

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-6074
MINORITY (202) 225-6051

<https://oversight.house.gov>

September 11, 2025

The Honorable Ron DeSantis
Governor
The Capitol
400 South Monroe Street
Tallahassee, FL 32399

The Honorable Ben Albritten
President of the Florida Senate
409 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

The Honorable Daniel Perez
Speaker of the Florida House
420 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

Darren Schwartz
President, Florida Division of Administrative
Hearings
1230 Apalachee Parkway
Tallahassee, FL 32399

Mike Yaworsky
Florida Insurance Commissioner
200 East Gaines Street
Tallahassee, FL 32399

Dear Governor DeSantis, President Albritten, Speaker Perez, Mr. Schwartz, and Mr. Yaworsky,

I write with grave concern about an apparent inequity in the treatment of homeowners insurance policyholders in the state of Florida and the corresponding lack of due process for the more than 840,000 Floridians holding homeowners insurance policies under Florida's insurer of last resort, Citizens Property Insurance Company (Citizens). Citizens plays a critical role in helping Florida homeowners obtain homeowners insurance by providing coverage to those who otherwise could not get it. Although it is important that Citizens' solvency be maintained, it is also important that Citizens policyholders are able to dispute incorrect or unfair claims decisions. Yet, unlike holders of private insurance policies who can seek to redress such disputes in court in front of juries of their peers, policyholders appealing Citizens' denial of claims are forced to resolve their dispute using arbitration. This is due in part to House Bill 799, which the Florida legislature passed in May 2023.¹ Alarming, it appears that Citizens policyholders are losing nearly 100% of their cases in these arbitration proceedings.² Due to the way that House Bill 799 is significantly and disproportionately impacting Citizens policyholders, I request documentation

¹ Fla. HB 799 (2023).

² A review of Division of Administrative Hearings (DOAH) hearing outcomes from January 1, 2025, to June 2, 2025, found that of 29 total cases, DOAH ruled against petitioners in 20 cases; nine cases were withdrawn by the petitioners. Sources involved in the process report that this pattern holds across the history of DOAH property insurance hearings.

and a briefing related to the passage and enactment of this law.

After Governor DeSantis signed House Bill 799 into law, it was codified as Section 627.351(6)(II) of the Florida Statutes, bringing into effect a policy previously approved by the Florida Office of Insurance Regulation, which requires Citizens policy holders to dispute any faulty claim determinations through arbitration in front of the Florida Division of Administrative Hearings (DOAH).³ The language codifying this arbitration requirement in Section 627.351(6)(II) was added to House Bill 799 by Florida’s House Commerce Committee. This added provision did not go unnoticed—Florida State Senator Erin Grall filed an amendment to remove this provision from the bill, but then ultimately withdrew the amendment.⁴

Requiring Citizens policy holders to use arbitration to dispute insurance claims has a clear impact on the resolution of those claims. Documentation from Citizens policyholders shows that this arbitration is “valid, final, and binding on the parties” and cannot be appealed.⁵ And data from the DOAH website appears to indicate that nearly all Citizens claims brought before DOAH for arbitration so far this year have failed.⁶

Caught up in these hundreds of cases that constitute Citizens’ near-perfect record with DOAH are constituents of mine who have suffered severe storm damage. To add insult to injury, the arbitration process often leads to policyholders owing thousands of dollars to Citizens’ lawyers because Citizens is allowed to collect attorneys’ fees when they win in arbitration. The 2023 requirement that Citizens policyholders resolve all claims disputes through arbitration harms Citizens policyholders by depriving them of the opportunities that private policyholders have to litigate their claims and appeal if they lose. Such a disparity could have been prevented and should have been discussed in the legislative process.

To understand why the State of Florida decided to force distressed homeowners who already lack options for homeowners insurance and must rely on Florida’s insurer of last resort to participate in arbitration with the DOAH when disputing an insurance claim, I request the following information and documents by September 25, 2025:

1. A detailed description of the considerations and conversations that motivated the legislature to amend House Bill 799 to include the mandatory arbitration language that would become Section 627.351(6)(II), and all corresponding documentation;
2. A list of all experts or stakeholders with whom legislators consulted in drafting Section 627.351(6)(II), and all corresponding documentation;

³ *Florida Citizens’ Endorsement Now in Effect: Disputes to be Heard by Admin Judges*, Insurance Journal (Feb. 6, 2023) (online at www.insurancejournal.com/news/southeast/2023/02/06/706063.htm).

⁴ See Florida House of Representatives, *CS/CS/CS/HB 799 (2023) – Property Insurance* (online at www.flhouse.gov/Sections/Bills/billsdetail.aspx?BillId=77533&SessionId=99) (accessed May 15, 2025).

⁵ Document on file with Committee Democratic Staff.

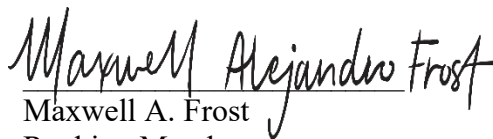
⁶ Division of Administrative Hearings, *Recent Decision* (online at www.doah.state.fl.us/ALJ/Decisions/) (accessed Mar. 25, 2025).

3. A detailed description of the considerations and conversations that motivated Florida Senator Grall to offer and then withdraw an amendment that would have removed the mandatory arbitration carveout from House Bill 799;
4. All communications sent or received by any individual within the Governor's office regarding House Bill 799, including but not limited to communications related to the mandatory arbitration provision and Section 627.351(6)(ll);
5. Any statements or drafts of statements for Governor DeSantis related to mandatory arbitration for policyholders under Florida's insurer of last resort and Section 627.351(6)(ll);
6. All documents and communications regarding the Florida Office of Insurance Regulation's August 2022 policy endorsement requiring DOAH arbitration, including but not limited to documents and communications regarding the policy's legality prior to the enactment of Section 627.351(6)(ll); and
7. A list of all arbitrations overseen by the Florida Division of Administrative Hearings involving Citizens policy holders, the outcome of those cases, and all documentation related to those cases not subject to attorney-client privilege.

I look forward to your prompt reply.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. If you have any questions regarding this request, please contact Committee Democratic staff at (202) 225-5051. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Maxwell Alejandro Frost". The signature is written in a cursive, flowing style.

Maxwell A. Frost

Ranking Member

Subcommittee on Economic Growth, Energy Policy, and
Regulatory Affairs

cc: The Honorable Eric Burlison, Chairman
Subcommittee on Economic Growth, Energy Policy, and Regulatory Affairs