



FEMA

W-13040

July 9, 2013

MEMORANDUM FOR: Write Your Own (WYO) Principal Coordinators and the National Flood Insurance Program (NFIP) Direct Servicing Agent

FROM:

David L. Miller 
Associate Administrator
Federal Insurance and Mitigation Administration

SUBJECT:

Granting an extension of the Limited Waiver for Insurance Companies Participating in the Write Your Own Program of the Single Adjuster Program found in 44 C.F.R. Pt. 62, App A, Article II, Section C., Paragraphs 1-3 – Federal Emergency Management Agency, Federal Insurance Administration – Financial Assistance/Subsidy Arrangement and Revised Wording.

This memorandum reiterates earlier FEMA guidance to WYO Principal Coordinators and the NFIP DSA, Granting a Limited Waiver for Insurance Companies Participating in the Write Your Own Program of the Single Adjuster program. In WYO Bulletin W-12050, I granted a limited waiver pursuant to 44 C.F.R. Pt.62.23(k), of the Single Adjuster Program (SAP) requirement in Article II(C) of the Financial Assistance/Subsidy Arrangement. This waiver was granted to allow FEMA to further evaluate the SAP program and its effectiveness. During this limited waiver period, FEMA no longer requires or authorizes one adjuster to concurrently adjust both wind and NFIP flood losses. The original waiver was in effect for one year beginning August 13, 2012.

The purpose of this bulletin is to extend this limited waiver for an additional time period beginning on August 14, 2013 ending on December 31, 2014 (Limited Waiver Period). This limited waiver of the Arrangement's SAP requirements applies to all WYO Companies and the NFIP Direct Servicing Agent (Insurers).

During this Limited Waiver Period, FEMA will not provide NFIP policy identification and matching information to any Windpool, Wind and Hail Underwriting Association, Fair Plan, Insurer of Last Resort, or other such organization or insurer (association) and FEMA will not operate the Claims Coordinating Office. Additionally, should an insurer voluntarily choose to use a single adjuster to concurrently adjust both the insurer's or an association's wind claim and

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the insurer's NFIP flood claim during the Limited Waiver Period, FEMA will use its normal and customary practices in evaluating the payment of the flood claim, fees, and expenses associated with that adjustment. However, FEMA will not be responsible for and will not pay for any liabilities arising directly or indirectly from the use of the single adjuster, as described above, including, but not limited to – adjustment fees or expenses, expert fees or expenses, litigation expenses, judgments, awards, or settlements.

However, this limited waiver does not affect any arrangement or agreement the WYO Company may have as a member company or otherwise of any association to separately adjust association wind claims.

Authority: 44 C.F.R. Pt. 62.23(k)

Any questions should be directed to James A. Sadler, CPCU, AIC, Director of Claims, National Flood Insurance Program, Federal Insurance and Mitigation Administration at james.sadler2@fema.dhs.gov.

As always, thank you for your cooperation.

cc: Vendors, IBHS, FIPNC, Government Technical Representative

Required Routing: All Departments