



Important News from the Nassau County Bar Association

SANDY PROOF OF LOSS DEADLINE EXTENDED!*

The deadline for filing your proof of loss documents for Sandy flood insurance claims has been extended.

Homeowners who filed a flood insurance claim for damages following Superstorm Sandy and are still trying to get more money now have until one year from the date of their denial or insufficient payment to submit Proof of Loss documents.

*WARNING - Do not let this extension mislead you!

This Extension to April 28, 2014, does not make any promises regarding the statute of limitations. April may be too late for you. You have one year from the date of your denial or insufficient payment to file your proof of loss.

How to File a Proof of Loss Claim

1. Complete the official NFIP Proof of Loss form, which we have included.
2. Fill out the form fully, including the date and time of the loss. After "The cause of said loss was," write "flood damage."
3. Sign and date the form.
4. Include supporting documents, such as contractor estimates, engineer reports and receipts/invoices for work already completed.
5. Send the Proof of Loss form and supporting documents to the NFIP, your insurance company and the insurance company's adjuster.
6. Keep a copy of all documents for your records.
7. The Proof of Loss must be received by the insurance company and NFIP no later than one year after the date of your denial or insufficient payment. While the deadline has been extended to April 28, 2014, the Statute of Limitations can still prevent you from recovering.



If you do not submit these Proof of Loss documents by your deadline, your insurance company could stop processing your flood claim and may be able to get any lawsuit you file dismissed.

Do not let the Statute of Limitations pass because you believe you have until April 28, 2014! Read your insurance documents carefully and consult with an attorney so you understand your rights and obligations.

Have Questions? Need Help?

Contact the Nassau County Bar Association for information about our Free Superstorm Sandy Legal Consultation Clinics
516-747-4070



Another Community Service from the Nassau County Bar Association

Funded through the New York State Attorney General Homeownership Protection Program and NY Bar Foundation



DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

O.M.B. No. 1660-0005
Expires October 31, 2013

POLICY NO. FL _____

PROOF OF LOSS

(See reverse side for Privacy Act Statement
and Paperwork Burden Disclosure Notice)

POLICY TERM _____

AMT OF BLDG COV AT TIME OF LOSS _____

AGENT _____

AMT OF CONTS COV AT TIME OF LOSS _____

AGENCY AT _____

TO THE NATIONAL FLOOD INSURANCE PROGRAM:

At time of loss, by above indicated policy of insurance, you insured the interest of _____

against loss by flood to the property described according to the terms and conditions of said policy and of all forms, endorsements, transfers and assignments attached thereto.

TIME AND ORIGIN. A _____ loss occurred about the
hour of _____ o'clock ____ M.,
on the ____ day of ____ 20____. The cause of said loss was:

OCCUPANCY The premises described, or containing the property described, was occupied at the time of the loss as follows, and for no other purpose whatever:

INTEREST No other person or persons had any interest therein or encumbrance thereon except

1. FULL AMOUNT OF INSURANCE application to the property for which claim is presented is.....\$ _____
2. ACTUAL CASH VALUE of building structures.....\$ _____
3. ADD ACTUAL CASH VALUE OF CONTENTS of personal property insured.....\$ _____
4. ACTUAL CASH VALUE OF ALL PROPERTY.....\$ _____
5. FULL COST OF REPAIR OR REPLACEMENT (Building and Contents).....\$ _____
6. LESS APPLICABLE DEPRECIATION.....\$ _____
7. ACTUAL CASH VALUE LOSS is.....\$ _____
8. LESS DEDUCTIBLES\$ _____
9. NET AMOUNT CLAIMED under above numbered policy is\$ _____

The said loss did not originate by any act, design or procurement on the part of your insured, nothing has been done by or with the privity or consent of insured to violate the conditions of the policy, or render it void; no articles are mentioned herein or in annexed schedules but such as were destroyed or damaged at the time of said loss, no property saved has in any manner been concealed, and no attempt to deceive the said insurer as to the extent of said loss, has in any manner been made. Any other information that may be required will be furnished and considered a part of this proof.

I understand that this insurance (policy) is issued Pursuant to the National Flood Insurance Act of 1968, or Any Act Amendatory thereof, and Applicable Federal Regulations in Title 44 of the Code of Federal Regulations, Subchapter B, and that knowingly and willfully making any false answers or misrepresentations of fact may be punishable by fine of imprisonment under applicable United State Codes.

Subrogation - To the extent of the payment made or advanced under this policy; the insured hereby assigns, transfers and sets over the insurer all rights, claims or interest that he has against any person, firm or corporation liable for the loss or damage to the property for which payment is made or advanced. He also hereby authorizes the insurer to sue any such third party in his name.

The insured hereby warrants that no release has been given or will be given or settlement or compromise made or agreed upon with any third party who may be liable in damages to the insured with respect to the claim being made herein.

The furnishing of this blank or the preparation of proofs by a representative of the above insurer is not a waiver of any of its rights.

I declare under penalty of perjury that the information contained in the foregoing is true and correct to the best of my knowledge and belief.

Executed this _____ day of _____, 20____

Name _____

Privacy Act Statement

The information requested is necessary to process the subject loss. The authority to collect the information is Title 42, U.S. Code, Section 4001 to 4028. It is voluntary on your part to furnish the information. However, omission of an item may preclude processing of the form. The information will not be disclosed outside of the Federal Emergency Management Agency, except to the servicing agent, acting as the government's fiscal agent; to claims adjusters to enable them to confirm coverage and the location of insured property; to certain Federal, State, and Local Government agencies for determining eligibility for benefits and for verification of agencies for acquisition and relocation-related projects, consistent with the National Flood Insurance Program and consistent with the routine uses described in the program's system of record. Failure by you to provide some or all of the information may result in delay in processing or denial of this claim and/or application.

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for the collection of information titled Claims for National Flood Insurance Program (NFIP) is estimated to average 6 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting these forms. You are not required to respond to this collection of information unless a currently valid OMB control number and expiration date is displayed in the upper right corner of the these forms. Send comments regarding the accuracy of the burden estimate and suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, S. W., Washington, DC 20472, Paperwork Reduction Project (1660-0005). **NOTE: Do not send your completed form to this address.**

FEMA Form No.	Title	Burden Hours
086-0-6	Worksheet-Contents-Personal Property	2.5 Hours
086-0-7	Worksheet-Building	2.5 Hours
086-0-8	Worksheet-Building (Continued)	1 Hours
086-0-9	Proof of Loss	.08 Hours
086-0-10	Increased Cost of Compliance	2 Hours
086-0-11	Notice of Loss	.07 Hours
086-0-12	Statement as to Full Cost to Repair or Replacement Cost Coverage, Subject to the Terms and Conditions of this Policy	.10 Hours
086-0-13	National Flood Insurance Program Preliminary Report	.07 Hours
086-0-14	National Flood Insurance Program Final Report	.07 Hours
086-0-15	National Flood Insurance Program Narrative Report	.08 Hours
086-0-16	Cause of Loss and Subrogation Report	1 Hour
086-0-17	Manufactured (Mobile) Home/Travel Trailer Worksheet	.50 Hours
086-0-18	Mobile Home/Travel Trailer Worksheet (Continued)	.25 Hours
086-0-19	Increased Cost of Compliance (ICC) Adjuster Report	.42 Hours
086-0-20	Adjuster Preliminary Damage Assessment	.25 Hours
086-0-21	Adjuster Certification Application	.25 Hours