




FEMA

W-11121

November 29, 2011

MEMORANDUM TO: Write Your Own (WYO) Principal Coordinators and the National Flood Insurance Program (NFIP) Servicing Agent



FROM: David L. Miller
Associate Administrator
Federal Insurance and Mitigation Administration

SUBJECT: Notice of Limited Waiver of the Standard Flood Insurance Policy to Extend the Time for Sending Proofs of Loss in the States of North Dakota, South Dakota, Nebraska, Iowa, Kansas, and Missouri

The Standard Flood Insurance Policy (SFIP) requires a policyholder to send the insurer a complete, signed, and sworn-to proof of loss within sixty (60) days after the date of loss. The proof of loss requirements are set forth in the SFIP in Section VII, Paragraph J.4 (Dwelling Form and the General Property Form) and Section VIII, Paragraph J.4 (Residential Condominium Building Association Policy Form).

The above-referenced states experienced catastrophic flood losses as a result of flooding beginning on or after June 1, 2011. In many instances, access to NFIP-insured buildings was not possible due to damage to the infrastructure and high water. These conditions delayed the claims process for many NFIP policyholders.

To assist policyholders, FEMA issued NFIP Clearinghouse Bulletin W-11050, dated July 20, 2011. That Bulletin provided a limited waiver of the 60-day time frame within which to file the SFIP required signed and sworn-to proof of loss and authorized an additional 60-day extension of the proof of loss deadline. Because NFIP policyholders continue to encounter difficulties filing timely proofs of loss, FEMA is providing a second limited waiver of the 60-day time period and an additional extension of time for filing the proof of loss. The authority for this waiver is found in Paragraph D of the General Conditions section of each SFIP.

Pursuant to Paragraph D of the General Conditions section of the SFIPs, I hereby authorize an additional 60-day extension of the time period within which a policyholder must submit the requisite signed and sworn-to proof of loss with the NFIP insurer. With this extension, an NFIP policyholder will have a total of 240 days after the date of loss to provide the completed, signed, and sworn-to proof

of loss to the insurer. This extension shall apply to all claims for flood damage occurring between June 1, 2011, and November 15, 2011, to NFIP-insured buildings and their insured contents in the above-referenced states. This limited waiver applies to SFIPs issued directly by FEMA or by private insurance companies participating in the NFIP's Write Your Own Program.

For example, under the SFIP, the NFIP policyholder who incurred a flood loss on June 1, 2011, was required to send the proof of loss to the insurer by July 31, 2011. Now that same policyholder would have until January 27, 2012, to send the required signed and sworn-to proof of loss.

We expect that this additional extension of (60) days will enable affected policyholders to present their claims. FEMA will continue to monitor claims activity to determine whether any further extension may be warranted.

By granting this waiver and extension of the time period to submit a proof of loss, FEMA does not hereby waive any other provision of the SFIP, and all other terms and conditions of the SFIP remain in effect. For example, a loss that was determined not to be payable because of the "Flood in Progress" exclusion in Section V, Paragraph B of the SFIP is not affected by the granting of this waiver and extension of time to submit a proof of loss.

We ask for your full support. Any questions or comments regarding this extension should be directed to James A. Sadler, CPCU, AIC, Director of Claims, National Flood Insurance Program. Mr. Sadler may be reached by email at James.Sadler@dhs.gov.

Attachment

cc: Vendors, IBHS, FIPNC, Government Technical Representative

Required Routing: Claims, Underwriting




FEMA

W-11050

July 20, 2011

MEMORANDUM TO: Write Your Own (WYO) Principal Coordinators and the National Flood Insurance Program (NFIP) Servicing Agent, and Selected Adjusting Firms

FROM: 
Edward L. Connor
Deputy Administrator, Insurance
Federal Insurance and Mitigation Administration

SUBJECT: Notice of Extension for Filing Proofs of Loss in the States of North Dakota, South Dakota, Nebraska, Iowa, Kansas, and Missouri with Dates of Loss on June 1, 2011, and continuing until an end date is determined

The Standard Flood Insurance Policy (SFIP) issued under the NFIP provides a period of sixty (60) days from the date of loss within which the policyholder must send the Insurer a signed and sworn proof of loss, which is the policyholder's detailed statement of the claim. These provisions are set forth in the SFIP in Article VII. General Conditions, Paragraph J.4 of the Dwelling Form and the General Property Form and in Article VIII. General Conditions, Paragraph J.4 of the Residential Condominium Building Association Policy Form.

Due to recent flooding along the Missouri River in North Dakota, South Dakota, Nebraska, Iowa, Kansas, and Missouri, an extension of the 60-day period within which a proof of loss must be submitted to the Insurer has been granted. Therefore, by means of this memorandum, I am authorizing the extension of this period an additional sixty (60) days. This extension shall apply to all claims for flood-insured buildings in North Dakota, South Dakota, Nebraska, Iowa, Kansas, and Missouri by flooding starting on June 1, 2011, continuing until an end date is determined whether the SFIP was issued directly by the NFIP Servicing Agent or through one of the private insurance companies issuing flood insurance coverage under the WYO Program. For example, the NFIP policyholder who incurred a flood loss on June 1, 2011, would normally have until July 31, 2011, to submit the proof of loss. With the extended deadline, the same policyholder now has until September 29, 2011, to submit the proof of loss. This extension will only apply to policyholders with a current Standard Flood Insurance Policies with an effective date prior to June 1, 2011.

The extension of the time within which proofs of loss must be submitted is made pursuant to the SFIP provisions dealing with amendments, waivers, and assignment (Article VII. General Conditions,

Notice of Extension for Filing Proofs of Loss in the States of North Dakota, South Dakota, Nebraska, Iowa, Kansas, and Missouri with Dates of Loss on June 1, 2011, and continuing until an end date is determined

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Paragraph D. of the Dwelling Form and the General Property Form, and Article VIII. General Conditions, Paragraph D. of the Residential Condominium Building Association Policy Form).

While all other terms and conditions of the SFIP remain in effect, it is hoped that the extension of time for filing proofs of loss by an additional sixth (60) days will give affected policyholders ample opportunity to present their statement of claim. This extension will be closely monitored by FEMA to determine whether or not a further extension might be warranted.

We ask for your full support. Any questions or comments regarding this extension should be directed to James A. Sadler, CPCU, AIC, Director of Claims, National Flood Insurance Program. Mr. Sadler may be reached by email at James.Sadler@dhs.gov.

cc: Vendors, IBHS, FIPNC, Government Technical Representative

Required Routing: Claims, Underwriting

ARCHIVED APRIL 2018