

HOUSE No. 3758

The Commonwealth of Massachusetts

PRESENTED BY:

Sally P. Kerans

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act ensuring sufficient notice to homeowners by insurance companies prior to an inspection.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>1/18/2023</i>

HOUSE No. 3758

By Representative Kerans of Danvers, a petition (accompanied by bill, House, No. 3758) of Sally P. Kerans relative to ensuring sufficient notice to homeowners by insurance companies prior to inspections. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act ensuring sufficient notice to homeowners by insurance companies prior to an inspection.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 175 of the General Laws is hereby amended by inserting after section 4D the
2 following section:-

3 Section 4D½. (a) Each admitted insurer writing homeowners insurance in the
4 commonwealth, in accordance with the provisions of section 4, and the joint underwriting
5 association, formed pursuant to the provisions of chapter 175C, or their agent shall notify an
6 insured homeowner or policyholder by certified mail no fewer than 30 days prior to an
7 inspection of the insured premises, including the roof, gutters, porch, steps, siding and bulkhead.
8 The insurer, joint underwriting association or an agent of the insurer or joint underwriting
9 association shall obtain from the insured homeowner or policyholder written authorization for an
10 inspection and shall notify the insured homeowner or policy holder by telephone, email and
11 written letter at least 7 days before any inspection of the date and a 3 hour time period when any
12 inspection shall occur.

13 (b) The inspector shall be licensed pursuant to section 222 of chapter 112 and upon
14 arrival shall contact the insured homeowner or policyholder that they are at the insured premises
15 and ready to begin the inspection. The inspector shall provide their homeowner's inspector
16 license and registered driver's license for examination by the insured homeowner or
17 policyholder.

18 (c) Upon completion of the inspection, the inspector shall show the insured homeowner
19 or policyholder any photographs taken during inspection showing deterioration, rot, structural
20 defects including any loose roof shingles that the inspector intends to forward to the insurer or
21 joint underwriting association. In no case shall any insurer cancel or demand a full roof
22 replacement in order to maintain a homeowner's policy due to the deterioration of fewer than 10
23 roof shingles.

24 (d) The commissioner and the attorney general shall jointly promulgate regulations
25 necessary to implement and enforce this section.