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July 7, 2011

**VIA EMAIL**

Mr. Mike Milnes, Deputy Director, Property and Casualty Product Review  
Mr. Steve Fredrickson, Assistant General Counsel  
Florida Office of Insurance Regulation  
200 E. Gaines Street  
Tallahassee, FL 32399-0350

Re: Proposed Revisions to **Form 01R-B1-1802**  
Recommendations of **Secure Enterprises, LLC**

Dear Mike and Steve:

Thank you for allowing this additional opportunity to provide the Office of Insurance Regulation (the "Office") with recommendations on revisions to Form 01R-B1-1802, on behalf of my client, Secure Enterprises, LLC ("Secure" or "Secure Door").

Secure's recommendations are limited to modifying the section on "Opening Protection" in a manner that provides one or more checkboxes to recognize non-glazed garage doors and other entry doors that are wind-pressure rated, but not impact rated, and then only in those parts of the state where approved for use under the Florida Building Code ("FBC").

It is my observation that the Office has placed a high priority on getting the form revised, which is very much appreciated.

Per your request, below we comment on both draft forms. In addition, we comment on the recommendations of others and provide some additional reasoning. Please note that our references to the recommendations of others are in no way intended to suggest that they endorse Secure Door; but they do support (or do not oppose) the type of change in Form 1802 that is advocated by Secure.

**COMMENTS ON FORMS**

**Form #1 - ARAProposedRecommendations6202011.pdf.** Section 7, Group E, identifies "Non-glazed door meeting FBC wind pressure requirements" and then provides check-offs for "Entry Doors" and "Garage Doors."

Secure endorses this approach.

**Form #2 - OIRFormComments06202011.pdf.** In Section 9, as replacement for its previous recommendation, Secure substitutes and recommends the following language, that might best be placed after Group D, as follows (proposed change highlighted in yellow):

SUITE 600  
301 SOUTH BRONOUGH ST. (32301)  
POST OFFICE BOX 11189  
TALLAHASSEE, FL 32302-3189  
TEL 850-222-7717  
TEL 850-577-9090  
FAX 850-222-3494  
FAX 850-577-3311  
gray-robinson.com

FORT LAUDERDALE  
JACKSONVILLE  
KEY WEST  
LAKELAND  
MELBOURNE  
MIAMI  
NAPLES  
ORLANDO  
TALLAHASSEE  
TAMPA

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- D. **All exterior openings** are fully protected with windborne debris protection devices that cannot be identified as Miami-Dade or Florida Building Code (FBC) product approved. This does not include plywood/OSB or plywood alternatives (see Answer "H").

The following exterior openings meet the requirements for wind pressure (under any of Florida Building Code TAS 202, Miami-Dade PA 202, ASTM E 330, or ANSI/DASMA 108):

- All non-glazed garage doors  
 All other non-glazed exterior doors

#### COMMENTS ON RECOMMENDATIONS OF OTHERS.

Representatives of the P&C industry appear to support (or do not oppose) Secure's position:

**Sunshine State.** Sunshine State Insurance Company provided the Office with the comments of Mr. Do Kim, Do Kim & Associates, LLC (dated June 10, 2011). On page 4, Mr. Kim said he was "against" the original recommendations of Secure with respect to Section 9 of Form #2. Subsequent to the June 10 letter, I provided Mr. Kim and Sunshine State with Secure's revised recommendation for Section 9 (the one immediately above), and Sunshine State advised me that it no longer objected to Secure's recommendation as revised.

**Steve Roddenberry.** In his letter to the Office of July 5, 2011, commenting on Section 7 of the ARA form (Form #1), Mr. Roddenberry states:

#### Item 7. Opening Protection

. . . To be comprehensive, "Non-glazed door not meeting or unknown as meeting FBC wind pressure requirements" and "Windborne debris protection missing in some openings" should be added to the table with correlating descriptions. These additional table items are intended to address concerns with garage doors. Frankly, garage doors cover a home's largest opening. If they do not meet the FBC or are not otherwise protected against wind pressure and are not impact resistant (when and where required), a credit reflecting complete opening protection should be withheld. [emphasis added]

Secure is very comfortable with Mr. Roddenberry's recommendation and comments on Section 7.

#### ADDITIONAL REASONING.

Here are some of additional reasons for supporting this proposed change:

- i For insureds with limited budgets and the insurance industry in general, a reinforced garage door (even if not impact-rated) is far better than no reinforcement at all. See [www.esteeming.org/mysafefloridahome/openings\\_section3.php](http://www.esteeming.org/mysafefloridahome/openings_section3.php).

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- i From the IBHS Engineering Guide - Fortified for Existing Homes: "For garage doors without glazed openings (windows): Provide a garage door assembly . . . that meets the design wind pressure for the site..." [www.ibhs.org/content/data/file/feh\\_engineering-guide.pdf](http://www.ibhs.org/content/data/file/feh_engineering-guide.pdf) (page 31).
- i Florida Emergency Management, Hurricane Retrofit Guide: For homes located outside the windborne debris region, "the code only requires that the replacement door be pressure rated – that is rated for the design wind pressure appropriate for that location. . . ." "Vertical bracing systems can be effective for supporting the door against wind pressure loading . . ."  
[www.floridadisaster.org/hrg/content/openings/openings\\_index.asp#Garage Doors](http://www.floridadisaster.org/hrg/content/openings/openings_index.asp#Garage_Doors).

The sources above do not suggest that wind-pressure-rated-only is favored or preferred; rather, they recognize that garage and other entry doors, even if only FBC wind-pressure rated, are affordable alternatives to doors that are both wind-pressure and impact rated (in parts of Florida). This is why it makes perfect sense to modify Form 1802 as recommended above. And, if I may borrow from IBHS' holistic approach to mitigation, the entire house needs to be protected.

**CONCLUSION.**

Secure's proposed change and the ARA Section 7 alternatives are good public policy. In addition, the Office is aware of Secure's legal reasons for making this change, which are set forth in the petition filed in DOAH Case No. 11-2054RX and which are incorporated herein by reference for purposes of the Office's record.

Please let me know if you have questions.

Very truly yours,



**Perry Ian Cone**

cc: Mr. Jack Stumpff, President, Secure Enterprises, LLC