NATIONAL FLOOD INSURANCE PROGRAM
Property owner information

My bank said I'm in the floodplain and have to buy insurance. I don't believe it. What can I do?

If a lending institution is federally regulated or making federally-backed loans, it must review the NFIP maps to determine if the building is located in a Special Flood Hazard Area. The SFHA is the area that is expected to be inundated by a 1% annual chance flood. If the bank makes such a determination, it must require the borrower to purchase flood insurance. Please note, these determinations are purely in/out and do not involve the vertical elevation of the structure. If you disagree with the lending institution's determination, you may request that FEMA review the lender's determination. FEMA will then review the information that the lending institution used, and issue a letter that states whether we agree with the determination. Your request must be postmarked no later than 45 days after the lending institution notifies you of the flood insurance requirement and the submittal must be complete. The request must include all of the information and fees listed in the Letter of Determination Review (LODR) information sheet. If your request is postmarked after the 45-day limit has expired, or if we do not receive all of the information within the 45-day limit, we will not be able to review the determination and the flood insurance requirement stands. FEMA's responses to these requests are called LODRs, and offer two basic dispositions: (1) the lender's determination stands or (2) it is overturned. FEMA's determination is based on the technical data submitted. If the lender's evidence is inconclusive or the request is incomplete FEMA can disagree with the lender's determination. FEMA's response does not amend or revise the NFIP map for your community. It only states that FEMA agrees or disagrees with your lender's determination. Occasionally a lending institution may require insurance if it determines that a part of your lot is in the SFHA. The NFIP does not insure land. However, even if you submit evidence that your building is out of the floodplain, the bank may still decide to require insurance on your building.

Why is flood insurance required for structures that are located in the designated floodplain?
By federal law, the purchase of flood insurance is mandatory as a condition of Federal or federally related financial assistance for the acquisition and/or construction of buildings in floodplains designated on the FEMA flood map.
The National Flood Insurance Program is based on an agreement between local communities and the Federal Government that if a community will implement programs to reduce future flood risks, the Federal Government will make flood insurance available within the community as a financial protection against flood losses that occur.

What does a property owner need to do for FEMA to remove the flood insurance requirement?
In some cases, a lender determines that a property is in a Special Flood Hazard Area (SFHA) shown on a Flood Insurance Rate Map (FIRM) but the property owner disagrees with that determination. The SFHA is also known as the 100-year floodplain. It is more precisely defined as the floodplain associated with a flood that has a 1-percent-annual chance of being equaled or exceeded in any given year. Therefore the SFHA is not a flood event that happens once in a hundred years, rather a flood event that has a one percent chance of occurring every year. Property owners in this situation have a couple of options. Depending on the specific circumstances, you may apply for a Letter of Determination Review (LODR), a Letter of Map Amendment (LOMA), or a Letter of Map Revision Based on Fill (LOMR-F).

The application forms for LOMAs and LOMR-Fs can be found on the FEMA Forms Webpage and provide comprehensive, step-by-step instructions for requesters to follow, ensuring that your submittal is complete and logically structured. Use of these forms allows FEMA to complete its review quicker and at lower cost to the National Flood Insurance Program. While completing the forms may seem burdensome, the advantages to you outweigh any inconvenience. The following paragraphs describe first the LOMA or LOMR-F process, followed by the LODR process.

Upon receiving a completed MT-EZ (for LOMAs) or MT-1 (for LOMR-Fs) application, FEMA reviews property-specific information (including surveyed elevation data, typically the elevation of the lowest adjacent grade of the structure in question, provided by a Licensed Land Surveyor Note: the homeowner may be required to hire a land surveyor to perform this elevation survey, if this data is not readily available), and makes a final flood zone determination for the property. Once an application and all necessary data are received, the determination is normally issued within 30 - 60 days. If the LOMA or LOMR-F removes the SFHA designation from the property, it can then be presented to the lender as proof that there is no Federal flood insurance requirement for the property. However, even though a LOMA or LOMR-F may waive the Federal requirement for flood insurance, a lender retains the prerogative to require flood insurance. No fee is charged for the review of a LOMA; however, there is a review fee for a LOMR-F. Check the flood map-related fees on the Flood Hazard Mapping Website.

Within 45 days following the date your lender notified you that your property is in the SFHA shown on the FIRM for your community, you and your lender may jointly request that FEMA review your lender's determination; FEMA's response to such requests is a LODR. In response to such requests, FEMA reviews the same information your lender used to determine that your structure was located in an SFHA. Unlike with a LOMA or LOMR-F, the elevation of the structure or property relative to the elevation of the 1-percent-annual-chance flood is not considered for a LODR. Just like your lender, FEMA only considers the location of the structure relative to the SFHA boundary shown on the FIRM. FEMA reviews this information and issues its finding of whether the structure is located in the SFHA according to the currently effective FIRM. While this determination cannot consider the elevation of your structure or property, it can be useful if you feel the lender's interpretation of the FIRM is incorrect.

There are obviously some important distinctions between the processes (LODR, LOMA, and LOMR-F).

The determinations are based on different data.
The LODR process does not consider the elevation of the structure or property. Rather, it considers only the horizontal location of the structure relative to the SFHA shown on the FIRM. For the LOMA and LOMR-F processes, actual survey elevation data are required to determine if the property or structure is at or above the 1-percent-annual-chance flood elevation.

There are different review and processing fees involved.

Process	Fee
LOMA	FREE
LODR	$ 80
LOMR-F	$425

The determinations result in different actions.
A LODR does not result in an amendment or revision to the FIRM. It only presents the FEMA finding regarding the structure's location with respect to a delineated SFHA.

An approved LOMA or LOMR-F actually removes the SFHA designation from the structure or lot by letter; thus removing the mandatory purchase requirement. However, a lender can still choose the borrower to carry flood insurance in which case the premiums would be lower

Why is the burden of proof on the person requesting a map change?
FEMA and its Federal and private-sector contractors exercise great care to ensure that analytical methods employed in FISs are scientifically and technically correct, the engineering practices followed meet professional standards, and the results of the FIS are accurate. In making amendments and revisions to NFIP maps and reports, FEMA must adhere to the same engineering standards applied in preparing the effective maps and reports. Therefore, when requesting changes to NFIP maps, community officials and property owners are required to submit adequate supporting data. FEMA would have no justification for changing a flood hazard determination without sufficient evidence that the change is appropriate.

What is a Flood?
Flood insurance covers direct physical loss caused by “flood.” In simple terms, a flood is an excess of water on land that is normally dry. Here’s the official definition used by the National Flood Insurance Program.

A flood is: A general and temporary condition of partial or complete inundation of **two or more acres** of normally dry land area **or of two or more properties (at least one of which is your property)** from:

- Overflow of inland or tidal waters;
- Unusual and rapid accumulation or runoff of surface waters from any source;
- Mudflow*; or
- Collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels that result in a flood as defined above.

* Mudflow is defined as “A river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water…”