



FIDUCIARY FOCUS 2025 — RECOVER FASTER, DOCUMENT BETTER, SUBROGATE SMART

The Confidence Gap — A Fiduciary’s Guide to Faster, Fairer Claims

Consumer confidence is soft, construction costs are volatile, and loss events are not waiting for budgets to catch up. For Florida community associations and for business owners across Georgia and Texas, that combination creates a simple reality: fiduciaries cannot afford a slow or uncertain claim. When confidence is low, the duty of care is high. The first 30 days after a loss will shape your outcome more than any other window—affecting cycle time, dispute risk, and the net dollars you can put back into roofs, mechanical systems, and operations.

Our last Claims Advocate volume spotlighted troubling handling trends that many readers recognized from experience. The takeaway wasn’t doom and gloom; it was discipline. Boards and owners that treat the claim as a capital project—planned, measured, and audited—consistently reach resolution faster and keep more of the recovery after fees and soft costs. Below is a practical playbook you can apply the very day the loss occurs.

The First 30 Days: A Field-Proven Plan

- Mobilize leadership in the first hour: designate a single point of contact for the claim and a backup. Record decisions in meeting minutes to show governance.
- Stabilize and document conditions before demolition: temporary measures are allowed and encouraged, but preserve evidence with time-stamped photos and video.
- Schedule a joint site meeting within 72 hours with your adjuster, your representation, and key vendors to align on scope, safety, and access.
- Freeze your schedule: export the current construction or maintenance plan (P6, MS Project, or similar) to capture the critical path on the date of loss.
- Start a quantum file early: create separate folders for emergency services, building envelope, MEP systems, interiors, and time-element expenses; log every cost with vendor W-9s and contracts.
- Decide escalation paths: appraisal and mediation are tools, not threats. Put tentative dates on the calendar so the claim has cadence.

Good documentation is defensive and offensive. Defensive, because you reduce the room for disagreement about what happened and what it costs. Offensive, because a credible, well-organized submission forces timely reserve decisions and creates momentum toward resolution.

Governance and Fiduciary Duty

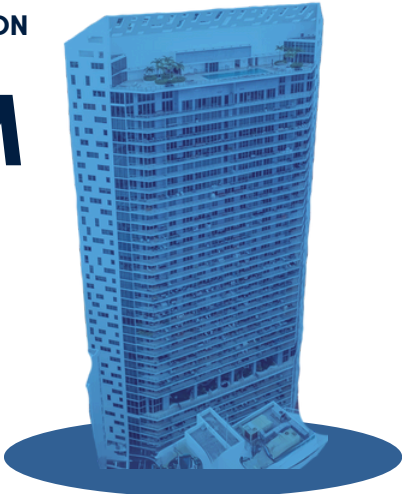
Boards and business owners wear two hats in a loss: operator and fiduciary. Keep minutes, track conflicts, and source at least two vendor quotes for any work not performed under emergency provisions. For Florida associations, coordinate claims strategy with milestone inspections and structural integrity reserve studies (SIRS) to avoid duplicated mobilizations. In Georgia and Texas, seasonality matters—hail and wind cycles dictate material availability and contractor pricing; plan procurement early to lock terms

Claim Stories

Brickellhouse Condominium Association  
CAUSE OF LOSS: CONSTRUCTION

OVER  
\$72.9MM  
AMOUNT OF RECOVERY

GlobalPro’s equipment-breakdown claim unlocked \$32 MM from the insurer and paved the way for a \$40.6 MM developer verdict.



Bristol Towers Community Association  
CAUSE OF LOSS: WATER

OVER  
\$8M  
AMOUNT OF RECOVERY

GlobalPro investigated, estimated, noticed the claims, and engaged first party insurer to pave the way for a significant recovery.



Takeaway: When confidence dips, leadership matters. Treat the claim as a project with a calendar, a budget, and a scoreboard. Independent representation adds velocity and accountability—often the most economical decision a fiduciary can make.



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Construction Losses on Active & Occupied Sites — Prevent It, Prove It, Recover It

Construction-related losses come in two flavors: incidents on active projects (builder’s risk) and incidents during operations or capital projects in occupied buildings (property/GL). In both environments, the winner separates defect from damage, preserves evidence, and aligns coverage pathways early. Boards and owners who follow a disciplined sequence routinely recover more, faster—even when multiple parties and policies are in play.

Common Patterns to Watch

- Water intrusion during window, roofing, or riser work; secondary mold growth when drying is delayed.
- Concrete overspray drifting to neighboring structures; vibration damage during pile driving or demo.
- Mechanical or electrical failures during testing or commissioning.
- Crane or hoist impacts; falling-object damage from adjacent sites.

Coverage Pathways—Choose All That Apply

Think pathways, not silos. Builder’s risk may address direct physical loss to the project, property policies cover the occupied structure, and a neighbor’s or contractor’s liability policy may fund third-party damage. Early tender preserves options and encourages coordinated site access.

- Builder’s Risk: confirm temporary works, testing exclusions, soft-cost sublimits, and delay-in-completion endorsements.
- Property: verify code upgrades, water damage limits, and service-interruption or ingress/egress coverage if operations are impacted.
- GL/Third-Party: issue notice and preservation letters to responsible contractors or neighbors; request additional-insured and indemnity documentation.



Quantum—Allocate Defect vs. Resultant Damage

Most disputes turn on allocation. Your estimate should explicitly separate the cost to correct defective work (often excluded) from the cost to repair the covered damage it caused. That means two scopes, two sets of photos, and line items that stand on their own. Do not let a single combined line bury both categories.



Evidence That Sticks

- 360° site capture or floor-by-floor photo logs the day of loss and before removal.
- Drone photogrammetry to map overspray plumes or debris fields.
- Schedule snapshots and sign-in logs to tie cause to activity.
- Chain-of-custody for any failed components sent to labs.

Contracts that Protect Boards & Owners

- Require certificates of insurance naming the association or owner as additional insured; keep copies current.
- Avoid blanket waivers of subrogation unless the risk transfer and pricing truly justify it.



Ready

An essential component of our pre-loss program is the development of a disaster response plan.



Recover

In the event of a loss, insurance claims are immediately documented, filed and managed.



Rebuild

Essential to a full recovery is the management of documentation, the construction process, lenders and distribution of funds.

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Miami, FL 33133

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925B Peachtree St Ne #193  
Atlanta, GA 30309

Dallas Regional Office  
6060 N Central Expy Suite 500  
Dallas, TX 75206

Need to report a claim?  
Contact our expert team 24/7

For more information contact:  
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Download Claims Advocate at:  
www.globalpro.com/resources/claimsadvocate/

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