



Federal Emergency Management Agency

DHS-EP&R (FEMA)-FIMA RIV
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PROCESSING LETTERS OF MAP AMENDMENT OR REVISION

Help! I'm closing tomorrow, and I've just been told by my lender that I have to buy flood insurance. But my surveyor says my property isn't in the floodplain. What can I do?

Why Won't My Lender Take My Surveyor's Word?

The Flood Insurance Rate Maps (FIRMs) and Flood Hazard Boundary Maps (FHBMs) portray the Special Flood Hazard Areas (SFHA), within which the purchase of flood insurance is required as a condition of obtaining a mortgage from a federally backed or federally regulated lending institution. The lender must use the boundaries of the SFHAs shown on the flood maps to determine if the mandatory purchase of flood insurance applies. Thus, even though a site survey may indicate the property location is above the Base Flood Elevation (BFE), and is technically outside the floodplain, if the map indicates that the site is within the dark-shaded SFHA, the lender must require the purchase of flood insurance. The requirement to purchase flood insurance is a condition of any federally backed mortgage loan, including second mortgages, home equity loans, and refinancing of existing loans.

Why Is The Flood Map Wrong?

The flood maps are made using the best available topographic information. And the accuracy of the flood maps is dependent upon the accuracy of the topographic information used to develop the flood maps. It is possible, therefore, that land that is high ground is shown as flood-prone, and some low areas are erroneously shown to be outside of the floodplain. In addition, FEMA may not know that a developer has brought in earth fill to elevate a building site above the BFE.

What Is FEMA Going To Do About It?

FEMA created the Letter of Map Amendment (LOMA) and Letter of Map Revision Based on Fill (LOMR-F) processes to correct and change the flood maps (FIRMs and FHBMs) to reflect actual ground surveys or better topographic mapping. The Letters are issued by FEMA officially removing lots, portions of lots, or structures from the SFHA or changing the boundaries of the SFHA. These letters are dated and sent to the applicant and are also filed with the municipality or county within which the property is located. In the case of a LOMA, the property or building site is removed from the high risk flood zones designated by the letters A or V, and placed in the less risk-prone flood zones designated as B, C or X, that are not considered to be SFHAs.

When a LOMA or LOMR-F is issued removing a building site or lot from the SFHA, the mandatory insurance purchase requirement is lifted. However, the lender always has the option of requiring the purchase of flood insurance as a condition of the loan. For example, the proposed site might be just a few inches above the BFE, so the lender feels that there is still a threat of flood damage to the property – their interest. On the plus side, once the flood zone has been changed to the B, C, or X zone, the building may qualify for a **Preferred Risk Policy**, the least expensive flood insurance policy available.

PROCESSING LETTER OF MAP AMENDMENT OR MAP REVISION BASED ON FILL

Letter of Map Amendment (LOMA): This is used to amend the effective flood map by letter and establishes a property's location in relation to the SFHA based on detailed elevation surveying and/or topographic mapping of *natural conditions*. If the entire property or the building site, including the lowest floor of the building is above the BFE, FEMA can amend the FIRM or FHBM by letter to remove the lot or building from the SFHA.

Letter of Map Revision Based on Fill (LOMR-F): When fill has been placed on the property to raise the lot or building site to an elevation that is above the BFE, FEMA can revise the FIRM or FHBM by letter to remove the raised area from the SFHA. This is a man-made change to the floodplain.

How Do I Obtain a LOMA or LOMR-F?

A property owner may apply for a LOMA or LOMR-F by using FEMA Form MT-1 or MT-EZ. These forms are available from the FEMA Map Assistance Center by calling the toll-free number 1-877-FEMA-MAP (1-877-336-2627). They may also be downloaded from the FEMA web site www.fema.gov/nfip/forms.htm.

How Much Does It Cost?

A LOMA is free of charge because it is based on existing natural conditions and provides information to refine or correct the flood map. A fee is charged for the LOMR-F because it involves a man-made change to the floodplain and, therefore, requires more extensive review to assure that the fill placement is sufficient to warrant removal from the SFHA. The amount of fee is dependent on the complexity of review.

Who Can Apply?

Any property owner or developer may apply for a LOMA or LOMR-F. However, a site plan and boundary survey, property description, and Elevation Information Form, Elevation Data Sheet or Elevation Certificate must accompany each application. The elevation information must be prepared, sealed, and certified by a Registered Professional Land Surveyor. The applicant is responsible for paying for this survey information.



How Long Does It Take?

It normally takes 6-8 weeks from the time an application is received until a LOMA or LOMR-F is issued. Applications are processed on a first come, first served basis. Incomplete applications are not processed. If information is missing from the application, processing is put on hold and the applicant is provided a written notice of what information is missing. When the missing data is submitted, the application is re-entered at the end of the line of applications awaiting review.

What Do I Do In the Meantime?

Buy the flood insurance! If you want to close without waiting 6-8 weeks for a LOMA or LOMR-F to be issued, buy the flood insurance and proceed with the closing. If the lender approves, when the LOMA or LOMR-F is issued, the flood insurance may be cancelled and the current year’s premium will be refunded unless a claim has been paid or pending.

How Can I Get My Flood Insurance Premium Refunded?

Usually you can get a complete refund of the flood insurance premium when the LOMA or LOMR-F is approved. Following a map revision, the flood insurance policy can be cancelled provided that the mortgage lender confirms in writing that: (1) the flood insurance was initially required as part of the mortgage; and, (2) because the LOMA or LOMR-F was issued, the requirement for flood insurance no longer applies. Provided no flood insurance claim has been paid or is pending, the full premium will be refunded for the current policy year. If a claim has been paid or is pending, no refund is allowed.

For instance, when a low mortgage interest rate has been locked-in for a limited period of time, it may be beneficial to purchase the flood insurance, and close the loan at the good interest rate. Then, when the LOMA or LOMR-F is issued, a refund of the premium can be requested. The other alternative is to apply for the LOMA or LOMR-F and wait until it is approved to close the mortgage loan without purchasing flood insurance. The choice is up to you.

OK. How Do I Apply for a LOMA or LOMR-F?

Call the FEMA Map Assistance Center at 1-877-FEMA-MAP (1-877-336-2627) to obtain a copy of the application forms. If the LOMA or LOMR-F will involve a single lot or single structure, the MT-EZ form may be used. For multiple lots or multiple structures, the MT-1 form should be used. You may download the MT-1 or MT-EZ forms directly from the FEMA web site at www.fema.gov/nfip/forms.htm.

Where do I Send the LOMA or LOMR-F Application?

<p>East of the Mississippi River</p> <p><u>FEMA Regions I-V</u> FEMA LOMA Depot P.O. Box 2210 Merrifield, VA 22116-2210</p>	<p>West of the Mississippi River</p> <p><u>FEMA Regions VI-X</u> FEMA LOMA Depot 3601 Eisenhower Avenue, Suite 600 Alexandria, VA 22304</p>
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What If There is No Flood Elevation On the Flood Map?

If the property is in a Flood Zone A, without a letter or number after the “A”, the flood zone is approximate and not based on a detailed flood study. No BFE has been determined for the area. FEMA can only approve a LOMA or LOMR-F if a BFE has been established using standard engineering methodology.

What to do? Sometimes, another government agency has actually conducted a flood study and determined flood elevations. Or possibly the property is located in a newly developed subdivision for which flood elevations were developed as part of the land development process. In any case, check with your local building, planning, zoning, or stormwater management office. If a BFE has been developed, we suggest that you request that the local government share this information with you.

If there is no existing flood study, one will have to be developed by a registered engineer in order to process a LOMA or LOMR-F. FEMA publication 263, entitled “Managing Floodplain Development in Approximate Zone A Areas”, may help guide an engineer in conducting the necessary flood study. This manual may be ordered free of charge by calling 1-800-480-2520, or may be downloaded from the FEMA web site at www.fema.gov/library/lib06.htm.

