

The Virgin Islands Consortium

Sen. Hansen And Atty. Lee Rohn To File Class Action Suit Against Insurance Companies For Alleged Questionable Practices

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ST. CROIX -- Senator Alicia Hansen and well-known attorney Lee Rohn have teamed up for a class action lawsuit on behalf of Virgin Islanders who have allegedly been mistreated by insurance companies following Hurricanes Irma and Maria, Mrs. Hansen's office announced Saturday.

According to Mrs. Hansen, the move follows repeated calls from her office to Senate President Myron Jackson, and Senate Majority Leader Neville James, to conduct a probe into insurance companies in the territory and the increasing complaints by insurance

policyholders -- many of whom have been with these companies for 5, 10 and even 15 years -- suddenly being told that they are underinsured and would therefore not receive full coverage settlements for their hurricane-damaged homes.

The class action suit was announced by Mrs. Hansen and Ms. Rohn on the senator's Saturday morning talk show program, "Keeping In Touch". There, the two said they were teaming up to challenge these insurance companies, and asked insurance policyholders who believe they're being cheated, to join the suit.

According to Mrs. Hansen, upon learning about the impending suit, Marshall & Sterling President John Harper, reached out to the senator and requested that she allow him to address the policyholders' questions and concerns on air. Mrs. Hansen allowed Mr. Harper to speak, but the senator along with Ms. Rohn did not appear to be satisfied as they're still moving ahead with the class action suit.

I have had enough of the Legislature's unwillingness to act on behalf of the people, now it is time to take the gloves off. - Sen. Hansen.

The release said Mr. Harper "ultimately admitted" to Mrs. Hansen and Ms. Rohn that there were disparities with the way insurance adjusters treat claims in the territory. The release added that Mr. Harper agreed that all Marshall & Sterling insurance claims should be reassessed, and that he would immediately begin that process.

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en said.



From left to right: Alicia Hansen, Lee Rohn

and a supporter of Mrs. Hansen leave the Superior Court following a hearing in Sept. 2016. (Credit: Ernice Gilbert, VIC)

The senator is reaching out to residents who believe they've been treated unfairly, asking that they call Ms. Rohn's law firm at 340-778-8855 to join the class action.

Last week, Lieutenant Governor Osbert Potter, whose office includes the Division of Banking and Insurance (D.B.I.), held an [hourslong press conference](#) providing information about the insurance claims process in the territory. At the press event, which came four months following the storms, D.B.I. officials lauded their own efforts, even after revealing that [less than half of all insurance claims for Hurricanes Irma and Maria had been settled](#).

According to Mr. Potter, there were 9,332 claims filed for Hurricane Irma as of January 10, of which 3,013 claims were closed, which equates to \$435,661,453.61. "That represents 38 percent of the claims that were filed," Mr. Potter said. "There's still a lot of claims in the pipeline at various stages, so this in itself shows a lot of progress, but at the same time shows that there are still more claims to be handled and the process for dealing with claims continues."

The total number of claims filed for Hurricane Maria was 5,549 as of January 10, of which 1,314 claims were closed — equating to \$82,837,319.06. "These figures are building up and continue to build because we issued an order to these insurance companies to make sure that there is not a delay in the process," the lieutenant governor said.

Gwendolyn Hall Brady, director of D.B.I., said the division has been efficient in responding to the queries of residents. She said all who have called with concerns have had their matters dealt with, and stressed that communication was unavailable for about a month following the hurricanes. Yet even with the current efficiency at D.B.I., Ms. Brady has also asked for additional employees to meet the rising demand of residents seeking help with settling their claims. When asked about the timeline for employing more workers to help with the workload, Mr. Potter said he could not give a time frame, but assured residents that their matters would be addressed by the current cadre.

Currently, insurance companies have thirty days to respond to clients whose properties have been assessed by an adjuster. Asked if the division had considered shortening by one week the length of time to respond, Mr. Potter said he believed a month was reasonable enough.

Ms. Brady said D.B.I. would begin requiring insurers to clearly explain to policy holders the exact contents of the plan they hold, a move that follows complaints from a high number of residents who were told by insurance companies that they were underinsured. The action is an important one, but it will have little effect on victims of Hurricanes Irma and Maria, who must now find additional funds to repair their homes after learning that their current policies do not fully cover the damage wrought by either Irma or Maria.

Mr. Potter encouraged residents to ascertain their policy before agreeing to it — even with the new action in place. "It is your responsibility as a homeowner to really seriously don't continue to sign on the dotted line and move on and feel like everything is fine. It's your responsibility to understand your policy," he said.

Moving forward, D.B.I. will require insurance companies to provide a catastrophe response plan, without which these companies will not be granted a license to operate in the territory. And the division has 6 bills in the Legislature that it hopes will be approved and signed into law to further bolster its credibility with the [National Association of Insurance Commissioners](#).