

FEMA To Allow Superstorm Sandy Victims To Review Flood Claims

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FEMA is mailing letters to more than 140,000 Superstorm Sandy victims. The letters ask if they want their flood insurance claim to be reviewed. This comes after months of scrutiny and accusations that the private insurance companies who help run the federal flood program shortchanged people. But Charles Lane from member station WSHU reports despite the widespread criticism, relatively few are expected to revisit their claim. CHARLES LANE, BYLINE: It's more than two and a half years after Sandy, and Bill Lynch's Long Island home still doesn't have a floor. He's tiptoeing on just the beams of his living room, trying to get his house ready to be lifted above flood level. With sweat coming down his neck, he looks up, and he points to his neighbor's brand-new, bright blue house. BILL LYNCH: I'm right across the street from him. I had the same damage. I had a different adjustment firm. They gave me 77,000, and I haven't even started yet, and it's now three years after the storm. LANE: Lynch's insurance payout was 30 percent of the value of his policy. It was decided by the two engineering and adjusting firms now being investigated by federal and state authorities. FEMA has vowed to make right by people like Lynch, even if it means reviewing every flood insurance claim filed for Superstorm Sandy. But there's a few reasons why many aren't rushing to restart the claims process. Most of them boil down to bureaucracy. LYNCH: Now if I reopen the case with federal flood insurance, now, potentially, I call into question all the money I'm getting from New York. LANE: Following the disaster, Congress voted to give Sandy victims more than just the normal flood insurance money. Some \$50 billion flowed through the federal government down to state programs. Each state ran the program differently, but all of them forbid getting paid twice from different pots. So for Lynch and thousands of other homeowners, having FEMA review their insurance claim means having to pay back the state. LYNCH: Now I have to restart the process with New York for the balance of the money. I still don't have enough money to do it, but now I start from square one again. LANE: It sounds incredibly complicated. LYNCH: Oh, it's Byzantine. It is a huge part of the reason that I have not even been able to start yet. LANE: The complexity and the amount of money at stake has created a small industry of lawyers willing to help homeowners navigate the process for a cut of

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whatever FEMA pays out. Robert Tschirn is one of them. He says lawyers like him can help homeowners maximize their claim. ROBERT TSCHIRN: They'll be able to navigate those coverages that perhaps either the case manager that FEMA assigns won't have time to look into or may not have the requisite experience to look into, and we actually will, and we'll be able to do so efficiently and quickly. LANE: Melissa Luckman is a staff attorney at the Disaster Law Clinic at Touro Law Center. Her nonprofit is running one of several clinics designed to help Sandy victims. She says even though the process appears complicated, she thinks people will eventually take FEMA up on its offer. MELISSA LUCKMAN: The majority of people have this feeling, like, that they're entitled to additional funds, you know, for emotional distress and how long the process took and how hard the process was the first time around. So I think there will be a good amount of people who will reenter to this program. LANE: FEMA has hired about 140 adjusters to work directly with policyholders during the process. The agency says insurance companies will not be involved in deciding the extra payout, but it's not clear who will be looking out for taxpayers. In the past, that was the job of the insurance companies, but with them out of the picture, FEMA is leaving it up to the adjusters to perform quality control checks. For NPR News, I'm Charles Lane.