



4 years after Hurricane Charley, Fla. residents fight insurer

By Anthony McCartney, Associated Press Writer
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Deborah Wiley holds her granddaughter Lyana in April in a hallway where the family protected themselves from Hurricane Charley in 2004.

ARCADIA, Fla. — The days of entertaining guests at Deborah and Clinton Wiley's house ended when Hurricane Charley struck four years ago.

With a hole in the living room ceiling and another in the master bedroom, the Wileys deal with the inevitable problems of living in a home that leaks with every Florida downpour.

The family isn't the only one dodging raindrops indoors. Since Charley hit in August 2004, dozens of residents in and around this central Florida town cope with the aftermath.

Another hurricane season begins June 1 and still the reminders of the powerful Category 4 storm are glaring.

Residents live with more than minor inconveniences: light switches that don't work, bedrooms they can't sleep in, roofs and floors that sag and tilt

in unnatural ways. The acrid smell of mold hangs in the indoor air, and many residents worry it is ruining their health.

The homeowners say they can't repair their homes properly because their insurance company, United Casualty Insurance Company of America, didn't reimburse them adequately after the storm. Forty-eight have sued, seeking higher payments to fix their homes before another storm strikes.

Most are poor, black longtime residents who maintained policies for between \$20,000 and \$50,000 to protect their dwellings and possessions. Some said they paid premiums for decades, but received checks after Charley that were significantly lower, ranging from about \$3,500 to about \$10,000.

United denies wrongdoing and said it is cooperating with court-ordered appraisals of the properties. "We paid what we thought was a fair amount," said John Camillo, United's vice president. He said if the appraisals determine United owes more money, "we'll pay it."

Deborah Wiley hopes so. "I'm ashamed to have company, family members over," Wiley, 39, said. "The house looks terrible. I got this big hole in the ceiling — it's just embarrassing."

Wiley and others have an unlikely ally: the agent who sold them their insurance and in many cases delivered their checks.

United claims its former agent, Craig Lastinger, is a disgruntled ex-employee. The company in court filings contend the residents failed to properly notify them they were disputing the payouts.

The residents' attorneys counter that they informed Lastinger, who said he repeatedly complained on the residents' behalf.

Charley struck with an unexpected fury, the strongest storm to hit the USA since Hurricane Andrew in 1992. The storm slammed into Punta Gorda on Florida's Gulf Coast and by the time it reached Arcadia 25 miles inland, one unofficial estimate clocked the winds at 103 mph.

BLAST FROM THE PAST: [Hurricane history](#)

In his home on McKinley Avenue, Clinton Wiley scrambled to keep his family safe.

He tied rope around his wife and children and sought refuge in an interior hallway. They sang hymns, the only thing that seemed to bring Deborah Wiley comfort.

Then the attic breached. Water streamed into the hallway where the Wileys huddled. Another hole opened up in the living room.

A few blocks away, the family of Robert and Jackie Rivers cowered under a mattress in the couple's bedroom. When a branch crashed through the ceiling overhead, they fled to a hallway.

Charley's roaring winds took both Roosevelt Brady's roof and his neighbor's, which crashed into the side of Brady's tiny home. The foundation shifted.

Ludie Tillis' roof peeled back.

The Rivers' air conditioner took another shot.

All the families were safe, but Charley was, one piece at a time, ripping apart the homes and simple possessions they had accumulated.

After the storm, residents struggled to rebuild.

Tillis, a squat 91-year-old widow who still shuffles around her southwest Arcadia neighborhood on errands, used her small insurance payout to have her roof repaired — but that didn't last.

It now looks like a damp, wrinkled carpet. When it rains, water runs down the walls, barely missing the portraits of Dr. Martin Luther King Jr. and the Kennedy brothers — John and Bobby — that adorn her walls.

The widow no longer sleeps in her bedroom. The water infiltrates there, too, caught by a pan placed on her bed.

Rivers, a DeSoto County sheriff's deputy who raced home before the storm to protect his family, had to return to work to help others within hours of Charley's passage.

He left behind a downed tree and a waterlogged home.

When his claim check arrived, it was for about \$7,000. Fixing the roof alone cost \$6,000, and many of his family's possessions were also ruined.

"To be honest with you, we have never recovered from the storm," Rivers said.

He and his wife have spent thousands of dollars on repairs, but their home still shows signs of water damage. Lastinger said the home should have been considered a total loss. He said Rivers "would have been better off if he had no insurance" as the Federal Emergency Management Agency would have paid him more.

Guilt eats at Lastinger, who sold the families their policies, collected their payments and distributed their payout checks during his 22-year career with United. He said he repeatedly tried to resubmit claims to garner larger payouts, which were denied.

United, whose parent company is Chicago-based insurer Unitrin Inc., markets its policies to lower income homeowners who can pay for them in monthly installments.

Lastinger still visits the neighborhood. Residents greet him with waves and smiles, but United regards him differently, claiming he solicited the residents' lawsuits because he is "angry at our company," Camillo said.

Lastinger has helped attorneys with the Tampa-based Merlin Law Group, which specializes in insurance law and has represented Gulf Coast homeowners after devastating storms.

He is not being paid for his efforts, said William "Chip" Merlin, the firm's owner.

If the initial lawsuits succeed, Merlin said his firm intends to file "bad faith" suits against United. "I think it's malfeasance and non-caring to a customer base," Merlin said.

"For many of these people who are disenfranchised to begin with, this is just another step in a long life of unfortunate things to happen to them," he said.

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