

## Form Filing Checklist – Public Adjuster Contract

TOI: PA01-Public Adjuster Contract  
 Sub-TOI: PA01.0000-Public Adjuster Contract

### DISCLAIMER

*Form filing checklists are intended only as guides for submitting various policy forms to the Office of the Commissioner of Insurance (OCI). The checklists are summaries and are not intended as an OCI directive nor an interpretation of technical legal questions. Although efforts have been made to ensure that the checklists are current and accurate, information is subject to change on a regular basis without prior notice.*

The cites in the second column reference Wisconsin statutes, unless they begin with “Ins,” (which indicates a Wisconsin administrative code [regulation]) or contain CFR (which is a federal regulation).

Reference link: [Public Adjusters ch. 629, Wis. Stat.](#)

<b>General Requirements</b>		
<b>Filing Requirements</b>	<b>Reference</b>	<b>General Information</b>
Public Adjuster Contract: in writing, filed with OCI	s. 629.04 (1), Wis. Stat.	The contract must be in writing, entitled “Public Adjuster Contract” and filed with OCI. Public adjusters may not perform any adjusting service for an insured prior to entering into a contract with the insured
Required inclusions in the Public Adjuster Contract	s. 629.04 (1) (a), Wis. Stat.	Public adjuster’s full name, state of residence, permanent principal business address, phone number and registration number assigned by OCI (if applicable)
	s. 629.04 (1) (b), Wis. Stat.	The insured’s full name, street address, insurer name and policy number
	s. 629.04 (1) (c), Wis. Stat.	A description of the loss and its location
	s. 629.04 (1) (d), Wis. Stat.	The date and time the contract was signed by the public adjuster and the insured
	s. 629.04 (1) (e), and s. 629.082 Wis. Stats.	An attestation that the public adjuster is bonded
	s. 629.04 (1) (f), Wis. Stat.	Disclosure of the compensation the public adjuster will receive
	s.629.04 (1) (g), Wis. Stat.	A provision allowing the insured to void the contract within 5 days of its execution
	s. 629.04 (1) (h), Wis. Stat.	A statement that the contract is the entire agreement between the public adjuster and the insured
Insured choice	s. 629.09, Wis. Stat.	A statement that the insured may choose any contractor or vendor
Separate document: right to file complaint with OCI	s. 629.04 (5), Wis. Stat.	Notification of insured’s right to file a complaint with OCI. Notice must be included with the contract as a separate single piece of paper
Notice of Right to File a Complaint	s. 629.04 (5), (a), (b), (c), (d), Wis. Stat.	The notice must include public adjuster’s full name, state of residence, business address and phone number. A clear statement of the insured’s right to file a complaint. Information on how the insured may obtain a complaint form by contacting OCI or from OCI’s website. OCI’s mailing address, phone numbers and OCI’s Internet address

Duplicate copy of public adjuster contract	s. 629.04 (4), Wis. Stat.	The contract must be executed in duplicate with an original provided to the public adjuster and to the insured. The public adjuster shall make the contract available to OCI at all times for inspection without notice
Insured right to void	s. 629.04 (3), Wis. Stat., & s. 629.04 (1) (g), Wis. Stat.	Insured may void the contract at their option no later than 5 business days after the contract's execution by sending notice by registered or certified mail, return receipt requested, to the public adjuster at the place of business identified on the contract or by personally serving notice to the public adjuster at the place of business. Public adjuster must return anything of value provided under the contract by the insured no later than 15 business days following receipt of the notice
<u>Prohibited clauses in the Public Adjuster Contract</u>	s. 629.04 (2) (a), Wis. Stat.	Cannot require that the insured authorize an insurer to issue a check only in the name of the public adjuster
	s. 629.04 (2) (b), Wis. Stat.	Cannot require that the insured pay collection costs or a late fee to the public adjuster
	s. 629.04 (2) (c), Wis. Stat.	Cannot limit the insured's right to pursue any civil remedy against the public adjuster
	s. 629.07, Wis. Stat.	A public adjuster may not request or accept an assignment of insurance policy proceeds from an insured