

## Public Insurance Adjuster (PIA) Contract Checklist

In accordance with the requirements set forth by the Texas Administrative Code ([TAC Section 19.708](#)), we hereby attest that the attached contract meets all the necessary requirements as outlined by the Texas Department of Insurance (TDI).

Check this box If using the [FIN535 - Public Insurance Adjuster Contract](#) (PDF) created by TDI.

### Company information

Company name \_\_\_\_\_

Company TX license number \_\_\_\_\_

Individual name \_\_\_\_\_

Individual TX license number \_\_\_\_\_

### Checklist for custom individual/company contracts

- The contract includes the PIA's name, address, phone number, and license number. The license number must be listed on each page of the contract. PIA employer name, address, and license number if applicable.
- The contract includes your mailing and physical address **or** email and a website where notice of cancellation and all communications to the PIA may be delivered.
- The contract includes space for the date and time the contract is signed.
- The contract includes contact information for each **nonresident** PIA's agent for service of process.
- The contract includes the below required statements per TAC Section 19.708 (7). They are listed verbatim, and they are written in 12-point bold type font on the signature page.

**NOTICE: The insured may cancel this contract by written notice to the public insurance adjuster within 72 hours of signature for any reason.**

**We represent the insured only.**

**You are entering into a service contract. You are being charged a fee for this service. You do not have to enter into this contract to make a claim for loss or damage on a policy of insurance.**

- The contract includes the below required statements per TAC Sections 19.708 (7) & (9). They are listed verbatim.
  - If the insurance carrier pays or commits in writing to pay to the insured the policy limits of the insurance policy under Insurance Code §862.053, concerning Fire and Marine Insurance Companies, within 72 hours of the loss being reported to the insurer, the public insurance adjuster is not entitled to compensation based on a percentage of the insurance settlement, but is entitled to reasonable compensation for the public insurance adjuster's time and expenses provided to the insured before the claim was paid or the written commitment to pay was received.

- NOTICE: A public insurance adjuster may not participate directly or indirectly in the reconstruction, repair, or restoration of damaged property that is the subject of a claim adjusted by the public insurance adjuster or engage in any other activities that may reasonably be construed as presenting a conflict of interest, including soliciting or accepting any remuneration from, or having a financial interest in, any salvage firm, repair firm, or other firm that obtains business in connection with any claim the public insurance adjuster has a contract or agreement to adjust.

The contract includes both English and Spanish verbiage regarding consumer rights. They are written in 10-point bold type font on pages 1 or 2 of the contract per TAC Section 19.708(10).

- **IMPORTANT NOTICE: You may contact the Texas Department of Insurance to get information about public insurance adjusters, your rights as a consumer, or information about how to file a complaint by calling 1-800-252-3439; or you can write to: Texas Department of Insurance, MC: CO-CP, PO Box 12030, Austin, Texas 78711-2030.**
- **ADVISO IMPORTANTE: Puede comunicarse con el Departamento de Seguros de Texas para obtener información acerca ajustadores públicos de seguros, sus derechos como consumidor, o información sobre como presentar una queja llamando 1-800-252-3439; o puede escribir a: Departamento de Seguros de Texas, MC: CO-CP, PO Box 12030, Austin, Texas 78711-2030.**

The contract includes a statement saying that the total commission payable to the PIA must not exceed 10% of the amount of the insurance settlement.

The contract includes a clear and prominent statement of the PIA's commission- whether an hourly rate, flat fee, percentage of settlement, or another method of compensation.

The contract includes a general description of services the public insurance adjuster will provide under the contract.

The contract includes a description of the claim and property damage, location, and event date.

**Certification**

\_\_\_\_\_ The contract does not contain any terms or conditions that may limit or nullify any requirements of the Texas Insurance Code or other rules of the department.

\_\_\_\_\_ I understand that I/we may not use a PIA contract that has not been filed and approved by the Texas Department of Insurance.

\_\_\_\_\_ I understand that failure to meet the requirements or provide accurate documentation may result in the rejection of the contract submission, TDI audit or disciplinary action.

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PIA or officer of company printed name

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PIA or officer of company signature

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Date