

You may be entitled to RE-EXAMINATION of your Superstorm Sandy Flood Insurance Claim

In early 2015, FEMA announced that it will offer to re-examine any Superstorm Sandy National Flood Insurance Program (NFIP) claim. It is the policyholder's choice whether to request re-examination. There are many important factors you should consider before deciding whether to request re-examination.

Who Can Participate: Any NFIP policyholder who submitted a Sandy claim and believes they were underpaid. This process is not limited to policyholders who had engineering inspections.

Important Information

- Re-examination is different from the NFIP appeal and supplement claims process and from litigation.
- Re-examinations will be conducted by FEMA, not Write Your Own (WYO) insurance carriers.
- Re-examination may subject you to additional duplication of benefits with New York Rising or Build It Back.
- Re-examination does not change or expand the terms and conditions of your NFIP policy.
- Re-examination could result in a finding that you were overpaid on your NFIP claim.
- Although you do not have to have an attorney for this process, you may choose to have a lawyer or other advocate represent you.

The Process as Currently Described by FEMA

1. FEMA will mail notices to all Sandy NFIP claimants offering re-examination, starting on 5/15/15.
2. Policyholders will have the opportunity to elect re-examination of their claim by contacting FEMA by phone or email.
3. If a policyholder elects re-examination, FEMA will assign a new adjuster to obtain the entire claim file from the WYO, review the file and communicate with the policyholder.
4. After the re-examination is complete, the adjuster will make a new claim recommendation. FEMA anticipates that most re-examinations will take 90 days or less.
5. If the policyholder is dissatisfied with the new claim recommendation, the policyholder will have an opportunity to appeal the recommendation to a neutral third party.

What You Can Do Now

- ✓ Locate your NFIP policy declaration page that was in effect during Superstorm Sandy.
- ✓ Gather your claim and recovery records, including all estimates, invoices, receipts, adjuster reports, engineer reports, proofs of loss, photographs, etc.
- ✓ Organize your Sandy NFIP claim records and put documents in chronological order.
- ✓ Prepare a clear and concise statement of why you believe you were underpaid on your NFIP policy, referencing your claim record and detailing all activity related to your claim and repairs from Sandy to date.
- ✓ Gather information about all other recovery funds you have received to date, including from Build it Back or NY Rising.
- ✓ Identify any Sandy recovery costs you have not been reimbursed for or have not yet incurred.

NYLAG's Storm Response Unit provides *free* legal assistance on NFIP insurance re-examinations and other Sandy-related issues. Anyone can receive a case consultation. Additional services are dependent on several factors, including available resources.

Contact Us

Storm Response Hotline: **212-584-3365**

Storm Response Email: **StormHelp@nylag.org**

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