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October 14, 2009

Via Federal Express

Insurance Consumer Advocate Sean Michael Shaw
Florida Department of Financial Services
200 East Gaines Street
Tallahassee, Florida 32399-4288

Re: Mr. and Mrs. Ivory
16315 Maya Circle
Punta Gorda, Florida 33955

Dear Insurance Consumer Advocate Shaw:

As the Insurance Consumer Advocate, you are intimately familiar with how difficult it is to obtain homeowner's insurance for residents of Florida. In fact, because of this difficulty, the state of Florida helped to establish Citizens Property Insurance Corporation. The so called, "insuror of last resort." However, recently, the insuror of last resort acted in a manner that is nothing short of cruel.

I represent Mr. Ivory, a retired maintenance worker for Anheuser Busch, who owns a home in Punta Gorda. Mr. Ivory recently found out that his retirement home is infected with Chinese drywall. As a result, he placed his homeowners insurance on notice of this problem. Citizens has now denied the claim and has not paid Mr. Ivory for any of the damages he has incurred as a result of this problem. Further, he does not have the financial ability to correct this devastating problem. Now Citizens, the supposed insuror of last resort, has written Mr. Ivory basically stating that since he has not corrected the drywall problem, they will be unable to renew him next year. If Mr. Ivory will be unable to obtain insurance from Citizens, where will he turn?

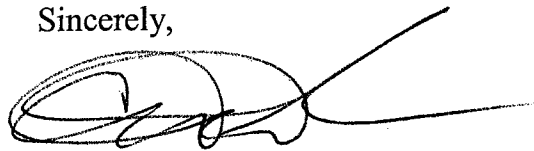
Recently, David Fisher, a Management Analyst with the Florida Department of Financial Services, called to investigate the Ivory case. On October, 12, 2009, he called to inform me that Citizens was taking the position that the Chinese drywall had increased the risk due to fire danger and as a result of Mr. Ivory being unable to live in the home. Mr. Fisher advised me that if this was in fact the case then the non-renewal may be appropriate.

I know that this issue has now been brought directly to your attention by Maggie Crane with WINK News. In fact you were quoted in her story as saying, "This is the number one thing on my plate right now because this is just an untenable situation as it is right now." I could not agree with you more. We cannot allow the state created insurer of last resort to non-renew homeowners affected by Chinese drywall. This would victimize victims. This would allow the state created safety net to have a hole in it.

Therefore, on behalf of Mr. Ivory and other victims around the state, we once again ask you to take a stand on this issue and do all that you can do to protect insureds who have a Chinese drywall problem and who are insured with Citizens.

This letter is sent with a hope that you will take action for these victims. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. David Durkee', with a long horizontal flourish extending to the right.

C. David Durkee

CDD;prl



**Citizens Property
Insurance Corporation**
Serviced by Citizens Service Center
6676 Corporate Center Parkway
Jacksonville, FL 32216-0973

NONR1 04 08

Date of Notice: September 14, 2009

Policy Number: FRJH4325377-01

Policyholder:

Named Insured:

JAMES IVORY
16315 MAYA CIR
PUNTA GORDA, FL 33955

764 JAMES IVORY
16315 Maya Cir
Punta Gorda, FL 33955-4345

**NOTICE OF NONRENEWAL EFFECTIVE 3/20/2010 at 12:01 A.M.
EASTERN TIME**

Policy FRJH4325377-01 is not being renewed by Citizens Property Insurance Corporation (Citizens). This policy will not provide any protection after the date and time specified above. The reason for this action is:

The risk has existing damage and no proof of repair has been provided to Citizens Property Insurance Corporation.

Please contact your agent if you have any questions:

LORI D. KENNEDY
3691 TAMIAMI TRAIL
PUNTA GORDA, FL 33950
(941) 637-6001