



June 24, 2015

## Superstorm Sandy - Round 2

### FEMA reopens nearly 142,000 Flood Insurance Claims

As you may have heard, FEMA, the organization that oversees the National Flood Insurance Program (NFIP), is sending out letters to policyholders asking if they want to reopen their “Sandy” NFIP only claims for possible readjustment. Letters are going out to nearly 142,000 policyholders giving them 90 days to determine if they want to reopen their claim.

Below are web links for your reference:

- FEMA’s May 29th announcement of the claim review process (<https://www.fema.gov/news-release/2015/05/29/fema-announces-launch-hurricane-sandy-flood-insurance-claims-review-process>)
- FEMA’s Sandy Claims Review Process (<http://www.fema.gov/media-library-data/1432053031193-46da88c5f6f78c5574d8a143d78ae0e8/sandyclaimsgraphic508.pdf>)

Key take-aways from the letter being sent out by FEMA:

- Policyholders are receiving the letters over the next several weeks
- You will have 90 days to submit a request to participate in the Sandy Claims Review (if you feel you are eligible for an additional payment)
- When you contact the NFIP Hurricane Sandy Claims Review Center, they will require the following information (your Conner Strong & Buckelew Claim Consultant can provide you with some of this information):
  - Flood insurance carrier name
  - Policy number at date of loss
  - Date of loss
  - Address of property that was damaged
  - Current mailing address and telephone number
- Once an NFIP-certified claim adjuster is assigned, they will:
  - Review the claim file
  - Examine any additional information provided
  - Assign an engineer and coordinate inspections of the property, if necessary
  - Take approximately 90 days to complete the review process
- If the policyholder does not agree with the outcome, a request can be made for a neutral third-party to review the claim – According to FEMA, they will give substantial weight to the

neutral party's recommendation.

- Once finalized, the insurance company will issue the additional payments to the client.

**IMPORTANT TO NOTE - FEMA is looking to make whole those policyholders who were not made so during the original Sandy adjustment process. However, they are also noting that if this new "review" determines that there was an overpayment of a claim, that policyholder will be required to pay back the overpayment to the U.S. Treasury.**

Please consider the following points prior to participating in the Sandy Claims Review:

- If you received policy limits, which is the maximum amount under your policy, or are in litigation related to your claim, you do not qualify for this review.
- This letter and participation in the Sandy Claims Review does not create, extend, or modify the coverage or terms under the Standard Flood Insurance Policy, including but not limited to the one year time limit to file suit after written denial of part or all of your claim.
- This review does not alter or affect your rights or your insurer's rights.
- The review may result in a determination that you previously received an overpayment or a duplicated benefit. Federal law may require you to repay an overpayment to the U.S. Treasury.
- FEMA may share policyholder information with certain partner agencies to identify potential duplication of benefits. Therefore, you may have to reimburse these "partner agencies" if you received payment from them previously.
- The review is at no cost to you. During the review, FEMA will not contact you to request your Social Security Number, bank account, or credit card information.
- Federal agencies cannot provide disaster assistance for damages or losses covered by insurance. If you receive additional insurance proceeds from NFIP and you also received Sandy-related disaster assistance from another source like the U.S. Small Business Administration (SBA), the Department of Housing and Urban Development (HUD), or one of HUD's state or local grantees such as New Jersey - Reconstruction, Rehabilitation, Elevation, and Mitigation (RREM) Program, New York Rising, or New York City Build it Back, you may have to repay the other disaster assistance if the original source determines your additional insurance proceeds duplicate a benefit they've previously provided.

**IMPORTANT TO NOTE - The insurance carrier who administered your NFIP claim will not be involved in this Sandy Claims Review process, other than the issuance of the final check if a reimbursement is recommended by the FEMA claim adjuster. FEMA has hired and trained select adjusters to handle these claims. Therefore, although we are committed to advocating for you with regard to your claims, our advocacy will likely be greatly limited by FEMA.**

Should you have any questions, please feel free to contact your Claim Consultant.



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