



# Financial Implications of Property Damage to Commercial & Residential Real Estate

John G. Minor, CGC CFM

[www.completecontracting.com](http://www.completecontracting.com)

# John G. Minor, CGC CFM

## Licensure

- **FL** - Certified General Contractor CGC061674
- **NC** – Unlimited General Contractor 42065
- **SC** – General Contractor G10184
- **FEMA NFIP** – Appraiser
- **FLIR** – Certified Thermographer
- **NASFPM** – Certified Flood Plain Manager
- **Wind** – Approved Umpire
- **NHC** – Faculty
- **SERRI** – Steering Committee
- **FSU** – Storm Risk.org faculty
- **OSHA** – Hazwopper
- **Dept of Homeland Security** – TWIC
- **Dept of Insurance** – Licensed Instructor
- **Lorman** – Faculty

## John Minor, CGC CFM





How to save the value of a residential property listed for sale or raze the structure, sell the lot and keep the claim

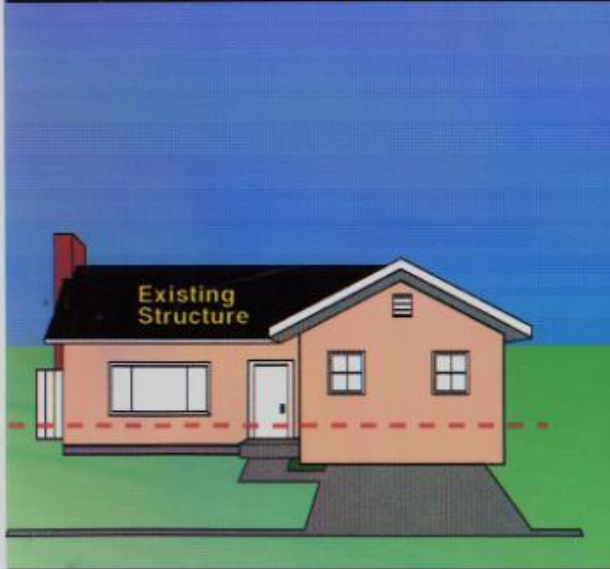
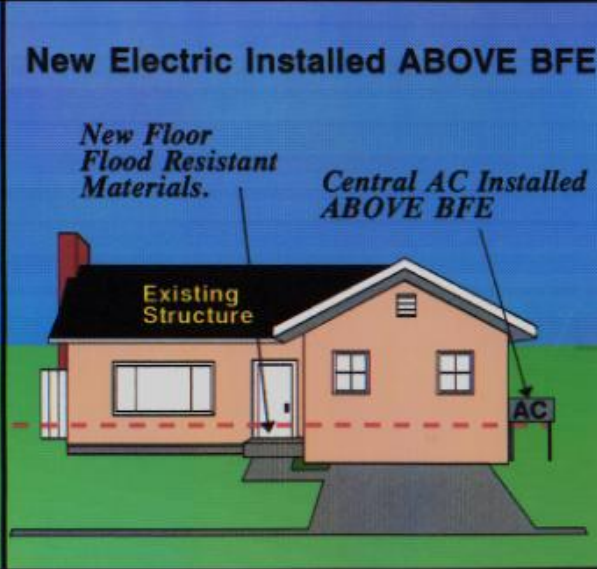
## **RESIDENTIAL LOSS**

# Prevention thru Planning



# Pre-Firm

**Less Than Substantial Improvements Existing (PRE-FIRM) Structures**

<b>PRE-FIRM Structure No Methods to Reduce Flood Damages</b>	<b>PRE-FIRM Structure Rehabilitated - Cost &lt; 50% of Market Value</b>
 <p>Existing Structure</p> <p>A diagram of a single-story house with a red roof and orange walls. A horizontal dashed red line indicates the Base Flood Elevation (BFE). The house is situated on a concrete foundation that is below the BFE line.</p>	<p><b>New Electric Installed ABOVE BFE</b></p> <p><i>New Floor Flood Resistant Materials.</i></p> <p><i>Central AC Installed ABOVE BFE</i></p>  <p>Existing Structure</p> <p>AC</p> <p>A diagram of the same house as on the left, but with several improvements. The central air conditioning unit is mounted on a wall above the BFE line. A label 'AC' with an arrow points to it. The floor is labeled as 'New Floor Flood Resistant Materials'. The house remains on the same foundation below the BFE line.</p>

**NOTE: Structure on Right Retains PRE-FIRM Rating - Improvements Less Than Substantial, But Designed to Minimize Flood Damages.**

A FEMA FOUR GRAPHIC

## Homeowner Loss

### •Ivan Soundside Dr

- Total Loss / Repair
- Value of property without structure/ with
- Potential for assignment of claim
- SFHA - 50 % rule , repetitive loss rule
- Wind v Flood
- 12.4 surge from BFE
- Tree damage to roof triggering loss of use payments for 6 -18 months



## Homeowner Loss

### Ivan Soundside Dr

- Better stronger restored due to nature of code compliance requirements net value increase
- DFS Mediation
- Multiple visits from NFIP
- Flood Line identified then obeyed in adjustment
- Understanding of “free board”
- Insurance Savings over long run





Big costs, big decisions, loss of production

# **INDUSTRIAL**





## **Hurricane Dolly – Harlingen Texas**

Crane is holding anhydrous ammonium pipes after roof collapse



## **Hurricane Dolly – Harlingen Texas**

Safety & Security issues for all



## Industrial

- Heavy Equipment Services
- Cranes, Large Generators, Drying Equipment, Labor
- Specialty Services
- Importance of Business Interruption
- Contents owned by others



## Contents of Others

Multiple policies cover the business property of the interiors



## **Contents**

Careful attention is necessary when dealing with properties where the FDA or USDA provide guidance



Investors, banks, mortgage companies the claim & re occupancy

# **APARTMENTS/ MULTI – FAMILY**



## **Hurricane Ivan**

The importance of evacuation, this property was badly affected by surge after Hurricane Ivan



## Apartment Claims

Large scale restoration and identification needs, lack of coverage for contents, many times multiple layers of coverage





FEMA worksheets, infrastructure, Grants & League of Municipalities, Cities

# MUNICIPALITIES



## **Katrina – New Orleans**

The need to work between municipalities their managers and FEMA is a difficult challenge



## **Non Elevated Utilities**

Elevation of waste water treatment facilities is a great use of federal funds before or after a flood loss. This type of investment can pay back in many ways

# Planning Benefits



Vents

No Vents



The work behind the scene that proves the damage

# **RESEARCH**



## **University of Florida – Window / Wall Study**

Full scale mock up to test water intrusion



## **University of Florida – Window / Wall Study**

Intake



## University of Florida – Window / Wall Study

Power





## University of Florida – Window / Wall Study

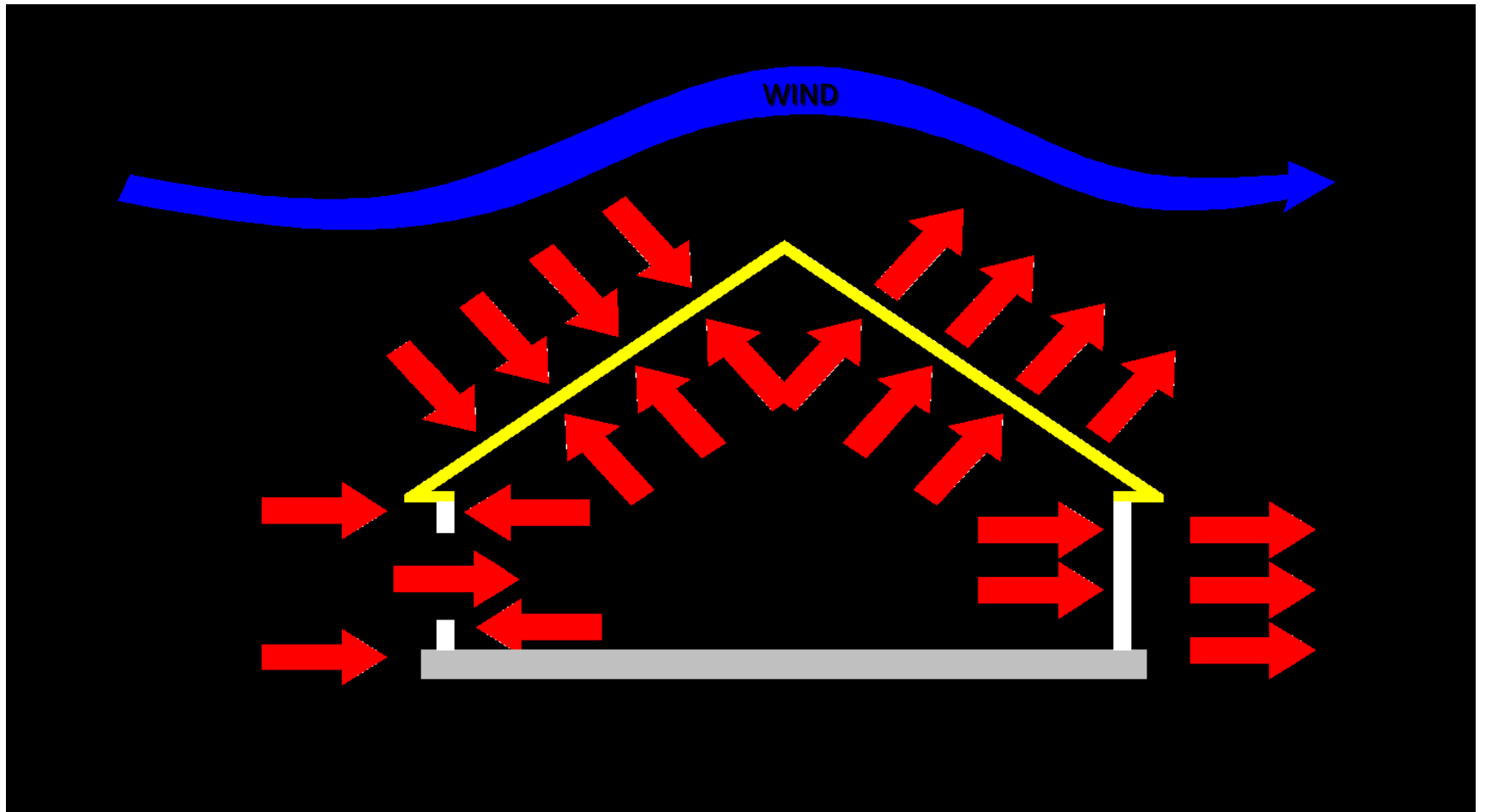
Test Sample



## University of Florida – Window / Wall Study

Let her rip

# Effects of Wind



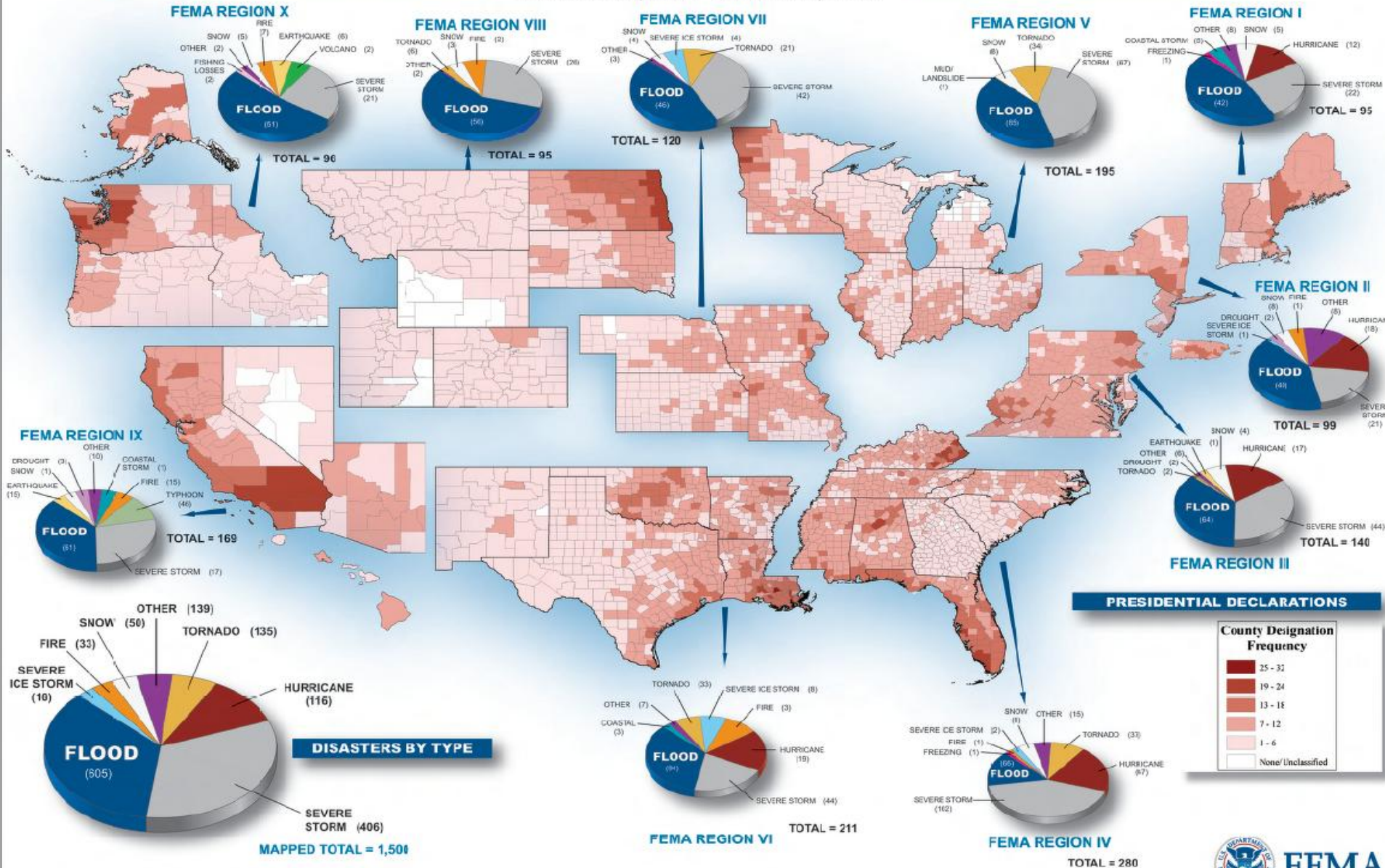


## **University of Florida – Window / Wall Study**

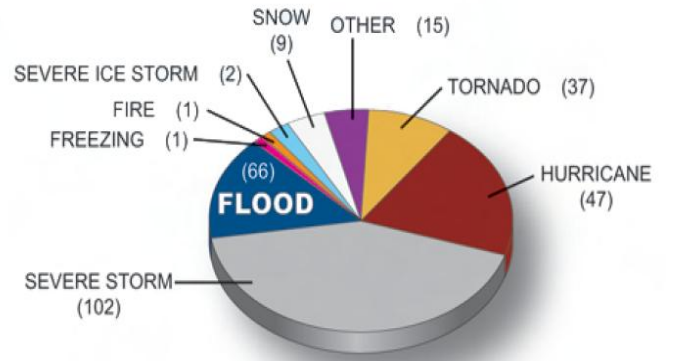
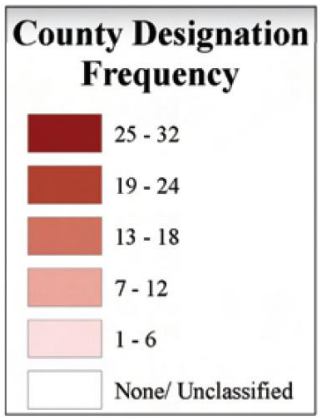
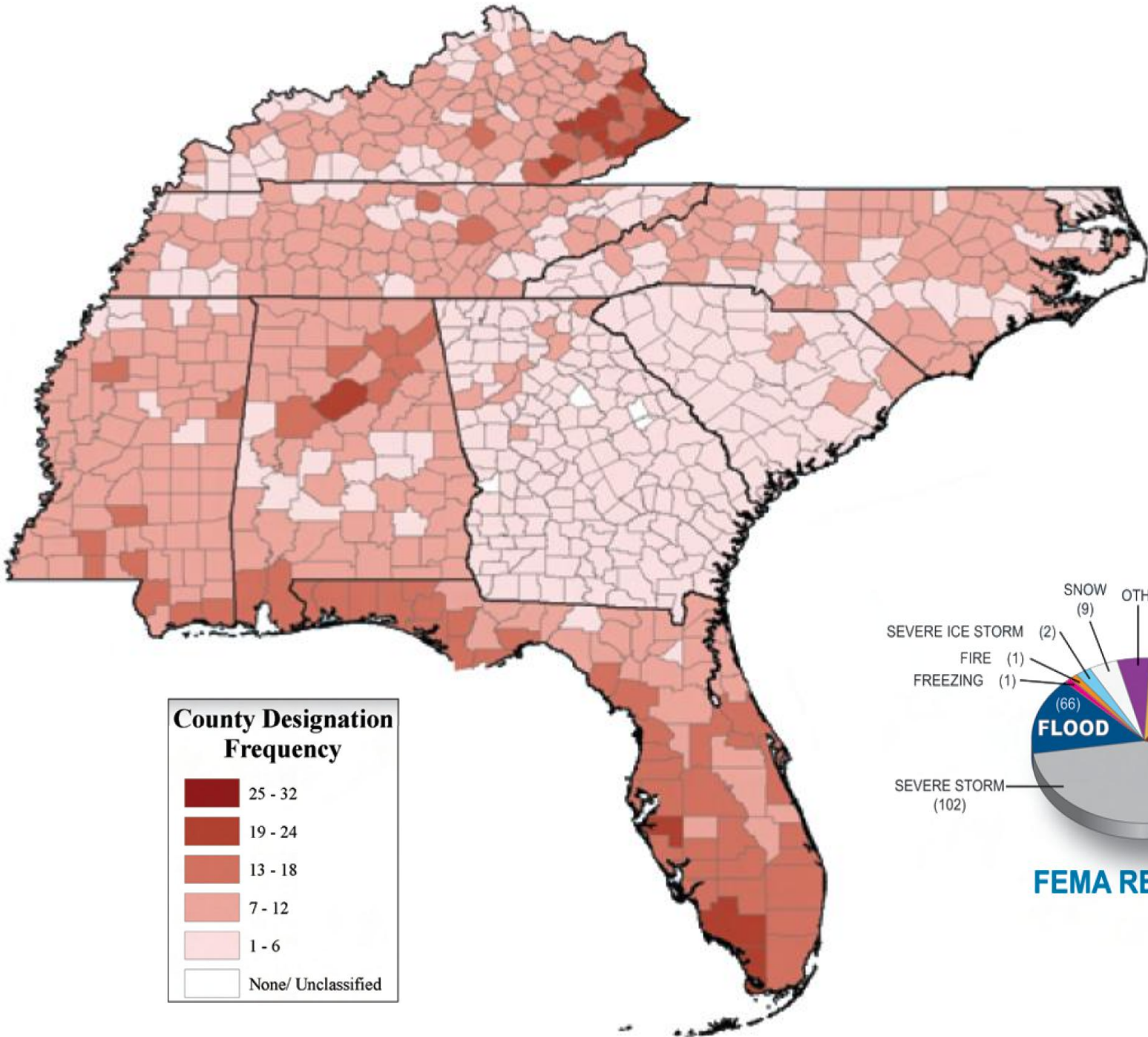
How much water represents a failure and when is their damage, creating and opening to allow water to intrude and therefore be covered

# PRESIDENTIAL DISASTER DECLARATIONS

December 24, 1964 to March 3, 2007



\* Prior to December 24, 1964, 179 declarations did not have county designations. Therefore, of the total declared disaster (1,500), only 1,321 are included in the Mapped Total.



**FEMA REGION IV**

**TOTAL = 280**

What are the essential documents necessary to complete the claim valuation

## **DOCUMENTING THE FILE**

# Elevation Certification

U.S. DEPARTMENT OF HOMELAND SECURITY Federal Emergency Management Agency National Flood Insurance Program		<b>ELEVATION CERTIFICATE</b>		OMB No. 1560-0008 Expires February 28, 2009	
				Important: Read the instructions on pages 1-8.	
<b>SECTION A - PROPERTY INFORMATION</b>				For Insurance Company Use:	
A1. Building Owner's Name			Policy Number		
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.			Company NAIC Number		
City		State		ZIP Code	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.)					
A5. Latitude/Longitude: Lat. _____ Long. _____				Horizontal Datum: <input type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983	
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number: _____					
A8. For a building with a crawl space or enclosure(s), provide:			A9. For a building with an attached garage, provide:		
a) Square footage of crawl space or enclosure(s) _____ sq ft			a) Square footage of attached garage _____ sq ft		
b) No. of permanent flood openings in the crawl space or enclosure(s) walls within 1.0 foot above adjacent grade _____			b) No. of permanent flood openings in the attached garage walls within 1.0 foot above adjacent grade _____		
c) Total net area of flood openings in A8 b) _____ sq in			c) Total net area of flood openings in A9 b) _____ sq in		
<b>SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION</b>					
B1. NFIP Community Name & Community Number		B2. County Name		B3. State	
B4. Map/Panel Number	B5. Suffix	B6. FIRM Index Date	B7. FIRM Panel Effective/Revised Date	B8. Flood Zone(s)	B9. Base Flood Elevation(s) (Zone AO, use base flood depth)
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in item B9.					
<input type="checkbox"/> FIS Profile <input type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other (Describe) _____					
B11. Indicate elevation datum used for BFE in item B9: <input type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other (Describe) _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input type="checkbox"/> No					
Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					
<b>SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)</b>					
C1. Building elevations are based on: <input type="checkbox"/> Construction Drawings* <input type="checkbox"/> Building Under Construction* <input type="checkbox"/> Finished Construction					
*A new Elevation Certificate will be required when construction of the building is complete.					
C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, ARIA, ARAE, ARIA1-A30, ARIA1H, ARWAO. Complete items C2 a-g below according to the building diagram specified in item A7.					
Benchmark Used: _____			Vertical Datum: _____		
Conventions/Comments: _____			Check the measurement used		
a) Top of bottom floor (including basement, crawl space, or enclosure floor) _____			<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)		
b) Top of the next higher floor _____			<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)		
c) Bottom of the lowest horizontal structural member (V Zones only) _____			<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)		
d) Attached garage (top of slab) _____			<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)		
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment in Comments) _____			<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)		
f) Lowest adjacent (finished) grade (LAG) _____			<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)		
g) Highest adjacent (finished) grade (HAG) _____			<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)		
<b>SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION</b>					
This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.					
<input type="checkbox"/> Check here if comments are provided on back of form.					
Certifier's Name		License Number		PLACE LICENSE NUMBER, SEAL, SIGNATURE, AND DATE HERE	
Title		Company Name			
Address		City			
State		ZIP Code			
Signature		Date			
		Telephone			
FEMA Form 81-31, February 2006		See reverse side for continuation.		Replaces all previous editions	



# Elevation Certificate

## SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP COMMUNITY NAME & COMMUNITY NUMBER		B2. COUNTY NAME			B3. STATE
B4. MAP AND PANEL NUMBER	B5. SUFFIX	B6. FIRM INDEX DATE	B7. FIRM PANEL EFFECTIVE/REVISED DATE	B8. FLOOD ZONE(S)	B9. BASE FLOOD ELEVATION(S) (Zone AO, use depth of flooding)

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9.

FIS Profile     FIRM     Community Determined     Other (Describe: \_\_\_\_\_)

B11. Indicate the elevation datum used for the BFE in B9:  NGVD 1929     NAVD 1988     Other (Describe: \_\_\_\_\_)

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)?  Yes     No

Designation Date: \_\_\_\_\_

# Elevation Cert

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## SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

---

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
 \*A new Elevation Certificate will be required when construction of the building is complete.

C2. Building Diagram Number \_\_\_\_\_ (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

C3. Elevations – Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO

Complete Items C3a-i below according to the building diagram specified in Item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided

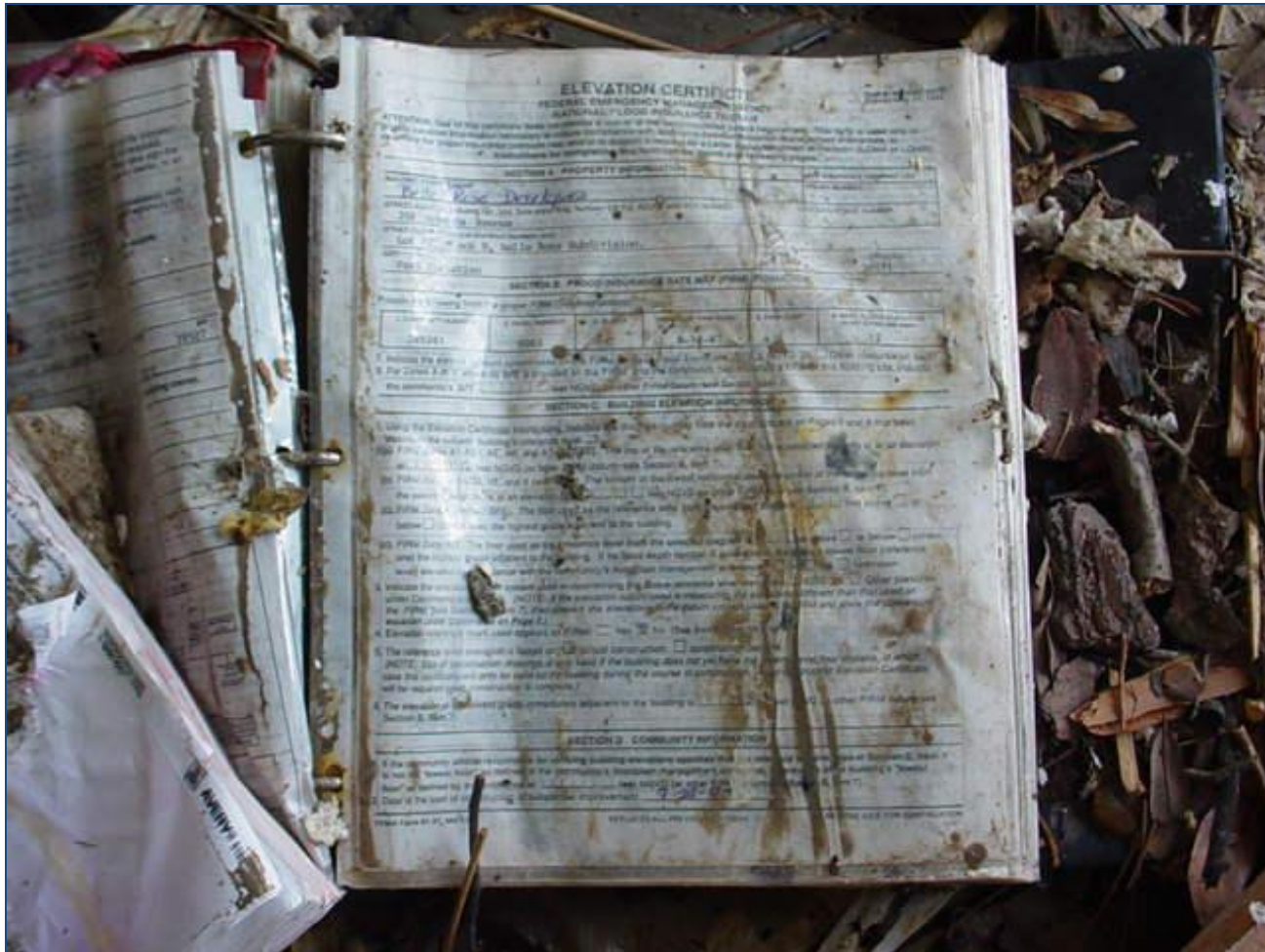
Datum \_\_\_\_\_

Elevation reference mark used \_\_\_\_\_ Does the elevation reference mark used appear on the FIRM?  Yes  No  
 appear on the FIRM?  Yes  No

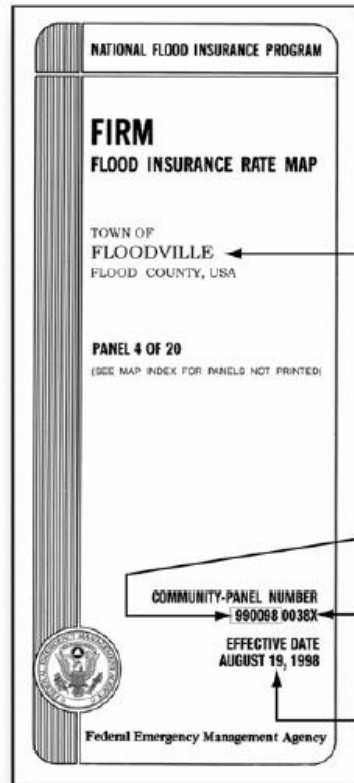
- a) Top of bottom floor (including basement or enclosure)
- b) Top of next higher floor
- c) Bottom of lowest horizontal structural member (V zones only)
- d) Attached garage (top of slab) \_\_\_\_\_ ft.(m)
- e) Lowest elevation of machinery and/or equipment servicing the building (Describe in Comments area) \_\_\_\_\_ ft.(m)
- f) Lowest adjacent (finished) grade (LAG) \_\_\_\_\_ ft.(m)
- g) Highest adjacent (finished) grade (HAG) \_\_\_\_\_ ft.(m)
- h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade \_\_\_\_\_
- i) Total area of all permanent openings (flood vents) in C3h \_\_\_\_\_ sq. in. (sq. cm)

License Number, Embossed Seal, Signature, and Date

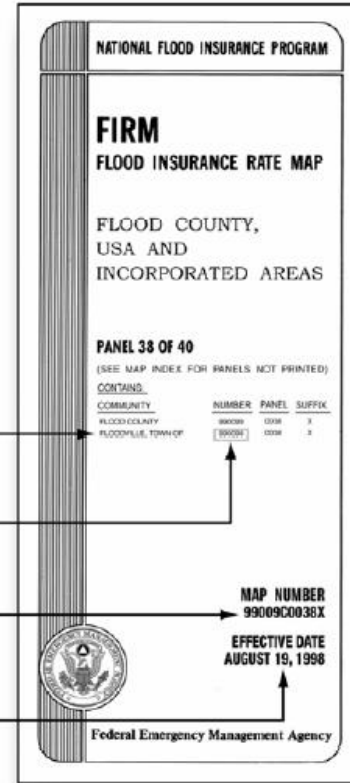
# Lack of Planning



# Flood Maps



**Figure 1.** Sample FIRM Panel  
(Single Community)



**Figure 2.** Sample FIRM Panel  
(Countywide)

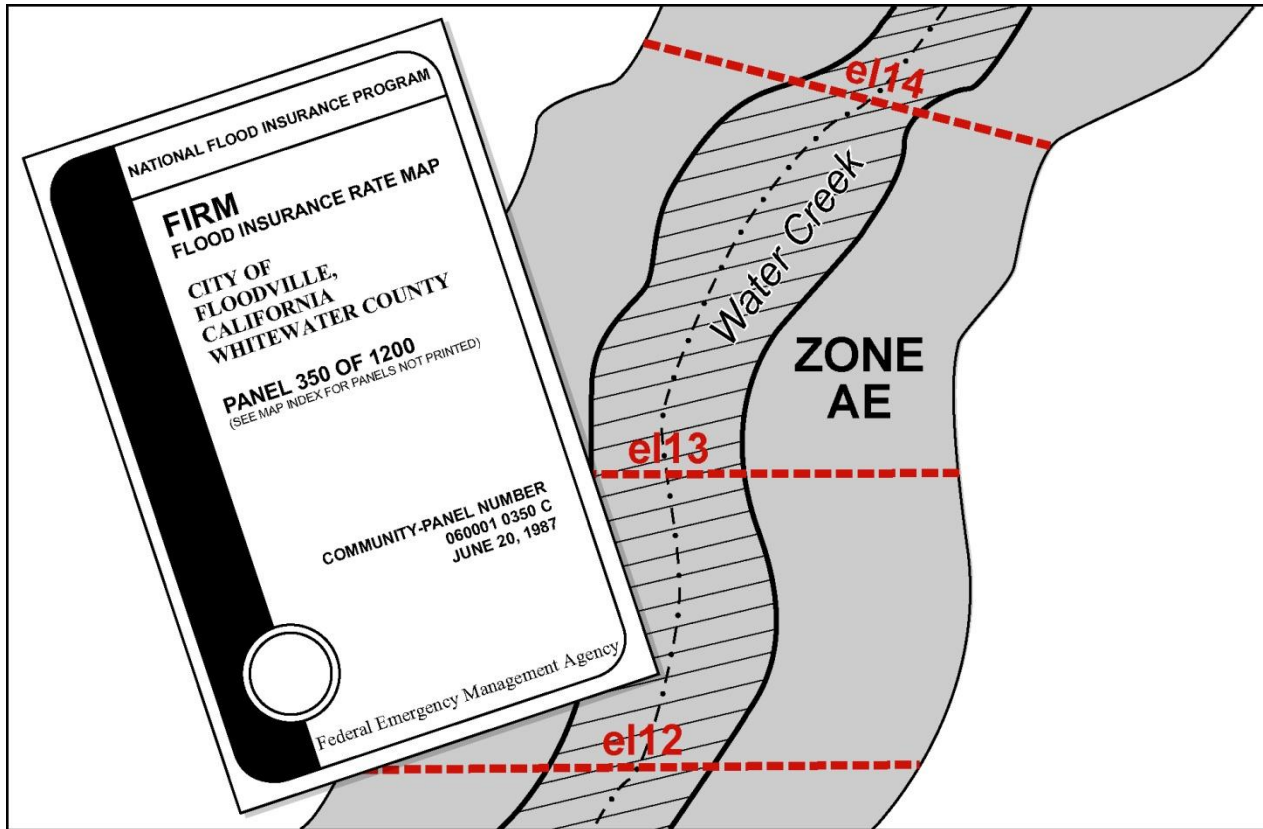
Community Name

Community Number

Panel or Map Number

Effective Date

# FIRM





# Flood Zone ID

## Finding a flood zone

The Federal Emergency Management Agency develops Flood Insurance Rate Maps to show potential flood areas. These maps are used by home lending organizations and insurance companies to determine whether flood insurance may be mandatory for a homeowner. Areas that are within an A or V designation fall within a mandatory insurance zone. Some of the zones in our area:

### Zone V

Areas along the coast that may see storm-induced waves higher than 3 feet along with flooding.

### Zone AE, VE or Zone A followed by a number:

These are zones within the mandatory area where a more detailed engineering analysis has been done, a specific level of potential flooding has been determined, and a required base elevation set for homes built after the mapping period.

### Zone AH

These are areas where flooding between 1 to 3 feet is likely to occur.

### Zone AO

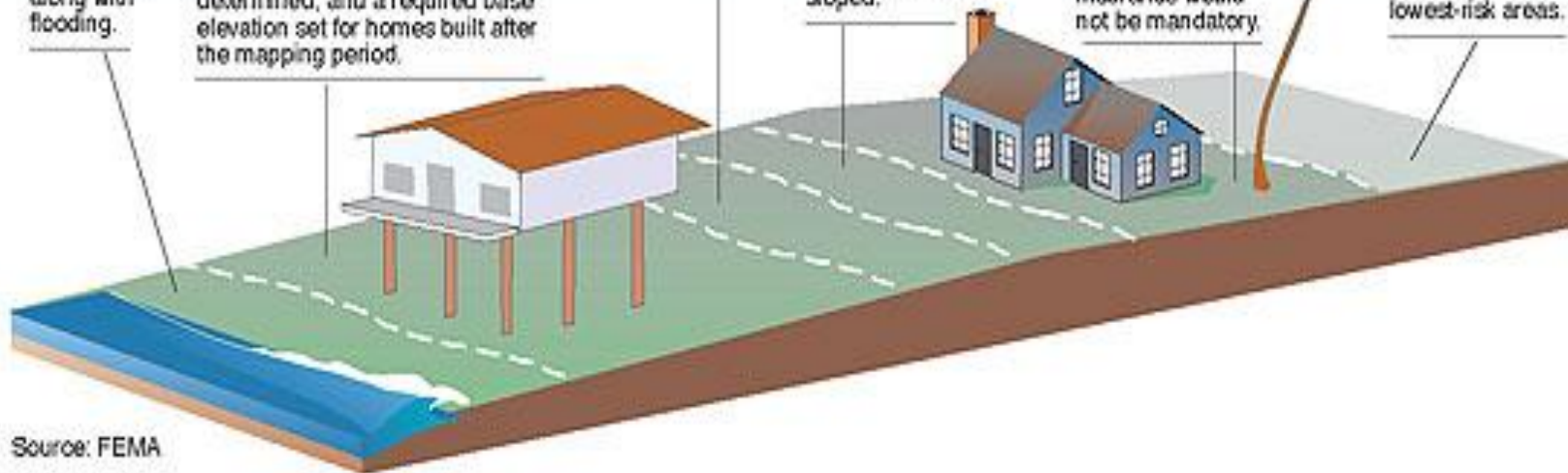
This is an overwash area, where water may rise 1 to 3 feet and move with some velocity, usually because terrain is sloped.

### Shaded Zone X

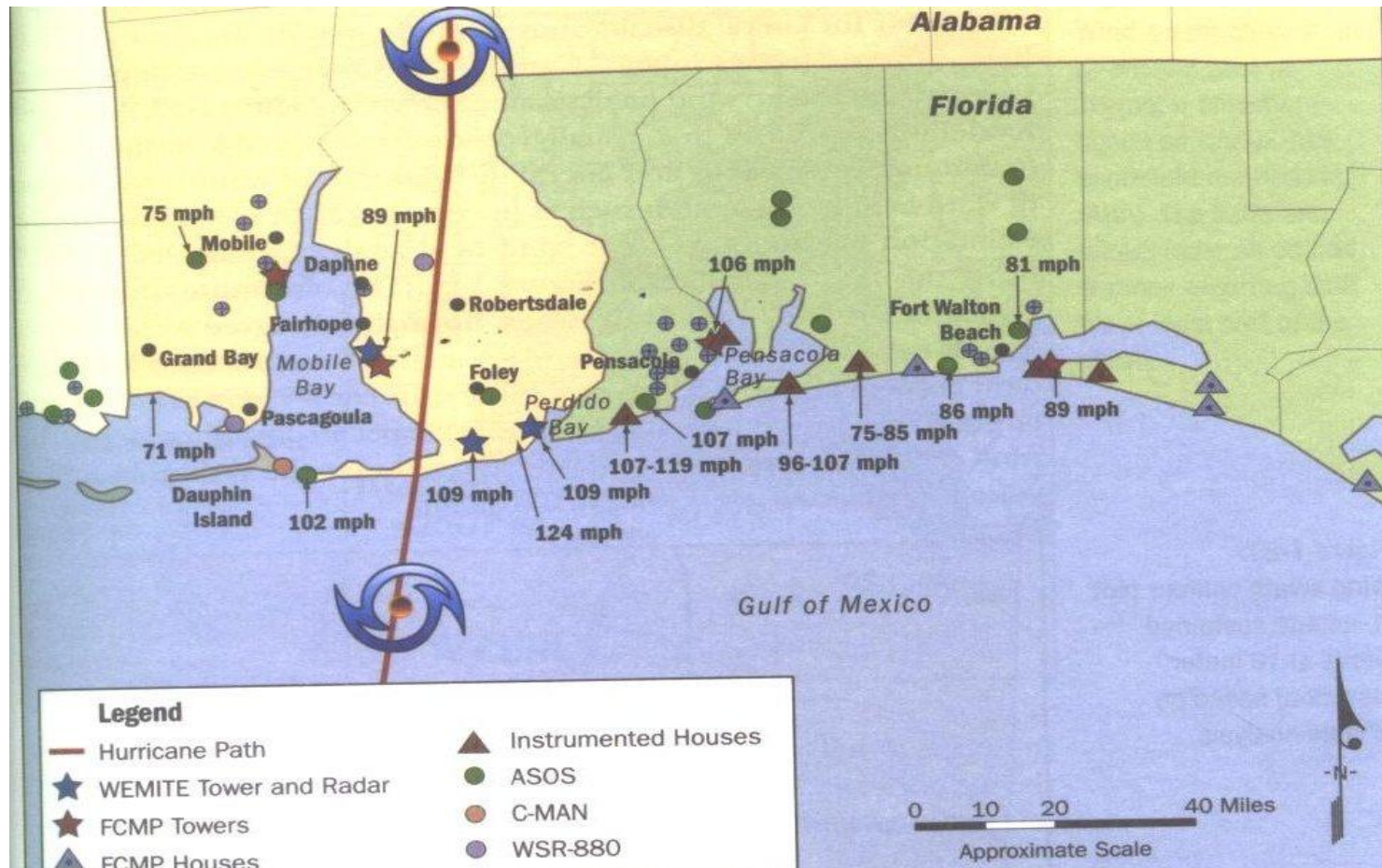
Known as the 500-year flood plain, it represents a .2 percent chance of flood in a given year. Insurance would not be mandatory.

### Unshaded Zone X

These areas are outside the 500-year flood plain and are considered the lowest-risk areas.



Source: FEMA





# Wind Map



# Wind Map

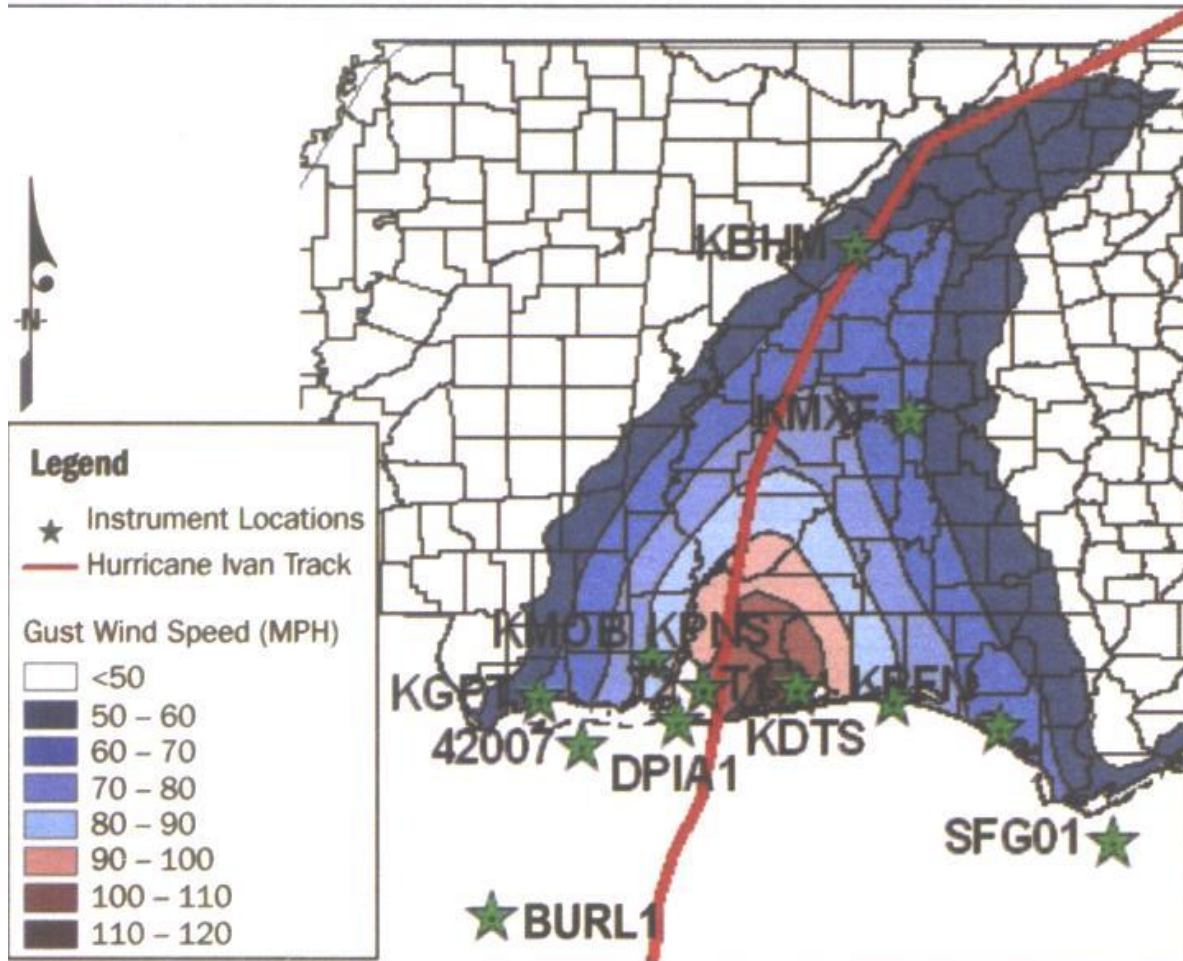
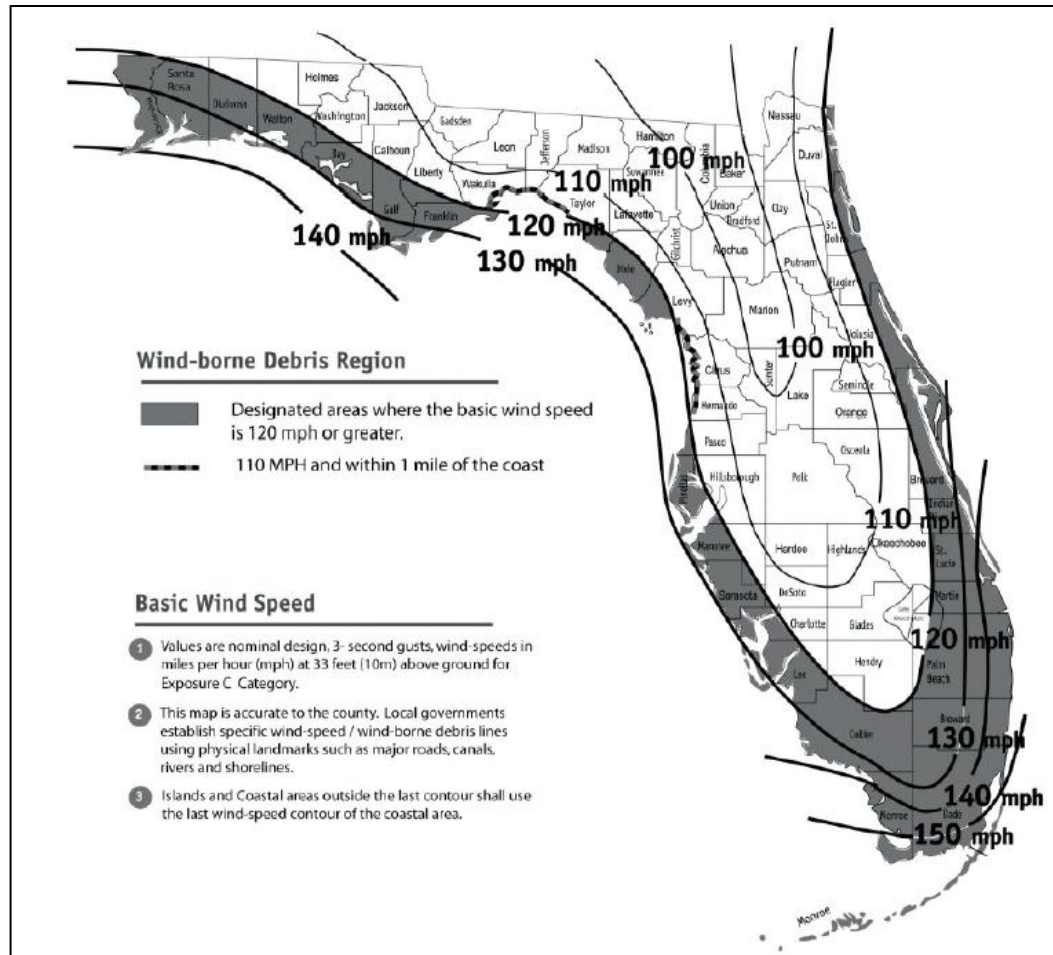


Figure 1-21.  
Wind swath contour plot  
(3-second gust at  
10-meter elevation)  
based on HAZUS-MH  
wind field methodology  
(ARA). The stars and  
letters indicate official  
stations reporting data  
for at least part of the  
storm.

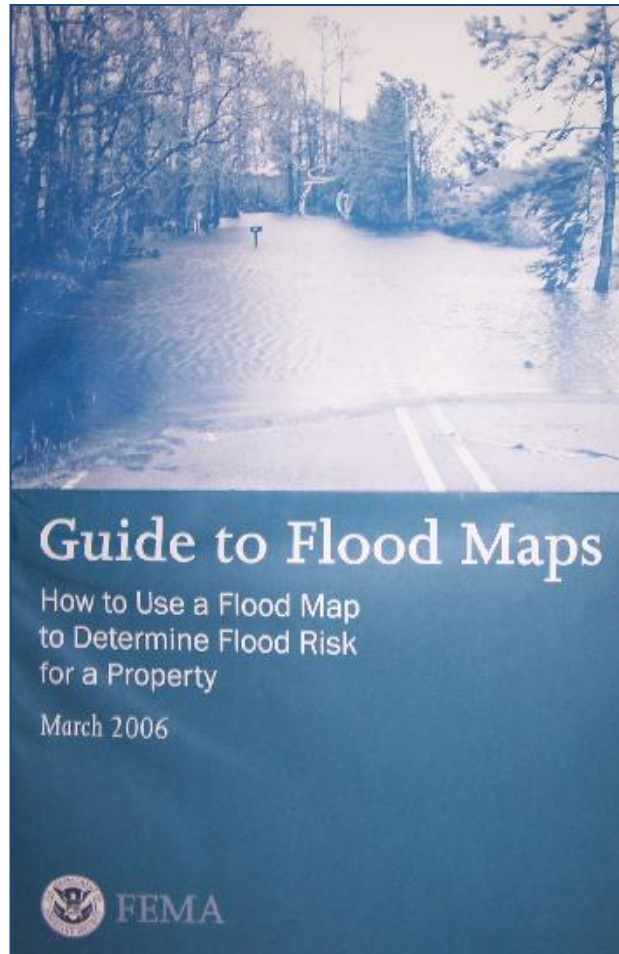
# Saffir – Simpson

SAFFIR-SIMPSON SCALE					
Type	CG	Winds (mph)	Winds (knots)	Pressue (millibars)	Surge (feet)
Tropical Depression	<b>TD</b>	< 39	< 34		
Tropical Storm	<b>TS</b>	39 - 73	34 - 63		
Hurricane	<b>1</b>	74 - 95	64 - 82	> 980	4 - 5
Hurricane	<b>2</b>	96 - 110	83 - 95	965 - 980	6 - 8
Hurricane	<b>3</b>	111 - 130	96 - 113	945 - 965	9 - 12
Hurricane	<b>4</b>	131 - 155	114 - 135	920 - 945	13 - 18
Hurricane	<b>5</b>	> 155	> 135	< 920	> 18

# Wind Map



# FEMA 258



## Guide to Flood Maps

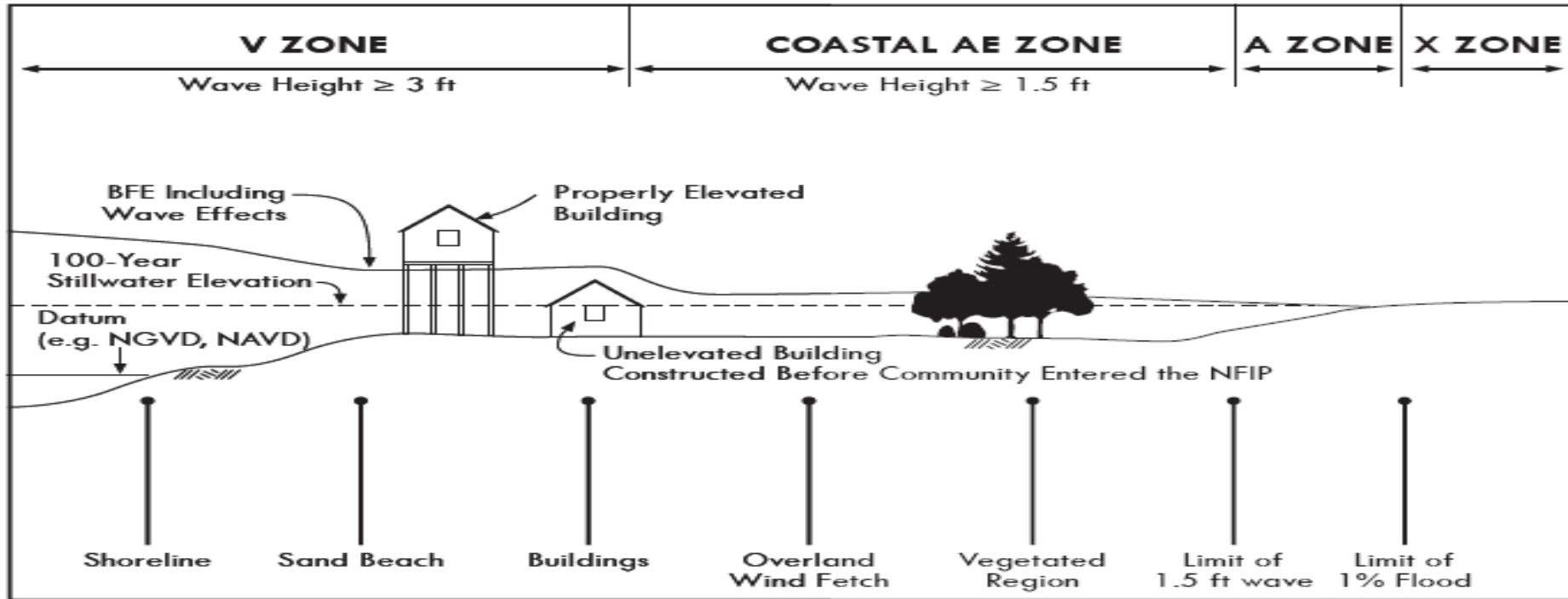
How to Use a Flood Map  
to Determine Flood Risk  
for a Property

March 2006





# Transect Schematic



- After analyzing wave heights along each transect, wave elevations were interpolated between transects. Various source data were used in the interpolation, including topographic maps, beach profiles, aerial photos, and engineering judgment. Controlling features affecting the elevations were identified and considered in relation to their positions at a particular transect and their variation between transects.

# FEMA .GOV

<http://www.fema.gov/hazard/map/flood.shtm>



[Product Catalog](#) | [Map Search](#) | [Quick Order](#) | [Digital Post Office](#) | [Help](#)

**Product Search by...**

**Address** **Map Panel ID**

1) Select a Product:  
[Flood Maps](#)

2) Enter an Address:

Street:

City:

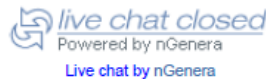
State:  Zip:

#### New to the FEMA Map Service Center?

- [Homeowners/Renters](#)
- [Real Estate/Flood Determination Agents](#)
- [Insurance Agents](#)
- [Engineers/Surveyors](#)
- [Federal/Exempt Customers](#)

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#### Log On

User ID (email address) :

Password :

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- » [Register](#)

[Why register?](#)

#### Announcements

##### FMIX: New Live Chat Service

The FEMA Map Information eXchange (FMIX) has a new live chat service. You can now chat online with Map Specialists and ask questions about a variety of topics including Letters of Map Change, Elevation Certificates and the release of new flood maps.

[Chat with a Map Specialist](#)

#### What are you looking for?

- [Flood Maps](#)
- [FIRMettes](#)
- [DFIRM Databases](#)
- [MapViewer - Web](#)
- [Documents, Publications & Forms](#)

#### More Information

- [Product Availability](#)
- [How do I find the flood map for my area?](#)
- [What is a FIRMette?](#)
- [How do I find a LOMC?](#)
- [Definitions of FEMA Flood Zone Designations](#)
- [Product Information](#)
- [Price List](#)
- [How to Order](#)

#### NFHL

[National Flood Hazard Layer](#) [\(learn more\)](#)

[View the NFHL Online using MapViewer - Web](#)

[Order NFHL GIS Datasets by state on DVD](#)

[Use Web Map Service in your own GIS application](#)

[Use Web Map Service in Google Earth™](#)



# Coastal Barrier Resources Act (CBRA)

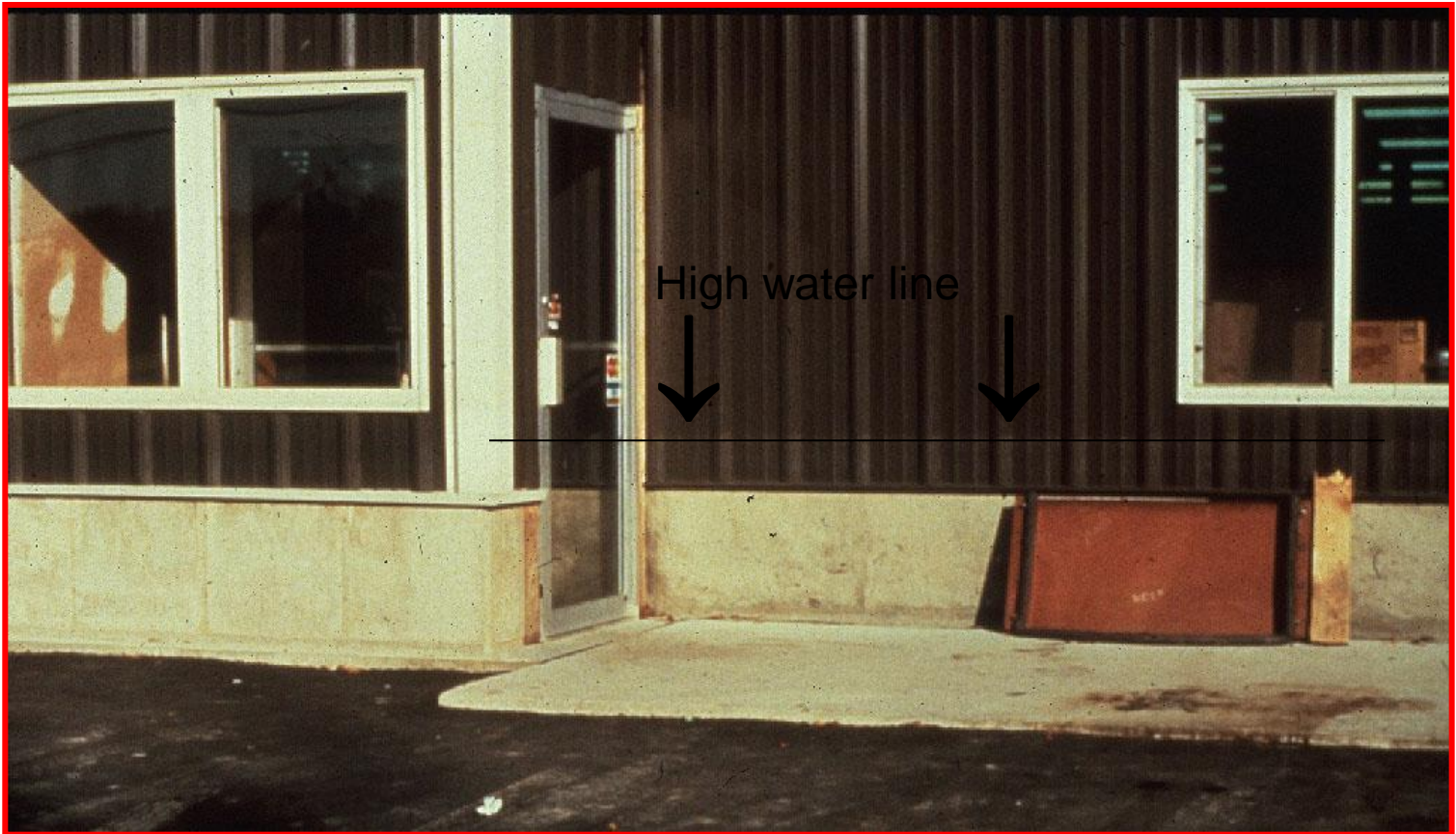


- Congress created the Coastal Barrier Resources System (CBRS) in 1982
- CBRA prohibits most Federal funding (including flood insurance) within certain designated coastal barriers
- CBRS areas are depicted on maps that can only be modified by an act of Congress

How to develop in a flood plain successfully

# **COMMERCIAL CONSTRUCTION**

# Flood proofing, Zone AE: 60.3(c)(3) and (4)



# Flood Proofing Cert

O.M.B. NO. 3057-0077  
Expires July 31, 2002

FEDERAL EMERGENCY MANAGEMENT AGENCY  
NATIONAL FLOOD INSURANCE PROGRAM  
**FLOODPROOFING CERTIFICATE**  
FOR NON-RESIDENTIAL STRUCTURES

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The floodproofing of non-residential buildings may be permitted as an alternative to elevating to or above the Base Flood Elevation, however, a floodproofing design certification is required. This form is to be used for that certification. Floodproofing of a residential building does not alter a community's floodplain management elevation requirements or affect the insurance rating unless the community has been issued an exception by FEMA to allow floodproofed residential basements. The permitting of a floodproofed residential basement requires a separate certification specifying that the design complies with the local floodplain management ordinance.

<p><b>BUILDING OWNER'S NAME</b> _____</p> <p><b>STREET ADDRESS</b> (including Apt., Unit, Suite, and/or Bldg. Number) OR P.O. ROUTE AND BOX NUMBER _____</p> <p><b>OTHER DESCRIPTION</b> (Lot and Block Number, etc.) _____</p> <p><b>CITY</b> _____ <b>STATE</b> _____ <b>ZIP CODE</b> _____</p>	<p><b>FOR INSURANCE COMPANY USE</b></p> <p><b>POLICY NUMBER</b> _____</p> <p><b>COMPANY NAIC NUMBER</b> _____</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------

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**SECTION I: FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

Provide the following from the proper FIRM:

COMMUNITY NUMBER	PANEL NUMBER	SUFFIX	DATE OF FIRM INDEX	FIRM ZONE	BASE FLOOD ELEVATION (In AO Zones, Use Depth)

---

**SECTION II: FLOODPROOFING INFORMATION (By a Registered Professional Engineer or Architect)**

**Floodproofing Design Elevation Information:**

Building is floodproofed to an elevation of \_\_\_\_\_ feet NGVD. (Elevation datum used must be the same as that on the FIRM.)

Height of floodproofing on the building above the lowest adjacent grade is \_\_\_\_\_ feet.

(NOTE: for insurance rating purposes, the building's floodproofed design elevation must be at least one foot above the Base Flood Elevation to receive rating credit. If the building is floodproofed only to the Base Flood Elevation, then the building's insurance rating will result in a higher premium.)

---

**SECTION III: CERTIFICATION (By Registered Professional Engineer or Architect)**

**Non-Residential Floodproofed Construction Certification:**

*I certify that, based upon development and/or review of structural design, specifications, and plans for construction, the design and methods of construction are in accordance with accepted standards of practice for meeting the following provisions:*

The structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation indicated above, with walls that are substantially impervious to the passage of water.

All structural components are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and unanticipated debris impact forces.

*I certify that the information on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.*

<b>CERTIFIER'S NAME</b> _____	<b>LICENSE NUMBER (if Applicable)</b> _____
<b>TITLE</b> _____	<b>COMPANY NAME</b> _____
<b>ADDRESS</b> _____	<b>CITY</b> _____ <b>STATE</b> _____ <b>ZIP CODE</b> _____
<b>SIGNATURE</b> _____	<b>DATE</b> _____ <b>PHONE</b> _____

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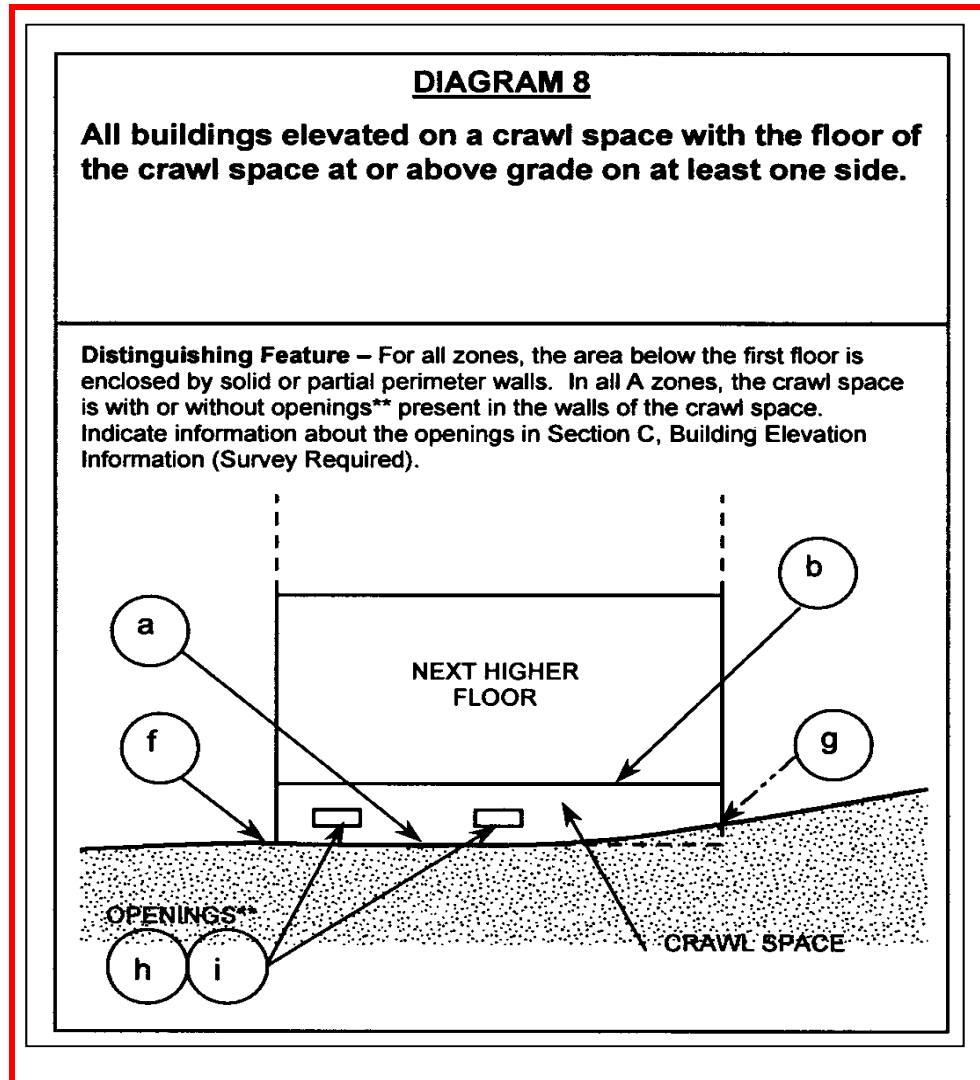
Copies should be made of this Certificate for: 1) community official, 2) insurance agent/company, and 3) building owner.

FEMA Form 81-85, AUG 88

Replaces all previous editions

F-056 (3/88)

# Non-Elevation (Enclosure) Design

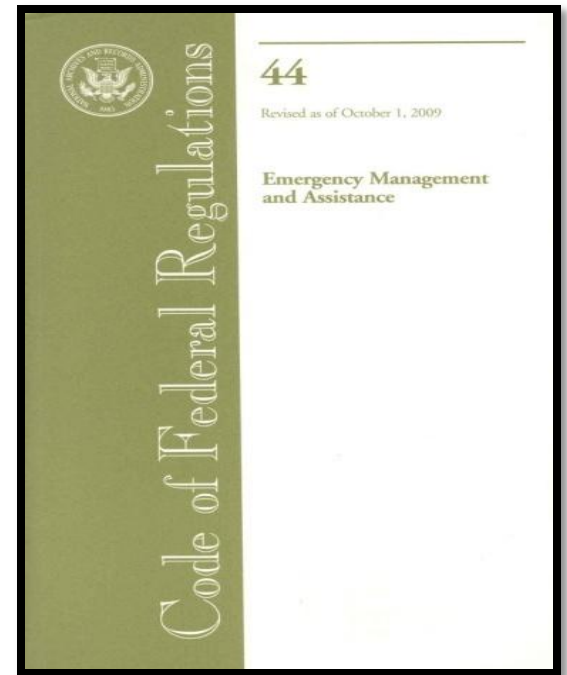


The drivers behind

# **ORDINANCE & LAW**

# Legal Authorities Covering Floodplain Management Regulations

- Granted by Title 17, Chapter 1, Mississippi Code 1972 Annotated.
- Usually a stand alone ordinance, but also can be found in the community's building code.
- Designed to address public health, safety, and welfare of its citizens.
- Based on the CFR Title 44, Chapter 1, Parts 59 – 75.



# Freeboard

## – Freeboard:

- An additional height requirement above the BFE that provides a margin of safety against the uncertainties in floodplain modeling, waves smaller than 3 feet, future upstream development, and flood level increases due to flood fringe development.

(18,632 communities in the USA have mapped SFHAs, of those communities, 11,449 have freeboard)



# Protecting Utilities





## **Hurricane Katrina – Biloxi, Mississippi 2005**

Evidence of wind and flood



## **Hurricane Katrina – Biloxi, Mississippi 2005**

20 foot surge +/- @ Chateau De La Mer



**Hurricane Katrina – Biloxi, Mississippi 2005**



**Hurricane Katrina – Biloxi, Mississippi 2005**



## **Hurricane Katrina – Biloxi, Mississippi 2005**

Wind damage



## **Hurricane Katrina – Biloxi, Mississippi 2005**

Hurricane Katrina



## **Hurricane Katrina – Biloxi, Mississippi 2005**

Floating Debris



# Pricing Software

## Benefits

- Line Item Detailed Estimate
- RCV/ACV broken out
- Description of scope
- Room measurements
- Updated pricing per quarter or sooner as needed
- Xactvalue – New construction pricing

## Xactware

- [Contact Us | Xactware](#)
- **Xactware** Contact Information. ... Corporate Headquarters. One **Xactware** Plaza Orem, UT 84097 (801) 764-5900. Fax: (801) 932-8013 ... [\*www.xactware.com/company/contact-us\*](http://www.xactware.com/company/contact-us)

# Pricing Software

- As of Monday May 23, 2011  
Xactware has processed 25,408,866 estimates
- Total value of **\$164,527,176,175**
- *[www.xactware.com/company/contact-us](http://www.xactware.com/company/contact-us)*

# Appraisal

- **Each side shall select a competent, independent appraiser, the two sides shall agree to a third party umpire The findings of 2 of 3 will be binding**
- *This is the standard language but each policy has its own and can affect the claim handling substantially including some policies without appraisal or that both parties must submit to appraisal*
- *NFIP appraisals are very strict and will only contemplate pricing not line items*

# Department of Financial Services

- [Florida's Department of Financial Services](#)
- CFO Jeff Atwater welcomes you to the **Department of Financial Services** Web site, home to all of the information and **services** we have to offer, online.
- [www.myfloridacfo.com](http://www.myfloridacfo.com)
- **Storm Hotline**
- Whenever a tropical storm, hurricane or severe tornado takes aim at our state, a special consumer helpline is activated where you can obtain assistance on any insurance matter.
- ***1-800-22-STORM (1-800-227-8676) TDD dial 1-800-640-0886 Out of State Callers (850) 413-3089 or Submit a [a request for assistance](#), online***

# Department of Financial Services

- **DFS** – Property Claims Information
- <http://www.myfloridacfo.com/consumers/Guides/Property/index.htm>
- Flood Terms
- [http://www.myfloridacfo.com/Consumers/insuranceLibrary/Insurance/P\\_and\\_C/Flood/Articles/Definitions\\_for\\_NFIP\\_Terms.pdf](http://www.myfloridacfo.com/Consumers/insuranceLibrary/Insurance/P_and_C/Flood/Articles/Definitions_for_NFIP_Terms.pdf)

# Department of Financial Services

- **Property Mediation**
- **Frequently Asked Questions & Answers**
- Disclaimer
- The answers to coverage questions are primarily based on ISO forms generally used in Florida by most companies. However, we must keep in mind that all companies' forms are NOT necessarily the same. Some companies may provide broader coverage and some may be more restrictive. IN ALL CASES, THE CONSUMER MUST REFER TO HIS OR HER OWN POLICY FOR SPECIFIC COVERAGE INFORMATION.
- In catastrophic situations, some companies may be more lenient in their handling of claims and may make concessions, such as advancing additional living expense (i.e. ALE) payments to expedite the claim process. Other companies may handle such claims in accordance with their normal procedures.
- If you have additional questions that need to be added to this list or if you find any errors, please send them to the Division of Insurance Consumer Services, Bureau of Education, Advocacy and Research.
- Several years ago, the legislature passed a law requiring companies to offer mediation on property insurance claims to customers
- when the amount of the claim dispute exceeds \$500 over the policy deductible. The Department of Financial Services administers
- the property mediation program and certifies the mediators. This procedure is governed by Rule [69J-166.031](#).
- *(Click a question to display the answer)*
- **My company says they do not have to offer mediation to me. Why not?**
- Mediation does not have to be offered if there is no coverage for the loss or if fraud is suspected. The company also does not have to offer mediation on claims involving less than the policy deductible or less than \$500.00 in disputed amounts.

# Department of Financial Services

- **Do I have to pay for mediation?**
- There is no charge to you for using the property mediation program. The insurance company pays a fee to cover the cost of administration and to pay the mediator for his or her services.
- **My claim was settled in mediation, but now that I have had time to think about it, I don't think the settlement was fair. What can I do?**
- Mediation settlements can be rescinded within three business days of the agreement as long as you have not cashed the check. The company must provide a representative with full authority to settle the claim with you at the mediation conference. The conference will be held at a location near where you live.
- **I'm going to mediation with my company. Do I need an attorney?**
- No, an attorney is not necessary. You may have your attorney present if you choose to do so, but you must let the company know beforehand.
- **I already have an attorney helping me with my claim. Do I have to bring him to mediation?**
- You should discuss the settlement offer and mediation with your attorney.
- **What if a mediation conference is scheduled and I can't go or the insurance company representative doesn't show up?**
- If you fail to appear for the mediation conference, it can be rescheduled after you pay for the mediator's fee. If the insurer fails to appear, without good cause, they must pay actual cash expenses incurred by you in attending the conference and they must pay the mediator's fee for the rescheduled conference.

# Department of Financial Services

- **Do I need a form to request mediation?**
- No. You may request mediation by calling or writing your insurance company or through our insurance helpline.
- **My Insurance company has denied mediation for my claim. Can I appeal their decision?**
- You should discuss the settlement offer and mediation with your attorney.
- Yes you can appeal their decision but only under certain conditions. Every claim is unique and will need to be looked at individually. To discuss the possibility of appealing your mediation denial, call the Mediation Section at the Department of Financial Services.
- **Will the mediator make the decision as to who is right?**
- You should discuss the settlement offer and mediation with your attorney.
- No. The mediator is not a judge. He/she will allow each party to present



# Department of Financial Services

- **How does the mediator get chosen?**
- You should discuss the settlement offer and mediation with your attorney.
- The mediator is randomly selected by the computer system at the DFS.
- **What if I want a different mediator - can I reject a mediator?**
- You should discuss the settlement offer and mediation with your attorney.
- At any time, either party may disqualify a mediator for good cause.
- **Can I have a 2nd mediation conference?**
- You should discuss the settlement offer and mediation with your attorney.
- Only one mediation conference may be held for each claim. A 2nd conference is only allowed if one of the parties did not show up to the 1st conference. Mediation is a one-shot deal. It doesn't matter if the parties agree to another one or not as neither the Statute nor the Rule allow for additional fees to be paid by the carrier. The very beginning of the Rule states in the first paragraph that mediation is available for claims which have not been previously mediated under the Department's mediation program.
- **I have started the appraisal process. Can I still go to mediation?**
- You should discuss the settlement offer and mediation with your attorney.
- Mediation is only available prior to commencing the appraisal process or litigation.
- **I have attended mediation but could not reach an agreement with my insurance company. What are my other options?**
- If you and your insurance company could not reach an agreement at mediation you should check your policy provisions to determine if you have a right to invoke appraisal. If you have a right to invoke the appraisal process, it will be binding on you and the insurance company. If your policy contains an appraisal clause, a request should be made to the insurance company. If your policy does not provide an appraisal clause, your only option may be through the court system.



## **Vista Del Mar – Ivan ( Pre firm V zone )**

Apparently structurally sound building on Perdido Key



**Vista Del Mar – Ivan**



## **Vista Del Mar – Ivan**

Interior of first floor damaged



## Vista Del Mar – Ivan

Obvious catastrophic structural damage to two tiers



**Vista Del Mar – Ivan**



## **Vista Del Mar – Ivan**

Floor slabs had slipped from columns







## Vista Del Mar – Ivan

Substantial damage resulting in demolition



**Vista Del Mar – Ivan**



## Prevention

Owner has sand bags up, paper is warning of flash flood potential

# Prevention



# Prevention



# Prevention





## Prevention

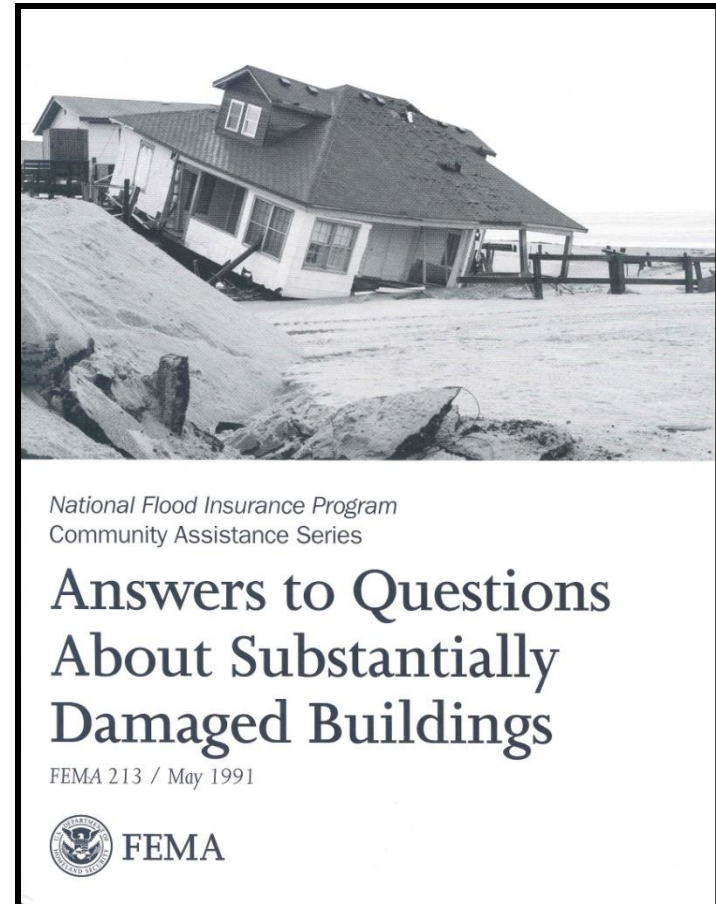
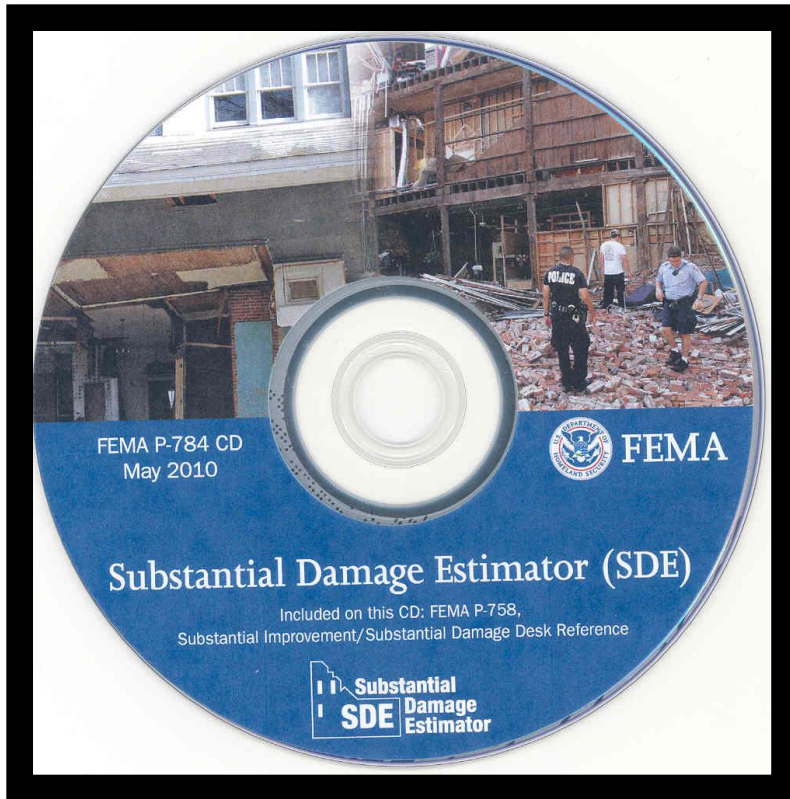
Note the sign in the rear of the picture warns of high water

# Substantial Damage

- Repair / rebuilding:
  - Automatically becomes a substantial improvement.
  - Must meet current design requirements of the local ordinance.
  - Must meet other applicable requirements.
- *Structures in the SFHA damaged by fire, tornado, or any other cause are subject to substantial damage ordinance provisions.*



# Substantial Damage (50% rule)



# Substantial Damage ( 50% Rule)

- Substantial improvement: Cost to rebuild / improve a structure in the floodplain, whether damaged or not equals more than 50% of market value prior to start of work.
- Substantial damage: Cost of post-damage repair equals more than 50% of pre-damage market value.

# Substantial Damage

A substantially improved or substantially damaged structure must be:

- In the floodplain.
- Noncompliant with current floodplain standards.
- Formally declared substantially improved or damaged by community authority.



# 50 % Rule

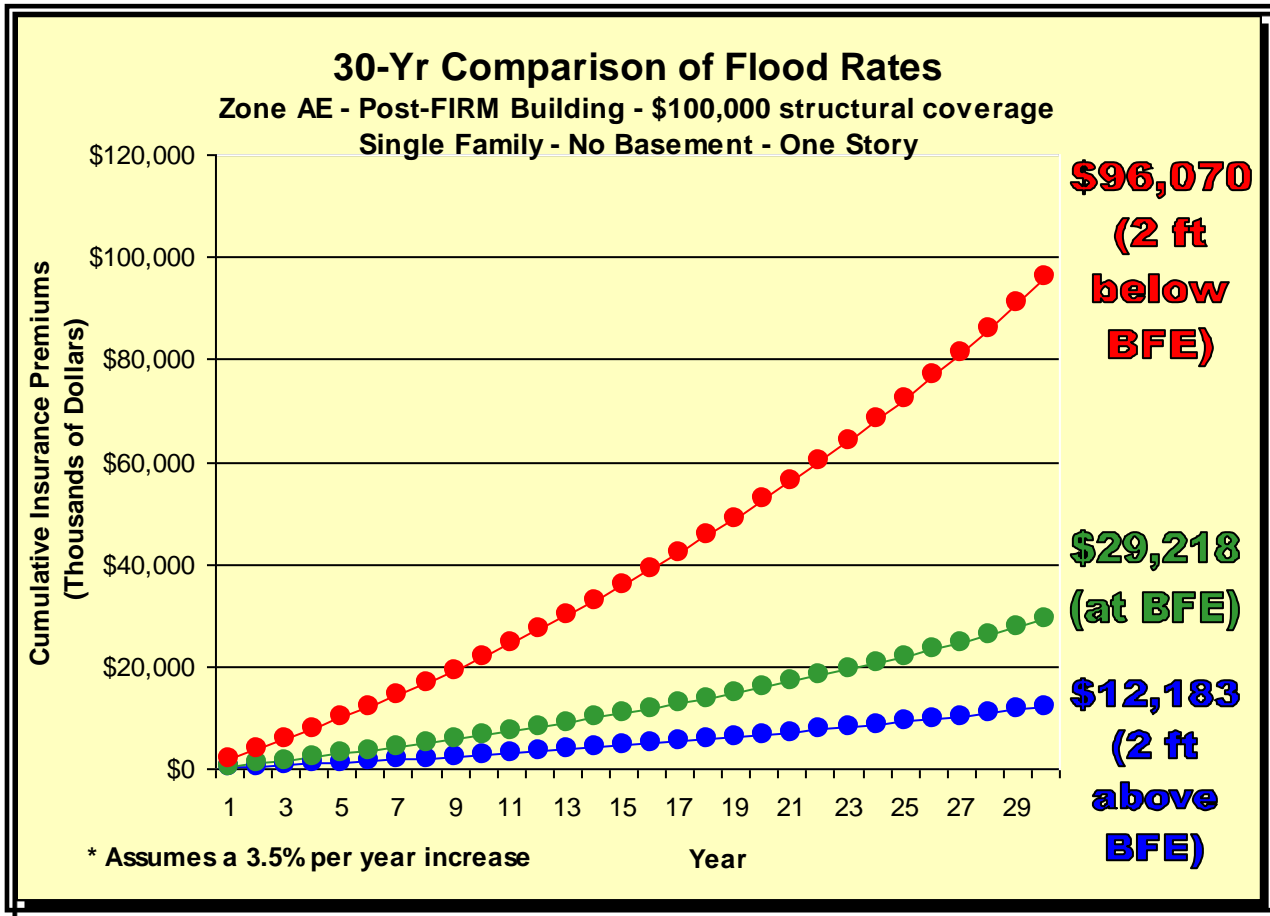
- Replacement cost does not equal market (actual cash) value.
- Replacement cost may be used to estimate market value only if depreciated.

# ICC

If the community declares a building substantially damaged or a repetitive loss due to flooding:

- An owner with an ICC policy can file an insurance claim.
- The ICC benefit pays the cost to bring the building into compliance with State and/or local floodplain management laws or ordinances.
- ICC coverage provides payment up to **\$30,000** for mitigation measures such as elevation.

# Costs



# Costs

## Example of Savings on NFIP Premiums\* with Freeboard

	V Zone <sub>1</sub>		A Zone <sub>2</sub>	
	Annual savings	30-year savings	Annual savings	30-year savings
1' freeboard	\$1,360 (25%)	\$40,800	\$502 (41%)	\$15,060
2' freeboard	\$2,730 (50%)	\$81,900	\$678 (55%)	\$20,340
3' freeboard	\$3,415 (62%)	\$102,450	\$743 (60%)	\$22,290

*\*NFIP premiums based on May 2007 rates for a one-floor residential structure with no basement built after a FIRM was issued for the community (post-FIRM rates differ from pre-FIRM rates). \$500 deductible/ \$250,000 coverage for the building/ \$100,000 for contents.*

# Illegal Construction

*Substantial improvement of any structure in the floodplain, whether damaged or not, is considered new construction under the local floodplain ordinance.*





# Resources



- **Complete, Inc. Parent Corporation**
- PO Box 1496, Gulf Breeze FL 32562
- Phone (850) 932-8720 Fax (850) 934-6659
  
- 913 Gulf Breeze Parkway: Suite 5A, Gulf Breeze FL 32561
- Toll Free (877)256-2742
- Email: [john@completecontracting.com](mailto:john@completecontracting.com)
- Website: <http://www.completecontracting.com>

# Resources

- Repairing Your Flooded Home, FEMA 234
- After a Flood: The First Steps (Brochure, L-198)
- Substantial Damage Estimator (SDE) User's Manual and Workbook, FEMA P-784, May 2010
- Substantial Improvement / Substantial Damage Desk Reference, FEMA P-758, May 2010

# Resources

- For current FIRMs and the “Guide to Flood Maps,” contact FEMA at:
  - 1-800-358-9616, or
  - <http://www.fema.gov> and click on “FEMA Flood Map Store.” FIRMS are provided online.

# Resources

- **RIA**
- **Restoration Industry Association**
- 8229 Cloverleaf Drive Suite 460, Millersville MD 21108
- (410) 729-9900 Toll Free (800) 272-7012
- Email: [info@ascr.org](mailto:info@ascr.org)
- Website: <http://www.ascr.org>
  
- [www.fema.gov/nfip/elvinst.htm](http://www.fema.gov/nfip/elvinst.htm) (digital elevation certificate)
- [www.Floods.org](http://www.Floods.org) (common legal questions papers )
- <http://tadd.weather.gov/> ( Turn around don't Drown)
  
-

# Resources

- **Air Purifiers-In Duct, Inc.**
- PO Box 2044, Delray Beach FL 33277
- (800) 442-1247
- Email: [activtekab@gmail.com](mailto:activtekab@gmail.com)
- Website: <http://www.airpurifiersinc.net>
- 
- **Alpine Air**
- 220 Reservoir Street: Ste 22, Needham Heights MA 02194
- (781) 449-7979 Toll Free (800) 628-2209
- 
- **American Shrink-wrap Co.**
- PO Box 150152, Cape Coral FL 33915
- (239) 542-9599 Toll Free (800) 229-2904
- Email: [customerservice@americanshrinkwrap.com](mailto:customerservice@americanshrinkwrap.com)
- Website: <http://www.americanshrinkwrap.com>
- 
- **Anderson Windows, Inc.**
- **Division Anderson Corporation**
- 100 4<sup>th</sup> Avenue North, Bayport MN 55003
- (800) 426-7691
- Email: link on website
- Website: <http://www.andersonwindows.com>

# Resources

- **Armstrong World Industries, Inc.**
- 2500 Columbia Avenue, Lancaster PA 17603
- PO Box 3001 (17604)
- (717) 397-0611 Toll Free (800) 292-6308
- Email: link on website
- Website: <http://www.armstrong.com>
- 
- **Berridge Manufacturing Company**
- 1720 Maury Street, Houston TX 77026
- (713) 223-4971 Toll Free (800) 231-8127
- Email: [sales@berridge.com](mailto:sales@berridge.com) or [bmarks@berridge.com](mailto:bmarks@berridge.com)
- Website: <http://www.berridge.com>
- 
- **The Blue Book of Building and Construction**
- PO Box 500, Jefferson Valley NY 10535
- (800) 431-2584
- Email: [info@thebluebook.com](mailto:info@thebluebook.com)
- Website: <http://www.thebluebook.com>

# Resources

- **The Claims Page of the Carolinas**
- 223 East Main Street, Tavares FL 32778
- (800) 233-8990
- Email: [info@claimspages.com](mailto:info@claimspages.com)
- Website: <http://www.claimspages.com>
- 
- **CertainTeed Corporation**
- 750 E. Swedesford Road, Valley Forge PA 19482
- PO Box 860
- (610) 341-7000 Toll Free (800) 233-8990
- Email: [roofing.ct@sgc/infonet.com](mailto:roofing.ct@sgc/infonet.com)
- Website: <http://www.certainteeted.com>
- 
- **Chemical Specialties, Inc.**
- 200 East Woodlawn Road: Suite 350, Charlotte NC 28217
- (800) 421-8661
- Email: [acquinfo@chemspec.com](mailto:acquinfo@chemspec.com)
- Website: <http://www.chemspec.com>

# Resources

- **ChemRex – BASF Construction Chemicals – Building Systems**
- 889 Valley Park Drive, Shakopee MN 55379
- (800) 433-9517
- Email: [info@radiancomfort.com](mailto:info@radiancomfort.com)
- Website: <http://www.buildingsystems.basf.com>
- 
- **Clean Aire Inc.**
- 1006 Rabbit Run, Hopkins SC 29061
- (803) 776-1117
- Email: [cleanaiq@bellsouth.net](mailto:cleanaiq@bellsouth.net)



# Resources

- **Cleanco Cleaning Products**
- 3750 – 19<sup>th</sup> Street NE, Calgary AB T2E-6V2
- (800)653-8338
- Email: [lquerin@cleanco.com](mailto:lquerin@cleanco.com)
- Website: <http://www.cleanco.com>
- 
- **CRS – Cleaning and Restoration Supply**
- 1710 SE Brooklyn Street, Portland OR 97202
- (800) 230-2969
- Email: [daved@cleaningandrestoration.com](mailto:daved@cleaningandrestoration.com)
- Website: <http://www.cleaningandrestoration.com>
- 
- **Coastal Claims Association**
- 1506 Azalea Drive: Suite 603, Myrtle Beach SC 29575
- (843) 238-5181

# Resources

- **Dri-Eaz Products, Inc.**
- 15180 Josh Wilson Road, Burlington WA 98233
- (360) 757-7776
- Email: [info@dri-eaz.com](mailto:info@dri-eaz.com)
- Website: <http://www.dri-eaz.com>
- 
- **Duron Paints and Wall Coverings**
- 10406 Tucker Street, Beltsville MD 20705
- (800) 723-8766
- Email: [sales@duiron.com](mailto:sales@duiron.com)
- Website: <http://www.duron.com>
- 
- **Grohe America, Inc.**
- 241 Covington Drive, Bloomingdale IL 60108
- Email: [info@groheamerica.com](mailto:info@groheamerica.com)
- Website: <http://www.groheamerica.com>

# Resources

- **Howe-Baker Engineers, Ltd.**
- **CB&I Sonozaire Division**
- 3102 E. Fifth Street, Tyler TX 75701
- (903) 597-0311
- Email: [sonozaire@howebaker.com](mailto:sonozaire@howebaker.com)
- Website: <http://www.sonozaire.com>
- 
- **Humidity Control Systems, Inc.**
- PO Box 1767, Vancouver WA 98668
- (800) 642-7910
- 
- **Hurd Windows & Doors, Inc.**
- 575 South Whelen Avenue, Medford WI 54451
- (800) 223-4873
- Email: [perfection@hurd.com](mailto:perfection@hurd.com)
- Website: <http://www.hurd.com>

# Resources

- **ICI Dulux Paints**
- 925 Euclid Avenue, Cleveland OH 44115
- (800) 984-5444
- Website: <http://www.icipaintstores.com>
- 
- **Inline Distributing Company**
- 9380 San Fernando Road, Sun Valley CA 91352
- (800) 795-0933
- Email: [bratliff@inlineco.com](mailto:bratliff@inlineco.com)
- Website: <http://www.inlineco.com>
- 
- **Jon-Don, Inc.**
- 400 Medinah Road, Roselle IL 60172
- (800) 400-9473
- Website: <http://www.JonDon.com>

# Resources

- **Juno Lighting Group**
- 1300 S. Wolf Road, Des Plaines IL 60018
- (847) 827-9880
- Website: <http://junolightinggroup.com>
- 
- **Kohler Company**
- **Plumbing Division**
- (920) 457-4441
- 444 Highland Drive, Kohler WI 53044
- Website: <http://www.kohler.com>
- 
- **Lincoln Windows**
- 1400 West Taylor Street, Merrill WI 54452
- (715) 536-2461
- Website: <http://www.lincolnwindows.com>

# Resources

- **Ludowici Roof Tile**
- PO Box 860, Valley Forge PA 19482
- (800) 917-8998
- Email: [info@ludowici.com](mailto:info@ludowici.com)
- Website: <http://www.ludowici.com>
- 
- **Moen Inc.**
- 25300 Al Moen Drive, North Olmsted OH 44070
- (800) 289-6636
- Email: [dmeredit@moen.com](mailto:dmeredit@moen.com)
- Website: <http://www.moen.com>
- 
- **Mohawk Manufacturing, Inc.**
- 2175 Beechgrove Place, Utica NY 13501
- (800) 765-3110
- Email: [info@austinmohawk.com](mailto:info@austinmohawk.com)
- Website: <http://www.mohawkcanopy.com>

# Resources

- **Benjamin Moore & Company**
- 51 Chestnut Ridge Road, Montvale NJ 07645
- (888) 236-6667
- Email: [info@benjaminmoore.com](mailto:info@benjaminmoore.com)
- Website: <http://www.benjaminmoore.com>
- 
- **Moisture Control Services**
- **Munters** - Ben Brackin
- 16 Hunt Road, Amesbury MA 01913
- (800) 959-7901
- Email: [mcsinfo@munters.com](mailto:mcsinfo@munters.com)
- Website: <http://www.muntersmcs.com>
- 
- **Phoenix EnviroCorp**
- 4020 Shipyard Blvd, Willington NC 28403
- (910) 397-0370
- Email: [PEC@phoenixenvirocorp.com](mailto:PEC@phoenixenvirocorp.com)
- Website: <http://www.phoenixenvirocorp.com>

# Resources

- **Porcelanite, Inc.**
- PO Box 1777, Lexington NC 27292
- (910) 242-5621
- Email: [info@porcelanite.com.mx](mailto:info@porcelanite.com.mx)
- Website: <http://www.porcelanite.com>
- 
- **Pro Spec**
- **Bonsal American**
- 8201 Arrow Ridge Blvd., Charlotte NC 28273
- (800) 334-0784
- Email: link on website
- Website: <http://www.prospec.com>
- 
- **Restoration Consultants**
- 3463 Ramona Avenue, Sacramento CA 95826
- (916) 736-1100
- Email: [rhi@quiknet.com](mailto:rhi@quiknet.com)
- Website: <http://www.restcon.com>



# Resources

- **Buric RV Construction Consultants**
- 2512 Independence Blvd. #200, Wilmington NC 28403
- (910) 791-3299
- Website: <http://www.buric.com>
- 
- **Sherwin Williams Company**
- 101 Prospect Avenue, Cleveland OH 44115
- (216) 566-2000
- Website: <http://www.sherwin-williams.com>
- 
- **Simultaneous Solutions, Inc.**
- 3452 Lake Lynda Drive Suite 420, Orlando FL 32817
- (800) 447-4676
- Email: [relations@simsol.com](mailto:relations@simsol.com)
- Website: <http://www.simsol.com>

# Resources

- **Symons Corporation**
- 200 East Touhy Avenue, Des Plaines IL 60018
- (847) 298-3200
- Email: [info@symons.com](mailto:info@symons.com)
- Website: <http://www.symons.com>
- 
- **Sun-Belt USA**
- 4211 - C Atlantic Avenue, Raleigh NC 27604
- (800) 334-8418
- Email: [steamex@vnet.net.com](mailto:steamex@vnet.net.com)
- Website: <http://www.sun-beltusa.com>
- 
- **Wilmington Claim Association**
- PO Box 645, Buford GA 30515
- (910) 350-8208 Kevin Best
- Email: [kareng@cagworld.com](mailto:kareng@cagworld.com)
- Website: <http://www.ncclaims.com>

# Resources

- **3M Company**
- 3M Center Building 225-4SW-25, St. Paul MN 55144
- (800) 364-3577
- Email: [dtstevens@MMM.com](mailto:dtstevens@MMM.com)
- Website: <http://3mindustrialtransportation.thomasnet.com>
- 
- **Unsmoke Restorx Systems**
- **Microban**
- 1135 Braddock Avenue, Braddock PA 15104
- (800) 332-6037
- Email: [czlotnik@compuserv.com](mailto:czlotnik@compuserv.com)
- Website: <http://www.unsmoke.com>
- 
- **Vac Systems Industries**
- 5995 West 149<sup>th</sup> Street Suite 102, Apple Valley MN 55124
- (952) 432-3955
- Email: [sales@vacsystems.com](mailto:sales@vacsystems.com)
- Website: <http://www.vacsystem.com>

# Resources

- **Vale National Training Center, Inc.**
- 5070 Ritter Road Suite 130, Mechanicsburg PA 17055
- (717) 790-9950
- Website: <http://www.valenational.com>
- 
- **Video-Aire International**
- 2569 Gravel Drive, Fort Worth TX 76118
- (888) 595-4393
- Email: [info@videoaire.com](mailto:info@videoaire.com)
- Website: <http://www.videoaire.com>
- 
- **Woodtech, Inc.**
- 4394 US Highway 70 W, Princeton NC 27569
- (919) 736-0238
- Website: <http://www.woodtechnc.com>

# Resources

- **Xactware, Inc.**
- 1426 East 750 North, Orem UT 84097
- (800) 424-9228
- Email: [xsales@xactware.com](mailto:xsales@xactware.com)
- Website: <http://www.xactware.com>
- 
- **U.S. Environmental Protection Agency (EPA)**
- **Indoor Environments Division (IED)**
- 
- An Office Building Occupant's Guide to IAQ
- <http://www.epa.gov/iaq/pubs/occupgd.html>
- 
- Biological Contaminants
- [http://www.epa.gov/iaq/pubs/bio\\_1.html](http://www.epa.gov/iaq/pubs/bio_1.html)
- 
- Building Air Quality Action Plan (for Commercial Buildings)
- <http://www.epa.gov/iaq/largebldgs/actionpl.html>
- 
-

# Resources

- Floods/Flooding
- <http://www.epa.gov/iaq/pubs/flood.html>
- Indoor Air Quality (IAQ) Home Page
- <http://www.epa.gov/iaq>
- IAQ in Large Buildings/ Commercial Buildings
- <http://www.epa.gov/iaq/largebldgs>
- IAQ in Schools
- <http://www.epa.gov/iaq/schools>
- Mold Remediation in Schools and Commercial Buildings
- <http://www.epa.gov/iaq/molds>

# Resources

## Mold Resources

<http://www.epa.gov/iaq/pubs/moldresources.html>

For more subject-specific links, go to:

<http://www.epa.gov/iaq/schools/links.html>, or

<http://www.epa.gov/iaq/asthma/links/index.html>

## IRP-FLORIDA

The most comprehensive source of relevant information available to insurance and restoration professionals

<http://www.irp-fl.com>

# Resources

- **U.S. EPA IAQ Information Clearinghouse (IAQINFO)**
- 
- Phone: (800) 438-4318 or (703) 356-4020
- Fax: (703) 356-5386
- Email: [iaqinfo@aol.com](mailto:iaqinfo@aol.com)
- Indoor air-related documents, answers to Indoor Air Quality (IAQ) questions, maintains listing of state IAQ contacts, and regional EPA contacts
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- American College of Occupational and Environmental Medicine (ACOEM)
- Phone: (847) 818-1800
- Website: <http://www.sioxlan.com/acoem>
- Referrals to physicians who have experience with environmental exposures
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- Building Codes per location
- <http://www.brackenengineering.com/downloads/CodesInEffect.pdf>
- [http://www2.iccsafe.org/states/florida\\_codes/](http://www2.iccsafe.org/states/florida_codes/)



# Resources

- American Conference of Governmental Industrial Hygienists, Inc. (ACGIH)
  - Phone: (513) 742-2020
  - Website: <http://www.acgih.org>
  - Occupational and environmental health and safety information
- American Industrial Hygiene Association (AIHA)
  - Phone: (703) 849-8888
- Wipp Systems
  - Phone (800) 245-0199
  - [Info@wippssystem.com](mailto:Info@wippssystem.com)
  - Tool for protecting assets from flood