




FEMA

W-09032

June 3, 2009

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

FROM: 
Edward L. Connor
Acting Federal Insurance Administrator
National Flood Insurance Program

SUBJECT: Notice of an Additional Extension for Filing SFIP Proofs of Loss for Areas of the States Affected by Hurricanes Gustav and Ike

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 by the SFIP, Article VII. General Conditions, Paragraph J.4. in both the Dwelling Form and the General Property Form and Article VIII. General Conditions, Paragraph J.4. in the Residential Condominium Building Association Policy Form.

Last October, bulletin W-08066a granted a 120-day extension of the 60-day period within which a proof of loss must be submitted, due to the flooding associated with Hurricanes Gustav and Ike. On February 20, 2009, bulletin W-09006 provided an additional 90 day period within which a proof of loss must be submitted. Because of the continued activity associated with these flood events, I am authorizing an additional extension of this period by 60 days. This additional extension shall apply to all claims for flood-insured buildings:

- In the States of Alabama, Arkansas, Louisiana, and Mississippi damaged by flood waters resulting from Hurricane Gustav (dates of loss August 28, 2008 to August 31, 2008); and
- In the States of Alabama, Arkansas, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Ohio, Oklahoma, Tennessee, and Texas damaged by flood waters resulting from Hurricane Ike (dates of loss September 11, 2008 to September 15, 2008).

The extension applies whether the SFIP was issued directly by the NFIP Servicing Agent or through one of the private insurance companies under the WYO Program.

An NFIP policyholder who incurred a Hurricane Gustav flood loss on August 28, 2008, would have until October 27, 2008, to submit the proof of loss. With the first extension of the deadline, that

policyholder had until February 24, 2009, to submit the proof of loss. After the second extension dated February 20, 2009, that policyholder had until May 25, 2009, to submit the proof of loss. With today's additional extension, that policyholder will have until July 23, 2009, to submit the proof of loss.

Similarly, an NFIP policyholder who incurred a Hurricane Ike flood loss on September 11, 2008, would have until November 10, 2008, to submit the proof of loss. With the first extension of the deadline, that policyholder had until March 10, 2009, to submit the proof of loss. With the extension dated February 20, 2009, that policyholder had until June 8, 2009, to provide the proof of loss to their carrier. With today's additional extension, that policyholder now has until August 7, 2009, to submit the proof of loss.

In either case, eligible policyholders will be allowed a total of 330 days from the date of loss to submit a proof of loss in the form required by the Standard Flood Insurance Policy.

This extension of 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, 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 a total of 270 days will give affected policyholders ample opportunity to present their claim. Today's additional extension will be closely monitored by FEMA to determine whether or not further extension might be warranted.

We ask for your full support. Any questions or comments regarding these extensions 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