



INFORMATIONAL MEMORANDUM

OIR-08-08M

ISSUED

August 21, 2008

Florida Office of Insurance Regulation

Kevin M. McCarty, Commissioner

To Residential Property Insurers in the State of Florida Deductible Applicable to Tropical Storm Fay Claims

The purpose of this informational memorandum is to remind property insurers that Tropical Storm Fay has not been declared a hurricane by the National Hurricane Center of the National Weather Service.

Tropical Storm Fay is currently classified as a windstorm event that is **unrelated** to a hurricane. Section 627.4025(2)(a), Florida Statutes, specifically defines “**hurricane coverage**” as coverage for loss or damage caused by the peril of windstorm **during a hurricane**. Insurers are hereby noticed that hurricane deductibles shall not apply to property losses associated with a Tropical Storm Fay claim.

All insurers must apply the deductible that is unrelated to hurricane, generally referred to as the “all other perils deductible” or “other than hurricane deductible.” An insurer that fails to apply the appropriate deductible is subject to administrative action.

To view information regarding deductibles, the National Flood Insurance Program, and other important insurance related matters, please visit <http://www.floir.com/>.

If you have any questions regarding this memorandum, please contact Mike Milnes, Deputy Director of Property & Casualty Product Review, Florida Office of Insurance Regulation at Michael.Milnes@floir.com or (850) 413-5306.