

Practice Update

Resource Center: Hurricanes Harvey, Irma, and Maria

September 20, 2017

Akerman provides support and assistance to clients impacted by Hurricanes Harvey, Irma, and Maria. With clean-up and recovery efforts underway, many of our clients are facing complex legal and business issues in the wake of these storms. Nimble, responsive, and able to manage crises on all fronts, our experienced team of lawyers and business professionals guides clients through disaster recovery efforts.

Construction | Insurance | Litigation

- Damage assessments, including causation (forensics), the magnitude of damage, the expense of the damage and repair as well as legal issues including liability – structural (building and construction), electrical, mechanical, and plumbing, among other areas
- Insurance claims arising from hurricanes and other disasters in connection with residential and commercial property insurance, auto insurance, and related lines
- Defense of individual, class action, and bad faith actions arising from hurricane and/or other disasters for insurers
- Provide legal defense and advice to insurance carriers in handling (and/or avoiding) insurance claims and related litigation

Related People

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Related Work

Bankruptcy and Reorganization
Consumer Financial Services, Data and Technology (CFS+)
Corporate
Fraud and Recovery
Government Strategies

- Construction disputes, including mold claims, property damage, and personal injury arising out of construction defects
- Government contracts and post-disaster recovery claims
- Negligence, property damage, personal injury and/or environmental claims/litigation resulting from accidents, including facility explosions or fires, crane collapses, pipeline ruptures, and/or train derailments
- Preparation and management of disaster response protocols and incident reports
- Energy, chemical, and other environmental contamination or personal injury/property damage claims
- Business disruption, reconstruction
- Damage claims from release of chemicals
- Lease disputes on commercial and industrial properties
- Policy review and negotiating with insurers
- Construction and lease litigation
- Crisis management, defense of injury claims, and data/evidence preservation
- Defective construction and lease litigation
- Insurance litigation
- Preservation of electronic evidence
- Emergency appellate reviews
- Storm-related bankruptcy issues

Healthcare
Labor and Employment
Litigation
Real Estate
Tax

Resources

[9/15/17: The Impact of Hurricane Irma on Snowbirds and Residency Requirements](#)

[9/15/17: HR Defense Blog: Disasters and the Workforce: Navigating Stormy Waters](#)

[9/15/17: Hurricane Preparedness For Construction Projects Before, During, and After The Storm](#)

[9/15/17: After the Hurricane: Wading Through the Storm of Claims](#)

[9/15/17: Gov. Scott Issues Updates on Continued Hurricane Irma Response Efforts](#)

[9/14/17: Can Florida's Construction Sites be Hurricane-Proofed?](#)

[9/13/17: Hurricane Irma: To Facilitate Storm Recovery, Governor Scott & FDEP Issue Statewide Orders, Extending Development Approvals &](#)

Consumer Financial Services

- Post disaster debt servicing focusing on hurricanes, including a wide range of legal and business issues, from outreach to forbearance
- Consumer financial services related work including, insurance defense work, business

interruption coverage, lender placed policies for insurers, forbearance of mortgage payments, bad faith claims, False Claims Act

Suspending Range of
State Environmental
Provisions

Fraud & Recovery

- Investigation of fraudulent claims submitted after hurricanes, both in terms of investigation and litigation of matters pertaining to property fraud claims post disaster

Government Affairs & Public Policy

- Coordinatation of hurricane repair and reconstruction approvals with the State of Florida, Water Management Districts, and U.S. Army Corps of Engineers for docks, sea walls, coastal construction control lines, and beach repair

Labor & Employment

- Advise employers regarding implementation of disaster preparedness plans, wage and hour/payroll issues arising from business closure, employee attendance issues pre and post disaster, WARN Act obligations arising from business/plant closure or mass layoffs, and handling of employee disaster related leaves of absence such as for disaster relief works, national guard or military reserve personnel
- Represent employers during OSHA investigations and administrative complaints arising from post-disaster workplace conditions
- Represent employers in wage and hour and WARN Act litigation arising from post-disaster business closure

Real Estate & Environmental

- Landlord-tenant issues
- Extending or modifying development orders to account for natural disasters; Assistance with expedited permitting after natural disasters; All forms of permitting and governmental

authorizations for redevelopment and reconstruction after a natural disaster

- Permitting and governmental authorizations for redevelopment and reconstruction after a natural disaster
- Demolition and construction
- Post-disaster federal funding and financing
- Hurricane procedures and preparedness planning
- Assessment, claim preservation, notice to carriers, and repair (drafting and negotiating design and construction contracts)
- Defect litigation against designers and contractors

Tax

- Tax-preferred leave and emergency assistance donation programs
- Advise clients on the tax provisions of Section 1033 regarding requirements for acquisition of replacement property upon destruction of property