



**FEMA Appeals Clinic
Client Agreement**

Date: _____

The volunteer(s) who will help you at today's legal clinic will be helping you **today only**. They may be able to help explain your situation and give you advice about what to do next. However, they will not take your case, represent you in court, or help you after today.

Information you share with the volunteer(s) at today's clinic is confidential to the full extent permitted by the law and required by lawyers' ethical rules. Such information may be shared with other volunteers and/or staff from the organizations working at today's clinic, however it will not be shared with anyone else. You will receive a duplicate of this agreement for your records.

I understand and agree to the above.

Client's Name

Client's Signature



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I understand and agree to the above.

Client's Name

Client's Signature



FEMA Appeals Clinic: Volunteer Attorney Information Sheet

Thank you for your willingness to participate in Legal Aid of Sonoma County's FEMA Appeals Clinic. The assistance of an attorney increases the likelihood of success for a FEMA appeal. Your help is much appreciated and will prove invaluable to the Sonoma County community.

The FEMA Appeals Clinic will be held at Legal Aid of Sonoma County. Legal Aid is located at 144 South E Street in Santa Rosa, CA. There is a parking lot directly in front of Legal Aid which volunteers may park in. If the primary lot is full, volunteers may also park in the larger lot located directly beyond the Legal Aid building. Volunteer attorneys must arrive at 9:30 am to attend a short introduction which will begin promptly at 9:45 am. Bagels and coffee will be provided.

During the clinic, volunteer attorneys will meet with clinic participants one on one to review their FEMA denial letters and help them draft FEMA appeal letters. The purpose of the FEMA Appeals Clinic is to provide clinic participants with the opportunity to have an attorney help them write an effective appeal. The clinic is designed to provide limited scope legal assistance only. As a result, the volunteer attorneys are expected to keep the participants focused on the FEMA appeals process and try to complete the FEMA appeal letter during clinic hours. If a volunteer attorney believes that they will not be able to complete a FEMA appeal letter during clinic hours, they should speak with a member of the Legal Aid staff before continuing.

Upon arrival at the clinic, the clinic participants will be asked to sign in, complete an intake form, and provide a copy of their FEMA denial letter. The intake form and the FEMA denial letter will provide the volunteer attorneys with all of the information needed to complete the FEMA appeal letter. A sample of the intake form is attached for reference.

Once the sign in procedure is complete, Legal Aid will conduct a brief presentation regarding the FEMA appeals process to the clinic participants. After the brief presentation, the clinic participants will be paired up with volunteer attorneys to complete the FEMA appeals process one on one.

When the volunteer attorneys meet with a clinic participant, they are expected to review and have the participant sign a client agreement form. A copy of the client agreement is attached for reference. It is important that the client agreement is reviewed and completed by the participant prior to commencing the FEMA appeals process.



After the clinic participant has completed the client agreement form, the volunteer attorney will then review the participant's FEMA denial letter and conduct a brief interview. The purpose of the interview is to gather information about the participant's FEMA denial and determine whether there are grounds to file an appeal. If the volunteer attorney determines that there are grounds to submit an appeal, they can then begin drafting a FEMA appeal letter.

A FEMA appeal letter must include the date it was written, as well as the registrant's full name, mailing address, contact number, FEMA number, disaster number, original signature, and the following statement: "I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and ability." A copy of a form letter with such information is attached for reference.

It is important to note that a volunteer attorney may find themselves in a situation where they have identified supporting materials that they think should be included with a particular FEMA appeal. If the clinic participant has brought such additional materials the volunteer attorney should attach them to the clinic participant's FEMA appeal letter for submission together. If the clinic participant has not brought such additional materials with them or the materials do not yet exist, the volunteer attorney should complete the appeal letter and explain to the participant that they are responsible for obtaining and submitting such materials with their FEMA appeal letter.

Once a volunteer attorney fully completes the FEMA appeal letter, he or she can use Legal Aid's fax machine to fax the appeal to the FEMA Appeals Review Center or can send the clinic participant to mail their FEMA appeal to FEMA's Regional Appeals Center.

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February 10, 2018

Federal Emergency Management Agency
Individuals and Households Program
National Processing Service Center
PO Box 10055
Hyattsville, MD 20782

Applicant's Name:

Applicant's Contact Number:

Applicant's Mailing Address:

FEMA Application Number:

Disaster Number: DR-

Request for Other Needs Assistance – Funeral Expenses

Dear Reviewer,

I am writing to provide documentation to FEMA in support of a request for Other Needs Assistance – Funeral Expenses for my mother, I have provided a death certificate for that included a signed statement from a doctor stating the death was caused by toxic smoke inhalation as a result of the California Wildfires.

Enclosed with this communication is a signed note from Stanford Health Care stating the death was a direct result of the California Wildfires.

I believe this is the entire documentation FEMA requires. Please contact me at 707-000-0000 if you require additional documentation.

Thank you for your time and attention in this matter.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and ability.

Sincerely,

Applicant's Name

Applicant's Signature

April 2, 2018

Federal Emergency Management Agency
Individuals and Households Program
National Processing Service Center
PO Box 10055
Hyattsville, MD 20782

Appellant's Name: Lee

Appellant's Contact Number: 70

Appellant's Mailing Address: 15

FEMA Application Number:

Disaster Number: DR-4344

Appeal of FEMA Denial

Dear Reviewer,

I am writing to appeal FEMA's denial to allow me to use the housing assistance that I am qualified for to transfer into a more permanent housing situation. Currently, I am living in a FEMA trailer with my adult son. While we are very appreciative of the support, I am requesting that we be provided with the opportunity to use our housing assistance to transfer into a more permanent housing situation.

When we originally moved into the FEMA trailer, we were told that the trailer was a temporary situation and that we could use our housing support to move into a rental unit once we identified one. After living in the trailer for short while, we were then told that our housing needs were

taken care of and could not longer use our housing support to transfer to a more permanent housing situation. I am requesting that FEMA allow us to utilize our housing assistance to find a rental unit.

At this point, living in the FEMA trailer has become very difficult due to its size, lack of permanency, and constant reminder of the horrific loss we experienced in the recent Northern California Wildfires. My son and I would like to move forward towards recovery and are physically and emotionally having a hard time doing so while in the FEMA trailer. We believe that being able to move to a rental unit will give us back a sense of normalcy that we deeply need at this moment. I am simply requesting that we be able to use the housing assistance that we have already qualified for to obtain a rental unit that does not serve as a constant reminder of our losses.

Thank you for your time and attention in this matter.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and ability.

Sincerely,

Appellant's Name

Appellant's Signature

April 2, 2018

Federal Emergency Management Agency
Individuals and Households Program
National Processing Service Center
PO Box 10055
Hyattsville, MD 20782

Appellant's Name:

Appellant's Contact Number:

Appellant's Mailing Address: 15

FEMA Application Number:

Disaster Number: DR-4344

Appeal of FEMA Personal Property Payment Amount

Dear Reviewer,

I am writing to appeal FEMA's decision relating to the amount of personal property assistance that was provided to me. Recently, I received \$4,212.16 to help compensate me for the losses I incurred in the recent Northern California Wildfires. I do not believe that the amount provided is sufficient to cover my losses and request that FEMA provide additional financial assistance to help me replace my lost personal property.

I have attached two itemized lists of my lost property which total over \$75,000. I have no alternative means to cover any of these losses. In the fire I not only lost my home but also lost all of my business property. The personal property and business property that I lost are essential to my ability to recover. Without additional assistance, I fear that I will not be able to get back to being able to provide for my son and myself.

For these reasons, I am requesting that FEMA provide me with additional financial support to cover the cost of my losses. \$4,212.16, while helpful, is simply not enough to allow me to return to my business or provide my son with the most essential furnishing in our home.

Thank you for your time and attention in this matter.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and ability.

Sincerely,

Appellant's Name

Appellant's Signature

PUBLIC ASSISTANCE PROGRAM APPEALS

I. Purpose

This Directive describes policies, procedures, and responsibilities applicable to FEMA *Public Assistance Appeals Branch (PAAB)* and Public Assistance (PA) Program staff for adjudicating appeals filed by PA applicants, subgrantees, and grantees.¹

The policies, procedures, and responsibilities set forth in this Directive, in conjunction with the Public Assistance Program Appeals Procedures Manual (Appeals Manual), dated July 26, 2013, are designed to create an organized, consistent, and efficient system for responding to PA Program eligibility disputes. This system is designed to ensure that FEMA issues consistent appeal decisions within legally mandated response times and to highlight areas in which FEMA can improve PA Program policies and procedures, enhance communication with grantees and applicants, and enable field staff to render high-quality, accurate eligibility determinations in order to decrease the number of appeals filed by applicants.

II. Applicability and Scope

This Directive applies to all FEMA PA Program staff.

III. Supersession

None.

IV. Guiding Principles

The PA Program appeal process, under the policies and procedures outlined in this Directive and the Appeals Manual, is based upon:

- A. Fairness: The PA Program appeal process should ensure that applicants obtain accurate, fair, and well-reasoned eligibility determinations that are consistent with applicable statutes, regulations, and policies.
- B. Education: The PA Program appeal process should teach applicants about the appeal and arbitration processes and requirements.

¹ The PA Program appeal process is available to PA Program applicants, subgrantees and grantees. Most appeals are submitted by applicants or subgrantees, through the grantee. For the sake of simplicity, this Directive assumes that the party challenging an eligibility determination is an applicant or subgrantee. For ease of reference, this Directive also refers to both applicants and subgrantees as "applicants."

- C. *First appeal* means the first-level appeal of a FEMA PA eligibility determination filed by an applicant that a FEMA Regional Administrator evaluates and decides upon, as set forth in 44 C.F.R. § 206.206.
- D. *Project Worksheet development (PW development)* means the development of PA subgrant applications or “Project Worksheets”—the mechanism for documenting federal disaster recovery assistance—which involves collecting essential information about applicants, damage, proposed project costs and scopes of work, and other information, as well as properly documenting this information.³
- E. *Public Assistance Appeals Branch (PAAB)* means the branch established within the PA Division at FEMA headquarters charged with developing, maintaining, and managing PA appeal doctrine and policy; providing PA appeal-related training and guidance materials; supporting FEMA regional offices’ *first appeal* adjudication efforts; and engaging in other PA appeal-related efforts. The *PAAB* includes FEMA Office of Chief Counsel attorneys assigned to advise and assist the branch.
- F. *Public Assistance Determination Memorandum* means the one-page synopsis of an eligibility determination that PA Program staff complete to concisely and accurately document and explain the determination.
- G. *Second appeal* means the second-level appeal of a FEMA PA eligibility determination filed by an applicant following a FEMA Regional Administrator’s *first appeal* decision that FEMA’s Assistant Administrator for the Recovery Directorate evaluates and decides upon, as set forth in 44 C.F.R. § 206.206.

VII. Responsibilities

- A. The *Public Assistance Appeals Branch* maintains overall responsibility for administering FEMA’s PA Program appeal system. This responsibility includes:
 - 1. Developing, maintaining, and managing PA Program appeal doctrine and policy. This doctrine and policy includes this Directive, as well as the accompanying Appeals Manual. This doctrine and policy is designed to provide uniformity of substantive and procedural decision-making agency-wide and to allow the *PAAB* to collect data and identify trends that form the basis of potential programmatic changes.
 - 2. Ensuring that all appeal determinations (for both *first appeals* and *second appeals*) are issued within regulatory timelines by developing and maintaining standard operating procedures, tracking mechanisms, and procedures for arranging supplemental staff support as needed.

³ For ease of reference and consistency, this Directive uses the term “PW” or “Project Worksheet.”

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3. Providing regular updates (for both *first appeals* and *second appeals*) on important appeal decisions and trends through distribution of a PA Appeals Digest, broadcasts, and/or other communications means. These updates are designed to provide current, relevant information about appeal decisions and to improve the consistency of decision-making on an agency-wide basis.
4. Identifying, based on an analysis of collected data and recurring trends, improvements to the *PW development* process, such as recordkeeping, documentation, and decision-making improvements, as well as proposed regulatory changes to streamline and improve the appeal process (for both *first appeals* and *second appeals*).
5. Providing training on appeal processing such that only PAAB-certified appeal analysts review and analyze appeals, on new developments in PA policy and law, and on lessons learned to help refine *PW development* and other PA processes and procedures.
6. Coordinating with the Office of Chief Counsel's Disaster Litigation Branch to share information and best practices to improve both the PA appeal process and the *PA Dispute Resolution Pilot Program* process.
7. Processing *second appeals*, which includes analyzing all relevant documentation and legal and policy issues and drafting, reviewing, and finalizing thorough final appeal decisions.

B. PA Program staff in FEMA regional offices are responsible for:

1. Promptly transmitting to the PAAB (a) newly filed *first appeals*, (b) newly issued *first appeal* decisions, and (c) newly filed *second appeals*; providing the PAAB with information and updates on *first appeal* responses; and working with the PAAB to develop and update standard operating procedures for responding to appeals.
2. Drafting recommendations for *first appeal* decisions issued by Regional Administrators; ensuring that *first appeal* decisions inform applicants of their *second appeal* rights and responsibilities; and, when applicable, ensuring that *first appeal* decisions inform applicants of their rights and responsibilities under the *Dispute Resolution Pilot Program*.
3. Compiling and indexing the complete *administrative record*.
4. Consulting with regional counsel on legal issues presented in *first appeals*.

- C. PA Program staff in FEMA joint field offices typically are not directly involved in PA appeal processing but, nonetheless, play a vital role in PA appeal adjudication by:
1. Disseminating information about the PA appeals process and the *Dispute Resolution Pilot Program* to applicants.
 2. Being responsible for *PW development*, which generates much of the information and material included in the *administrative record*.
 3. Working with applicants and grantees to address unresolved issues.
 4. Issuing unequivocal, written eligibility determinations informing applicants as to their appeal rights and responsibilities.

VIII. Procedures

- A. Pre-first appeal procedures. As detailed in the Appeals Manual, PA Program staff will:
1. Disseminate information about the PA appeal and *Dispute Resolution Pilot Program* procedures at applicant Kickoff Meetings.
 2. Conduct *PW development* in accordance with the Project Worksheet Development Guide (July 2008) and, specifically, in accordance with guidance for developing a comprehensive *administrative record*.
 3. Attempt to resolve eligibility issues in a cooperative fashion with applicants and grantees and, if issues remain unresolved, consult with FEMA's Alternative Dispute Resolution (ADR) Program on offering an opportunity to participate in a facilitated discussion regarding the issues.
 4. Address, when making a formal eligibility determination, all relevant eligibility issues.
 5. Inform grantees and applicants, when making a formal eligibility determination, of the reason for the determination, of the materials currently included in the *administrative record*, and of applicants' *first appeal* rights and responsibilities.
- B. First appeal procedures. As detailed in the Appeals Manual, PA Program staff will:
1. Provide the *PAAB* with copies of *first appeal* filings and decisions.
 2. Compile the *administrative record*.

3. Assist the *PAAB* in developing a Standard Operating Procedures (SOP) for timely reviewing and analyzing *first appeals* and drafting, finalizing, and issuing *first appeal* decisions.
 4. Issue *first appeal* decisions simultaneously to the grantee and applicant, and provide information about applicants' *second appeal* rights and responsibilities and, if applicable, *Dispute Resolution Pilot Program* rights and responsibilities.
 5. Provide the *PAAB*, when an applicant appeals a *first appeal* decision, an electronic copy of the *second appeal* and related documentation.
 6. Seek assistance from the *PAAB* whenever necessary.
- C. Second appeal procedures and PAAB operations: As detailed in the Appeals Manual, PA Program *PAAB* staff will:
1. Develop a Standard Operating Procedure (SOP) for timely reviewing and analyzing *second appeals* and drafting, finalizing, and issuing *second appeal* decisions.
 2. Issue *second appeal* decisions simultaneously to the grantee and applicant.
 3. Track and analyze issues addressed in *first appeals* and *second appeals* and, based on that analysis, provide feedback to PA Program staff at FEMA headquarters, regional offices, and joint field offices on how the PA Program can improve its policies and procedures.
 4. Regularly update PA Program staff on important appeal decisions and trends.
 5. Monitor the progress of *first appeal* processing by PA Program staff in regional offices and arrange for support, if necessary, to avoid the possibility of a *first appeal* determination being issued beyond the legally mandated response time.
 6. Provide training to PA Program staff involved in processing PA Program appeals.

IX. References and Resources

- A. The *PAAB* intranet site,⁴ which contains continuously updated links to useful PA Program appeal tools.
- B. Public Assistance Appeals Database.
- C. 9500 Series Policy Publications.

⁴ The site is located at <http://on.fema.net/components/orr/recovery/pad/Pages/AppealsBranch.aspx>.

- D. FEMA 322, Public Assistance Guide (June 2007).
- E. FEMA 321, Public Assistance Policy Digest (January 2008).
- F. FEMA 323, Public Assistance Applicant Handbook (March 2010).
- G. FEMA 325, Debris Management Guide (July 2007).
- H. FEMA 327, Debris Monitoring Guide (October 2010).
- I. FEMA 329, Debris Estimating Field Guide (September 2010).
- J. Public Assistance Appeals Digest archives.
- K. Public Assistance Alternative Procedures Pilot Program Guide for Permanent Work (May 2013).
- L. Public Assistance Alternative Procedures Pilot Program Guide for Debris Removal (May 2013).
- M. Project Worksheet Development Guide (January 2008).
- N. Public Assistance Program Field Operations Pocket Guide (2013).
- X. **Revisions and Questions**
 - A. An electronic version of this Manual will be available on the PAAB intranet site. Any changes to this Manual will be reflected in a Record of Change incorporated with the document.
 - B. Any questions or comments concerning this Manual should be addressed to the Public Assistance Program's *Public Assistance Appeals Branch* at (202) 646-3057 or PAAB@fema.dhs.gov

Deborah Ingram
Assistant Administrator
Recovery Directorate
Federal Emergency Management Agency

Date: _____

United States Code of Federal Regulations – Excerpt from Section 206

§206.115 Appeals.

(a) Under the provisions of section 423 of the Stafford Act, applicants for assistance under this subpart may appeal any determination of eligibility for assistance made under this subpart. Applicants must file their appeal within 60 days after the date that we notify the applicant of the award or denial of assistance. Applicants may appeal the following:

- (1) Eligibility for assistance, including recoupment;
- (2) Amount or type of assistance;
- (3) Cancellation of an application;
- (4) The rejection of a late application;
- (5) The denial of continued assistance under §206.114, Criteria for continued assistance;
- (6) FEMA's intent to collect rent from occupants of a housing unit that FEMA provides;
- (7) Termination of direct housing assistance;
- (8) Denial of a request to purchase a FEMA-provided housing unit at the termination of eligibility;
- (9) The sales price of a FEMA-provided housing unit they want to purchase; or
- (10) Any other eligibility-related decision.

(b) Appeals must be in writing and explain the reason(s) for the appeal. The applicant or person who the applicant authorizes to act on his or her behalf must sign the appeal. If someone other than the applicant files the appeal, then the applicant must also submit a signed statement giving that person authority to represent him, her or them.

(c) Applicants must appeal to the Regional Administrator or his/her designee for decisions made under this subpart, unless FEMA has made a grant to the State to provide assistance to individuals and households under §206.120(a), State administration of other needs assistance; then the applicant must appeal to the State.

(d) An applicant may ask for a copy of information in his or her file by writing to FEMA or the State as appropriate. If someone other than the applicant is submitting the request, then the applicant must also submit a signed statement giving that person authority to represent him or her.

(e) The appropriate FEMA or State program official will notify the applicant in writing of the receipt of the appeal.

(f) The Regional Administrator or his/her designee or appropriate State official will review the original decision after receiving the appeal. FEMA or the State, as appropriate, will give the appellant a written notice of the disposition of the appeal within 90 days of the receiving the appeal. The decision of the appellate authority is final.

Appeals

(For smoother sailing)

Keep in mind from FEMA perspective:

Safe

Sanitary

Functional

(Habitable)

Any FEMA decision can be appealed, in any category of FEMA and ONA (other needs assistance)

Decision letters from FEMA will have a **date** and a **reason** for the decision. Do not assume that the **reason** listed tells the whole story. Further information and clarification from FEMA Helpline (800) 621-3362 may be needed. Applicants can call and get this information. (This could spark a **review** and an appeal may not be needed)

All appeals must be in **writing** and must include:

- Date
- Name of applicant
- Damaged Dwelling address
- FEMA ID number and disaster number
- Why the **reason** for the decision is incorrect
- Substantiation and documentation
- Verification documents such as receipts and contractor estimates must be dated, itemized and include the name and phone number of the vendor.

IF over the 60 day period from the **date** of the decision letter, include a statement as to **why** it is late.

Some **acceptable reasons** can include:

Illness, hospitalization or disability (clarify for FEMA)

Illness, hospitalization, disability or death of an immediate family member

Personal or business travel that kept them out of the area for the full 60 days

No contractors available to give estimates

Unacceptable reasons can include:

"I forgot", "I didn't know"

Time frames to provide requested documentation on continuing housing assistance are 90 days. On providing additional documentation another 30 days for a total of 120 days

Registrants have 12 months from the date of registration to provide insurance information for review.

You can FAX your appeal to the FEMA NPSC 800-827-8112 Or Mail to:

National Processing Service Center
P.O. Box 10055
Hyattsville, MD 20782-7055

SEQUENCE OF ASSISTANCE

Disaster Human Services Programs

**1. LOCAL GOVERNMENT
VOLUNTARY AGENCIES**
(Food, Shelter, Clothing, Medical)

2. PERSONAL INSURANCE

Disaster
Unemployment
Assistance

3. FEMA Registration
Call to Register: 1-800-621-FEMA (3362) or TTY 1-800-462-7585
or by internet at: www.DisasterAssistance.gov

HOUSING ASSISTANCE - FEMA

4. Temporary Housing
Rental Assistance

5. Repairs
Financial
Up to \$32,400

6. Replacement
Financial
Up to \$32,400

/ EITHER OR \

SBA DISASTER LOANS

7. Real Property
up to \$200,000
(Homeowners)

8. Personal Property
up to \$40,000
(Renters and Owners)

9. Business
up to \$2,000,000

APPLICANTS MUST RETURN THE SBA LOAN APPLICATION AND
RECEIVE A LOAN DENIAL TO BE ELIGIBLE FOR
"ONA" SBA-DEPENDENT ASSISTANCE

OTHER GOVERNMENT PROGRAMS

(Some require declaration)
Crisis Counseling
Legal Assistance
IRS Assistance
Veterans Assistance
USDA/HUD

SBA
Failed Income
Test

SBA
Loan Denial and Referral

Maximum Financial Assistance =
\$32,400
Housing Assistance + "ONA"
(Shaded boxes above and below)

10. OTHER NEEDS ASSISTANCE (ONA)

SBA-DEPENDENT

Personal Property
Transportation (vehicle)
Moving and Storage

11. OTHER NEEDS ASSISTANCE (ONA)

NON-SBA-DEPENDENT

Funeral Dental
Medical Other Expenses
Transportation (non-vehicle)

12. LONG-TERM RECOVERY

Voluntary Agencies
Interfaith Organizations
Long Term Recovery Groups



FEMA

Fact Sheet

Individuals and Households Program

FEMA's Individuals and Households Program (IHP) provides financial and direct services to eligible individuals and households affected by a disasters who have uninsured or underinsured necessary expenses and serious needs. IHP is not a substitute for insurance and cannot compensate for all losses caused by a disaster; it is intended to meet the survivor's basic needs and supplement disaster recovery efforts.

IHP Eligibility

These general conditions must be met for an applicant to be eligible to receive IHP Assistance:

- The applicant must be a U.S. citizen, non-citizen national, or qualified alien.
- FEMA must be able to verify the applicant's identity.
- The applicant's insurance, or other forms of disaster assistance received, cannot meet their disaster-caused needs.
- The applicant's necessary expenses and serious needs are a directly result of a declared disaster.

IHP Housing Assistance Provision

FEMA determines the appropriate types of Housing Assistance for which an individual or household may be eligible based on disaster-caused loss, access to life-sustaining services, cost-effectiveness, and other factors. Individuals and households may receive more than one type of Housing Assistance, including a combination of financial assistance and direct services for disaster damage to a disaster survivor's primary residence.

Financial Housing Assistance - FEMA provides funds paid directly to eligible individuals and households and may include the following types of assistance:

- **Rental Assistance:** To secure temporary housing while repairs are being made to the pre-disaster primary residence or while transitioning to permanent housing. Rental Assistance may be used to rent a house, apartment, manufactured home, recreational vehicle, or other readily fabricated dwelling.
- **Lodging Expense Reimbursement:** Reimbursement for hotels, motels, or other short-term lodging while an applicant is displaced from their primary residence.
- **Home Repair Assistance:** To help repair an owner-occupied primary residence, utilities, and residential structure, including privately-owned access routes (driveways, roads, or bridges) to a safe and sanitary living or functioning condition.
- **Home Replacement Assistance:** To help homeowners replace their uninsured or under-insured primary residence, destroyed by a disaster.

Direct Housing Assistance - FEMA may provide direct housing services to eligible individuals and households, when disaster survivors are unable to use Rental Assistance due to a lack of available housing resources. The impacted state, territorial, or tribal government must request Direct

~~Temporary Housing Assistance and FEMA must approve this assistance prior to implementation.~~
Direct Temporary Housing Assistance is not counted toward the IHP maximum award amount and may include:

- Manufactured Housing Units: Manufactured homes provided by FEMA and made available to use as temporary housing.
- Multi-Family Lease and Repair: This assistance allows FEMA to enter into lease agreements with owners of multi-family rental properties located in disaster areas and make repairs or improvements to provide temporary housing to disaster survivors.
- Permanent or Semi-Permanent Housing Construction: Home repair and/or construction services provided in insular (limited) areas outside the continental United States and other locations where no alternative housing resources are available; and where other types of FEMA Housing Assistance are unavailable, infeasible, or not cost-effective.

IHP Other Needs Assistance Provision

Individuals and households may receive financial assistance for other disaster-caused expenses and serious needs. Eligibility for some types of Other Needs Assistance are dependent on eligibility with the U.S. Small Business Administration's (SBA) disaster loan program. The SBA provides low-interest, long-term loans to help individuals and households with personal property, transportation, and expenses for moving and storage incurred due to a declared disaster. FEMA IHP Other Needs Assistance is divided into two categories that are either *dependent* or *non-dependent* on the individual's or household's ability to qualify for a SBA disaster loan.

SBA Dependent Types of Other Needs Assistance – Only individuals or households who do not qualify for a loan from the SBA may be eligible for the following types of assistance:

- Personal Property Assistance: To repair or replace essential household items including, but not limited to, furnishings and appliances, accessibility items defined within the Americans with Disabilities Act, and specialized tools and protective clothing required by an employer.
- Transportation Assistance: To repair or replace a vehicle damaged by a disaster and other transportation-related costs.
- Moving and Storage Assistance: To relocate and store personal property from the damaged primary residence to prevent further disaster damage, such as ongoing repairs, and returning the property to the primary residence.

Non-SBA Dependent Types of Other Needs Assistance – May be awarded regardless of the individual's or household's SBA disaster loan status and may include:

- Funeral Assistance: To assist with funeral expenses incurred as a direct result of a declared disaster, which may include reallocation or reburial of unearthed remains and replacement of burial vessels and markers.
- Medical and Dental Assistance: To assist with medical or dental expenses caused by a disaster, which may include injury, illness, loss of prescribed medication and equipment, or insurance co-payments.
- Child Care Assistance: A one-time payment, covering up to eight cumulative weeks of child care expenses, for a household's increased financial burden to care for children aged 13 and under; and/or children aged 14 to 18 with a disability as defined by federal law.

- Miscellaneous or Other Items Assistance: To reimburse for eligible items purchased or rented after a disaster incident for an individual or household's recovery, such as gaining access to the property or assisting with cleaning efforts. Eligible items are identified by the state, territorial, or tribal government and may include items such as a chainsaw, air purifier or dehumidifier.

IHP Limitations and Requirements

Assistance Limit: Financial assistance is limited to an annually adjusted amount based on the Department of Labor Consumer Price Index. Direct Housing Assistance is not subject to the assistance limit.

Flood Insurance Requirement: Applicants whose homes are located in a Special Flood Hazard Area and who receive assistance for home repair, replacement, permanent housing construction, and/or personal property as a result of a flood-caused disaster must obtain and maintain flood insurance as a condition of accepting disaster assistance.

Payment of Assistance: Financial assistance is provided to disaster survivors by a U.S. Treasury check or through an electronic funds transfer into the recipient's bank account.

Supplemental Assistance: IHP is not intended to replace private recovery efforts but to complement those efforts when needed. FEMA's assistance is limited and is not intended to return a home to its pre-disaster condition. If a homeowner wishes to return their home to its pre-disaster condition, they may apply for a home disaster loan with the SBA.

Proper Use of Assistance: Failure to use assistance appropriately may result in ineligibility for additional assistance, and the applicant may be required to return the misused funds.

Taxation of Assistance: FEMA's assistance is not taxable and is not counted as income or a resource when determining eligibility for income assistance or income-tested benefit programs such as Social Security benefits or disability income.

Documentation: Disaster survivors may need to provide documentation to help FEMA evaluate their eligibility, such as documents pertaining to proof of occupancy, ownership, income loss, and/or information concerning an applicant's housing situation prior to the disaster.

Duration of Assistance: Assistance is limited to 18 months following the disaster declaration and may be extended, if needed.

Appeal Rights: Applicants, who disagree with FEMA's determination of eligibility or the form of assistance provided, have the right to appeal within 60 days of the date on the award or denial letter from FEMA. For more information on appealing, contact the FEMA Disaster Helpline at 1-800-621-3362. Applicants who have a speech disability or hearing loss and use a TTY can call 1-800-462-7585 directly. Those using 711 or Video Relay Services (VRS) can call 1-800-621-3362.

FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.



FEMA

Fact Sheet

Temporary Housing Units (THUs)

Through the Housing Assistance provision of the Individuals and Households Program (IHP), FEMA may provide Direct Temporary Housing Assistance to eligible applicants whose primary residence is inaccessible or uninhabitable as a direct result of a presidentially-declared emergency or major disaster.

If FEMA determines that eligible applicants cannot utilize financial Rental Assistance due to a lack of available housing resources in the area, FEMA along with local, state, territorial, or tribal governments may request authorization for use of Temporary Housing Units (THUs).

FEMA may offer THUs to eligible applicants through the following methods:

Multi-Family Lease and Repair: FEMA may contract with a property owner or landlord to repair multi-family rental units for use as temporary housing for FEMA applicants.

Manufactured Housing Units (MHUs): MHUs are manufactured homes constructed in accordance with the U.S. Department of Housing and Urban Development standards and FEMA contract requirements.

- Furnished MHUs, ranging from one-to-three bedroom units, are provided based on the applicant's pre-disaster household composition.
- FEMA may provide MHUs built to Uniform Federal Accessibility Standards for eligible disaster survivors with access and functional needs and provide ramps or platform steps to accommodate survivors' accessibility needs.
- MHUs may be placed on a private site, such as the eligible applicant's private property, a pre-existing commercial park, or on a group site approved by local officials and constructed and maintained by FEMA.

All occupants of a THU must agree to comply with FEMA's rules, terms, and conditions for occupying the THU before moving-in by signing a Temporary Housing Agreement or Revocable License. To remain in the THU, occupants must:

- Demonstrate a continued housing assistance need.
- Actively participate in the FEMA recertification process.
- Show progress towards achieving their permanent housing plan.

FEMA may provide Direct Temporary Housing Assistance for up to 18 months from the date of the declaration when adequate, alternate housing is unavailable and the occupants cannot fulfill their permanent housing plan through no fault of their own. FEMA re-evaluates occupants' eligibility on a periodic basis, usually monthly, and the Direct Temporary Housing Assistance eligibility for the entire period of assistance is subject to the occupant continuing to meet eligibility requirements.



FEMA

Fact Sheet

CORA BROWN FUND

CDFA#: 97.031

The purpose of the Cora Brown Fund is to provide disaster-related needs that were not met by government agencies or other organizations that have resources to address said needs. The Cora Brown Fund is a resource for survivors of a Presidentially declared disaster or emergency not attributable to war.

BACKGROUND ON CORA BROWN FUND

Cora C. Brown of Kansas City, Missouri died in 1977 leaving a portion of her estate to the United States Government to be used as a special fund solely for the relief of human suffering caused by natural disasters. FEMA uses these funds under the authority of Section 701(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, 42 U.S.C. 5121 et seq.

GENERAL CATEGORIES OF ASSISTANCE

Disaster-related home repair and rebuilding assistance: Families may receive assistance for permanent housing including site acquisition and development; relocation of their residence out of hazardous area; or assistance with costs associated with temporary housing or permanent re-housing (e.g., utility deposits, transportation, connection of utilities, etc.)

Disaster-related unmet needs: Money may be available for needs such as health and safety measures; evacuation costs; assistance as stated in the Stafford Act; hazard mitigation or floodplain management purposes; or assistance to self-employed persons (with no employees) to re-establish their businesses.

Other services: Assistance may be available for services that alleviate human suffering and promote the well-being of disaster survivors (e.g., services to the elderly, children, or handicapped persons) such as transportation, recreational programs, provision of special ramps, or home visiting services. The funds may be provided to individual disaster victims or to benefit a group of disaster victims.

For additional information please call the FEMA Disaster Helpline at 1-800-621-FEMA.
Hearing/speech impaired, please call TTY 1-800-462-7585.

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(ADD LETTERHEAD HERE)

I, Name: _____, born on _____ residing at _____

hereby consent to disclosure of the information collected by FEMA under my Application Number _____ to the organizations and/or individuals listed below. My phone number is _____.

Place of birth: _____

I specifically consent to have the following information disclosed to them:

☐ My entire case files, including inspection report, amount of assistance etc.

☐ My current contact information: _____

(Name, address, phone number, e-mail address,
and FEMA application number). _____

The above information may be disclosed to the following organizations and/or individuals.

1. _____

2. _____

☐ Additionally I consent to have the above named organizations and/or individuals speak on my behalf and represent me before FEMA.

☐ Additionally, I consent to disclosure of my information to any other organization that is a member in good standing of either the National Voluntary Organizations Active in Disasters (NVOAD) or that is participating in a FEMA or State recognized Long Term Recovery Committee (LTRC) for FEMA-DR-XXXX-XX

This consent is made pursuant to and consistent with 28 U.S.C. §1746. I declare, under penalty of perjury, that the foregoing is true and correct.

Sign and date: _____



FEMA Appeals Clinic

Volunteer Attorney – Computer Directions

COMPUTER:

You should be stationed at a computer which has been turned on and logged in. If the computer you are at is not logged in please sign in using the following username and password:

Username: intern1

Password: gr814ME

FORM LETTER:

If the FEMA Appeals form letter is not open on your screen, it can be found using the following directions:

Go to my Computer

Click on: SHARE (//SCLA-DC1/SHARE) (F:)

Then click on the "FEMA Appeals Clinic" Folder in the F Drive

Double Click " " to open form letter

SAVING FORM LETTER:

When you begin a new FEMA appeal letter for a clinic participant please save a copy of the form letter using the participant's name, so the form letter is available for others to use.

To do this with an open form letter:

Click "File"

Click "Save As"

Click "SHARE (//SCLA-DC1/SHARE) (F:)"

Click "FEMA Appeals Clinic" Folder,

Name the document as the clinic participant's last name comma first name,

EX: Smith, Robert

Then click "Save"

Once you have saved the document in the correct place using the new name, you can simply push "Ctrl" then "S" on your keyboard to save your work moving forward. Do not do this until you have saved the document using the clinic participants name or the form letter will not be available for others to use.



PRINT:

To print the form letter when you are finished:

Click "File"

Then click "Print"

Double check that the following printer is selected: "Kyocera TASKalfa 6551 ci KX on SCLA-DC1"

Then click "Print"

If the correct printer is not selected:

Click on "Printer"

Select the correct printer from the list: "Kyocera TASKalfa 6551 ci KX on SCLA-DC1"

Then click "Print"

COPYING:

You will need 3 full copies of the FEMA appeal letter and any attachments to be submitted.

One for Legal Aid to keep for their records,

One for the client to keep for their records,

One to fax or mail to the FEMA Appeals Center.

Support staff should be able to help you with copying, so please feel free to ask for help.

If you choose to copy on your own you can use the following instructions:

Push number 1 on the touch screen,

Then push enter,

Put the papers to be copied on the top tray,

Then push start.

If you need to copy a picture or something that cannot go in the tray:

Lift the top lid of the copier,

Place the item face down on the glass,

Close the lid,

Then push start.