

**522C.11 Adjusters — standards of conduct.**

1. A public adjuster shall serve with objectivity and complete loyalty to the interest of the insured. A public adjuster shall render to the insured in good faith information, counsel, and service, that in the opinion of the public adjuster will best serve the insured's insurance claim needs and interest. These duties extend to the claims process and include providing timely responses to both the insurer and the insured.

2. For a minimum of seventy-two hours following a catastrophic disaster, to allow time for the commissioner to safely deploy consumer protection resources, a public adjuster shall not, in person or by telephone, directly offer to contract, attempt to offer to contract, or enter into an adjuster contract with an insured unless the offer to contract, the attempt to offer to contract, or entering into a contract is initiated by a consumer. If the commissioner deems the severity of the catastrophic disaster to have placed people under duress, the commissioner shall immediately dispatch the consumer advocate and other personnel to the disaster area to provide consumer guidance. If, after a public hearing, the commissioner determines that, due to the scope and severity of the catastrophic disaster, additional time is necessary to safely deploy additional consumer protection resources, the commissioner may extend the time period that a public adjuster shall not offer to contract, attempt to offer to contract, or enter into a contract for an additional seventy-two hours.

3. A public adjuster shall not solicit between the hours of 8:00 p.m. and 9:00 a.m. Solicitation shall include but is not limited to a door-to-door sale as that term is defined in [section 555A.1](#).

4. A public adjuster, or an independent adjuster, shall not permit an unlicensed employee or representative of the public adjuster or independent adjuster, nor any person associated with a claim, to conduct business for which a license is required under [this chapter](#).

5. An adjuster shall not have a direct or indirect financial interest in any aspect of a claim other than the amount payable pursuant to the written contract with an insured under [section 522C.10](#).

6. An adjuster shall not acquire any interest in salvage of property.

7. An adjuster shall not undertake the adjustment of any claim if the adjuster is not competent and knowledgeable as to the terms and conditions of the insurance coverage, or if the loss or coverage otherwise exceeds the adjuster's current expertise.

8. An adjuster shall maintain all documentation relating to all estimates and coverage determinations for a minimum of five years from the date of completion of a settlement.

9. An adjuster shall not knowingly make any false oral or written material statements regarding any person engaged in the business of insurance, or any other adjuster, to an insured who is a client or potential client.

10. *a.* An adjuster shall not reasonably act, or fail to act, in any manner that obstructs or prevents an insurer or adjuster from timely conducting an inspection of any part of an insured's property for which there is a claim for loss or damage.

*b.* If a public adjuster is unavailable after reasonable request by an insurer, resulting in delay of the insurer's timely inspection of the property, the insured shall allow the insurer to have access to the property without the participation or presence of the public adjuster to facilitate the insurer's prompt inspection of the loss or damage.

11. An adjuster shall respond to an inquiry from an insurer or an insured regarding a claim within fifteen business days of the date of the inquiry unless good cause exists for delay. The adjuster shall reply within fifteen business days to all pertinent communications from the insured, the insurer, or a representative of the insured or the insurer that reasonably suggest that a response is expected.

12. Upon receiving notification of a claim, an insurer shall provide necessary claim forms, instructions, and reasonable assistance within fifteen business days of notification of the claim so that first-party claimants can comply with the policy conditions and the insurer's reasonable requirements.

13. An adjuster shall not act as an appraiser and as an adjuster on the same claim.

14. An adjuster shall not act as an umpire and as an adjuster on the same claim.

15. A public adjuster shall not enter into a contract that accepts a power of attorney or limited power of attorney for an insured.

16. a. An independent adjuster shall not act as an independent adjuster and a public adjuster on the same claim.

b. A public adjuster shall not act as a public adjuster and an independent adjuster on the same claim.

17. A staff adjuster may be licensed as a public adjuster or as an independent adjuster, but shall be prohibited from providing services as an independent adjuster or a public adjuster while employed as a staff adjuster.

18. A public adjuster shall not agree to, or reject, any loss settlement without the insured's express knowledge and written consent.

19. An adjuster shall not engage in any act or practice that is a conflict of interest. A conflict of interest shall include but is not limited to the following:

a. A direct or indirect financial interest with a person responsible for the reconstruction, repair, or restoration of damaged property that is the subject of a claim, or with a person involved in resolving a claim valuation dispute.

b. A direct or indirect financial interest, or other valuable consideration regardless of form or amount paid to an adjuster in exchange for referring an insured to an appraiser, umpire, construction company, contractor, salvage company, or attorney.

c. Being an owner, employee, agent, investor, or having other financial interest in a business entity responsible for the reconstruction, repair, or restoration of damaged property that is the subject of a claim, or having an immediate family member who is an owner, employee, agent, or investor in a business entity responsible for the reconstruction, repair, or restoration of a damaged property that is the subject of a claim.

d. Entering into a written or verbal contract, or formal or informal agreement, with any person that compromises the adjuster's duty of loyalty to the insured.

e. Using claim information obtained in the course of a claim investigation for commercial purposes including marketing or advertising for the benefit of the adjuster.

20. A public adjuster shall not file a complaint with the division on behalf of an insured without the insured's knowledge and written consent.

21. An adjuster shall not represent, directly or indirectly, that damage has occurred at a property unless the adjuster has inspected the damaged areas of the property.

22. An adjuster shall produce a detailed written estimate to repair or replace covered damages and provide a copy to both the insured and the insurer in a timely manner.

23. A public adjuster shall not offer to pay an insured's deductible, or claim that the insured's deductible will be waived, as an inducement to use the services of the public adjuster.

24. An adjuster shall respond reasonably promptly to inquiries by the division.

25. A public adjuster shall provide a detailed invoice for completed services to an insured prior to requesting payment for services pursuant to a contract under [section 522C.10](#).

26. Funds received or held by a public adjuster on behalf of an insured toward the settlement of a claim shall be:

a. Held in a fiduciary capacity.

b. Deposited by the adjuster into one or more separate noninterest-bearing fiduciary trust accounts in a financial institution licensed to do business in this state no later than the close of the fifth business day from the date the public adjuster received the funds, and either deposited in the insured's name or in the name of the public adjuster as trustee for the insured, to be held and administered as a trust account for the benefit and protection of the insured.

c. Held separately from personal or nonbusiness funds.

d. Held separately from other business funds.

e. Listed specifically and separately, by the insured's name and the amount in trust in the book of accounts and records of the public adjuster. The book of accounts and records must indicate the fiduciary nature of the account and any amounts deposited or withdrawn.

f. Disbursed within thirty calendar days of receipt of an invoice by the public adjuster from a contractor that completed work, if the public adjuster receives approval of the insured that the work was satisfactorily completed.

27. A public adjuster shall comply with all applicable local ordinances.

28. An adjuster who fails to comply with [this section](#) shall be subject to penalties under [sections 522C.13 and 522C.14](#).

[2025 Acts, ch 28, §45, 52](#)

Referred to in [§522C.10, 522C.14](#)

Section applies beginning July 22, 2025, to a person currently doing business in this state as an independent adjuster or a staff adjuster as of January 1, 2025; [2025 Acts, ch 28, §52](#)

NEW section