



CA Fires October 2017 – Legal Rights FAQ

Residents who suffered damage or losses from the fires that began on October 8, 2017 may register for disaster assistance with the Federal Emergency Management Agency (FEMA). Register by applying online at DisasterAssistance.gov, or by phone at 1-800-621-3362 or the TTY number 1-800-462-7585. Applicants who use 711 or Video Relay Service may call 1-800-621-3362. The toll-free numbers are open from 7 a.m. to 10 p.m. seven days a week.

Need Emergency Benefits?

Food:

Already on CalFresh: Replacement CalFresh benefits worth 60% of October amount will automatically be issued to CalFresh households in affected zip codes. Households who lost food bought with recent lump sum CalFresh can apply for additional replacement funds.

Applying for CalFresh: Households applying for CalFresh for the first time may request Expedited Service if they are experiencing a food emergency and meet certain criteria. Displaced households can self-certify their residency and certain other requirements if they lack regular proofs.

D-CalFresh: is a way to meet the temporary nutritional needs of disaster victims within a 30-day period following a natural disaster. CA has requested ,but it has not yet been approved

D-CalFresh Requirements:

- Residency: Live in disaster area at time of disaster; or in some cases for people who worked in disaster area. D-CalFresh is available regardless of immigration status.
- Purchase of food: Must plan on purchasing food during disaster benefit period
- Adverse effect (one of the following): damage to home or self-employment property; disaster-related expenses; disaster-related income; inaccessible liquid resources
- Income and Resources: Must be counted in order to determine eligibility

Cash Aid:

CalWORKs: This aid is for families with kids.

Families applying for CalWORKs: Ask for emergency assistance if you have a disaster related emergency (such as temporary homelessness). Emergency assistance can include:

- **Immediate Need Payments:** This lets the county pay your CalWORKs benefit right away while they are processing your application. Special Rules about using a sworn statement if you are missing proofs of things like income and residency may also apply.
- **Special Needs Payments:**
 - Nonrecurring special needs assistance for “Emergencies resulting from special circumstances beyond AU’s control” (total allowed is up to \$600 for each incident)
 - Emergency homeless assistance (temporary and permanent) to pay for temporary shelter and/or for help with costs of moving into a new home

Families already on CalWORKs: You can request:

- Special Needs Payments
- Waivers of welfare to work requirements and some other rules if you cannot comply due to the disaster.

What Benefits Can I Get Through FEMA?:

- Disaster assistance for homeowners and renters may include grants to help pay for temporary housing, essential home repairs, uninsured and under-insured personal property losses, and other serious disaster-related needs.
- Low-interest disaster loans from the U.S. Small Business Administration are available for businesses, including landlords, private nonprofit organizations, homeowners and renters.
- FEMA grants do not have to be repaid, is not taxable, and will not affect eligibility for Social Security, Medicaid or other federal benefits.

Lost Your Job Because of the Fires?

Disaster Unemployment Insurance (DUA) if:

- No longer has a job or a place to work; or
- Cannot reach the place of work; or
- Cannot work due to damage to the place of work; or
- Cannot work because of disaster caused injury.
- Have become the head of household because of disaster-related death
- To file: <https://eapply4ui.edd.ca.gov/>; http://www.edd.ca.gov/unemployment/Filing_a_Claim.htm; or call: 1-800-300-5616; 1-800-815-9387 (TTY)

Contacting Social Services:

- If you normally live in Napa or Sonoma counties, and have been displaced by the fires, **you can contact the local social services office in any county in California for help** with your existing CalFresh, Medi-Cal or CalWORKs case, or to apply for these benefits.

Missing your EBT card?

- You can ask that a replacement EBT card be mailed to you by calling (877) 328-9677. This takes about 5 business days.
- You can also get help replacing your card right away by contacting the local social services office by phone or in person. They can usually issue a new card the same day.

QUESTIONS: About the above information, or have other legal issues involving family law, property tax, or insurance please call the Bay Area Legal Aid's Legal Advice Line: 1-800-551-5554. Updated 10/16/17



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What are my Rights as a Renter?:

Do I need to pay rent if my unit is red-tagged or completely destroyed/uninhabitable?

- No.

Am I entitled to relocation benefits?

- Yes. If due to natural disaster, the local enforcement agency will be responsible for giving relocation benefits to tenants.

What if my personal property was destroyed?

- If you have renter's insurance, usually the insurance policy includes personal property replacement cost coverage. Usually limited and need to check specific policy for details.

What if my unit is damaged (not destroyed) and I want to move out?

- Need to give landlord a 30-day notice of your proposed move out, and pay rent for those 30 days. If your unit was completely destroyed to the point of being uninhabitable, you may not need to give notice.

What if I'm a mobile home owner and the park is destroyed?

- If the park's Permit to Operate is officially suspended by Department of Housing and Community Development for more than 30 days, then the park cannot legally collect rent.
- Mobilehome Assistance Center
Call: 1-800-952-5275 (Toll Free) / 1-800-735-2929

Not a U.S Citizen?:

Anyone can get some help, regardless of immigration status. Getting help will not make it difficult to adjust immigration status later.

Replacing Immigration Documents:

- **Submit Replacement Request:** Employment Authorization (I-90) & LPR card (I-765)
 - o write *EXPEDITED APPROVAL BECAUSE OF THE FIRES* to get to the top of the adjudication list
- **Missed appointments** (Santa Rosa, SF, Oakland or Sacramento)
 - o Reschedule immediately at INFOPASS: <https://my.uscis.gov/appointment>
- **If displaced or had to move:** file Change of Address (AR11) form

Getting Medical Care or Coverage:

ER Care: You cannot be refused care at a hospital for an emergency medical condition.

Replace Prescriptions: Contact your doctor and local disaster relief services (Red Cross: 1-866-438-4636)

Medi-Cal: If you are unable to work or income has decreased, you may be eligible.

Medi-Cal's Hospital Presumptive Eligibility

Program(HPE): Provides qualified individuals immediate access to temporary, no-cost Medi-Cal while applying for permanent Medi-Cal or other health coverage. To apply, visit a hospital that is a qualified HPE provider.

Have Medi-Cal?

Most Medi-Cal recipients in the affected counties get care through Partnership HealthPlan of California (PHC). If you are displaced because of the fires, you may have trouble going to your regular PHC providers for help.

Emergency Care:

For emergencies, go to the nearest emergency room, even if it is not in-network.

Non-Emergency Care

Medi-Cal patients with care through PHC who have been displaced by fires can access primary care services at any PHC primary care provider. **Members with questions or having trouble finding care can call (800) 863-4155.** You can also contact this number if you need help with prescriptions.

What are my Rights as a Homeowner?:

Do I still need to pay my mortgage if my house was destroyed?

- Yes, but contact your mortgage company.

What will my insurance cover?

- Generally property insurance policies cover losses resulted from wildfires. The Loss of Use provision will apply and cover you renting comparable housing in the interim (policy may limit this)