

# EYE ON THE STORM



## HURRICANE PREPAREDNESS GUIDE



OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION





MESSAGE FROM ATTORNEY GENERAL PAM BONDI

Dear Fellow Floridian:

The past two hurricane seasons brought multiple storms to Florida destroying homes, scattering debris and causing devastating flooding throughout our state. This year's season is also predicted to be an active one. That is why it is important to start preparing now for the 2018 Atlantic Hurricane Season. My Hurricane Preparedness Guide provides a detailed essential supply checklist and other useful information you may need at your fingertips in the event of a hurricane.

Our great state is home to more than 21 million residents and is a popular destination for tourists from around the world. Their safety and the safety of you, your family, and your property during this volatile season are of utmost importance. Just as important is the need to ensure that Floridians are protected from unscrupulous businesses and individuals seeking to take advantage of vulnerable consumers during times of disaster.

When a State of Emergency has been declared as the result of a natural disaster, Florida law prohibits so-called "price gouging", defined as extreme increases in the price of essential commodities, such as food, water, hotels, ice, gasoline, lumber and necessary equipment. Florida law also prohibits unfair and deceptive trade practices. In the aftermath of a damaging hurricane, unscrupulous contractors, roofers, and other service providers may attempt to defraud or unlawfully overcharge consumers for their services. My office is charged with enforcing both the price gouging and unfair and deceptive trade practice laws in our state. To help you avoid being scammed by those who seek to take advantage both before and after a storm, I've provided this guide. It includes important tips to help ensure that you are not the next victim of a scam.

We are here to serve and protect you. My office stands ready to help. Anyone who believes they may have been the victim of a hurricane-related scam, please call 1-866-9-NO-SCAM (1-866-966-7226) or visit [www.MyFloridaLegal.com](http://www.MyFloridaLegal.com).

Sincerely,

Handwritten signature of Pam Bondi in black ink.



## Resources

It is important to prepare as much as possible BEFORE a tropical storm or hurricane. These resources can help you before, during, and after a disaster. Please note that some resources may only be accessible after a State of Emergency has been declared and may be limited by impact severity and region.

### Pre-Storm Preparation:

- For information on preparing for a hurricane or other disaster, visit the Florida Division of Emergency Management at [www.FloridaDisaster.org](http://www.FloridaDisaster.org).
- Additionally, explore the Federal Emergency Management Agency's (FEMA) disaster preparedness resources at [www.Ready.gov](http://www.Ready.gov).

### Health, Safety and Shelter:

- In the event of a medical emergency or apparent criminal activity, call **911**.
- If you have an immediate housing need, text **SHELTER and your ZIP code to 43362** to find a FEMA shelter in your area or visit [www.FEMA.gov](http://www.FEMA.gov). You may also visit the Florida Division of Emergency Management at [www.FloridaDisaster.org/shelters/](http://www.FloridaDisaster.org/shelters/) for an index of Florida shelters by county.
- If you have an immediate need for food, water or shelter, call the Red Cross at **1-800-RED-CROSS (1-800-733-2767)**.
- To see what storm-related watches, warnings or advisories are in affect for your area, visit the National Oceanic and Atmospheric Administration at <https://Alerts.Weather.gov> and scroll down to select the state or county of your choice.
- To determine whether your county or neighborhood is under a boil water notice or for additional information on ensuring water is drinkable, visit the Florida Department of Health at [www.FloridaHealth.gov/environmental-health/drinking-water/index.html](http://www.FloridaHealth.gov/environmental-health/drinking-water/index.html).
- The U.S. Department of Health and Human Services offers a toll-free, multilingual and confidential support services hotline 24/7 through their Disaster Distress Helpline at **1-800-985-5990**.
- To find out what referral services are available in your community, call **211**.

### Financial Relief:

- Those experiencing financial losses due to a hurricane may be eligible for FEMA Disaster Assistance. To determine your eligibility or to apply for assistance, visit [www.FEMA.gov](http://www.FEMA.gov) or call **1-800-621-3362** or **1-800-462-7585 (TTY)**. There is no fee to apply or to receive assistance.
- Immediate Foreclosure Relief may be available from the U.S. Department of Housing and Urban Development to individuals located in federally-designated disaster areas. For more information visit [www.HUD.gov](http://www.HUD.gov) or [www.HUD.gov/Espanol](http://www.HUD.gov/Espanol).
- In the event of a disaster, the Governor has the option to activate the Emergency Bridge Loan Program via an Executive Order. A bridge loan, facilitated by the Florida Department of Economic Opportunity, is a short-term, interest-free loan offered to support businesses that experience physical or economic damage due to a hurricane. For more information, visit [www.FloridaDisasterLoan.org](http://www.FloridaDisasterLoan.org).
- Disaster loans may be available from the U.S. Small Business Administration to qualifying businesses to cover losses not fully paid for by insurance or other relief methods. For more information, visit <https://DisasterLoan.SBA.gov>. There is no fee to apply or receive assistance.



- Disaster Unemployment Assistance may be available through the Florida Department of Economic Opportunity to qualifying Florida residents whose jobs were adversely affected due to a hurricane. For more information, visit [www.FloridaJobs.org](http://www.FloridaJobs.org) and enter “Disaster Unemployment Assistance” in the search box at the top of the page.
- The Florida Department of Children and Families may offer additional, emergency services to Floridians during times of disaster. For more information, visit [www.MyFLFamilies.com/disaster](http://www.MyFLFamilies.com/disaster).
- Contact your lenders, financial institutions and service providers to see what programs they may offer. Following a hurricane or other disaster, many businesses institute programs to ease the financial burdens on their customers during the aftermath by restructuring or delaying payment plans, waiving late fees, forgiving overages and more. From mortgage servicers to phone plan providers, contact the institutions you use to determine what your options are. Be sure you understand any requirements the programs may have, such as additional fees, accrual of interest, the doubling of your next monthly payment, etc., prior to signing up.

## Consumer Protection:

- The State of Florida has tough price gouging laws in place to protect residents and guests during a declared State of Emergency. Contact the price gouging hotline at **1-866-9-NO-SCAM (1-866-966-7226)** or online at [www.MyFloridaLegal.com](http://www.MyFloridaLegal.com) to report suspected price gouging. Provide as much information as possible in the form of bills, receipts, invoices or estimates, as well as the brand, product name, size/quantity, manufacturer, item number, price, and the seller or provider’s name, address, phone number and website.
- Verify any individual or business you hire to make repairs with the Department of Business and Professional Regulation at [www.MyFloridaLicense.com](http://www.MyFloridaLicense.com). Ensure that they are licensed for the type of work they will be doing. Also check with their insurance provider to confirm they are insured and their policy is current.
- Following a hurricane, the Florida Department of Financial Services Division of Consumer Services stands ready to assist consumers with insurance-related questions and offer additional resources. Contact their office at **1-877-693-5236** or online at [www.MyFloridaCFO.com](http://www.MyFloridaCFO.com).
- The Florida Office of Insurance Regulation is also available to assist consumers with insurance issues and offer resources at [www.FLOIR.com](http://www.FLOIR.com).
- Those who suspect disaster-related fraud should report it to the FEMA Disaster Fraud Hotline at **1-866-720-5721**.

## Legal Assistance:

- Legal assistance is available to qualifying Floridians through a partnership between The Florida Bar Association and the American Bar Association. For more information, visit <https://Florida.FreeLegalAnswers.org>.
- The Florida Justice Technology Center provides informational resources as well as a list of organizations that offer legal help to qualifying Floridians at [www.FloridaLawHelp.org](http://www.FloridaLawHelp.org).
- Know that according to The Florida Bar’s disciplinary rules, attorneys are prohibited from soliciting individuals in person or by phone offering legal services unless they have been specifically asked to do so. Additionally, only licensed attorneys may offer legal advice or services. Ensure your attorney is licensed and in good standing at [www.FloridaBar.org](http://www.FloridaBar.org). Report any suspected unethical or unfair behavior as well as unlicensed practice of law to The Florida Bar’s Attorney Consumer Assistance Program at **1-866-352-0707**.



## Understanding the Storm

### Watch Versus Warning

A **Hurricane Watch** means hurricane conditions (sustained winds of at least 74 mph) are possible in the announced area within 48 hours.

A **Hurricane Warning** means hurricane conditions (sustained winds of at least 74 mph) are expected in the announced area in 36 hours or less.

### The Saffir-Simpson Hurricane Wind Scale

<p><b>Category 1</b> (74-95 mph winds)</p>	<p><b>Dangerous winds will produce some damage.</b> The damage is primarily contained to shrubbery, trees, foliage and unanchored homes; no real damage to other structures.</p>
<p><b>Category 2</b> (96-110 mph winds)</p>	<p><b>Extremely dangerous winds will cause extensive damage.</b> Considerable damage to shrubbery and tree foliage; some trees blown down. Major damage to exposed mobile homes. Some damage to roofing materials of buildings; some window damage. No major damage to buildings.</p>
<p><b>Category 3</b> (111-130 mph winds)</p>	<p><b>Devastating damage will occur.</b> Foliage torn from trees; large trees blown down. Some damage to roofing materials of buildings; some window and door damage. Some structural damage to small buildings. Mobile homes destroyed. Serious flooding at coast and many smaller structures near coast destroyed; larger structures near coast damaged by battering waves and floating debris.</p>
<p><b>Category 4</b> (131-155 mph winds)</p>	<p><b>Catastrophic damage will occur.</b> Shrubs and trees blown down. Extensive damage to roofing materials, windows and doors. Complete failures of roofs on many small residences. Complete destruction of mobile homes. Major damage to lower floors of structures near shore due to flooding and battering by waves and floating debris.</p>
<p><b>Category 5</b> (155+ mph winds)</p>	<p><b>Catastrophic damage will occur.</b> Shrubs and trees blown down; massive damage to roofs of buildings. Complete failure of roofs on many residences and industrial buildings. Extensive shattering of glass in windows and doors. Some complete building failures. Small buildings overturned or blown away. Complete destruction of mobile homes. Major damage to lower floors of all structures less than 15 feet above sea level within 500 yards of shore.</p>

## Preparing for the Storm

In anticipation of a tropical storm or hurricane, it's important to ensure that you've done everything you can to prepare.

### Protect Your Home

Not all hurricane shutters or impact protective systems meet the standards set by the Florida Building Commission or your local building authority. In order for the Florida Building Commission to approve a product designed for a window, the product must be part of the complete window system and assembly; window films and related products, which are typically attached only to the frame of a window, do not protect the window against wind. The Attorney General's Office has investigated companies that have falsely or deceptively advertised, sold, distributed or marketed their products as hurricane, windstorm or impact resistant when these products have not been approved by the required state or local approval authority.

Approved hurricane shutters and impact protective systems can offer protection for your home. There are a number of different products that vary in strength, cost and difficulty of installation. Should you choose to purchase a shutter or impact protective system to protect your windows from hurricane-force winds and debris, take the following steps to ensure you're buying a quality product:

- Ask to see the product approval by the Florida Building Commission or local building authority and the corresponding number for the approval and visit [www.FloridaBuilding.org](http://www.FloridaBuilding.org) to verify the number supplied.
- Some products may have been tested by a lab that is accredited by the Florida Building Commission or Miami Dade County, but that does not mean the product is an approved form of storm protection. Test results for a product may refer to the lab's accreditation, but this is not equivalent to a product approval.
- Check with your city or county to determine whether you need a permit to install the products on your home; in most cases, a permit will not be issued without proper documentation of the product approval.
- Report any company that is making fraudulent claims about window film or other unapproved products by calling the Attorney General's hotline at **1-866-9-NO-SCAM**.
- Know that your insurance provider may provide discounts for hurricane mitigation.



Please be safe! Remember that some shutters and impact protective systems may prevent you from escaping through a window in an emergency. Consult the manufacturer regarding your particular product, as some products can be detached from inside while others cannot be. Removable shutters, impact protection systems and plywood should be removed once the storm has passed. In addition to being a safety hazard, long-term exposure to the elements could reduce a product's strength.



**In the Path of the Storm: Have a Plan**

<b>If You Stay</b>	<b>If You Evacuate</b>
<p>Consider staying in your home if you are not ordered to evacuate, you do not live in a mobile home, you have a disaster survival kit prepared and you have mitigated the threat to your home by trimming trees and safeguarding windows and doors.</p>	<p>Plan to evacuate if your county issues a mandatory evacuation order, you live in a mobile home, your home was built prior to 1973 or if your home is vulnerable to storm surges or flooding.</p>
<p>List a safe, interior room with no windows where your family will gather during a storm:</p> <hr/>	<p>Know evacuation routes:</p> <hr/>
<p>Know your child's school or daycare disaster plan and list important contact numbers:</p> <hr/>	<hr/>
<p>Designate a meeting place should your family get separated:</p> <hr/>	<p>Designate a family member or friend in a safer area who could house your family during an evacuation:</p> <hr/>
<p>List neighbors who have an emergency generator:</p> <hr/>	<p>List emergency shelters in your area:</p> <hr/>
<p>List neighbors who have emergency medical training:</p> <hr/>	<hr/>
<p>List neighbors who live alone or may otherwise need assistance during an emergency situation:</p> <hr/>	<p>List a family member your family will contact in case of separation:</p> <hr/>
<p>If you board your pet(s) at a vet during a storm, note the name, address and emergency number:</p> <hr/>	<p>Know that pets are not allowed at Red Cross shelters and many other emergency shelters. List pet-friendly shelters or vets in your area that offer emergency boarding services:</p> <hr/>
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## Hurricane Supply Checklist

- Water – One gallon daily per person for 3-7 days
- Food – Enough for 3-7 days
  - Non-perishable, packaged or canned food
  - Formula and food for infants or those with dietary needs
- Non-electric can opener, paper plates, plastic utensils
- Flashlights and extra batteries
- First aid kit, medications, sun screen and bug spray
- Radio – battery powered or hand crank weather radio
- Special items for babies, the elderly and those with special needs
- Toiletries
- Full tank of gas in your vehicle
- Spare propane tank or charcoal for your grill
- Cash – banks and ATMs may not be available
- Important documents in a waterproof container
  - Insurance cards
  - Medical records
  - Bank account and credit card information
  - Social Security cards
  - Birth and marriage certificates
  - Documentation of valuables
  - Important phone numbers
- Pet care items
  - Food, water and any medication
  - Identification and vaccination information
  - A carrier or cage
  - Leash and muzzle

### Preparedness Tips

Florida law allows pharmacists to refill your prescribed medications early if the county where you reside is:

- Currently under a hurricane warning issued by the National Weather Service.
- Is declared to be in a state of emergency in an executive order issued by the governor.
- Has initiated its emergency operations center and its emergency management plan.

If your power is out and your cell phone has died, you can use a car charger to power your phone. Be sure it is safe to leave your residence before heading to your vehicle.



If you need to quickly store important documents, place them in your dishwasher and engage the locking mechanism. Dishwashers have a water-tight seal that can help protect your documents. Fill your bathtub with water in the event of an emergency.



## In the Path of the Storm: Price Gouging

Those affected by a natural disaster can unfortunately become victims of untrustworthy businesses and individuals out to profit from the misfortune of others. Florida has a tough price gouging law designed to protect its residents and guests from becoming victims for a second time after a disaster.

The law bans unconscionable increases in prices in the rental or sale of essential commodities such as lumber, ice, water, generators and shelter once a state of emergency has been declared by the governor. It is also unlawful to raise hotel rental rates or housing lease rates under the price gouging laws.

The Florida Office of the Attorney General investigates every allegation of price gouging. The law requires us to compare the reported price of the commodity or service during the declared state of emergency to the average price charged over the 30-day period prior to the state of emergency. If there is a “gross disparity” between the prior price and the current charge, it is considered price gouging. It is not considered price gouging if the seller can justify the price by showing an increase in the price of their supplies or market trends. Additionally, the price gouging statute does not apply to non-essential luxury goods like alcoholic beverages and cigarettes.

Violators of the price gouging statute are subject to civil penalties of \$1,000 per violation and up to a total of \$25,000 for multiple violations committed in a single 24-hour period. In addition to the civil penalties for price gouging, state law criminalizes the sale of goods and services to the public without possession of an occupational license. Violators of the law can be charged with a second-degree misdemeanor.



### **Avoid becoming a Victim of Price Gouging**

The best method to avoid price gouging is to plan ahead. Prepare for a disaster before it happens, so you have the supplies you need on hand.

If you suspect price gouging, obtain as much information as possible in the form of estimates, invoices, receipts or bills. When comparing products, note as much information as possible, including the product name, size or quantity, manufacturer, item number and price. For lumber, note the grade, thickness and quality. Report this information to the Attorney General’s Price Gouging Hotline at **1-866-9-NO-SCAM**. You may also report violations online at [www.MyFloridaLegal.com](http://www.MyFloridaLegal.com).



## **Threats after the Storm: Scams**

Every emergency or natural disaster brings out unscrupulous individuals who seek to take advantage of the crisis and prey on those in distress. The following scams are among the most prevalent during these times:

### **Building Repair and Contracting Scams**

Qualified contractors are in high demand following a disaster, making conditions ideal for scam artists. If your home is in need of repair, be sure to follow these tips when hiring a contractor:

- Be wary of anyone who approaches you unsolicited or says they can perform your repairs at a discount with leftover supplies from another job.
- Be wary of anyone offering to reduce or rebate your homeowner's insurance policy deductible in exchange for using their services. Florida law prohibits contractors from paying, waiving, or rebating any part of a deductible on repairs made to property covered by an insurance policy.
- Have your insurance company evaluate the damage before arranging repairs to ensure that the work will be covered under your policy.
- Get at least three written, itemized estimates or bids on repairs.
- Verify that the contractor has a license from the Department of Business & Professional Regulation or your county construction licensing board. A licensed contractor can be looked up and verified on the DPBR website ([www.MyFloridaLicense.com](http://www.MyFloridaLicense.com)).
- Research the company and its reputation – ask for references. In addition to DPBR, you may also contact the Attorney General's hotline (1-866-9-NO-SCAM) and the Better Business Bureau ([www.bbb.org](http://www.bbb.org)) to see if there are complaints against the company.
- Check for proof of insurance and verify with the insurer that their policy is current.
- Check to see if the contractor is bonded and verify with the bonding agency.
- Never pay the full amount of a repair up front and hesitate before providing large deposits. Florida law requires a contractor to apply for a permit within 30 days and start work within 90 days if he collects more than 10 percent of the contract up front.
- Read the entire contract, including the fine print, before signing and ensure that the contract includes the required "buyer's right to cancel" (within 3 days) language.
- Homeowners may unknowingly have liens placed against their properties by suppliers or subcontractors who have not been paid by the contractor. If the contractor fails to pay them, the liens will remain on the title. Insist on releases of any liens that could be placed on the property from all subcontractors prior to making final payments.
- Do not sign a certificate of completion or make final payment until you are satisfied with the work performed.



## Assignment of Benefits Issues

An Assignment of Benefits (AOB) is a document that allows insurance policyholders to sign over their insurance rights or benefits to a third party. This allows the third party to file an insurance claim, make repair decisions and collect on benefits without the policyholder's involvement. While Assignments of Benefits can offer convenience to policyholders attempting to navigate the insurance claims process, unscrupulous individuals and companies may seek to take advantage of the power an AOB provides them. If your home is damaged, keep the following in mind as you seek to make repairs:

- Know that you are not required to sign an AOB in order to have repairs made or to process an insurance claim.
- Be wary of any company that pressures you to sign or insists upon the use of an AOB in order to do repairs.
- Some unscrupulous contractors may attempt to hide an Assignment of Benefits within a lengthy repair contract. Read the entire contract carefully to ensure you are not signing over your benefits without your full knowledge and consent.
- Know that AOBs are legally binding and offer no right to cancel after they have been executed.
- Know that an AOB contains language that, once executed, would prevent you from communicating with your insurance company about the claim.
- Do not sign an AOB if there are blank spaces in the document.





## Tree Service Scams

Heavy winds from a hurricane or tropical storm can litter roads and yards with uprooted trees. If you plan to have nearby trees removed to protect your home from danger or have fallen trees to be removed after a storm, follow these tips to avoid problems when hiring a tree removal service:

- Be wary of anyone who approaches you unsolicited about tree removal.
- Get multiple written estimates and ask whether debris removal is included in the estimate.
- Research the company and its reputation – ask for references, contact the Attorney General’s hotline (1-866-9-NO-SCAM) and the Better Business Bureau ([www.bbb.org](http://www.bbb.org)) to see if there are complaints against the company and contact the state Department of Business & Professional Regulation to see if the company is licensed ([www.MyFloridaLicense.com](http://www.MyFloridaLicense.com)).
- Check for proof of insurance and verify with the insurer that their policy is current.
- Never pay the full amount up front and do not make a final payment until you are completely satisfied with the work done.

## Charity Scams

This scam is particularly effective after a disaster, during which numerous disaster-specific charities crop up. If you would like to donate to help with disaster relief, consider these tips:

- Avoid solicitors that use high-pressure tactics or are hesitant to provide additional information on the charitable organization.
- Consider donating to an established disaster-relief charity such as the Red Cross.
- Obtain a copy of the charity’s registration documents from the Florida Department of Agriculture and Consumer Services (1-800-HELP-FLA or [www.800HelpFLA.com](http://www.800HelpFLA.com)).
- Contact the Attorney General’s hotline (1-866-9-NO-SCAM) or call the Better Business Bureau’s Wise Giving Alliance at (703) 276-0100 to determine if the charity you are donating to has any complaints against them.

## Disaster Relief Scams

The Federal Emergency Management Agency offers disaster relief to eligible victims through various programs. When seeking aid, consider the following:

- No state or federal disaster relief agency will call you for your financial information.
- State and federal workers will not ask for or accept cash and carry identification.
- Know that applications for federal FEMA relief programs are free and can be accessed at [www.DisasterAssistance.gov](http://www.DisasterAssistance.gov) or by calling 1-800-621-FEMA.
- Be wary of anyone who offers to fill out, assist with or expedite your application as they may be seeking access to your personal information.

## Water Testing and Treatment Scams

Water mains and personal wells can be affected during hurricanes, and dishonest companies and individuals may offer pricey tests and devices to make water safe. Avoid falling victim by following these tips:

- If someone claims to be a representative of your city, county or utility provider needing to inspect your water line or well, ask for proof of identification.
- Watch your local media for any water safety alerts. If you doubt the safety of your water, contact your local health department or utility. Local water utilities are required to test water quality on a regular basis.
- If in doubt, boil water vigorously for one to three minutes or drink bottled water.



## Account Information

Fill in the blanks with your information so you'll have all the numbers you need in one place in the event of a hurricane or other disaster.



MY WATER PROVIDER IS \_\_\_\_\_,  
THEIR PHONE NUMBER IS \_\_\_\_\_ AND  
MY ACCOUNT NUMBER IS \_\_\_\_\_.



MY ELECTRICITY PROVIDER IS \_\_\_\_\_,  
THEIR PHONE NUMBER IS \_\_\_\_\_ AND  
MY ACCOUNT NUMBER IS \_\_\_\_\_.



MY GAS PROVIDER IS \_\_\_\_\_,  
THEIR PHONE NUMBER IS \_\_\_\_\_ AND  
MY ACCOUNT NUMBER IS \_\_\_\_\_.



MY HOMEOWNER'S OR RENTAL INSURANCE PROVIDER IS \_\_\_\_\_,  
THEIR PHONE NUMBER IS \_\_\_\_\_ AND  
MY POLICY NUMBER IS \_\_\_\_\_.



MY MEDICAL INSURANCE PROVIDER IS \_\_\_\_\_,  
THEIR PHONE NUMBER IS \_\_\_\_\_ AND  
MY POLICY NUMBER IS \_\_\_\_\_.



MY CAR INSURANCE PROVIDER IS \_\_\_\_\_,  
THEIR PHONE NUMBER IS \_\_\_\_\_ AND  
MY POLICY NUMBER IS \_\_\_\_\_.



MY WASTE AND DEBRIS PICK-UP PROVIDER IS \_\_\_\_\_,  
THEIR NUMBER IS \_\_\_\_\_ AND  
MY ACCOUNT NUMBER IS \_\_\_\_\_.



MY PHONE AND INTERNET SERVICE PROVIDER IS \_\_\_\_\_,  
THEIR NUMBER IS \_\_\_\_\_ AND  
MY ACCOUNT NUMBER IS \_\_\_\_\_.



