nearly a dozen new companies joining NAPIA and almost the same amount of applications currently pending. So far, two individuals have taken advantage of the individual member offering.

The NAPIA Long Range Planning Committee met in January and developed several programs for recommendation to the Board to enhance Association growth and improve member services.

The Certification Committee is working closely with The Institutes (AICPCU) to revise the NAPIA Certification Program process and expects to have the new program in place by this summer.

David Barrack and his staff are continuing to work on and fine tune the NAPIA website and expect this project to be completed in the near future. Until then, there are new links posted on the site that provide

important information related to Association activities.

We continue to be confronted with many legal and legislative issues in Alabama, Arkansas, Florida, Mississippi, Pennsylvania, West Virginia and elsewhere. Brian Goodman will have more on this in his message.

Be sure to register soon for the June 8-11, 2011 Annual Meeting as we anticipate a large turnout.

Annual Meeting from page 1

during the annual banquet. The NAPIA golf tournament tees off Thursday afternoon at the Ocean Club course adjacent to the resort. Registration fees for this optional event include greens fees, cart rental, lunch, refreshments and prizes.

Atlantis has an assortment of things to do that will appeal to all ages, including night clubs, casinos, a health spa, golf, restaurants, children's activities and more.

Spouses and guests will enjoy an organized shopping tour one morning on Nassau's famous Bay Street as well as a unique spa opportunity at Atlantis.

To register for the convention, visit www.napia.com and use the on-line registration link shown in the box on the home page. To reserve a room in the Royal Towers at Atlantis, call 888-877-7525 or 954-809-2100 and request the NAPIA rate of \$290 single/double. You can also use the resort's online room reservation link listed on the NAPIA website. Other important links are listed there as well.

Still have questions? Contact NAPIA at 703-433-9217 or info@napia.com.

2011 NAPIA ANNUAL MEETING SPONSORS AND EXIBITORS RECOGNIZED

Continental Machinery Company, Dallas, TX

Hodes, Pessin & Katz, P.A., Towson, MD

Huber, Slack, Houghtaling, Pandit & Thomas, LLP, New Orleans, LA

Merlin Law Group, Tampa, FL

The Voss Law Firm, The Woodlands, TX

Wilkofsky, Friedman, Karel & Cummins, New York, NY

DONATIONS MADE TO CHARITABLE FUND

We are saddened to note the passing of Past Pres. Bruce Swerling, SPPA, FPPA of Swerling Milton Winnick Public Insurance Adjusters, and Jane Lewis, wife of Past Pres. Harvey Lewis of Lewis & Associates, Inc.

Charitable donations were made as follows:

Paul Cordish Memorial Fund

(In the name of Bruce Swerling)

DePiano & Todisco Adjusters, Inc. Massachusetts Association of Public Insurance Adjusters

Will Goodman Foundation

(In the name of Bruce Swerling)

Adjusters International (Seattle) Adjusters International, Inc. - CO Robert & Eileen Sill

(In the name of Jane Lewis)

Adjusters International (Seattle)

Contributions may be sent to NAPIA at 21165 Whitfield Place, #105, Potomac Falls, VA 20165. Checks should be made payable to the Paul Cordish Memorial Fund or the Will Goodman Foundation.



COUNSEL'S CORNER

Brian S. Goodman,
Esq.

As I write this status update, NAPIA is working hard in many states to develop licensing laws and/or to protect public adjusters in states that have licensing and want to amend existing licensing bills. The former finds NAPIA hard at work in the states of Arkansas and Alabama to secure comprehensive licensing in the 2011 legislative session. The latter sees us working diligently in Florida, Texas and Pennsylvania, which are states that have a long history of licensing and protecting our right to work and practice in a proper and ethical way. Thanks to our national officers and local leaders in these states for their valuable assistance with these projects. Unfortunately, our efforts did not succeed in Arkansas, but the work there continues.

NAPIA is also very involved in certain administrative, litigation-related and regulatory proceedings, whereby we are doing all we can to protect the right to practice public adjusting and to preserve ACCESS to our services for consumers and commercial insureds. There are constant and strong attacks on the profession now, and we are doing all we can to mobilize and present credible defenses to these efforts that threaten our right to work and assist insureds in resolving their claims. Please remember to let us know early when problems arise in your state.

To that end, there are significant developments, most of which are positive, in states that are finally policing the Unauthorized Practice of Public Adjusting, particularly roofers and contractors. The State Insurance Departments of North

Carolina, Oklahoma, Minnesota and others have issued recent directives forbidding unlicensed individuals and companies from trying to do what only licensed public adjusters can do. We are working with other State DOIs to make this consistent throughout the country.

Much time, effort and money has been spent over the past six years to do the above. As a result, public adjusters may work, legally, in numerous states where that was not possible before. Hopefully, more states will be in the licensing column soon as well.

Thanks to all for your interest and support. I will present a more current summary of all this at the June convention.

NEW ON THE NAPIA WEBSITE!

Go to www.napia.com or click on

[NAPIA Legislative Blog](#)

[Scholarship & Research](#)

FUTURE MEETINGS SITES & DATES

2011 Annual Meeting

Atlantis Resort
Nassau, Bahamas
June 8-11

2011 Mid-Year Meeting

Arizona Biltmore
Phoenix, AZ
December 1-3

2012 Annual Meeting

The Grand Del Mar
San Diego, CA
June 20-23

2012 Mid-Year Meeting

The Ritz Carlton
San Francisco, CA
November 29-December 1

2013 Annual Meeting

Westin La Cantera
San Antonio, TX
June 19-22

2013 Mid-Year Meeting

Encore
Las Vegas, NV
December 5-7

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MIAMI MAKES MID-YEAR MEETING MEMORABLE

Sitting in class isn't so bad when the classroom is located in South Beach. At least that's what 90 public adjusters and other insurance professionals claimed after attending the December 9-11, 2010 NAPIA Mid-Year Meeting at the Ritz-Carlton Hotel South Beach in Miami, Florida.

With five education sessions that provided six continuing education credits, all seminar sessions were rated highly by attendees; however, the destination was the real winner with over 70 percent of all survey respondents categorizing South Beach as "excellent."

Situated on Miami's most famous stretch of ocean front and just steps away from the best shopping, dining, nightlife and people watching the area has to offer, attendees called the Ritz-Carlton "world class," "fantastic," and "very nice" in their exit surveys. Good things were also said about the event's speakers and topics.

In his presentation, "NAIC and Insurance Regulation," John Morrison, Esq., updated attendees on current NAIC regulatory matters related to the public adjusting profession. Delaware State Deputy Insurance Commissioner Gene Reed also spoke about the NAIC Model Public Adjusting Act; which NAPIA played an important role in establishing.

Joey Childress, Ray Kirby and Don Wessinger of Childress Engineering Services presented "Building Codes: Truth or Consequences;" Richard Reynolds of Management Analysts, Inc. spoke about "Data Loss: Property Coverage for the Bits & Bytes;" Jeffrey Schulman of J.D. of Dickstein Shapiro LLP discussed "Crime/Fidelity and Proof of Loss for PAs," and NAPIA Counsel Brian Goodman, Esq. gave his semi-annual report

on state legal and legislative initiatives of importance to public adjusters.



2010 NAPIA Person of the Year recipient Randy Goodman, SPPA

While insurance industry representatives attended educational sessions, spouses and guests visited The Villa by Barton G, the luxurious home of the late Gianni Versace. At the world renowned designer's former house; which is now a boutique hotel, participants enjoyed a sumptuous breakfast and narrative tour by the estate's docent.

Randy Goodman, SPPA, of The Goodman Gable Gould Company /AI was presented with the 2010 NAPIA Person of the Year Award at a reception on Friday evening, December 10. David Barrack and Brian Goodman delved into his past to share a few entertaining experiences. They also recognized him for his selfless service on behalf of the Association.

The 2010 NAPIA Mid-Year Meeting featured a number of event sponsors and exhibitors, including: Childress Engineering Services; Continental Machinery Company; Doherty Georgeson LLP; The Drying Team, Inc.; Merlin Law Group, and Rolyn Companies, Inc.

The next Mid-Year Meeting will be held December 1-3, 2011 at the Arizona Biltmore in Phoenix, AZ. For details about the resort, visit www.arizonabiltmore.com.

NOTICE OF PROPOSED BYLAWS AMENDMENT

The following amendment to Article VI, Section 1 of the NAPIA Constitution & Bylaws will be voted on by the membership at the June 8-11, 2011 Annual Meeting at the Atlantis Resort in Nassau, Bahamas.

(Deletions are lined through).

ARTICLE VI MEMBERSHIP

Section 1. Individuals, firms and corporations who, or which, act as public insurance adjusters, as previously defined in Article V, on a full time and professional basis, and who are qualified and entitled to act in such capacity under the laws of the state in which they are engaged, and who fulfill all of the other requirements of the Association, shall be eligible for membership. ~~provided that such individuals, firms, and corporations shall have been so engaged for at least two (2) years prior to admission to membership. In those states which license public insurance adjusters, said two (2) year period shall be computed from the date on which an applicant for membership first received such license. Any applicant for membership who has been enrolled as a Regular Member with a member firm shall, when his association with such member firm terminates, become eligible for membership immediately upon becoming independently so engaged. Any applicant for membership who has been enrolled as an Associate Member with a member firm shall, after he is no longer associated with such member firm, become eligible for membership when he has been independently so engaged for at least one (1) year after his association with such member firm terminated, provided that the aggregate of the period of such association with a member firm and the period~~

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NEW MEMBERS

NAPIA welcomes the following new PA Firms, PA Individuals and Affiliates:

PUBLIC ADJUSTING FIRM

Accurate Public Insurance Adjusters

(R) Robert Borg
Naples, FL

Adjusters International, Inc.

(R) John Marini
Utica, NY

Empire Public Adjusters Inc.

(R) Loy Vickers
McKinney, TX

Insurance Claims Recovery Support

(R) Scott Friedson
Lakeway, TX

Loss Consultants, LLC

(R) Brian Molineaux
Gilbert, AZ

Rapid Public Adjusters, Inc.

(R) Hector M. Rodriguez
Miami, FL

Rubin & Rosen Adjusters

(R) Jimmie Guercio
Brooklyn, NY

Terry E. Stept Company

(R) Terry Stept, CPA
Los Angeles, CA

PUBLIC ADJUSTER INDIVIDUAL

Patrick Jackson

North Highlands, CA

Anthony Luparello

Rego Park, NY

AFFILIATE INDIVIDUAL

Andrew Swartz

Safeguard Advisors
Midland, TX

Bill Lee Voss, Esq.

The Voss Law Firm, P.C.
The Woodlands, TX

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~~of being so independently engaged following the termination of such association with a member firm shall aggregate at least two (2) years. However, any applicant for membership who has been enrolled as an Associate Member with a member firm shall, after he is no longer associated with such member firm, become immediately eligible for membership when he becomes associated with another member firm, and said one (1) year waiting period shall not be required or applicable.~~

The Executive Committee, in addition to the powers conferred on said Committee by Article XIII, Section 1, is authorized to formulate and adopt rules and regulations concerning requirements for and admission to membership, subject to the preceding requirements aforesaid.



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LOOKING BACK AT THE 2010 NAPIA MID-YEAR MEETING



October 17-19, 2011
Crowne Plaza Hotel
Warwick, RI

Featuring Keynote Speaker
Greg Serio

Former Superintendent of Insurance for New York

**"9/11/01—Ten Years Later:
Lessons Learned..."**

FPCC offers 36 speakers addressing 24 topics of interest to professionals involved in the first party property insurance claims community. Attendees will receive 12 CE credits in just two days.

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FIVE BENEFITS OF NAPIA MEMBERSHIP THAT CAN PROMOTE YOUR BUSINESS AND SAVE YOU MONEY!

Several benefits that help NAPIA members get a big bang for their membership buck include the following:

Referrals – Whether by phone or by e-mail, NAPIA headquarters receives hundreds of inquiries each year from insureds seeking help from a public adjuster. These home and business owners are directed to the “Find an Adjuster” section of the website that allows visitors to search for companies by state. Hundreds more bypass headquarters and go directly to www.napia.com when seeking to hire a PA. Just by being listed, members increase their chances of obtaining valuable referrals.

Legislative Representation – In order to help members stay on top of legal and legislative issues that could adversely affect their livelihood, frequent updates are

provided via e-mail alerts, the new Legislative Blog, and timely cases published in the Professional Update section of the NAPIA Bulletin. The Association also undertakes and funds regional and national initiatives that benefit members and the public adjusting profession.

UPS Shipping Discounts – NAPIA members are eligible for discounted UPS shipping rates. With no obligation to ship and no enrollment fees or contracts to sign, companies can receive some of the lowest shipping rates available. For complete details or to sign up, [click here](#).

Money Off for FC&S Online – FC&S is a valuable tool for staying informed about the first party property insurance profession. NAPIA members can save 15 percent when purchasing an online subscription, thereby gaining the knowledge that can help them respond to challenging insurance issues and successfully serve their clients.

To subscribe, call 800-543-0874 and provide the coupon code – NAPIA2011.

Promotional Material – “The Professional Public Insurance Adjuster – Working for you ... on your side,” is a brochure that describes how public insurance adjusters can help insureds navigate the complex claims process. It also conveys the prestige and professionalism that comes with being a member of NAPIA. Available to members only, the brochure can be used to help solicit a loss and to explain the practice of public adjusting.

2011 ANNUAL MEETING

Atlantis Resort
Nassau, Bahamas
June 8-11, 2011

[Register Online](#)

[Resort Room Reservations](#)

[Meeting Registration Packet](#)

[Atlantis Travel FAQs](#)

[Resort Guide](#)

MERLIN LAW GROUP IS A PROUD SUPPORTER OF NAPIA

In 1985, Merlin Law Group Founder and President William F. “Chip” Merlin, Jr. addressed the National Association of Public Insurance Adjusters at its Annual Convention in Carmel, California. In the twenty-five years since, Merlin Law Group has proudly supported NAPIA and its membership.

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