TRLA Texas RioGrande Legal Aid

FEMA helpline, 800.621.3362 (emergency assistance)
Texas RioGrande Legal Aid disaster hotline: 866.757.1570 (legal)

Flood Claims

How do I know if I have flood insurance? If you just have homeowner's insurance, you probably do not have flood insurance (although you may have insurance for something like a broken pipe). Flood insurance usually requires a separate policy, which is usually bought directly through the National Flood Insurance Program ("NFIP"). Sometimes they are bought through a private company (known as "Write Your Own" policies or "WYO") but they may still be NFIP policies. Some homeowner policies may help cover other damages so you should check with your insurance agent and file a claim if you are unsure. If you have auto insurance and your car was flooded, file a claim with your car insurance company. Also, remember you should also apply with FEMA and the SBA (Small Business Administration) in case you are not covered by insurance and need help.

How do I know if I have an NFIP policy? First step – find your policy! Your policy is made up of coverage forms(usually 20-30 pages long). The first page is called the "Declarations Page," which details your coverage. If you don't have a copy, ask your agent for one. If you have a federally-backed mortgage and were required to buy flood insurance, more than likely you will have the coverage because the premiums would be deducted from your mortgage account. With NFIP policies, FEMA pays the claims.

What should I do first? DOCUMENT, DOCUMENT, DOCUMENT! Document everything at its worst! **Take lots and lots of pictures** of your house, of your damaged property, even of the standing water – BEFORE you begin to separate out damaged property or clean up. **Take close-ups if you can, and do NOT throw anything away, if possible, until an adjuster can come look.**

Then report your claim as soon as possible by contacting your insurance agent. When you call to report your loss, you will be given a claim number. Each time you talk to someone, you should keep a record of whom you speak to, what was said, and what time and date you called. If you bought flood insurance from NFIP, only a "certified flood claim adjuster" can handle the inspection and settlement with you. If you bought your policy from a private company, you may be sent a staff adjuster or independent adjuster. Usually, they will try to set an appointment for an adjuster to assess your damage within 2 or so days of filing a claim. If you cannot reach your agent or if you have questions regarding your policy, you can contact the Office of the Flood Insurance Advocate at (800) 621-3362 (this is a FEMA number because remember, FEMA pays the claims).

Make a list of anything that got lost or damaged. Try to include the date of purchase, estimated value, and any receipts, if you have them. You will need to provide documentation of all of your losses. If you do not have any, look on the Internet for comparison pricing.

Prepare a proof of loss statement (the amount you are claiming, with back up documentation). Every line of the proof of loss should be filled out. Your adjuster should help you. THIS MUST BE FILED with your insurer WITHIN 60 DAYS OF THE FLOOD. If you miss the deadline, your claim will be DENIED. Sometimes the deadlines will be extended by FEMA. Check this website to see: www.floodsmart.gov and watch your local news. For more information on filing a claim or filling out a proof of loss statement, you can go to www.floodsmart.gov.

NFIP (National Flood Insurance Policy) may help pay to repair your home, replace personal property inside your home, and some debris removal. It DOES NOT help pay for additional living expenses, such as temporary housing, or for food that spoils due to a power outage.

What do I do if I disagree with the amount offered? If your claim has not been denied, but you do not believe the amount is fair, you can request an appraisal. If your claim is denied, a suit must be filed in federal court within 1 year of the mailing date on the Notice of Disallowance of Partial Disallowance you receive.

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