




FEMA

W-17057

September 28, 2017

MEMORANDUM FOR: Write Your Own (WYO) Company Principal Coordinators,
WYO Vendors, the National Flood Insurance Program (NFIP) Direct
Servicing Agent, and Independent Adjusting Firms

FROM: 
David I. Maurstad
Assistant Administrator for Federal Insurance
Federal Insurance and Mitigation Administration

SUBJECT: Activation of NFIP Catastrophic Event Enhanced Claim Payment
Process and Proof of Loss Extension for Hurricane Maria

Hurricane Maria has caused widespread flooding in the U.S. Virgin Islands and Puerto Rico. Due to the catastrophic impacts of Hurricane Maria to NFIP policyholders, the Federal Emergency Management Agency (FEMA) is activating the NFIP's enhanced claims payment process.

I. Authorization of Certain Payments Without a Proof of Loss

Pursuant to my authority under the Standard Flood Insurance Policy (SFIP) and FEMA's regulations, I am conditionally waiving the proof of loss requirement in the case of a Maria loss, and directing you to exercise your option to accept an adjuster's report to pay a claim. Additionally, I am waiving the requirement that the policyholder must sign the adjuster's report.¹ To issue payments under this conditional waiver, WYO Companies must provide policyholders with the following:

1. A copy of the adjuster's report supporting the claim payment;
2. If the payment is less than the adjuster's report, a written explanation of the difference; and
3. A letter in the form and substance of the template attached to this bulletin (Adjuster Report Claim Payment Letter).

This conditional waiver does not alter a policyholder's ability to submit a proof of loss seeking supplemental payment.

II. Proof of Loss Deadline Extension

To allow enough time for policyholders to evaluate their losses and the adjusters' reports, I am waiving the 60-day proof of loss deadline requirement. The deadline for submitting a compliant proof of loss for Hurricane Maria is now 365 days (one-year) from the date of loss.

¹ As a condition to receiving a claim payment, the Standard Flood Insurance Policy (SFIP) requires a policyholder to first submit either (1) a signed proof of loss or (2) a signed adjuster's report. Article VII.J of the Dwelling Form of the SFIP (Appendix A(1) to 44 CFR Part 61); Article VII.J of the General Property Form of the SFIP (Appendix A(2) to 44 CFR Part 61); Article VIII.J (Appendix A(3) to 44 CFR Part 61).

III. WYO Companies Must Issue Payments as Soon as Practicable

Notwithstanding the deadlines for paying claims covered by the SFIP, I am directing WYO Companies to pay claims more quickly.

IV. Applicability

This bulletin applies to all NFIP claims associated with the following FICO numbers:

- 367 (U.S. Virgin Islands)
- 685 (Puerto Rico)

V. Authority

This bulletin is authorized under 42 U.S.C. 4019(a); 44 CFR §§ 61.13(d), 62.23(k); SFIP Dwelling Form, Article VII.D; SFIP General Property Form, Article VII.D; SFIP Residential Condominium Building Association Policy Form, Article VIII.D; WYO Financial Assistance/ Subsidy Arrangement, Article II.G.1.

Please direct any questions regarding this bulletin to FIMA Claims at FEMA-FIDClaimsMailbox@fema.dhs.gov.

Attachments

cc: Vendors, IBHS, FIPNC, Government Technical Representative

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

ARCHIVED APRIL 2018

[DATE]
[POLICYHOLDER NAME]
[POLICYHOLDER ADDRESS]
[CITY, STATE XXXXX]

Date of loss: [DATE OF LOSS]
Claim number: [XXXXXXXXXXXX]
Insured Property: [ADDRESS]

Dear [POLICYHOLDER]:

We are sorry for your flood loss due to Hurricane Maria and hope that your flood insurance policy through the National Flood Insurance Program will help you recover as quickly as possible.

At this time, we have determined that you are owed \$XXX.XX under your flood insurance policy. Enclosed you will find a check for that amount and an adjuster's report explaining the basis for this payment. Please carefully review this report. By accepting this payment, you agree that the information in the adjuster's report is true and correct to the best of your knowledge and belief.

Accepting this payment does not waive any of your rights to seek further payments under your flood insurance policy. You may request additional payments by submitting a Proof of Loss within one-year following the date of loss. We will help you complete and submit a Proof of Loss if you believe you are owed more under your flood insurance policy. You can learn more about requesting payments under your policy by visiting <https://www.fema.gov/nfip-file-your-claim>.

If you have any questions regarding this letter or your flood insurance policy, please contact [NAME OF INSURANCE CARRIER] at [PHONE NUMBER] or visit our website at [WEB ADDRESS].

Sincerely,

[DATE]
[POLICYHOLDER NAME]
[POLICYHOLDER ADDRESS]
[CITY, STATE XXXXX]

Fecha de la pérdida: [DATE OF LOSS]
Número de Reclamación: [XXXXXXXXXXXX]
Propiedad asegurada: [ADDRESS]

Estimado/a [POLICYHOLDER]:

Lamentamos su pérdida por inundación debido al huracán María y esperamos que su póliza de seguro de inundación a través del Programa del Seguro Nacional de Inundación (NFIP, por sus siglas en inglés) lo ayude a recuperarse lo más rápido posible.

En este momento, hemos determinado que se le deben \$XXX.XX según su póliza de seguro de inundación. Adjunto encontrará un cheque por esa cantidad y un informe del ajustador que explica en qué se basa este pago. Por favor, revise cuidadosamente este informe. Al aceptar este pago, usted acepta que la información contenida en el informe del ajustador es verdadera y correcta a su mejor saber y entender.

Al aceptar este pago, usted no renuncia a ninguno de sus derechos de buscar otros pagos bajo su póliza de seguro de inundación. Usted puede solicitar pagos adicionales enviando una Prueba de Pérdida en el plazo de un año después de la fecha de la pérdida. Le ayudaremos a completar y enviar una Prueba de Pérdida si cree que se le debe más según su póliza de seguro de inundación. Puede obtener más información sobre cómo solicitar pagos bajo su póliza visitando <https://www.fema.gov/nfip-file-your-claim>.

Si tiene alguna pregunta con respecto a esta carta o su póliza de seguro de inundación, comuníquese con [NAME OF INSURANCE CARRIER] llamando al [PHONE NUMBER] o visite nuestro sitio web en [WEB ADDRESS].

Atentamente,