



# OFFICE OF INSURANCE AND SAFETY FIRE COMMISSIONER

**JOHN W. OXENDINE**  
COMMISSIONER OF INSURANCE  
SAFETY FIRE COMMISSIONER  
INDUSTRIAL LOAN  
COMMISSIONER  
COMPTROLLER GENERAL

SEVENTH FLOOR, WEST TOWER  
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## **DIRECTIVE**

**09-P&C-1**

**TO:** ALL LICENSED PROPERTY AND CASUALTY INSURANCE COMPANIES  
IN THE STATE OF GEORGIA

**FROM:** JOHN W. OXENDINE  
INSURANCE AND SAFETY FIRE COMMISSIONER

**DATE:** OCTOBER 28, 2009

**RE:** O.C.G.A. §33-24-46

As you are aware catastrophic flooding occurred in Georgia during the previous month.

It has come to my attention that one of the eligibility criteria of the federal Individual and Household Program and possibly other programs is a requirement for filing claims for insurance benefits with property insurers and proof that the damage to the property is not covered by insurance.

This requirement which is a prerequisite for federal assistance will necessitate the filing of many claims that would not otherwise be filed due to a lack of available coverage.

In order to ensure that all victims of the recent flooding ultimately receive equitable and uniform treatment under the protection afforded to consumers by O.C.G.A. § 33-24-46, you are hereby directed not to consider these flood and flood related claims as a "claim against a policy" as defined by O.C.G.A. § 33-24-46 unless some coverage is actually afforded by the policy and a claim payment is made pursuant to the policy.

You are further directed to inform all personnel including agents, adjusters, and independent adjusters of the content of this Directive.

Any questions concerning this Directive should be addressed to the Property & Casualty Division, 916 West Tower, Floyd Building, 2 Martin Luther King, Jr. Drive, Atlanta, Georgia 30334, (404) 656-4449.



JOHN W. OXENDINE  
INSURANCE AND SAFETY FIRE COMMISSIONER  
STATE OF GEORGIA