



FLORIDA ASSOCIATION OF PUBLIC INSURANCE ADJUSTERS

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PREAMBLE

We, the Florida Association of Public Insurance Adjusters, in order to establish and maintain the highest level of professional standards and services, for the purposes of protecting our rights and the rights of insured's throughout the State of Florida, to provide a means for solving and dealing with our common concerns, to insure harmonious working relations with one another and promote general welfare, adopt these Bylaws for our Association.

**ARTICLE I
NAME**

Section 1. The name of the Association shall be the Florida Association of Public Insurance Adjusters. (FAPIA)

ARTICLE II

Section 1. The Association shall be a non-profit organization.

ARTICLE III

Section 1. The objectives of the Association are:

(a). To organize the Public Insurance Adjusters of the State of Florida to better serve the interests of the insured citizenry of the State and to help facilitate the expeditious and proper handling of insurance losses and claims.

(b). To unite the Public Insurance Adjusters of the State of Florida for their mutual benefit, education and protection, as well as to benefit and protect the general public.

(c). To establish and maintain high standards of professional conduct and efficiency among its members, and to study and assist in carrying out the provisions of all laws and regulations pertaining to Public Insurance Adjusters that may be enacted or formulated by the U. S. Government or by the Florida Legislature and Insurance Department of the State of Florida.

(d). To advance and protect the interests of its members, to promote their welfare, and to attain a spirit of helpful assistance and cooperation among its members.

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38 (e). To become a source of consultation regarding industry issues for the Florida
39 Department of Insurance.

40 **ARTICLE IV**
41 **SEAL**

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43 *Section 1.* The seal of the Association shall be decided by the Board of Directors.
44

45 **ARTICLE V**
46 **PUBLIC INSURANCE ADJUSTER**

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48 *Section 1.* The term, Public Insurance Adjuster, shall mean any person who is licensed
49 by the State of Florida to act as a Public Insurance Adjuster.
50

51 **ARTICLE VI**
52 **MEMBERSHIP**

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54 *Section 1.* Full Membership: Individuals, who of good character act, as public insurance
55 adjusters, as previously defined in Article V, and who fulfill all other requirements of the
56 Association, shall be eligible for membership.
57

58 *Section 2.* Associate Members: Any non-licensed individual including a public adjuster
59 apprentice, of good character who pays the membership fee and services the Public Insurance
60 Adjusting Profession. Any attorney associate member must be in good standing with the Florida
61 Bar. Any Attorney Associate Member whose license has been suspended or revoked by the
62 Florida Bar shall have their membership of this organization suspended for the same period of
63 time.

- 64 a. Associate membership is not available to:
- 65
 - 66 1. Any individual whose license has been suspended or revoked by the
67 appropriate governmental authority.
 - 68
 - 69 2. Any individual, corporation, or entity who is in the business of building
70 construction including its employees and/or representatives.
 - 71
 - 72 3. Any insurance restoration company including its employees and/or
73 representatives who hold themselves out to perform insurance repair work,
74 emergency services, remediation and the like.
 - 75
 - 76 4. Any individual who acts as a Building Damage Estimator and works
77 independently of and not employed by a public adjusting firm. A Building
78 Damage Estimator while in the employ of a public adjusting firm is eligible
79 to join as an Associate Member.
 - 80
- 81 b. Associate members cannot be elected to any position on the Board of Directors.
82
- 83 c. Associate members do not have voting rights and cannot serve on any standing
84 committees.

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85
86 *Section 3.* Any Public Insurance Adjuster whose license has been suspended or revoked
87 by the Florida Department of Financial Services shall have their membership of this organization
88 suspended for the same period of time.

89
90 *Section 4.* Any Public Insurance Adjuster whose license has been suspended by the
91 Department of Insurance, of any state, more than once, individually or cumulatively, is ineligible
92 for membership for a period equal to that suspension.

93
94 *Section 5.* Florida State Licensed Non-Resident Public Insurance Adjusters are eligible
95 for membership in this Association. This type of designated member is not eligible to serve as
96 an Officer of this Association, however may serve on the Board of Directors as one of the
97 elected members who hold no office. Only one Florida State Licensed Non-Resident Public
98 Adjuster may serve on the Board of Directors at any given time.

99
100 *Section 6.* Only members who hold the designation of Public Insurance Adjuster may
101 attend FAPIA's Business Meeting unless invited by majority agreement of the Officers and Board
102 of Directors.

103
104 *Section 7.* A member can be expelled or the person's membership can be suspended by
105 a vote of 2/3 of the directors after hearing the Ethics Committee's recommendations after the
106 member has been given the opportunity to respond and be heard.

ARTICLE VII
OFFICERS

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111 *Section 1.* The Officers of the Association shall consist of a President, President-Elect,
112 Vice President, Treasurer, and Secretary, all in ascending order.

113
114 *Section 2.* Officers shall be elected by the members at each Annual Meeting of the
115 Association for a term of one (1) year beginning immediately following each Annual Convention.

116
117 *Section 3.* With the inception of the "Ladder" at the initial election, each Officer will be
118 elected individually for that office which he or she is nominated. Subsequent to this election
119 and after performing satisfactory service in that office for the term of one year, each Officer
120 shall ascend to the next office in the following year. The President shall leave office after his
121 term of one year. With the ascension of all other Officers, the Office of Secretary will be left
122 open. New individual members will then be nominated for the Office of Secretary for the
123 upcoming year. A slate of Officers will be presented at the Annual Convention and shall include
124 the newly ascended Officers into their respective positions with the nominee for Secretary. At
125 that time, competing nominees for Secretary and the seven (7) non-officer Board Members can
126 be submitted by the membership and voted on accordingly. A majority vote by the membership
127 present at the meeting will induct the new slate of Officers into office.

128
129 *Section 4.* Officers shall serve without compensation. All Officers shall be members of
130 the Board of Directors.
131

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132 *Section 5.* Officers and any member of the Board of Directors can be removed from
133 office for just cause by a 2/3 vote by the entire Board of Directors present at a duly noticed
134 meeting.

135
136 *Section 6.* No person who is employed by the same Public Adjusting firm, in which an
137 Officer is also employed, shall be eligible to be elected as the immediate successor to any such
138 Officer on the conclusion of his/her term in office. Employment changes, at mid-term, will not
139 nullify the Officer's service.

ARTICLE VIII
DUTIES OF OFFICERS

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144 *Section 1.* The President shall be in charge of the affairs of the Association. He/she shall
145 preside at all meetings of the Association, shall execute all duties usually pertaining to the Office
146 of President, and shall execute and carry out all rules and regulations relating to the
147 administration of the Association. The President has the authority to establish new committees
148 as he/she sees fit. The President shall also be the Officer in Charge of the Legislative Committee
149 as is herein described.

150
151 *Section 2.* In the absence or disability of the President, the President-Elect shall have
152 and exercise all of the powers and duties of the President.

153
154 *Section 3.* The Vice-President shall perform duties as are delegated to him/her by the
155 President. He/she shall be the Officer in Charge of the Ethics Committee as is herein described.

156
157 *Section 4.* The Treasurer shall provide a quarterly report to the Board of Directors as to
158 the funds of the Association and shall report to the Association, concerning its funds, at each
159 Annual Convention or upon request of the President. All disbursement shall be made by checks
160 drawn on the account or accounts of the Association. Each check of the association for the sum
161 in excess of Two Thousand Five Hundred Dollars shall require the signature and/or written
162 approval of any two of the following persons the President, Treasurer, and/or a board member,
163 officer or past president as appointed by the board for that purpose for that calendar year. Each
164 check of the association for less Two Thousand Five Hundred shall require the signature and/or
165 written approval of the President, the treasurer or a board member, officer or past president as
166 appointed by the board for that purpose for that calendar year. The treasurer shall deliver to their
167 successor in office all records in his possession belonging to the Association. The Treasurer shall
168 coordinate his duties and cooperate with the President, as well as provide all documents as are
169 reasonably requested, to the President or the Board of Directors. The Treasurer shall be the
170 Officer in Charge of the Membership Committee as is herein described.

171
172 *Section 5.* The Secretary shall keep records of the proceedings of the organization as directed by
173 the President, and shall deliver to his successor in office all books and papers belonging to the
174 organization which are in his/her possession. He/she shall read at each meeting the minutes of
175 the previous meeting. He/she shall perform such duties as may be delegated to him/her from
176 time to time by the President. The Secretary shall be the Officer in Charge of the Public
177 Relations Committee as is herein described.

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ARTICLE IX
DUTIES OF PRESIDENT-ELECT

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183 *Section 1.* The duties of the President-Elect shall be those assigned to him by the
184 President and the Board of Directors, and to specifically assist in the planning of events and
185 matters of the Association for the upcoming year for which the President-Elect will serve as
186 President. The President-Elect shall be the Officer in Charge of the Convention Committee as is
187 herein described.

ARTICLE X
BOARD OF DIRECTORS

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191 *Section 1.* The Board of Directors shall consist of the five (5) Officers, seven (7) non-
192 officer Members, and all Past-Presidents, whose duties shall be to supervise all affairs of the
193 Association. All members of the Board shall have one (1) vote each. The Past-President's
194 Committee will have one (1) collective vote. A majority of the voting members of the Board of
195 Directors shall constitute a quorum for the transaction of business and the President shall
196 preside as Chairman at all meetings of the Board of Directors. At the time of their election, the
197 Officers and seven (7) non-officers of the Association shall not, at the same time, include more
198 than two (2) persons from the same Public Adjusting Firm. The Board of Directors shall meet a
199 minimum of four (4) times per year: once, each, at the Annual and Semi-Annual Conventions,
200 along with one (1) quarterly meeting scheduled after each convention, but before the other.
201 The Board of Directors shall serve without compensation.

202
203 *Section 2.* A member of FAPIA in good standing is eligible to be considered for a
204 position of the Board of Directors after having been a member of the organization for a
205 minimum of three consecutive years; a public adjuster for five years; and having served on a
206 FAPIA committee for one year.

207
208 *Section 3 –* In the event of the death, resignation, removal or disqualification of a member of the
209 Board of Directors during his or her term, a successor will be appointed by the Board of
210 Directors. Resignation from the Board of Directors must be in writing. A member may be
211 removed due to excessive absences from duly noticed Board of Directors meetings. Excessive
212 absences are defined as BOD members must attend at least 75% of BOD meetings and that a
213 member cannot miss more than one meeting per quarter. If a BOD member fails to meet this
214 requirement, the BOD will have the authority to replace that person if it so chooses.

ARTICLE XI
COMMITTEES

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219 *Section 1.* There shall be six (6) standing committees designated to serve. They are as
220 follows: Membership, Ethics, Public Relations, Convention, Legislative, and Past-Presidents. The
221 duly charged goals of each committee, with their Officers in Charge, are a part of these Bylaws
222 by attachment.

223
224 *Section 2.* Members of all committees shall be appointed by the incoming President for
225 the upcoming year of service at the incoming President's inauguration meeting.
226

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227 *Section 3.* The Officer in Charge (OIC) of each committee will be its Chairman whose
228 duty it will be to direct the activity of their respective committee. Additionally, the OIC will
229 direct the preparation of its committee's Activity Reports, that will be created for presentation
230 at quarterly, semi-annual, and annual meetings.

231
232 *Section 4.* Each committee shall work to meet the goals set by the Board of Directors
233 and work to enhance the goals of this Association.

234
235 *Section 5.* Any committee member may decline appointment or may resign his/her
236 appointment to any committee giving his/her resignation to the President.

237
238 *Section 6.* A special nominating committee shall exist to nominate the new slate of
239 Officers and Directors, including the new "ladder" entry for Secretary. This committee will
240 consist of the Past Presidents one (1) and two (2) years removed, the outgoing President, the
241 ascending President, and the ascending President-Elect, the Vice President, the Treasurer and
242 the Secretary. The nominating committee must interview ladder nominees. Unless waived by a
243 two-thirds vote of the Board of Directors, to be eligible for nomination to the ladder, a Board
244 Member must serve for a minimum of two (2) years on the FAPIA Board.

MEMBERSHIP COMMITTEE

OIC – Treasurer

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249 The goals of this committee are to increase membership, maintain a current membership list,
250 and to ensure quality control in the application process.

ETHICS COMMITTEE

OIC – Vice President

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255 The goals of this committee are to review the Code of Ethics and Conduct as required by the
256 Florida Department of Financial Services (DFS), Florida Association of Public Insurance Adjusters
257 (FAPIA), and Florida Statutory and Administrative Requirements, making sure that FAPIA is in
258 compliance with all DFS standards.

PUBLIC RELATIONS

OIC-Secretary

259
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263 The goals of this committee are to prepare news releases on Association business, to assist as
264 needed with, the Association's Newsletter and website, and to assist as needed with any needed
265 PR or advertisements at the time of any major catastrophe.

CONVENTION

OIC-President- Elect

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271 The goals of this committee are to organize and prepare the Annual and Semi-Annual
272 Conventions, as well as to ensure quality educational opportunities at the conventions.

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LEGISLATIVE
OIC-President

The goals of this committee are to network with DFS officials to track and discuss any pending legislation in the State Legislature, as well as to ensure coordination with any Lobbyist working on behalf of the Association.

PAST PRESIDENTS COMMITTEE
OIC-Immediate Past President

The goals of this committee are to provide special counsel to the president and take on special projects as are designated by the president. All past presidents shall be entitled to attend and participate in all Board of Directors meetings without individual votes. However, the committee shall have one (1) vote as a body. Majority vote, within the committee, shall be cast as the committee's vote by the most Immediate Past President.

ARTICLE XII
MEETINGS OF THE ASSOCIATION

Section 1. The Association shall have at least one meeting/convention each calendar year at a time and place of the BOD's choosing and such other meetings/conventions as determined by a majority vote of the board of directors.

Section 2. Special Meetings may be called by the President, the Board of Directors, or upon written request of ten (10) members of the Association.

Section 3. Notices of the Annual and Semi-Annual Convention shall be mailed to each member no less than thirty (30) days prior to such meeting. Each notice shall state the place, fees, and date of the meeting and so far as practicable, shall outline the business to be transacted. Notice of each Special Meeting, stating the date and place of such meeting and the business proposed to be transacted therein, shall be mailed to each member no less than ten (10) days prior to the date of such meeting. No business shall be transacted at any Special Meeting other than that specified in the notice.

Section 4. Proceedings at any meeting shall be according to "Roberts Rule of Order" under the direction of the President or his or her designate.

Section 5. Voting at each regular or Special Meeting shall be by Members present in person, and each present Member, who is entitled to vote pursuant to Article X shall have one (1) vote.

Section 6. Ten percent of the Members entitled to vote shall constitute a quorum at any meeting and a majority vote of the voting Members present shall be necessary to authorize any act of the Association, unless otherwise provided herein.

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ARTICLE XIII
INITIATION FEES AND ANNUAL DUES

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323 *Section 1.* Initiation Fees: There shall be no initiation fee for members of the
324 Association unless approved at a meeting by a majority vote of members.
325

326 *Section 2.* The Board of Directors of the Association shall have exclusive powers to
327 determine and establish the amounts and classifications of Annual Dues of the Association for
328 each Fiscal Year.
329

330 *Section 3.* Invoices for the renewal dues shall be mailed to all members two months
331 prior to the deadline, each year. Renewal dues are payable within sixty (60) days. From the
332 conclusion of the Semi-Annual Convention forward, any new members joining the Association
333 will be invoiced a charge for dues at one-half the rate for a full year's membership. Any member
334 who has non-renewed his/her membership, due to lack of payment, upon rejoining the
335 Association, will be required to pay a full one (1) year rate to regain their membership,
336 regardless of the date they are paying. Any member delinquent with their dues in the current
337 year, will be required to pay a full one (1) year rate to regain their membership, regardless of
338 the date they are paying.
339

340 *Section 4.* Arrearages: Each member whose dues are not paid within sixty (60) days of
341 billing, shall be notified by the Secretary that unless his/her dues and assessments are paid
342 before the Annual Convention, he/she will be suspended from Membership and ineligible to
343 vote. Any member who shall not have paid dues by the date of the Annual Convention, after
344 notice has been mailed by the Secretary, as provided herein, shall be automatically suspended
345 from Membership and ineligible to vote. However, if such delinquent member shall pay his dues
346 after such suspension, the delinquent member shall be automatically reinstated.
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ARTICLE XIV
FISCAL YEAR AND BUDGET

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350 *Section 1.* The fiscal year of the Association shall be set and established by the Board
351 of Directors for this Association.
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354 *Section 2.* The Board of Directors shall prepare a budget for the immediately ensuing
355 fiscal year, specifying the estimated revenues of the Association, the amounts to be
356 appropriated and expended for the purposes and activities of the Association. The Board of
357 Directors may amend the budget, from time to time, during any fiscal year of the Association.
358

ARTICLE XV
AMENDMENTS

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361 *Section 1.* Amendments or additions to the Bylaws may be made at any Annual
362 Convention or Special Meeting, or any other Meeting of the Association designated for such
363 purpose by the President of the Association, by a two-thirds (2/3) vote of all the Members
364 present, after having been submitted by written notice at least thirty (30) days previously to the
365 Membership. Any proposed change to the Constitution or Bylaws must be approved by a
366 majority vote of the Officers, Board of Directors and Past President's Committee before the
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368 change can be presented to the membership and voted upon. Failure to reach a majority vote
369 by the Officers, Board of Directors and Past President's Committee shall determine the change
370 to be unworthy of a full membership vote. Amendments shall become effective immediately
371 upon approval. Recommended Amendments shall be made in writing and may be made by any
372 committee, the Board of Directors, or any Member. The Legislative Committee shall be
373 responsible for recording all approved changes into the Bylaws and distributing same to the
374 Membership.

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END