



CONSUMER RIGHTS NOTICE

WHAT IS A PUBLIC ADJUSTER?

You (“the insured”) are not required to hire a public adjuster when you file a property insurance claim, but you have the right to do so.

Property insurance policies obligate the insured to present a claim to his or her insurance company for consideration. There are 3 types of adjusters that could be involved in that process. The definitions of the 3 types are as follows:

- (A) "Company adjuster" means the insurance adjusters who are employees of an insurance company. They represent the interest of the insurance company and are paid by the insurance company. They will not charge you a fee.
- (B) "Independent adjuster" means the insurance adjusters who are hired on a contract basis by an insurance company to represent the insurance company’s interest in the settlement of the claim. They are paid by your insurance company. They will not charge you a fee.
- (C) "Public adjuster" means the insurance adjusters do not work for any insurance company. They work for the insured to assist in the preparation, presentation and settlement of the claim. The insured hires them by signing a contract agreeing to pay them a fee or commission based on a percentage of the settlement, or other method of compensation.

HOW IS MY PUBLIC ADJUSTER COMPENSATED?

If you choose to hire a public adjuster, you are responsible to pay them for their services according to your public adjuster contract. The insurance company will not cover the cost of hiring a public adjuster because a public adjuster is not a representative or employee of the insurance company.

A public adjuster may also receive compensation from contractors or other services providers they refer you to. If your public adjuster receives such compensation, they must provide you with a written disclosure that specifies the amount they will receive. They must also provide a written disclose if they have any direct or indirect financial interest in a business they refer you to.

If the property damaged is a personal residence, the total compensation your public adjuster receives is capped at 10% of the total payments made on your insurance claim. If the property is something other than a personal residence and the damage was the result of a catastrophic event, the total compensation your public adjuster receives is capped at 10% of the total payments made on your insurance claim, unless your public adjuster receives written approval from the Director of Insurance to charge you more.

CONSUMER COMPLAINTS

Public Adjusters working in Illinois are licensed by the Illinois Department of Insurance. You may submit a consumer complaint about your public adjuster on the Department’s website at <http://insurance.illinois.gov> or by calling (866) 445-5364. The Department may assist you in resolving your complaint with the public adjuster and can take regulatory action against a licensee for violations the Illinois Insurance Code or Department Rules.¹

You are also entitled to the protections granted by the Consumer Fraud and Deceptive Business Practices Act including the right to file a civil lawsuit against your public adjuster if you suffer actual damages as a result of a violation of the Act.²

Signature of Insured: _____

Date: _____

¹ Article XLV of the Illinois Insurance Code, [215 ILCS 5/1501 et seq.](#), and Department Rule 3118, [50 Ill. Admin. Code 3118](#).

² Consumer Fraud and Deceptive Business Practices, [815 ILCS 505](#).