DISTRICT COURT OF APPEAL OF FLORIDA, SECOND DISTRICT

People's Trust Insurance Company v. John L. Abraham and Lois Abraham

People's Trust · No. 2D2023-2383 · Decided May 7, 2025

SUMMARY

The Florida Second District Court of Appeal reversed a final judgment entered for John and Lois Abraham in their dispute with People's Trust Insurance Company over the insurer's election to repair covered property damage. The court held that a general contractor without a roofing license may subcontract roofing work and that the policy did not require the insurer itself to provide the contractor's licensure documentation. The case was remanded for entry of judgment for the insurer.

CASE DETAILS

COURT	District Court of Appeal of Florida, Second District
WRITING FOR THE COURT	KHOUZAM, Judge; ROTHSTEIN-YOUAKIM, J.; LABRIT, J.
JURISDICTION	District Court of Appeal of Florida, Second District
DECIDED	May 7, 2025
DOCKET	2D2023-2383
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The insurer appealed a final declaratory judgment entered for the insureds after the trial court denied the insurer's motion for summary judgment and ruled that the policy's work authorization contemplated illegal unlicensed roofing work and required the insurer to provide contractor licensure documentation.
STANDARD OF REVIEW	De novo review applies to final summary judgments and to issues of statutory and contractual interpretation.
PRECEDENTIAL VALUE	Published opinion
PARTIES	People's Trust Insurance Company v. John L. Abraham, Lois Abraham

TOPICS

insurance coverage · contract interpretation · statutory interpretation · standard of review · appellate procedure

PRACTICE AREAS

insurance law · contract law · construction law · appellate procedure

QUESTIONS PRESENTED

1. Whether the policy's work authorization contemplated an illegal contract under section 489.113, Florida Statutes, because RRT was a general contractor without a roofing license even though it could subcontract roofing work to licensed roofing contractors.
2. Whether the policy required People's Trust itself to provide or cause RRT to provide documentation of RRT's licensure and insurance.

HOLDINGS

1. The work authorization did not violate section 489.113 merely because RRT, a general contractor, lacked a roofing license. A general contractor without the applicable roofing license must subcontract the roofing work to a licensed roofing contractor while remaining responsible for the work.
2. The policy did not require People's Trust itself to provide or cause RRT to provide licensure documentation. It required the insurer to instruct RRT to provide the documentation and gave the insurer the option, but not the obligation, to assist by providing it.

KEY QUOTATIONS

> *"Ultimately, under both the plain statutory language and the binding precedent raised below, the Work Authorization would not violate section 489.113 simply because the general contractor lacks a roofing license."* (7)

> *"Contrary to the trial court's ruling, the Insurer did not undertake the broader duty to "cause" such production."* (8)

FACTUAL BACKGROUND

The insureds held a homeowner's policy that gave People's Trust the option to repair covered losses through Rapid Response Team, LLC (RRT), identified as the general contractor. After a covered loss, the insurer elected repair, and an appraisal established the repair scope, most of which involved the roof. The insureds refused to execute the required work authorization and pay the deductible, asserting that RRT lacked a roofing license and that the insurer had failed to provide documentation of RRT's licensure and insurance.

PROCEDURAL HISTORY

People's Trust invoked its policy option to repair the insureds' covered property loss rather than issue a loss payment. The insureds refused to sign the work authorization and pay the deductible, so the insurer sought specific performance or declaratory relief. The trial court denied summary judgment, later denied reconsideration after the Fourth District's decision in Lamolli, and entered final declaratory judgment for the insureds. The Second District reversed and remanded for entry of judgment for the insurer.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the final judgment for the insureds and remand for entry of judgment for People's Trust Insurance Company consistent with the opinion.

CASES CITED

- People's Trust Insurance Co. v. Lamolli, 352 So. 3d 890, 895 (Fla. 4th DCA 2022)
- Pardo v. State, 596 So. 2d 665, 666 (Fla. 1992)
- Weiman v. McHaffie, 470 So. 2d 682, 684 (Fla. 1985)
- State Farm Mut. Auto. Ins. v. MRI Assocs. of Tampa, 252 So. 3d 773, 776 (Fla. 2d DCA 2018)
- Motzenbecker v. State Farm Mut. Auto. Ins., 123 So. 3d 600, 602 (Fla. 2d DCA 2013)
- Allstate Ins. v. Orthopedic Specialists, 212 So. 3d 973, 975 (Fla. 2017)
- Travelers Indem. Co. v. PCR Inc., 889 So. 2d 779, 785 (Fla. 2004)
- Swire Pac. Holdings, Inc. v. Zurich Ins., 845 So. 2d 161, 165 (Fla. 2003)
- Siegle v. Progressive Consumers Ins., 819 So. 2d 732, 735 (Fla. 2002)