

FEMA's FLOOD INSURANCE RATE MAPS

My Lender is requiring me to purchase Flood Insurance

Options for San Diego County Residents in Unincorporated Areas

This document is intended to help San Diego County residents who have been contacted by their lenders requiring them to purchase flood insurance, to meet the requirements of FEMA's National Flood Insurance Program (NFIP) and what to do if they believe they are not actually located in the floodplain.

Why is my lender requiring me to buy flood insurance?

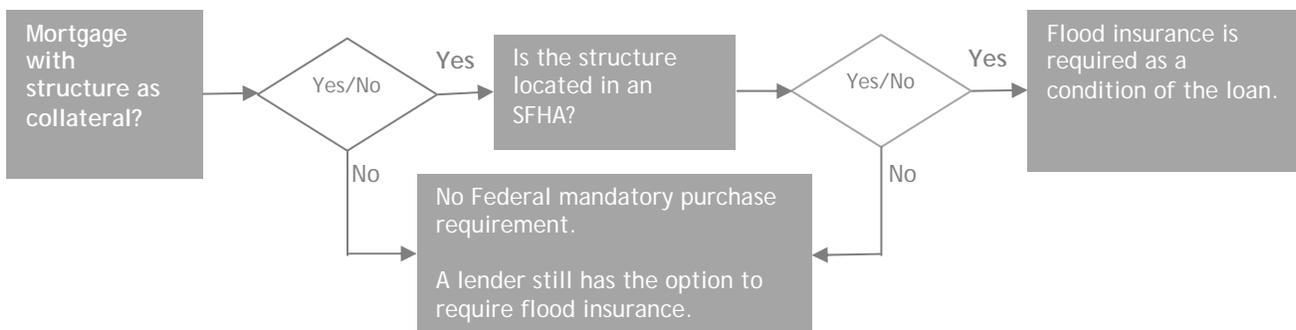
The Federal requirement, as regulated by FEMA, for the purchase of flood insurance is based on the answers to two key questions:

- Is there a federally regulated mortgage loan on the property with a structure as collateral? **Yes/No**
- Is the structure located in a Special Flood Hazard Area (SFHA) as mapped on the current effective Flood Insurance Rate Map (FIRM) produced by the Federal Emergency Management Agency (FEMA)? **Yes/No**

The Special Flood Hazard Area (SFHA)

The FEMA SFHA is the land area covered by the floodwaters of the flood having a 1% chance of occurring in any given year. It is the area where the mandatory purchase of flood insurance applies if there a federally regulated mortgage loan. The SFHA is also referred to as the high hazard area and includes flood zones AE, AO, VE, and A.

If the answer to both questions is **YES**, then the lender is required by Federal regulations to ensure that a flood insurance policy is purchased to cover potential flood damages to the building.



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What are my options if I believe I do not need flood insurance and my property is not at high risk from flooding?

Lender disputes generally fall into one of two categories:

- A structure/property that is outside of the mapped FEMA SFHA boundary as shown on the current FEMA FIRM;
- A structure/property shown within the FEMA SFHA but due to mapping limitations, submittal of elevation data may result in the structure/property being removed from the FEMA SFHA.

Your lender makes the initial flood zone determination using the most current FEMA FIRM to determine whether a structure is in an FEMA SFHA. However, the FEMA FIRM is limited by the topographic mapping available in the area as well as the scale of the mapping. These limitations can result in inaccuracies in the FEMA SFHA boundaries on the FEMA FIRM. A property owner can question the mandatory purchase requirement by submitting more detailed, property-specific information directly to FEMA.

FEMA will review this information and if appropriate, will issue a determination to the owner that will remove the structure from the FEMA SFHA. This is referred to as the Letter of Map Amendment (LOMA) process. The owner is responsible to provide the LOMA to the lender. Refer to the section 'How do I determine which flood zone my property is located in?' below to learn if the LOMA process is the right option for your property.

I previously obtained a LOMA for my property. However, since the FEMA FIRM was recently updated, my lender is requiring me to buy flood insurance.

When an updated FEMA FIRM is prepared for a community, FEMA reviews all existing approved LOMAs to determine if they will remain valid. If updated flood hazard information has been developed, it may supersede a LOMA. If this is the case, the LOMA will no longer be valid and the mandatory flood insurance requirement will apply. However, if FEMA determines that the LOMA will remain valid because there was no change in the flood hazard information in the vicinity, or the property still remains above any new Base Flood Elevation (BFE) which has been established, it will be included on the revalidation letter sent to the community by FEMA and will continue to be approved.

San Diego County's Updated FIRM

An updated FEMA FIRM for San Diego County became effective on May 16, 2012. This was part of a nationwide mapping update conducted by FEMA. As a result of this update, the FEMA FIRM has been converted to a digital format and previously issued Letters of Map Revision have been incorporated.

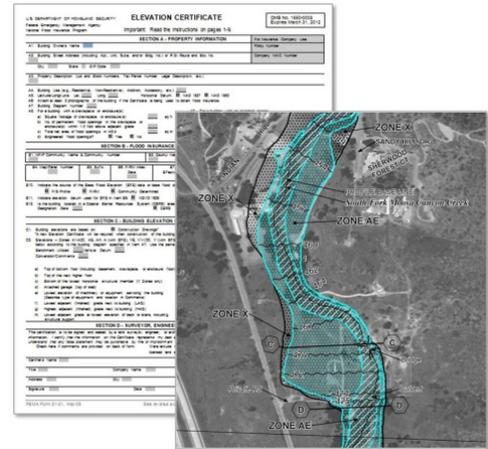
Additionally, while no flood hazards were restudied within the unincorporated areas of the County, elevations on the FIRM have been converted to reflect the North American Vertical Datum of 1988. A vertical datum provides a starting point against which flood, ground, and structure elevations can be referenced and compared. A change in vertical datum in and of itself will have no affect on a previously issued LOMA determination. To learn more about datum conversions, contact the FEMA Map Information eXchange at 1-877-FEMA-MAP.

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To obtain a copy of the San Diego County revalidation letter:

- The FEMA Map Information eXchange (FMIX) toll-free at 1-877-FEMA-MAP (all County of San Diego communities), or
- Contact the San Diego County Flood Control Counter at (858) 694-2112 (unincorporated area only).

Locate your LOMA case number on the revalidation letter, provide a copy to your lender and explain that FEMA has revalidated your LOMA case. If your LOMA is not included on the revalidation letter and you believe it was incorrectly omitted, contact FMIX immediately.



**Need assistance locating your property on the FIRM
or have other questions?**

*The FEMA Map Information eXchange toll-free at
1-877-FEMA-MAP*

OR

*Contact the San Diego County Flood Control Counter at
(858) 694-2112 (Unincorporated Area)*

How do I determine which flood zone my property is located in?

To determine the flood zone for your property or the closest floodplain to your property, visit the FEMA Map Service Center (MSC) at www.msc.fema.gov. Once you locate your property, the flood zone will correspond to one of the following zones: AE, AO, VE, A (high hazard areas which comprise the SFHA); or X (low to moderate hazard areas, including the 0.2% annual chance floodplain).

Next, please refer to the section indicated below based on the zone that affects your property:

- Zone X: Go to Section A**
- Zone AE/AO: Go to Section B**
- Zone VE: Go to Section C**
- Zone A: Go to Section D**

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A. My structure is entirely within a Zone X Flood Zone (Low to Moderate Hazard)

The Zone X floodplain is a low to moderate hazard area where flood insurance is not required if you have a federally backed loan. If you are confident that your entire structure is in the Zone X area, you have two options to dispute the requirement for flood insurance.

1. Using the FEMA MSC website referenced above, print out the portion of the map showing the location of your property and the FIRM floodplains. Contact your lender and explain that you have a map containing the FIRM information which shows the structure entirely in Zone X, and ask if they will perform a re-determination for your property. If the lender will perform a re-determination, send the lender the copy of the map showing the front of the map panel including the title block and map panel number and marked with the specific location of your structure.
2. If the lender will not perform a re-determination, then you will need to submit an application to FEMA requesting FEMA's determination for your structure through the LOMA or Letter of Determination Review (LODR) process. The application for this process is available at: <http://www.fema.gov/library/viewRecord.do?id=2328>. FEMA will review your property information and send you a flood zone determination based on the information submitted. The FEMA determination is a legal document that can be sent to your lender for their review and evaluation in determining if the mandatory purchase requirement can be removed and will supersede any previous flood zone determination.

The property owner and lender may jointly request that FEMA review the lending institution's determination. This request must be submitted within 45 days of the date the lending institution notified the property owner in writing that the building was in a FEMA SFHA and flood insurance was required. FEMA will respond with a Letter of Determination Review (LODR). The LODR officially determines if the structure is in or out of a SFHA. There is an \$80 fee to process a LODR. If the 45 day notification period has expired, the property owner can pursue a LOMA. Once a LODR or LOMA is received from FEMA, the property owner is responsible to provide the document to the lender for their review. Ultimately, it is the lender's prerogative whether they will remove the requirement for flood insurance based on the LODR or LOMA.

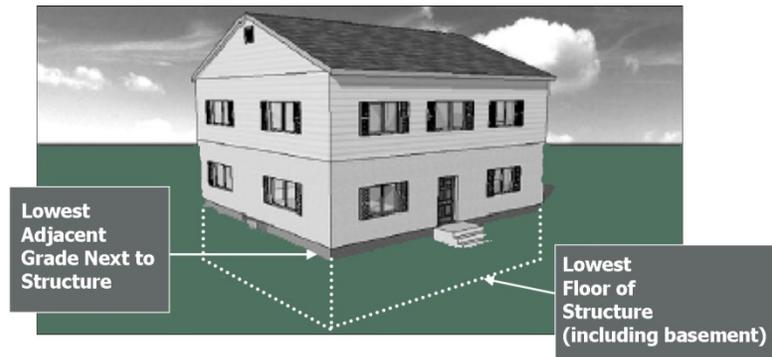
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B. My structure is in or close to a Zone AE/AO Floodplain (High Hazard)

Zone AE floodplains on the FIRM have flood elevations known as Base Flood Elevation's (BFEs) established. If the lowest adjacent grade elevation next to the structure and the lowest floor elevation of your structure are at or above the BFE, your structure may be a candidate for removal from the SFHA via the LOMA process. The application for a single structure LOMA can be found at:

<http://www.fema.gov/library/viewRecord.do?id=2328>.

You must submit property specific information to support your LOMA request. The minimum data required include a **legally recorded deed**, a **tax map showing the property location**, the **completed application form**, and, for most requests, an **elevation form or certificate completed by a licensed land surveyor or civil engineer**. FEMA will review the submitted property information and send you their flood zone determination, based on the information provided in the application. The FEMA determination is a legal document that can be sent to your lender for their review and evaluation and supersedes any previous flood zone determination.



Zone AO floodplains on the FIRM are areas subject to shallow flooding between 1 and 3 feet deep and do not have specific BFEs. It is possible to dispute the requirement for flood insurance if your home is in a Zone AO. However there are usually additional data requirements as part of the LOMA process. Residents in unincorporated areas may contact the San Diego County Flood Control Counter at (858) 694-2112 to discuss the specifics of the data you will need to collect to potentially dispute a lender's flood insurance requirement.

C. My structure is in or close to a Zone VE Floodplain (Coastal High Hazard)

Zone VE floodplains on the FIRM are coastal high hazard areas defined by high velocity wave action. Zone VE areas have special floodplain management requirements including the requirement to elevate buildings on piles or columns. The County of San Diego (unincorporated area) does not have any Zone VE floodplains; therefore, please contact the appropriate city jurisdiction to dispute the flood insurance requirement if your structure is located in a VE zone.

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D. My structure is in or close to a Zone A Floodplain (High Hazard)

Zone A floodplains shown on the FIRM are high hazard areas known as *approximate* SFHAs. This means there are no BFEs associated with the SFHAs. San Diego County may have BFE data that FEMA will accept to consider your home for removal from the high hazard flood area. Contact the San Diego County Flood Control Counter at (858) 694-2112 to determine if BFE data exists for the Zone A floodplain in the vicinity of your home (in unincorporated areas only). If no BFE data exists, a request can be made to FEMA to determine an appropriate BFE for your home as part of the LOMA process. The application for a single structure LOMA can be found at: <http://www.fema.gov/library/viewRecord.do?id=2328>.

You must submit property specific information to support your LOMA request. The minimum data required include a **legally recorded deed**, a **tax map showing the property location**, the **completed application form**, and, for most requests, an **elevation form or certificate completed by a licensed land surveyor or civil engineer**. FEMA will review the submitted property information and send you a flood zone determination, based on the information provided in the application. The FEMA determination is a legal document that can be sent to your lender to be reviewed and evaluated by your lender and supersedes any previous flood zone determination.

FEMA strongly encourages all homeowners to consider purchasing flood insurance. Approximately 25% of flood losses occur in areas outside the SFHA. Owners of homes outside the SFHA and those who obtain a LOMA removing the mandatory insurance requirement may be eligible for a Preferred Risk Policy for as low as \$129/year. Ask your local insurance agent whether you are eligible for a Preferred Risk Policy!