

Shutters may no longer be optional

A bill would require homeowners to buy storm protection in order to get any type of building permit.

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Published April 10, 2007

TALLAHASSEE - People who own homes along the coast valued at more than \$300,000 may have to open their wallets a lot wider when they want to have a fence built, their roof repaired, or do any kind of work that requires a building permit.

A bill passed out of the Senate Banking and Insurance Committee Monday proposes that starting Jan. 1 coastal homeowners who need a building permit for any reason must also buy hurricane shutters.

And even if homeowners have no work planned, they may still have to shop for shutters.

The bill also would require that those same coastal homes will not be eligible for coverage under state-backed Citizens Property Insurance unless they have shutters.

The bill's sponsor, Sen. Bill Posey, R-Rockledge, said matching grants of up to \$2,500 are available through the My Safe Florida Homes program, "and \$2,500 should more than cover cost of shutters."

But numbers provided by the Florida Alliance For Safe Homes FLASH, a nonprofit that promotes disaster preparedness, showed that \$2,500 is about the average cost for only the cheapest protection - temporary panel shutters.

Far less expensive plywood is not an acceptable protection under the My Safe Florida Homes program, said a program spokeswoman.

The bill has at least one more committee stop before it reaches the Senate floor. It also lacks a companion bill in the House.

Gov. Charlie Crist said he had not heard about the shutters requirement until Monday. "But it certainly sounds wise," he said. "It sounds like a smart thing to do."

The Senate also unveiled in a separate bill Monday its own round of fixes to the special session legislative package, which included a few of the same fixes that have drawn criticism in the House.

The bill removes some consumer protections for those businesses that purchase commercial property insurance. For example, the state's consumer advocate would lose the ability to review and give a grade to commercial property insurers. Also, the bill changes provisions that force companies to pay claims within 90 days of receiving them to apply only to residential policies, not commercial policies.

When Sen. Ted Deutch, D-Delray Beach, questioned Posey about protections for small business owners, Posey said he'd be willing to work with him to include allowances for smaller businesses whose claims should not take a long time to process.

But what drew most attention Monday was the proposal to tie the purchase of hurricane shutters to building permits and Citizens policies.

During the special session, the Legislature had already strengthened building codes in the wind zones, requiring all new construction be built with protective coverings on every window and door.

This bill would go even further, forcing more existing homes to meet the same requirements.

Citizens, by far the largest property insurer in coastal areas, insures about 240,000 homeowners in the Tampa Bay area.

The affected area includes nearly the entire Florida coast. In the Tampa Bay area, the region typically lies west of U.S. 19 in Pasco, Hernando and Citrus counties.

The region does not include Hillsborough County, but does include all of Pinellas, home to about 104,000 Citizens policyholders.

Shutters can cost anywhere from about \$2,000 to more than \$25,000, depending on the number of windows and type of protection. And forcing homeowners to buy them could present a financial burden for many.

The counter-argument, Posey said, is that Florida insurance companies, including Citizens, paid about \$36-billion in property damage claims after the eight hurricanes of 2004-05.

That led to massive rate increases and policy cancellations, a problem lawmakers tried to address in January by allowing Citizens to compete with the private market, and insurance companies greater access to the state-backed reinsurance fund.

But both measures also placed the state at far greater risk for losses should several major storms hit the state this year, and instead of premiums being lowered an average of 24 percent, the average savings are about 11 percent.

"We have the perfect storm set up for the economic future of this state," Posey said during the meeting. "If the people of this state make a commitment to harden their property to the best of their abilities, hurricanes will not be a major threat and the hurricane crisis will be solved."

"This is an issue of insurability," added Sen. Don Gaetz, R-Niceville. "It's a piece of legislation that will do more to reduce rates than anything we did in special session.

"This calls for personal responsibility."

House insurance expert Rep. Don Brown, R-De Funiak Springs, said he understood the idea of requiring homes insured by the state-run insurer to meet stronger building codes, because all insurance policyholders subsidize Citizens customers to some extent. Requiring Citizens policyholders to meet mitigation standards reduces the financial risk for all Floridians.

However, he didn't fully understand the idea of forcing other homeowners to buy and put up storm shutters without first figuring out what other types of vulnerabilities they have. Brown says that's why he's a major proponent for home inspections to pinpoint the best way to strengthen homes.

"If the roof is going to come off anyway, just saying, 'They must put shutters on,' is ... well, let's just say they need to rethink that," Brown said.

Times staff writer Shannon Colavecchio-Van Sickler contributed to this report. Tom Zucco can be reached at zucco@sptimes.com or (727) 893-8247.

What's next

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