

## CONDOMINIUMS

### Important Notice to Agents/Producers:

Boards of directors of condominium associations typically are responsible under their by-laws for maintaining all forms of property insurance necessary to protect the common property of the association against all hazards to which that property is exposed for the insurable value/replacement cost of those common elements. This responsibility would typically include providing adequate flood insurance protection for all common property located in Special Flood Hazard Areas (SFHAs). Such by-law requirements could make the individual members of the boards of directors of such associations personally liable for insurance errors or omissions, including those relating to flood insurance.

### I. METHODS OF INSURING CONDOMINIUMS

There are 4 methods of insuring condominiums under the National Flood Insurance Program (NFIP). Each method has its own eligibility requirements for condominium type. Only residential buildings having a condominium form of ownership are eligible for the Residential Condominium Building Association Policy (RCBAP).

#### A. Residential Condominium: Association Coverage on Building and Contents

A condominium association is the corporate entity responsible for the management and operation of a condominium. Membership is made up of the condominium unit owners. A condominium association may purchase insurance coverage on a residential building and its contents under the RCBAP. The RCBAP covers only a residential condominium building in a Regular Program community. **If the named insured is listed as other than a condominium association, the agent/producer must provide legal documentation to confirm that the insured is a condominium association.** (See the Eligibility Requirements subsection in this section.)

#### B. Residential Condominium: Unit Owner's Coverage on Building and Contents

A residential condominium unit in a high-rise or low-rise building, including a townhouse or rowhouse, is considered to be a single-family residence. An individual dwelling unit in a condominium building may be insured in any 1 of the following 4 ways:

1. An individual unit and its contents may be separately insured under the Dwelling Form, in the name of the unit owner, at the limits of insurance for a single-family dwelling.
2. An individual unit may be separately insured under the Dwelling Form, if purchased by the association in the name of the unit owner and the association as their interests may appear, up to the limits of insurance for a single-family dwelling.

3. An individual unit owned by the association may be separately insured under the Dwelling Form, if purchased by the condominium association. The single-family limits of insurance apply.
4. An individual non-residential unit owner may not purchase building coverage. However, contents-only coverage can be purchased either under the General Property Form or the Dwelling Form, depending on the type of contents.

A policy on a condominium unit will be issued naming the unit owner and the association, as their interests may appear. Coverage under a unit owner's policy applies first to the individually owned building elements and improvements to the unit and then to the damage of the building's common elements that are the unit owner's responsibility.

In the event of a loss, the claim payment to an individual unit owner may not exceed the maximum allowable in the Program.

#### C. Non-Residential (Commercial) Condominium: Building and Contents

Non-residential (commercial) condominium buildings and their commonly owned contents may be insured in the name of the association under the General Property Form. The "non-residential" limits apply.

#### D. Non-Residential (Commercial) Condominium: Unit Owner's Coverage (Contents)

The owner of a non-residential or residential condominium unit within a non-residential condominium building may purchase only contents coverage for that unit. Building coverage may not be purchased in the name of the unit owner.

In the event of a loss, up to 10% of the stated amount of contents coverage can be applied to losses to condominium interior walls, floors, and ceilings. The 10% is not an additional amount of insurance.