**Section 3118.80 Contract Between Public Adjuster and Insured**

a) Each public adjuster shall file with and secure the approval of the Director of each contract before it is used in the State of Illinois.

b) Each contract form filing submitted for approval must include provisions required by Section 1575 of the Code and must be consistent with the provisions of Article XLV of the Code. Contract form filings must include:

1) The names and license numbers of the public adjusters making the filing;

2) Notification as to whether the filing is new or supersedes a current filing. Identification of all changes in all superseding filings, as well as identification of all superseded forms, is required; and

3) The effective date of use.

c) All contracts must contain the following and be formatted in no less than 10-point font:

1) *Legible full name of the* person *signing the contract, as specified in the Department records;*

2) Form number and edition of the form must appear in the lower left-hand corner of the contract form to be approved;

3) Effective date of use;

4) *Permanent home state business address*, *email address,* *and phone number;*

5) *License number* or space for indicating the license number if more than one public adjuster will be using the contract;

6) The *title "Public Adjuster Contract*" printed at the head of the contract form with the name of the public adjuster or the public adjuster business entity and the location and telephone number of the public adjuster's principal place of business. Unless located in a rural area that does not use a street address, P.O. Box addresses are not permitted unless the street address is also included;

7) A place to list *the insured's full name, street address, insurance company name, and policy number, if known or upon notification;*

8) A *description of the loss and its location*;

9) A *description of services to be provided to the insured;*

10) A place for the *signatures of the public adjuster and the insured;*

11) A place for the *date and* *time* *the contract was signed by the public adjuster and date and time* *the contract was signed by the insured;*

12) *Attestation language stating that the public adjuster is fully bonded pursuant to State law;*

13) Disclosure of *full salary, fee, commission, compensation or other considerations the public adjuster is to receive for services, including any applicable cap under Section 1570 of the Code;* [215 ILCS 5/1575(a)]

14) Notice that the written contract shall constitute the entire agreement between the public adjuster and the insured;

15) Notice that, *at the option of the insured, any such contract shall be voidable for 5 business days after the contract is received by the insurer. The insured may void the contract by notifying the public insurance adjuster in writing by:*

A) *registered or certified mail, return receipt requested, to the address shown on the contract with a postmark date within 5 days of execution of the contract;*

B) *personally serving the notice on the public insurance adjuster*; *or*

C) *sending an email to the email address shown on the contract.* [215 ILCS 5/1575(j)]

16) Notice that, if not later than 5 business days after the date of the loss is reported to the insurer, the insurer either pays or commits in writing to pay the policy limit, the public adjuster shall not receive a commission but only reasonable compensation for services provided.

17) Attestation language stating that the public adjuster who signed the contract is the public adjuster who solicited the public adjuster business.

(Source: Amended at 48 Ill. Reg. 7257, effective April 30, 2024)