

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

CASE NO.: 8:26-cv-00618

**CHARLENE LYNN ROTONDO,
AS TRUSTEE OF THE
CHARLENE LYNN ROTONDO
TRUST,**

Plaintiff(s),

vs.

**WRIGHT NATIONAL FLOOD
INSURANCE COMPANY,**

Defendant.

_____ /

AFFIDAVIT OF PLAINTIFF

BEFORE ME personally appeared CHARLENE LYNN ROTONDO, AS TRUSTEE OF THE CHARLENE LYNN ROTONDO TRUST, who, after being duly sworn, deposes and says:

1. I am at least eighteen (18) years of age, competent to be a witness, and have personal knowledge of the facts herein stated.
2. I make this Affidavit in good faith.

3. I, as Trustee of the Charlene Lynn Rotondo Trust, own the property located at 316 16th Avenue, Indian Rocks Beach, Florida 33785, which sustained damage on or about September 26, 2024.

4. I received the January 17, 2025 denial letter, which denied coverage for the upper kitchen cabinets.

5. In September 2025, I hired the undersigned counsel to assist in submitting a supplemental claim.

6. I received the December 15, 2025 denial letter, which denied coverage for replacement of the tile flooring in my home. A true and correct copy of the December 15, 2025 Letter is attached hereto as **Exhibit “1.”**

[SPACE LEFT INTENTIONALLY BLANK]


FURTHER AFFIANT SAYETH NAUGHT.

CHARLENE LYNN ROTONDO
CHARLENE LYNN ROTONDO (May 26, 2026 13:38:49 CDT)
CHARLENE LYNN ROTONDO

STATE OF FLORIDA)
)
COUNTY OF PINELLAS) ss

The foregoing was acknowledged before me by means of physical presence or online notarization, on this 26 day of MAY, 2026 by CHARLENE LYNN ROTONDO who is personally known to me or who has produced DRIVER'S LICENSE as identification and who, upon being first duly sworn according to law, deposes and says that she executed the foregoing Affidavit and it is true and correct to the best of her knowledge and belief.




NOTARY PUBLIC, STATE OF FLORIDA
GABRIELA FERNANDEZ
PRINTED NAME OF OFFICER

COMMISSION EXPIRATION DATE 4/21/2029



We are flood.®

December 15, 2025

CHARLENE ROTONDO
316 16TH AVE
INDIAN ROCKS BEACH, FL. 33785

CHARLENEROTONDO@GMAIL.COM

RE: Policyholder : CHARLENE ROTONDO
Claim Number : 2411060
Loss Date : 9/26/2024
Policy number : 09115178252705
Loss Location : 316 16TH AVE

Dear CHARLENE ROTONDO:

Your coverage under the Standard Flood Insurance Policy (SFIP) is as follows:

Coverage Type	Amount	Deductible
Building Coverage	\$250,000.00	\$10,000.00
Personal Property Coverage	\$0.00	\$0.00

A digital copy of your Standard Flood Insurance Policy – Dwelling Form can be accessed at:
https://www.fema.gov/sites/default/files/documents/fema_F-122-Dwelling-SFIP_2021.pdf

We have reviewed the documentation related to your flood claim. Based on our review, we have identified the following coverage issue(s):

The SFIP is a single peril policy which covers direct physical loss by or from flood. There must be evidence of physical changes to the property. See section II.C.14 of the policy form.

You have requested payment for the replacement of tile due to debonding, cracking and tenting. Tile floors installed on concrete slab comprise what the industry identifies as a flood-damage resistant floor assembly. Floodwater does not disintegrate the chemical bond from materials within a ceramic floor assembly, and if water is trapped underneath the tiles, this is due to a pre-existing condition called "de-bonding", which results in the separation of tiles from the mortar or the mortar from the concrete.

We must respectfully deny coverage for the following items:

Replacement of ceramic tile installed on a cement floor which was determined by a professional engineer as undamaged by flood water. A copy of the professional engineer's report has been provided.

If you have any additional information or documents that you would like us to consider, please submit those documents to us. You can e-mail any documentation to our office at Floodclaims@weareflood.com, please be sure to include your claim number.

If you disagree with our decision, you have the option to appeal our decision directly with the Federal Emergency Management Agency (FEMA). If you wish to submit an appeal to FEMA, you must file your appeal within sixty (60) days of the date of this letter, explain the issue(s), include a copy of this letter, and provide any supporting documentation. To expedite filing an appeal for FEMA's review, you can now submit your appeal by emailing: FEMA-NFIP-Appeals@fema.dhs.gov. We have also attached a copy of FEMA's Policyholder Rights document that helps explain your options and provides additional explanation.

Wright National Flood Insurance Company does not waive any of its rights and defenses under the Standard Flood Insurance Policy and specifically reserves any and all rights under this Policy and governing Federal law.

If you have any questions concerning this matter, please contact our office.

Sincerely,
Terry Prichard
Claims Examiner
Wright National Flood Insurance Company
(800) 725-9472 Ext : 7782

CC: UNDERWRITING@REGENCYINS.COM
EHernandez@generalcounselfl.com



Policyholder Rights

You have options if your flood insurer denies your claim

We understand that the claims process is not always an easy one, but we are here to support you. If you do not agree with your insurer’s decision to deny your claim and you receive a full or partial claim denial letter from your insurer, you have several options:



Work with your insurer. We encourage you to first talk to your adjuster or insurer for any specific questions about your claim. Your adjuster can answer general questions and assist you in proving your loss. Your insurer can address specific questions and make final decisions about your claim. If you need to correct or add to any previously submitted proof of loss, you can submit an amended proof of loss directly to your insurer. You must sign and swear to an amended proof of loss and include documentation to support your loss and the dollar amount requested.



File an appeal. You may file a flood insurance appeal directly to us at FEMA, the Federal agency that oversees the National Flood Insurance Program (NFIP). On appeal, FEMA will work with your insurer to gather the claim facts, review the applicable guidance, policy terms and conditions, and provide an appeal decision that explains why FEMA is upholding or overturning the decision.

- To file an appeal, you must explain the issue(s) in writing, include a copy of the denial letter from your insurer, and provide any supporting documentation.
- There is no fee to file an appeal and you do not need a third party to represent you. If you have a third party represent you, FEMA will not pay for any costs incurred for representation. By law, FEMA cannot discuss your claim with a third party representative unless you provide certain information in writing. Please see <https://www.floodsmart.gov/appeal-your-flood-claim> for additional information.
- You must file your appeal within 60 days of the date of the insurer’s denial letter by sending it to FEMA, 400 C Street SW, 6th Floor SW, Washington, D.C. 20472-3010, or FEMA-NFIP-Appeals@fema.dhs.gov. **FEMA will receive and begin processing emailed appeals more quickly than those sent via U.S. mail or express carrier.** Please note that due to cybersecurity requirements, FEMA cannot access file sharing sites, CDs, DVDs, or any electronic storage devices.
- To understand FEMA's previous coverage decisions please visit <https://www.floodsmart.gov/understanding-coverage-decisions>.
- If you appeal, you can later choose to file suit against your insurer as long as you are still within the one-year timeframe available to file suit, but you can no longer seek appraisal.



File a lawsuit. Federal law permits you to file suit in the Federal District Court where the damage occurred within one year of when your insurer first denied all or part of your claim.

- You must file suit against your insurer. If the NFIP Direct is your insurer, you may



file suit against FEMA. For all other flood insurers, you may not file suit against FEMA.

- Filing an appeal does not extend the one-year timeframe to file suit against your insurer.
- Prior to or after filing a lawsuit, you may want to invoke the appraisal provision of the Standard Flood Insurance Policy. Appraisal is a viable alternative to a lawsuit when the only dispute between you and your insurer involves the price to be paid for a covered flood-damaged item.
- After filing an appeal to FEMA, you may still file suit against your insurer, but once you initiate litigation you can no longer file an appeal.

Additional Information. For more information about the flood insurance claims process, please see the NFIP Flood Claims Process Fact Sheet or the NFIP Flood Insurance Claims Handbook both found electronically on FEMA.gov.