

Please Think of Us As Your Law Firm

If you have a legal question or problem, please don't hesitate to call or e-mail.

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Filing a complaint with the Consumer Financial Protection Bureau

The Consumer Financial Protection Bureau (CFPB) is a federal agency that helps regulate consumer protection regarding financial products and services in the United States. The jurisdiction of the bureau includes banks, credit unions, securities firms, payday lenders, mortgage-servicing operations, foreclosure relief services, debt collectors and other financial companies, and its primary focus is on mortgages, credit cards and student loans.

The bureau works to give consumers the information they need to understand the terms of their agreements with financial companies and service providers.

Congress established the CFPB to protect consumers by

Please Refer Us To Your Family and Friends

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carrying out federal consumer financial laws, and specific duties of the bureau include:

- Write rules, supervise companies, and enforce federal consumer financial protection laws
- Restrict unfair, deceptive, or abusive acts or practices
- Take consumer complaints
- Promote financial education
- Monitor financial markets for new risks to consumers
- Enforce laws that outlaw discrimination and other unfair treatment in consumer finance

If you are experiencing a problem with a financial product or service, such as a

credit card company or mortgage lender, you may file a complaint with the CFPB. In order to file a complaint, you may visit the CFPB website at <http://www.consumerfinance.gov/complaint/>. They will forward your complaint to the company and work to get a response from the company.

Upon filing the complaint, the CFPB will catalog and code it and use a database management system to figure out if there's a pattern of problems that call for further investigation. Second, they will send the complaint to the company you are questioning. The bank is allowed to contact the consumer and try to solve the problem. If they think the problem has been solved, the bank will tell the CFPB and acknowledge that it has been taking care of.

E-mail Address Please

To help us communicate with you more easily, please send your e-mail address to us at clavis@lavislaw.com. Thanks!

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Happy New Year from Lavis Law Firm!

Homeowners Insurance Tips for the New Year – Seven Ways to Save and Protect Your Home

Now is a good time to review your home and insured belongings. See the tips below to help assess your home insurance needs, and consider updating your policy:

1. Make sure you can rebuild all, not just part of, your house

Even if the value of your home has decreased, the cost of construction may have risen. Make sure your homeowners insurance pays you for full rebuilding costs where applicable in the event of a disaster.

2. Review your flood insurance policy

Review your flood insurance coverage. While the National Flood Insurance Program can help by provide affordable insurance, there are limits to how much coverage you can get, and it isn't available everywhere. Additionally, rate increases may be coming due to congressional changes in national insurance policies. Keep an eye on the NFIP in the coming weeks to see how your policy may be affected. If you can't participate in NFIP or need more extensive coverage, see if you can buy flood insurance from your existing carrier. Flood insurance rarely comes with a standard homeowners policy.

3. What's new in your life?

Certain changes in your life

may change your insurance liability needs. If you are recently divorced received the house, make sure your ex-spouse's name is off the policy. Did you build a playground or a swimming pool? Talk to your insurance agent and update your homeowners insurance if necessary.

4. Assess your valuables

Your art, jewelry, antiques, and other collectibles may have increased in value over the years. If your homeowners insurance policy does not have accurate values on these items, your company may not reimburse you for the full value in the event of fire or other home disaster. Take an inventory of your valuables and update your policy accordingly.

5. Keep record of home improvements

Have you made any renovations or additions to the home, such as an expanded garage, new bathroom, or updated kitchen? Your house may now be worth more, and your homeowners insurance needs to reflect that. Create a home inventory video and keep it in a safe place outside the home. Should a disaster occur, you will have proof of the updates.

6. Check for discounts

Search for discounts that can

reduce your homeowners insurance premiums. You may be eligible for a discount if you have an automobile or valuable articles policy with the same company as your homeowners insurance policy.

These home features can also give you discounts on your homeowners insurance—but only if your insurer knows you have them:

- Burglar or fire alarms
- Gated community patrol service
- Storm shutters
- Temperature monitoring system to protect against freezing, connected to a central station alarm
- Fencing in your pool
- Permanently installed, electrical back-up generator

7. Review your credit report

Establishing a solid credit history can cut your insurance costs. Insurers may use credit information to price homeowners insurance policies. In most states, your insurer must advise you of a rate increase, at which time you should verify the accuracy of your credit report. Check your credit record on a regular basis and have any errors corrected promptly so that your record remains accurate.



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"It will be important to keep an eye on possible changes in flood insurance legislation, as it may have a direct effect on thousands of Gulf Coast residents, who may face significant increases in their rates."

Flood insurance rates may see sharp increase

A number of Gulf Coast legislators have been looking to hold back flood insurance policy changes that could mean skyrocketing rates for Louisiana residents. Senator Mary Landrieu is co-sponsoring the Flood Insurance Homeowner Affordability Act with Senators Chuck Schumer (D-NY) and Bill Nelson (D-Florida) to delay flood insurance increases that were initially set forth in the Biggert-Waters Act of 2012. Louisiana has about 500,000 homeowners with federal flood insurance policies.

The bill gives FEMA time to study the insurance rates and their impact on local areas

before making a final decision. It also requires FEMA to certify that they have accurate flood maps, eliminate penalties for communities that are providing their own flood insurance apart from the federal government, and it sets money aside for a Flood Insurance Advocate position within FEMA to assist homeowners.

U.S. Senate Majority Leader Harry Reid will allow the flood insurance bill to go directly to the Senate floor, without having to be heard in committee, a move that Landrieu has attempted to stop. Landrieu has tried, without success, to bring up the Biggert-Waters fixes in a

variety of larger pieces of legislation throughout the year.

U.S. Rep. Bill Cassidy (R-Baton Rouge), who is Landrieu's opponent in the 2014 election, has also filed a number of bills surrounding flood insurance reform this year. He unsuccessfully filed a bill in the House last week that would have delayed the Biggert-Waters changes until March, 2015. It will be important to keep an eye on possible changes in flood insurance legislation, as it may have a direct effect on thousands of Gulf Coast residents, who may face significant increases in their rates.

Reminder - Apply for Home Insurance Rebates

Louisiana Insurance Commissioner Jim Donelon is reminding homeowners and others to apply for the Louisiana Citizens Property Insurance Corporation (LCPIC) rebate when tax time comes around. Property insurance policyholders are entitled to receive a tax credit or cash rebate on the LCPIC assessment. The 2009 tax credit will expire at the end of the year, and so far there is nearly \$59 million left on the table.

The commissioner notes that at the end of each year, money is available and waiting to be claimed. Currently about 53%

of the available money for 2009 remains unclaimed. Additionally, there are state tax deduction and insurance premium discounts available to homeowners who strengthen their homes against storms and hurricanes.

Property owners may be eligible for a state tax deduction for voluntarily retrofitting their home, and insurance premium discounts for voluntarily building or retrofitting their home to comply with the Louisiana State Uniform Construction Code. These updates include such building applications as

roof deck attachment, roof bracing, roof covering, roof-to-wall connections, secondary water barriers and opening protection.

If the money is not claimed by insurance policyholders it will automatically go into the state general fund. For information on filing for this rebate, visit <http://www.lti.la.gov/HurricaneTaxDeduction.html> for information.

Rebates left unclaimed:

2009: \$58.9 million
2010: \$51.2 million
2011: \$48.4 million
2012: \$52.5 million



Preventing scams and bank fraud against seniors

Seniors are often easy targets for scams, and it is important to be as alert as possible to notice the signs and help prevent this fraud. Many banks and credit unions try to prevent such fraud, and their employees are part of the solution on the front lines to stopping financial abuse. Federal regulators have issued guidance to clarify that privacy rules don't trump common sense for reporting suspected elder abuse to law enforcement officials or state adult protective services agencies.

Older Americans are all too often victims of financial exploitation, as they often have higher household wealth from retirement savings and home equity. Caregivers must be aware of outsiders, and even relatives, who might find a way to get a senior's ATM card and PIN, convince an older adult to wire large sums to cover taxes for so-called sweepstakes winnings, or seek to coerce the older adult to hand over cash.

Meet Charles E. Lavis, Jr.

Charles Lavis is the founder and managing shareholder of Lavis Law Firm, APLC. He was born in New Orleans in 1965 and has practiced law there since 1995. Charles represents workers, consumers, homeowners and business owners against insurance companies and corporations. He represents clients in matters involving Job Injuries, Accidents, Products Liability, Hurricane Insurance Claims, Personal Injury, Wrongful Death and Survival Actions, and Insurance Bad Faith. If you have questions, please call Charles at **1-866-558-9151**.

Signs that might trigger a suspicious-activity report at a financial institution:

- Lots of stops at the ATM for withdrawals that hit the daily maximum allowed on that account.
- Sudden onslaught of bounced checks, which might indicate an unexpected loss of money.
- Debit transactions that don't seem to make sense for an older adult.
- Wiring large sums of money out of the blue.
- Closing a certificate of deposit despite a large penalty for early withdrawal.
- Bank is unable to speak directly with the older adult, despite repeated attempts to make contact.

Financial exploitation is defined as illegally or improperly using an older adult's money, property or other assets. Older adults can lose money through exploitation by relatives, caregivers, scam artists, financial advisers, home-repair contractors, guardians and others. Stopping the money from ever being handed over to an abusive relative or a con artist is

essential. Some seniors are too upset or frail or just too embarrassed to take legal action, so it is important for care givers and bank employees to be alert to these situations.

Tips for avoiding scams:

- The National Center on Elder Abuse lists government agencies in individual states that can help: http://www.ncea.aoa.gov/StopAbuse/Get_Help/State/index.aspx.
- Beware of the "Grandparents Scam" where a scammer calls or e-mails pretending to be a grandchild in trouble in Canada or overseas.
- Beware of "freebies." Scammers may offer seniors free groceries savings certificates, along with a free medical alert bracelet, which may lure people to give away bank account information.
- Scammers may attend the funeral service of a stranger claiming that the deceased had an outstanding debt with them.
- Seniors may be targets of reverse mortgage scams. Victims are offered free homes, or refinance assistance.



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