



- Table of Contents**
- Reference**
- General Rules**
- Application**
- Rating**
- Condominiums**
- Lowest Floor Guide**
- Special Certifications**
- Preferred Risk Policy**
- Mortgage Portfolio Protection Program**
- General Change Endorsement**
- Policy Renewals**
- Cancellation/Nullification**
- Claims**
- Policy**
- Flood Maps**
- Provisional Rating**
- Coastal Barrier Resources System**
- Community Rating System**
- Severe Repetitive Loss Properties**
- Definitions**
- Index**

National Flood Insurance Program

Flood Insurance Manual

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FEMA

Flood.

- A general and temporary condition of partial or complete inundation of two or more acres of normally dry land area or of two or more properties (at least one of which is the policyholder's property) from:
 - Overflow of inland or tidal waters;
 - Unusual and rapid accumulation or runoff of surface waters from any source; or
 - Mudflow; or
- Collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels that result in a flood as defined above.

Flood Hazard Boundary Map (FHBM). Official map of a community issued by FEMA, where the boundaries of the flood, mudflow, and related erosion areas having special hazards have been designated.

Flood Insurance Claims Office (FICO). An NFIP claims processing office set up in a catastrophe area when a sufficient number of flood claims result from a single event.

Flood Insurance Rate Map (FIRM). Official map of a community on which FEMA has delineated both the special hazard areas and the risk premium zones applicable to the community.

Flood Response Office (FRO). The FRO provides a local presence in the affected area and supports the WYO companies, the NFIP Servicing Agent, and various federal, state, and local officials in providing answers to claims coverage questions, forms for claims handling, and survey and statistical input. One of the key requirements of personnel at the FRO is to coordinate and conduct reinspections of WYO and NFIP Direct losses. The FRO also tracks adjuster performance and provides such information to interested WYO and NFIP Direct companies.

Floodplain. Any land area susceptible to being inundated by flood waters from any source.

Floodplain Management. The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to, emergency preparedness plans, flood control works, and floodplain management regulations.

Floodproofing. Any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or

eliminate risk of flood damage to real estate or improved real property, water and sanitation facilities, or structures with their contents.

Freeboard. An additional amount of height above the Base Flood Elevation used as a factor of safety (e.g., 2 feet above the Base Flood) in determining the level at which a structure's lowest floor must be elevated or floodproofed to be in accordance with State or community floodplain management regulations.

General Property Form. See "Standard Flood Insurance Policy—General Property Form."

Grade Elevation. The lowest or highest finished ground level that is immediately adjacent to the walls of the building. Use natural (pre-construction), ground level, if available, for Zone AO and Zone A (without BFE).

Grandfathering. An exemption based on circumstances previously existing. Under the NFIP, buildings located in Emergency Program communities and Pre-FIRM buildings in the Regular Program are eligible for subsidized flood insurance rates. Post-FIRM buildings in the Regular Program built in compliance with the floodplain management regulations in effect at the start of construction will continue to have favorable rate treatment even though higher base flood elevations or more restrictive, greater risk zone designations result from FIRM revisions.

Group Flood Insurance. Issued by the NFIP Direct Program in response to a Presidential disaster declaration. Disaster assistance applicants, in exchange for a modest premium, receive a minimum amount of building and/or contents coverage for a 3-year policy period. An applicant may cancel the group policy at any time and secure a regular Standard Flood Insurance Policy through the NFIP.

High-Rise Building. High-rise condominium buildings have five or more units and at least three floors excluding enclosure even if it is the lowest floor for rating purposes. An enclosure below an elevated building, even if it is the lowest floor for rating purposes, cannot be counted as a floor to avoid classifying the building as low rise.

Historic Building. Any building that is:

- Listed individually in the National Register of Historic places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior

C. Map "Grandfather" Rules--Effect of Map Revisions on Flood Insurance Rates

A community will occasionally make structural improvements (dams, levees, etc.) to reduce the potential effects of flooding; experience new development aggravating the flooding situation, thereby expanding the floodplain; revise geographical boundaries resulting in the designation of additional flood hazard areas; or provide information to better delineate the BFE and/or flood insurance risk zones. When these situations occur, the FIRM is revised and republished.

The implementation of a new FIRM raises the question--HOW DOES THE NEW MAP AFFECT FLOOD INSURANCE RATES?

1. Grandfather Rules

To recognize policyholders who have built in compliance with the FIRM and/or remained loyal customers of the NFIP by maintaining continuous coverage, the Federal Emergency Management Agency has "Grandfather rules." These rules allow such policyholders to benefit in the rating for that building. For such buildings, the insured would have the option of using the current rating criteria for that property or having the premium rate determined by using the BFE and/or flood zone on the FIRM (old map) in effect when the building was originally constructed (for those built in compliance) or when coverage was first obtained (for those with continuous coverage). This results in a cost savings to insureds when the new map resulting from a map revision would result in a higher premium rate.

The conditions that must be met for an insured to be eligible to receive the rating benefit from the "Grandfather rules" after a map revision (new map) becomes effective are described below.

2. General Rule of Rating

Always use the new map if it will provide a more favorable premium (lower rate).

3. Existing Business--Renewal Policies

Policies written to cover either Post-FIRM or Pre-FIRM construction may be renewed and rated based on the FIRM and/or BFE in effect when the policy was initially rated

as long as the coverage is continuous and the building has not been altered to make the reference level lower than the BFE on that FIRM. (NOTE: Alteration does not apply to Pre-FIRM construction or to risks grandfathered to a B, C, or X Zone.)

a. Examples--Post-FIRM Construction

- A building was constructed in 1980. Coverage was purchased at the time of construction. The FIRM zone in effect was A1. The BFE was 10'. The Lowest Floor was 11'. The elevation difference was +1, and the policy was rated using a +1 elevation difference.

This policy was written and continuously renewed for 3 years. In 1983 a new map for the community was issued.

The property remained in an A1 Zone. However, the BFE became 12'. Because the lowest floor did not change, the elevation difference was -1. Since the building was built in compliance and was not altered in any way, the policy can be rated using a +1 elevation difference.

- A building was constructed in 1980. The FIRM zone in effect was A. In 1983 the map was revised, which placed the building in a VE zone. Since continuous coverage existed and the building was not altered, the policyholder can continue to use Zone A in determining the rate.

b. Example--Pre-FIRM Construction

At the time flood insurance coverage was applied for, the building was located in Zone A99. A new map designated the zone as AE. The policy may continue to be rated using Zone A99 rates on the old map as long as there is no interruption in coverage.

4. New Business--Applications for Coverage

a. Post-FIRM Construction

NOTE: These rules apply to buildings in all zones, including Zone D.

If a new policy is applied for, the rates can be based on the FIRM zone and the BFE on the old map in effect on the date the building was constructed provided that:

- The building was built in compliance with the map in effect at the time of construction; and
- The building has not been altered in any way that has resulted in a lowest floor, for rating purposes, lower than the BFE on that FIRM (e.g., enclosing the area below an elevated building); and
- The building has not been substantially improved.

The property owner or producer must provide proper documentation to the WYO company or NFIP Servicing Agent. The documentation must show: the date of the FIRM; the zone on that FIRM in which the property is located; the BFE, if any, for that zone; a copy of the map panel showing the location of the building; and the rating element that is to be grandfathered. A letter from a community official verifying this information, or an Elevation Certificate, also is acceptable.

Example:

A building was constructed in 1980 and, according to the FIRM in effect at that time, was located in Zone AE. No insurance policy was purchased until 1990. At that time remapping had occurred and the zone had been changed to a more hazardous area, Zone VE. The new policy can use Zone AE as the rating zone if the required documentation is provided.

b. Pre-FIRM Construction

This "built in compliance" rule also applies to Pre-FIRM construction if the date of construction was on or before December 31, 1974, and was on or after the FIRM date.

Example:

A building was constructed in November 1974 and the FIRM date was May 3, 1973. The old map showed

the building's location as Zone C. Ten years later in 1984, a new map placed the building in an A zone. Flood insurance coverage was applied for after the map was revised. To use the old map showing Zone C as the rating zone, proper documentation must be submitted.

D. Post-'81 V Zone Optional Rating

This optional rating is available for new and renewal policies and endorsements with effective dates on or after October 1, 1997. Policies for 1975 through 1981 Post-FIRM and Pre-FIRM buildings in Zones VE and V1-V30 are allowed to use the Post-'81 V Zone rate tables (Tables 3E or 3F) if the rates are more favorable to the insured. In order to qualify, the following criteria must be met:

1. The policy must be rated using the BFE printed on the FIRM panel that includes wave height. The effective date of the FIRM panel must be on or after 10/1/81.
2. The building rates are determined based on the ratio of the estimated building replacement cost and the amount of insurance purchased.
3. The building must be elevated free of obstruction or with obstruction less than 300 square feet. All machinery and equipment located below the BFE are considered obstructions.

E. Policies Requiring Re-Rating

The following conditions require that the policies be rated using the new map:

1. If an elevation-rated building is altered, making the lowest floor for rating purposes below the BFE.

Example:

An elevated building is located in an AE Zone at the time of construction. The Lowest Floor Elevation (LFE) was 18'. The BFE was 10'. The Lowest Floor rating was a +8 elevation differential. The map was revised, changing the BFE to 11'. The insured decided to enclose the area beneath the elevated floor and use it as a living area. This changed the LFE to 9'. Due to the alteration, the new map must be used and the building is rated as -2.

PREFERRED RISK POLICY

I. GENERAL DESCRIPTION

The Preferred Risk Policy (PRP) offers low-cost coverage to owners and tenants of eligible buildings located in the moderate-risk **B, C, and X Zones** in **NFIP Regular Program communities**.

For residential properties, the maximum coverage combination is \$250,000 building and \$100,000 contents. Up to \$100,000 contents-only coverage is available.

For non-residential properties, the maximum coverage combination is \$500,000 building and \$500,000 contents. Up to \$500,000 contents-only coverage is available.

Only one building can be insured per policy, and only one policy can be written on each building.

II. ELIGIBILITY REQUIREMENTS

A. Flood Zone

To be eligible for building/contents coverage or contents-only coverage under the PRP, the building must be in a B, C, or X Zone on the effective date of the policy. However, for the purpose of determining the flood zone, the agent may use the FIRM in effect at the time of application and presentment of premium. The flood map available at the time of the renewal offer determines a building's continued eligibility for the PRP. (See V. RENEWAL.) **NFIP map grandfathering rules do not apply to the PRP.**

B. Occupancy

Combined building/contents amounts of insurance are available for owners of all eligible occupancy types—one- to four-family properties (including individual condominium units in

condominium buildings), other residential properties, and non-residential properties.

Contents-only coverage is available for tenants and owners of all eligible occupancies, except when contents are located entirely in a basement.

C. Loss History

A building's eligibility for the PRP is based on the preceding requirements and on the building's flood loss history. If one of the following conditions exists within any 10-year period, regardless of any change(s) in ownership of the building, then the building is **not eligible** for the PRP:

- 2 flood insurance claim payments, each more than \$1,000; or
- 3 or more flood insurance claim payments, regardless of amount; or
- 2 Federal flood disaster relief payments (including loans and grants), each more than \$1,000; or
- 3 Federal flood disaster relief payments (including loans and grants), regardless of amount; or
- 1 flood insurance claim payment and 1 Federal flood disaster relief payment (including loans and grants), each more than \$1,000.

In reviewing a building's flood loss history for PRP eligibility, be aware that:

- A flood insurance claim payment (building and/or contents) and a Federal flood disaster relief payment (including loans and grants) for the same loss are considered a single payment.
- Federal flood disaster relief payments (including loans and grants) are considered only if the building sustained flood damage.

THE PRP AT A GLANCE

COVERAGE TYPE	MAXIMUM LIMITS BY OCCUPANCY TYPE		
	1-4 Family	Other Residential	Non-Residential
Combined Building/ Contents	\$250,000/ \$100,000	\$250,000/ \$100,000	\$500,000/ \$500,000
Contents Only	\$100,000	\$100,000	\$500,000