




FEMA

W-17030

September 3, 2017

MEMORANDUM FOR: Write Your Own (WYO) 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 for Hurricane Harvey

Hurricane Harvey has caused widespread and ongoing flooding in Texas and Louisiana. Due to the catastrophic impacts of Hurricane Harvey to National Flood Insurance Program (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 Policies (SFIPs) and FEMA's regulations, I am conditionally waiving the proof of loss requirement in the case of a Harvey 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.

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).

II. Proof of Loss Deadline Extension

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

III. WYO Companies Must Issue Payments As Soon As Practicable

Notwithstanding the deadlines for paying claims in the FIPs, 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:

- 682 (Texas)
- 683 (Louisiana)

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 FEMA-FIDClaimsMailbox@fema.dhs.gov.

Attachment

cc: Vendors, IBHS, Government Technical Representative

Required Routing: Claims, Underwriting

[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 Harvey 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,