




FEMA

W-18010

April 11, 2018

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

FROM:   
David I. Maurstad  
Assistant Administrator for Federal Insurance  
Federal Insurance and Mitigation Administration

SUBJECT: Three-Year Extension of Deadline for Completing ICC Claims Resulting from Superstorm Sandy

## I. Background

The Standard Flood Insurance Policy (SFIP) provides Increased Cost of Compliance (ICC) coverage to pay up to \$30,000 towards the cost of floodproofing (non-residential only), relocating, elevating, or demolishing an insured building required to become compliant with state or local floodplain management laws or ordinances following a flood loss.<sup>1</sup> In general, policyholders claiming ICC must complete eligible work within six years from the date of loss.<sup>2</sup>

## II. Extension of ICC Deadline

Most policyholders required to bring their properties into compliance with their communities' floodplain management laws following Superstorm Sandy have completed the required work and received appropriate compensation under their SFIP's ICC coverage. However, a small number of policyholders has not completed the required compliance work due to external factors beyond their control, such as participation in the Sandy Claims Review, various recovery grant programs, or delayed substantial damage declarations in some communities.

To provide these policyholders with a reasonable opportunity to complete their ICC claims, I am extending the deadline for completing ICC claims from Superstorm Sandy by an additional three years. Policyholders affected by Superstorm Sandy may now complete their ICC claims no later than the nine-year period following the date of loss.

This extension also includes ICC claim assignments to communities for the non-federal cost-share match in conjunction with a FEMA-funded mitigation grant project related to Sandy.

<sup>1</sup> See *Standard Flood Insurance Policy*, 44 CFR Part 61, Appendix A(1)-(3), Article III.D.

<sup>2</sup> See SFIP Art. III.D.5.e.(2) (requiring completion of ICC work within two years of date of loss); WYO Bulletin W-15038 (Aug. 10, 2015) (extending deadline for completing ICC work to six years from date of loss for all losses occurring on or after January 1, 2011).

### III. Applicability

This extension applies only to ICC claims associated with the following FICO numbers related to Superstorm Sandy:

| FICO Number | State                | Dates of Loss                       |
|-------------|----------------------|-------------------------------------|
| 300         | North Carolina       | October 27, 2012 - October 31, 2012 |
| 301         | Virginia             | October 27, 2012 - October 31, 2012 |
| 302         | District of Columbia | October 28, 2012 - October 31, 2012 |
| 303         | Maryland             | October 28, 2012 - November 6, 2012 |
| 304         | Delaware             | October 28, 2012 - November 6, 2012 |
| 305         | New Jersey           | October 28, 2012 - November 6, 2012 |
| 306         | New York             | October 28, 2012 - November 6, 2012 |
| 307         | Pennsylvania         | October 28, 2012 - November 6, 2012 |
| 308         | Connecticut          | October 28, 2012 - November 6, 2012 |
| 309         | Rhode Island         | October 28, 2012 - November 6, 2012 |
| 310         | Massachusetts        | October 28, 2012 - November 6, 2012 |
| 311         | New Hampshire        | October 28, 2012 - November 6, 2012 |
| 312         | Vermont              | October 28, 2012 - November 6, 2012 |
| 313         | Maine                | October 28, 2012 - November 6, 2012 |

### IV. Authority

This waiver is made pursuant to 44 CFR 61.13(d) and SFIP Dwelling Form, Article VII.D; SFIP General Property Form, Article VII.D; SFIP Residential Condominium Building Association Policy Form, Article VIII.D.

Please direct any questions regarding this bulletin to FIMA Claims at [FEMA-FIDClaimsMailbox@fema.dhs.gov](mailto:FEMA-FIDClaimsMailbox@fema.dhs.gov).

cc: IBHS, FIPNC, Government Technical Representative

Required Routing: Accounting, Claims, Underwriting