

# **Sandy Flood Insurance Claim Review FAQ**

## **What is the Sandy flood insurance claim review process?**

A free opportunity for you to collect additional benefits under your flood insurance claim for Sandy damage. If the reviewing team finds that you were underpaid for covered damage/losses, repair and rebuilding costs, you will receive additional flood insurance benefits. And if they find you were not underpaid, you can challenge their decision and there's a special secondary review option. Call FEMA toll-free at 866-337-4262 or download a review request form and email it to [FEMA-sandyclaimsreview@fema.dhs.gov](mailto:FEMA-sandyclaimsreview@fema.dhs.gov) or fax it to 202-646-7970. Visit [Superstorm Sandy Claim Help](#) for details on maximizing your chances of a successful outcome. You have until September 15, 2015 to do this.

## **Can I submit my Sandy flood claim for review without hiring a lawyer?**

Absolutely. This is a review of your flood claim—a second bite at the apple—and not a lawsuit. It is designed to be something that you can take advantage of without having a lawyer. The process was designed to be “survivor-centric” so you wouldn't have to hire a lawyer to use it, and FEMA wants it to be as painless as possible for you.

That said, your chances of getting an additional flood insurance payout through this process will increase if you get help from a qualified expert such as a flood damage estimator or a policyholder attorney.

## **Can I hire a lawyer or other expert to help prepare my Sandy flood claim for review?**

Absolutely. If you want professional legal help, there are several options: You can try and line up a free legal aid or volunteer attorney or hire a private lawyer on an hourly or contingency fee basis. For a full list of Sandy advocates, visit <http://www.fema.gov/advocacy-groups-and-services-referral-list>. For qualified policyholder attorneys, visit our [Find Help Directory](#) as a starting point.

## **Will I have a better chance of collecting more flood insurance money if I hire a lawyer to help with my review submission?**

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You can have your claim reviewed without submitting any additional information. Some Sandy survivors who've already participated in the review process have collected additional money just based on errors found in their original file. But, the better your documentation of your Sandy damage and repair/rebuilding costs (reports, estimates, receipts, proof of damage and repair costs) the more likely you will get additional money, with or without a lawyer. Examples are:

- Before and after photos
- Records on the house (size, age, style of materials, etc.)
- A good, detailed scope/list of all necessary repairs/rebuilding work
- Cost estimates, payment records, receipts for work already completed
- Copies of all proof of loss forms and other items related to your claim that were prepared by or for the flood insurance company.

You can interview both a free attorney (legal aid/volunteer/"pro bono") and a private attorney and hear their pitch on how they can improve your chances of improving your flood claim settlement. Take good notes and think it over for at least a day before you make your decision.

### **What would be the value of hiring a lawyer to handle my review claim?**

The value of hiring a lawyer - free or paid - is to use their expertise in presenting evidence and successful advocacy. If you don't have good documentation or feel overwhelmed by the idea of calling FEMA or trying the review option, a lawyer is likely to increase your chances of success. Especially if that lawyer has a flood damage and repair estimating expert on their team.

### **What are the down sides of hiring a lawyer?**

Fees and costs and possible delays. This review process is not a legal proceeding. It's a document review proceeding.

### **So does that mean I shouldn't hire a lawyer to help me submit my Sandy claim for review?**

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No, it doesn't. It really depends on your situation. If you hire a lawyer, hire one that is already in the Sandy mix and has a good "forensic" expert on their team to pre-review your claim file and paperwork before submitting it for FEMA's review. That will make a big difference to your outcome.

### **Does it matter how much additional money I'm seeking?**

Yes. If you've made repairs/rebuilt and have receipts to support the actual costs you've incurred, or if your foundation was not damaged in Sandy, and you're seeking less than \$15k in additional NFIP benefits, you should not need to pay for professional help to submit those receipts and proceed through the reopen process on your own. If you are seeking less than \$15k in additional NFIP benefits, it is unlikely an experienced lawyer will want to represent you on a contingency fee basis. However, you could still potentially use a free non-profit lawyer.

### **What if my foundation was damaged in Sandy but I was told its excluded due as "earth movement"?**

If your foundation was damaged in Sandy but you haven't recovered the fair value for repairing it and related damage, you should consult with an experienced policyholder lawyer ASAP and discuss whether or not to try the review process option.

### **If I hire a law or public adjusting firm to handle my review request, won't their fees eat up additional flood insurance benefits I might recover?**

Yes, but it is possible that they can recover more on your claim than you would on your own because they know the rules and speak the language of insurance and damage estimating. So it can be well worth paying their fee, as long as that fee is reasonable and the lawyer or public adjuster advocate strongly for you during the review process.

### **Should I be worried about going through the review process and getting hit with a claim that I was actually over paid and need to pay FEMA back?**

If you have good reason to believe this could happen, the review process may not be for you.

### **Can a lawyer advise me on the risk that I'll go through the review, get more money but have**

## **it be considered a “duplication of benefits” because I got money through RREM or NY Rising?**

Yes. FEMA and the NFIP have committed to use their best efforts to help you avoid and minimize financial tangles related to alleged “duplication of benefits”, but can’t promise those tangles won’t arise. FEMA has no control over state-sponsored disaster recovery aid, repair and rebuilding programs. If you’re worried about this, consult a qualified local attorney.

## **Can I skip the review process and file a lawsuit?**

Not if you haven’t already filed one. Most deadlines for filing lawsuits related to Sandy have passed.

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