

U.S. Department of Housing & Urban Development
Region 1 - Flood Insurance Office
Telephone: (617) 223-2616

This is in answer to your request for information on how an individual or a community may request that a determination be made that property is not properly included in a Special Flood Hazard Area.

It is not the intent of the Federal Insurance Administration (FIA) of HUD to require flood insurance on property located outside of the contour or curvilinear outline of the 100-year flood and with a first floor elevation above the level of the 100-year flood.

TOWN

If the town feels that the Flood Hazard Boundary Map is inaccurate it may submit to Federal Insurance Administration in Washington whatever data it has available to indicate which changes should be made in the map. Technical data and reports are most desirable but if this type of information is not available locally, the community may submit hand drawn changes and notations on the flood hazard boundary maps. The Federal Insurance Administration contractors will verify the data. This procedure takes approximately four to six months.

INSURANCE REFUND

We have determined to allow flat cancellation of a flood insurance policy and a full refund of premium where the property has been determined to have been inadvertently included in a special flood hazard area delineated on a Federal Insurance Administration's map and flood insurance was purchased as a condition of obtaining federally related financing. The request for refund must be made within 90-days of the publication of the revised Flood Hazard Boundary Map. The insurance agent who sold the original policy should be able to help with the paperwork. Of course we will not refund the premium on a property which has flood damage claim against the policy.

INDIVIDUAL

In addition in those few instances where a property owner or developer cannot wait for the community maps to be changed, he may submit technical and scientific data supporting his contention that the property in question is not, in fact, located within a special flood area. We will make an official determination whether or not flood insurance is required on the property in question. In challenging FIA's findings, an individual may submit scientific or technical information to the Administrator for his review.

Scientific and technical information for the purpose of this part may include, but is not limited to the following:

- (1) An actual copy of the recorded plat map bearing the seal of appropriate official (e.g. County Clerk, or Recorder of Deeds) indicating official recordation and proper citation (Deed or Plat Book Volume and Page Numbers) or where annotation of the deed or plat book is not the practice an equivalent identification is required:
- (2) A topographical map which shows ground elevation contours, the total area of the property in question, the location property in question, the elevation of the lowest floor, including basement, of the structure or structures, and an indication of the curvilinear line which represents the area subject to inundation by a flood having a one-percent chance of occurrence in any given year. This curvilinear line should be based upon information provided by any appropriate authoritative sources, such as a Federal Agency, the appropriate state agency (e.g. Department of Water Resources), a County Water Control District, a County or City Engineer, a Federal Insurance Administration Flood Insurance Study, or a determination by a Registered Professional Engineer: (Note: Requirement number 2 may be waived if it can be shown that the property lies totally outside the curvilinear boundaries of the flood which has the one percent chance of occurrence.
- (3) A copy of the official FIA Flood Hazard Boundary Map or Flood Insurance Rate Map, indicating the location of the property in question:
- (4) A certification by a Registered Professional Engineer or Licensed Land Surveyor as to the type of structure and that the lowest floor, including basement of the structure is above the area subject to the flood with one percent chance of occurrence in any given year. Where there has been a final flood elevation determination, and fill has altered the topography, such certification should include the date that the fill was placed on the property.

Upon receipt and evaluation of the above data, the property owner will be notified in writing of our findings. Should a review of the evidence indicate the need for a change in Federal Insurance Administration Map(s), a letter of determination will be published in the Federal Register. The letter of determination will have the effect of amending the FIA Map(s) in question, and copies will be sent to all affected Insurance Servicing Companies and State Coordinating Agencies as well as the local community.

The time required to review matters of this nature will generally depend of the quality of data submitted. It is estimated, however, that this procedure will normally require 30 days from the receipt of all supporting data.

Information should be forwarded directly to:

Federal Insurance Administration
Attention: Mel Crompton
Technical Services Division
Flood Insurance Administration
Washington, D. C. 0410