

DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

Treasure Cay Condominium Association, Inc. v. Frontline Insurance Unlimited Company

Treasure Cay Condominium Association, Inc. v. Frontline Insurance Unlimited Company · No. 3D24-1196 ·
Decided October 1, 2025

SUMMARY

The Florida Third District Court of Appeal affirmed the circuit court in an insurance dispute involving Treasure Cay Condominium Association and Frontline Insurance Unlimited Company. The court held, consistent with cited precedent, that an insured must comply with post-loss obligations, including submitting to an examination under oath and providing sufficient information, before appraisal may be compelled.

CASE DETAILS

COURT	District Court of Appeal of Florida, Third District
WRITING FOR THE COURT	SCALES, C.J.; LOBREE, J.; GOODEN, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	October 1, 2025
DOCKET	3D24-1196
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a Monroe County Circuit Court order concerning the insured's compliance with post-loss obligations and entitlement to appraisal.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Treasure Cay Condominium Association, Inc. v. Frontline Insurance Unlimited Company

TOPICS

- insurance coverage
- appellate procedure
- contracts
- appellate jurisdiction

PRACTICE AREAS

- insurance
- contracts
- appellate procedure
- civil procedure

QUESTIONS PRESENTED

1. Whether the circuit court properly refused to compel appraisal before the insured complied with the policy's post-loss obligations.

HOLDINGS

1. An insured must comply with the insurance policy's post-loss obligations, including submission to an examination under oath and a meaningful exchange of information sufficient to establish a disagreement, before appraisal may be compelled.

KEY QUOTATIONS

“The failure to submit to an examination under oath is a material breach of the policy which will relieve the insurer of its liability to pay.” (2)

FACTUAL BACKGROUND

The opinion is a brief per curiam affirmance and does not set out the underlying factual record in detail. The cited authorities indicate that the dispute involved an insured's failure to comply with post-loss obligations, including an examination under oath, before seeking appraisal under an insurance policy.

PROCEDURAL HISTORY

Treasure Cay Condominium Association appealed from the Circuit Court for Monroe County. The Third District Court of Appeal affirmed the circuit court's ruling, relying on precedent holding that an insured must comply with post-loss obligations before appraisal may be compelled.

DISPOSITION

affirmed

CASES CITED

- State Farm Fla. Ins. Co. v. Xirinachs, 251 So. 3d 221, 222–23 (Fla. 3d DCA 2018)
- State Farm Fla. Ins. Co. v. Hernandez, 172 So. 3d 473, 477 (Fla. 3d DCA 2015)
- First Home Ins. Co. v. Fleurimond, 36 So. 3d 172, 174 (Fla. 3d DCA 2010)
- U.S. Fid. & Guar. Co. v. Roday, 744 So. 2d 467, 469–70 (Fla. 3d DCA 1999)
- Stringer v. Fireman's Fund Ins. Co., 622 So. 2d 145, 146 (Fla. 3d DCA 1993)

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