

# ALABAMA CONDOMINIUMS – FAQ FOR HURRICANE SALLY CLIENTS

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## Answers to Your Frequently Asked Questions



Many of our clients in Alabama who own or provide representation to condominium properties are faced with many questions as they navigate their Hurricane Sally claim.

Condo owners with questions about their condominium property and insurance claim near the Alabama coast should refer to this list of commonly asked questions.

These are questions referred to us by the condominium boards we are representing and **do not necessarily apply to all claims of similar nature in the Alabama Gulf Coast.**

For further questions, please do not hesitate to contact Jansen Adjusters/International or your HOA/HO6 insurance broker for more information.

# FAQ for AL Hurricane Sally Clients



**Who pays for damage to the inside of the AC unit?**

If it is related to the outside matching or the inside being wet, then the HOA policy should pay for this damage as an appliance or fixture inside the unit. The condominium by-laws also have some language to this effect.

**Who pays for damage to the outside of the AC unit?**

Typically, it is the HOA who pays for the damage.

**Is hiring a public adjuster to handle a property damage insurance claim covered by insurance?**

It is not. This is a direct cost to the HOA under their proceeds.

**Can the board levy an assessment without a vote by owners?**

Yes, according to bylaws it must do so in emergency cases.

**Why are we paying a \$500,000 assessment when we have a \$130,800 deductible?**

The amount of the assessment is usually based on the deductible and the expected uncovered losses that the storm has caused. Most boards will take that shortfall into consideration to avoid a second assessment in the same calendar year.

**Will I still have to pay an assessment if I do the interior work myself?**

Yes, everyone shares on the deductible and uncovered costs assessment.

# FAQ for AL Hurricane Sally Clients



## Who pays for **cabinet** replacement?

In Alabama, the HOA policy pays for the basic cabinets that came with the units when they were originally sold. Damages to the betterments made over the years are paid by the HO6 policies.

## Will they be able to match my existing **cabinets**?

There is a possibility of saving existing doors and hardware so they can be matched. But if they cannot be matched, the HO6 policy should respond with payment to match. Each policy is different, so we recommend you reach out to your agent on this topic.

## Who pays for damage to my **car**?

The association does not pay for damages to cars.

## Who pays the general **contractor**? Is it covered by insurance?

The general contractor is paid by insurance unless there are portions of the damages that are not covered, and you ask them to perform that work.

## How can I get a copy of the **Association's** insurance policies?

Please refer to the HOA website where most of them are posted.

## Who pays for warped **exterior doors**?

They will be presented as part of the claim to the HOA insurance carrier.

## Who pays for **drywall** inside my unit?

It will be presented as part of the claim to the HOA insurance carrier.

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**Can I repair the **drywall** myself and get reimbursed?**

It is not recommended, if the repairs are not done under a uniform contract, there is a risk that the insurance company might not pay for them or severely discount them based on accepted market pricing.

**Who will replace my **insulation** if it was wet?**

This will also be presented as part of the claim to the HOA insurance carrier.

**Who pays for the **elevator**?**

The HOA insurance policy will answer for the elevator damages if they are associated with damages from the hurricane and the damage assessment made by the elevator company proves it.

**Who pays for **water damaged electrical** panels, switches, and lighting fixtures?**

The electrical panels will be submitted to the HOA policy. Light fixtures depend on the language of your specific policy but most of the policies we have read to cover original fixtures under the HOA policy.

**What is **flood damage**?**

According to FEMA, a flood is a complete or partial inundation of two or more acres of land, from inland or tidal waters; or from a rapid accumulation of surface waters from any source; or mudflow. So technically, under a National Flood Insurance Program (NFIP) policy, you would likely be covered if this is your claim.



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## Can I hire my own **contractor** and/or do the repairs myself?

For the original mitigation, removal and drywall repair the HOA must hire a single contractor that will be responsible to all parties. From there the rebuild of cabinets, special flooring and such will be managed by each individual owner with their contractor under certain association rules about building times and procedures.

## Who pays for **floors**?

Basic floors are included within your HOA policy, but upgrades are covered under the HO6 policy.

## I had **carpet**, but I would like to **upgrade** to wood. Can I pay the difference?

Yes. See next answer also.

## Can I replace the **floors** myself?

Once the mitigation is done, the flooring can be installed by each individual owner. If there was damage due to the storm the claim would be handled by both the HOA policies and the HO6 policy for the betterment portion of the cost.

## Who pays for **broken furniture** caused by **contractors**?

The contractor is responsible if the furniture was not broken by the storm.

## Who pays for **damaged furniture** caused by **water**?

Furniture is not covered by the Association policy and should be filed under the owner's HO6 Policy.

# FAQ for AL Hurricane Sally Clients

## **How** will I be **paid** for my property damage and/or loss?

Once the Association has received all assessments, paid outstanding bills, and received the insurance claim payments, it will distribute the allowances per unit for the interior damages to your individual unit based on your current by-laws and regulations.

## What is a “**wind created opening**?”

Direct damage due to wind or flying objects that punctures or creates permanent damage to the exterior of building envelope, including window frames and doors.

## Who paints the **walls**? What color?

The contractor will usually leave the walls with a primer and a first coat of a base white. The paint is up to each unit owner to perform and claim under their HO6 policy.

## What is “**wind-driven rain**?”

Water intrusion to your unit with no visible building damage to the exterior envelope. The best way to gauge this is if it rains posterior to the storm (for example the two severe storms that hit the coast in late October) and the window is no longer leaking, then the effect of the windstorm was what created the leak. That doesn't necessarily confirm the window/door were not damaged to some extent by the hurricane, but it does clarify the visual wind-driven rain issue.

## When can I stay in my **unit** or schedule **renters**?

The timeline for each complex is based on the amount of total damage to the building and the common areas and how long it will take to repair those.

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**Will the **outside of the building** be repainted and covered by the policy?**

If there is evident damage from flying debris and scrapes to the coating, yes it should be covered under the policy and repainted by the HOA.

**Who pays for **cabinet** vanity removal?**

The HOA pays for it if the cabinets were removed due to water damage from the storm.

**Who pays for the "**drying out**" process?**

The HOA policy pays for this within the policy limits inside each individual policy.

**Who pays for electricity used in the "**drying out**" process?**

Your HO6 policy should reimburse you for the spike of excess electricity used during that time when construction was ongoing at your unit. You must prove the difference by providing them with year-over-year bills.

**Will the **roof** be repaired or replaced?**

This depends on the amount of damage made by the storm and the findings made by:

- 1) the insurance adjuster,
- 2) the public adjuster, and
- 3) the hired engineers to inspect.

Each roof has different assemblies and the storm impacted them differently.

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## When will **drying and remediation** be complete to my unit?

This depends on the level of damage suffered by each unit. Most contractors are trying to finish the units with lesser damage first so that they can be released. The units with larger damage will most likely take a few months until doors and windows can be delivered which usually have a much larger lead time for delivery. Most of the windows and doors also must be brought up to local codes which require re-engineering the entire door assembly.

## Who pays for **leaky windows**?

This is an HOA cost, but it is limited by the wind-driven rain endorsement, if visual damage to the window is not found, most boards have engaged window and fenestration experts to find and prove the damage to the insurance company if it is there.

