



FEMA

Memorandum

W-04005

To: WYO Company Principal Coordinators
NFIP Servicing Agent

From: Anthony S. Lowe 
Director
Mitigation Division
Emergency Preparedness and Response Directorate

Date: January 23, 2004

Re: Notice of Extension for the Filing of Proofs of Loss under the NFIP for Puerto Rico
Affected by Torrential Rains between November 10 through November 20, 2003

The Standard Flood Insurance Policy (SFIP) issued under the National Flood Insurance Program (NFIP) provides a period of sixty (60) days from the date of loss within which it is incumbent upon the policyholder to send the NFIP a sworn proof of loss, which is the policyholder's detailed statement of the claim. These provisions are set forth in the SFIP at VII. General Conditions J.4. in the Dwelling Form, VII. General Conditions J.4. in the General Property Form, and VIII. General Conditions, J.4. in the Residential Condominium Building Associated Form.

The widespread extent of the destruction caused by the flooding in Puerto Rico compels that the sixty-day period within which a proof of loss must be submitted to the NFIP be extended for an additional sixty (60) days. This extension shall apply to claims for all flood-insured properties in Puerto Rico for the period between November 10 and November 20, 2003, by reason of the flooding in Puerto Rico, and to all NFIP policies, whether issued directly by the Federal Emergency Management Agency or through one of the private insurance companies issuing flood insurance coverage under the Write Your Own Program. For example, the policyholder that suffered a flood loss on November 10, 2003, would normally have until January 8, 2004, to submit the proof of loss. With the extended deadline, the same policyholder now has until March 7, 2004, to submit the proof of loss.

The extension of time within which proofs of loss may be sent to the NFIP is made pursuant to the provisions dealing with amendments, waivers, and assignments of the SFIP (VII. General Conditions D. of the Dwelling Form, VII. General Conditions D. of the General Property Form, and VIII. General Conditions D. of the Residential Condominium Building Association Policy Form).

FEMA is concerned that some NFIP policyholders might be worried that their flood insurance claims could be denied or prove difficult to resolve by late filing of the proof of loss form, and FEMA wishes to alleviate their concerns to the extent possible.

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 an additional sixty (60) days will give policyholders ample opportunity to present their statement of claim. This extension will be closely monitored by FEMA to determine whether or not a further extension might be warranted.

Finally, this information is being provided to the Insurance Commissioners of the affected states.

Any questions or inquiries regarding this notice should be directed to James S.P. Shortley, Director of Claims, Claims Section, Risk Insurance Branch, Mitigation Division at (202) 646-3418.

cc: Vendors, IBHS, FIPNC, WYO Marketing Committee, Government Technical Representative

Suggesting Routing: Claims, Data Processing, Marketing, Underwriting