



FEMA

W-12089

November 6, 2012

MEMORANDUM FOR: Write Your Own (WYO) Principal Coordinators, WYO  
Vendors, NFIP Servicing Agent, and Independent Adjusting Firms

A handwritten signature in black ink, appearing to read "James A. Sadler".

FROM: James A. Sadler, CPCU, AIC  
Director of Claims  
National Flood Insurance Program

SUBJECT: Hurricane Deductibles

A recent two-topic article published on October 30, 2012, by the *New York Times* titled "A Refresher on Hurricane Deductibles and Flood Coverage," which includes statements that hurricane deductibles will not be used in New York, New Jersey, and Connecticut, has led to confusion among some NFIP policyholders.

An update to that article reported that the governors of New Jersey, New York, and Connecticut had signed executive orders that the hurricane (wind) deductibles cannot be applied in their states.

FEMA and the NFIP work on a cooperative basis with the states and their respective insurance commissioners in situations such as occurred with Meteorological Event Sandy, but it should be noted that FEMA is governed solely by Federal law, as is specified in the Standard Flood Insurance Policy (SFIP). See the "What Law Governs" section at the end of each SFIP form.

There are no special deductibles for hurricanes under any SFIP, but there are deductibles that apply separately to both building and contents coverage claims. These deductibles apply in all instances involving a general and temporary condition of flooding, without regard to whether actual hurricane conditions existed when the flooding occurred.

Any questions or comments should be directed to Russ Tinsley; Mr. Tinsley's email address is [Russell.Tinsley@fema.dhs.gov](mailto:Russell.Tinsley@fema.dhs.gov).

cc: Vendors, IBHS, and Government Technical Representative, Required Reporting and Independent Adjusting Firms

Suggested Routing: Claims, Training, Underwriting, Adjusting Firms, Independent Flood Adjusters