

## FEMA

*This resource provides an overview of some legal issues individuals may face after a disaster. This material was drafted in 2024 and we cannot guarantee that all information is current. This resource will not answer all of your questions. It is designed to set out some of the issues you may have to consider, to help you understand the basics about each issue, and to point you in the right direction for help. Much of the information is general, and you may need to contact legal aid organizations or federal, state, city, or county officials to obtain more specific information and advice. This resource was prepared by various law firms, legal aid organizations, and other nonprofit organizations as a free resource. Although the authors hope that it will be helpful by providing background material, we cannot warrant that it is accurate or complete, particularly since circumstances may change. It is not intended to constitute legal advice and should not be relied on as legal advice. Readers should seek tailored advice from their own legal counsel. If you cannot afford to hire a lawyer, you can contact (888) 382-3406 for referral to a nonprofit legal aid organization.*

### OVERVIEW

#### What is FEMA?

The Federal Emergency Management Agency (FEMA) is a federal agency within the U.S. Department of Homeland Security that steps in to lead the federal government's response to a federally designated disaster in coordination with state and local authorities to provide assistance to affected individuals, households and businesses.

FEMA publishes up to date information on its website on declared disasters including disaster-specific recovery resources, reports and notices. For updated information, see <https://www.fema.gov/disaster/declarations>.

#### What does FEMA do?

FEMA is the starting point for obtaining federal financial assistance in the wake of a federally designated disaster. FEMA coordinates federal resources, including the Disaster Housing Assistance and Home Repair Assistance Programs, special loans from the Small Business Administration (SBA) and the Farm Service Agency, special grants from the Cora Brown Fund, and assistance from many other government-run organizations, including those under the umbrella of the Other Needs Assistance (ONA) Program.

FEMA sponsors crisis counseling, disaster legal services, income tax assistance for filing casualty losses, advisory assistance for veterans' benefits and Social Security matters, and Disaster Unemployment Assistance. After major disasters, state and federal authorities typically set up temporary centers to support survivors and businesses that have suffered disaster-related losses or damages. The most common types of these centers are as follows:

- **FEMA Disaster Recovery Centers (DRCs):** A FEMA DRC is a location where disaster survivors can go to obtain information about FEMA programs and other disaster assistance relief and to ask questions about their situation. For updated information on FEMA DRC locations, see <https://egateway.fema.gov/ESF6/DRCLocator>. You can also find the closest FEMA DRC by sending a text to 43362 with the letters DRC and your ZIP Code (standard message and data rates apply).
- **Local Assistance Centers (LACs):** LACs are typically staffed by representatives from the California State Employment Development Department and other local, state and federal agencies, as well as nonprofits and other volunteer organizations. Volunteers assist individuals in getting information about and applying for disaster assistance programs and services, including unemployment benefits and payroll tax extensions for employers. In addition, legal hotlines may be set up after the occurrence of a disaster, such as one established by the Disaster Legal Assistance Collaborative (888-382-3406). [Get Help – Disaster Legal](#)

#### What types of disaster assistance does FEMA help administer and coordinate?

The Individuals and Households Program (IHP) is a FEMA program providing a range of services to persons in a declared disaster area. The IHP provides financial and other direct services to eligible individuals and households affected by a federally declared disaster who have uninsured or underinsured necessary expenses and serious needs. IHP assistance is intended to support a disaster survivor's basic needs as a supplementary resource for disaster recovery efforts and therefore is not a substitute for insurance and cannot compensate for all losses caused by a disaster. You can determine the amount of relief available by contacting the FEMA hotline at (800) 621-3362 / TTY (800) 462-7585. For further details on eligibility criteria and how to apply for IHP assistance, see <https://www.fema.gov/assistance/individual/program>.

There are several different types of IHP assistance, including various forms of housing assistance:

- **Rental Assistance:** Eligible applicants whose insurance does not cover temporary housing can receive money to rent a temporary place to live while repairs are being made to a primary residence made uninhabitable by a

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disaster, or while transitioning to permanent housing. Rental Assistance may be used to rent a house, apartment, manufactured home, or recreational vehicle.

- **Lodging Expense Reimbursement:** Eligible applicants can receive reimbursement for hotels, motels, or other short-term lodging while they are displaced from their primary residence.
- **Direct Housing Assistance:** When applicants are unable to use Rental Assistance because sufficient rental properties are unavailable, FEMA may directly provide housing services if requested by the affected state or locality. For more information regarding emergency housing assistance, see <https://www.disasterassistance.gov/information/immediate-needs/emergency-shelter>. You can also find the emergency shelter closest to you by texting SHELTER and your ZIP Code to 43362 (standard message and data rates apply).
- **Home Repair:** Eligible homeowner applicants can receive money to help repair damage to their primary residence caused by the disaster if such damages are not covered by insurance, with the goal of making the damaged home safe, sanitary, and functional.
- **Home Replacement:** Eligible homeowner applicants can receive money to help with the cost of replacing their primary residence destroyed in the disaster if the primary residence is not otherwise covered by insurance.
- **Other Needs Assistance (ONA):** Eligible applicants can receive money to cover necessary expenses for basic needs that cannot be met through other forms of disaster assistance. This assistance may cover the cost of replacing or repairing personal property including vehicles, clothing, essential household items, educational materials, clean-up items, fuel for heating, child care, moving and storage expenses, medical costs, dental costs, funeral costs and other necessary expenses as determined by FEMA.
- **Cora Brown Fund:** This fund provides financial support (covering costs and expenses) for disaster victims who have exhausted all other avenues of assistance but still have unmet needs.

### Do I have to repay FEMA for any disaster assistance?

IHP grants (including assistance from the ONA Program and the Cora Brown Fund) do not need to be repaid, but SBA loans must be repaid.

### What is the State Supplemental Grant Program (SSGP)?

The SSGP is a state program administered by California's Health and Human Services Agency under the Department of Social Services that, like IHP, provides financial assistance to individuals affected by a declared disaster. To be eligible for an SSGP grant, you must have applied for and received the maximum IHP grant, completed a disaster loan application with the SBA, made claims for disaster damages against all applicable insurance policies, and accepted any available financial assistance offered from other sources, such as private and public organizations (e.g., the American Red Cross). SSGP is a supplemental program of last resort, and no separate application is required for SSGP eligibility. SSGP grants, typically ranging from \$200 to \$2,000, are awarded only for acute needs and necessary expenses directly caused by the disaster. SSGP funds must be spent on the items for which the money is awarded, such as rental assistance and medical, dental, and other specified expenses. SSGP funds may not be spent on items, such as business losses, property improvements, landscaping, recreational property, debts, luxury items, cosmetic damages, pets, replacing cash, or food. For additional information on the SSGP program, please see <http://www.cdss.ca.gov/cdssweb/entres/forms/English/SSGP45.pdf>.

## ELIGIBILITY & APPLICATION QUESTIONS

### Am I eligible for assistance from FEMA?

If you experienced a loss as a result of a federally declared disaster, you may be eligible for assistance from FEMA. **You should register with FEMA as quickly as possible.** The various programs coordinated by FEMA have different eligibility criteria and you can usually receive assistance under only one program at a time. After you register, FEMA will determine your eligibility for the various programs.

To be eligible for Housing Assistance, all of the following must be true:

- You have experienced losses as a result of a federally declared disaster;
- You have filed for insurance benefits (if you have applicable insurance), and the damage to your property is not covered by your insurance or your insurance settlement may be insufficient to meet your losses;
  - You may not need to wait to hear from your insurance company before filing for FEMA assistance, but FEMA will only cover certain costs that insurance does not, meaning you may end up needing to pay FEMA back certain payments from your insurance. For more specific information, please visit <https://www.fema.gov/assistance/individual/after-applying> or call the FEMA hotline at (800) 621-FEMA/ (800) 621-3362 (TTY (800) 462-7585).

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- You are a citizen of the United States, a non-citizen national, or a “qualified alien” OR you are the parent or guardian of a minor child who resides with you and that minor child is a citizen of the United States, a non-citizen national, or a “qualified alien” (people with lawful permanent resident status with a Permanent Resident Card, referred to as a Green Card, refugee or asylum status, as well as certain other immigrants);
  - If the applicant does not meet this criteria, but there is another adult member of the household who does meet this criteria, that person can certify their citizenship status during the registration process or sign a Declaration and Release form.
    - The California Department of Social Services has created the “Disaster Assistance Guide for Immigrant Californians” to provide basic information to individuals trying to determine their eligibility for assistance, which is available in English at <https://www.cdss.ca.gov/Portals/13/DisasterAssistanceGuideforImmigrantCaliforniansFinal.pdf?ver=2017-10-24-121156427> and in Spanish at <https://www.cdss.ca.gov/Portals/13/DisasterAssistanceGuideforImmigrantCaliforniansSpanishFinal.pdf?ver=2018-11-15160401-747>.
    - All individuals affected by the disasters, regardless of their immigration status, may qualify for certain short-term non-monetary emergency assistance from FEMA when necessary to prevent injury or death, including evacuation, emergency medical care, emergency shelter, search and rescue, and emergency food, water and medicine.
- The home in the disaster area is where you usually live and where you were living at the time of the disaster;
- You are not able to live in your home now because of the disaster, you cannot get to your home due to the disaster, or your home requires repairs because of damage from the disaster; and
- You do not have other adequate, rent-free housing you can use (for example, a vacation home, unused rental property, or other adequate forms of disaster assistance).

To be eligible for Other Needs Assistance, all of the following must be true:

- You have experienced losses as a result of a federally declared disaster;
- You have no insurance, or you have filed for insurance benefits and the damage to your property may not be covered by your insurance or your insurance settlement may be insufficient to meet your losses;
- You are a citizen of the United States, a non-citizen national, or a “qualified alien” OR you are the parent or guardian of a minor child who resides with you and who is a citizen of the United States, a non-citizen national, or a “qualified alien” (as described above);
  - If the applicant does not meet this criteria but there is another adult member of the household who does meet this criteria, that person can certify their citizenship status during the registration process or sign a Declaration and Release form.
- You have necessary expenses or serious needs because of the disaster; and
- You have accepted assistance from all other sources for which you are eligible, such as insurance proceeds or SBA disaster loans.

### **To receive federal money under the IHP, do I first need to file a claim under any insurance policy I may have?**

Yes. To receive federal money or help with housing needs when you have insurance, you must have filed for insurance benefits, and the full cost of the damage to your property must not be covered by insurance. To obtain assistance, you must provide FEMA with a copy of your insurance company’s decision letter, but if a decision on your insurance settlement has been delayed longer than 30 days from the time you filed the claim, you may be eligible for an insurance advancement from FEMA. (These funds are considered a loan and must be repaid to FEMA once you receive your settlement from your insurance company.)

### **How do I register with FEMA?**

The easiest way to register with FEMA is to call (800) 621-FEMA / (800) 621-3362 (TTY (800) 462-7585). The toll-free telephone numbers are available from 7:00 a.m. – 11:00 p.m. ET, every day until further notice. Be prepared to give the FEMA representative the following information:

- Your Social Security number (SSN) or the SSN of a minor child in the household who is a citizen of the United States, a non-citizen national, or a “qualified alien” over whom you are a parent or guardian;
- Current and pre-disaster address;
- A telephone number where you can be contacted;
- Insurance information (coverage, insurance company name);
- Total household annual income;
- A routing and account number from your bank (if you want to have disaster assistance funds transferred directly into your bank account, you may be able to find your bank routing number online at <https://routingnumber.aba.com/default1.aspx>); and

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- A description of your losses that were caused by the disaster.

If you have an email address, you may use that to review your registration status online. If you do not provide an email address, you can call FEMA for updates.

You can also register online at [www.disasterassistance.gov](http://www.disasterassistance.gov) (English) / [www.disasterassistance.gov/es](http://www.disasterassistance.gov/es) (Spanish) or (if they are made available) in-person at one of the local assistance centers or disaster recovery centers. For information on these centers, see <https://www.fema.gov/disaster-recovery-centers>. Information about local assistance centers as well as general updates from California's Office of Emergency Services can be found at <http://www.oesnews.com/category/press-releases/>.

You can also register by downloading the FEMA Mobile App on your smartphone or tablet and using the app to register. Search the Google Play or Apple App Store for "FEMA Mobile App." This app has other resources, including real-time alerts and notifications.

### How will FEMA process my request for help?

At the time of registration, you will be given a **FEMA Application Number**. This number is very important, so you must keep it handy. It is also a good idea to keep the name of the FEMA representative who registered you in case any problem with your paperwork arises. **Once you receive an application number, you then must apply for assistance**, which can be done online, by calling FEMA, or on the FEMA app.

A complete "Application Checklist" is available at <https://www.disasterassistance.gov/get-assistance/application-checklist>.

You will use your FEMA application number to create an account to check the status of your application, view messages from FEMA, update personal information and upload important documents. If you are unable to upload your documents, mail copies to FEMA at P.O. Box 10055, Hyattsville, MD 20782-8055 or fax them to (800) 827-8112.

FEMA may refer you to the SBA, which offers special loans to disaster victims. (Note that some SBA disaster loan programs are **not** limited to small businesses or business owners.) If you are referred to the SBA, you must complete and send in your SBA loan application even if you think you may not qualify for a loan. The SBA serves as a gatekeeper to other government-run programs, so this is an important step. Unless you send in your SBA application and the SBA determines that you do not qualify for an SBA loan (or a loan large enough to meet your needs), FEMA will not pass your application on to the ONA Programs, and you may not be eligible for additional assistance from other programs. You may contact the Small Business Administration outreach center at (916) 735-1500, Monday – Friday, 9:00 a.m. – 6:00 p.m. You can also email them at [FOCWAssistance@sba.gov](mailto:FOCWAssistance@sba.gov).

Survivors with minimal damage to their property who report during the application process that they can live in their homes will not automatically be scheduled for a home inspection when applying to FEMA, but they still may request an inspection.

The FEMA inspection is free. Do not let anyone charge you for an "inspection service." Ask the inspector for appropriate identification and ask for and obtain a copy of his or her inspection report. If you cannot be present, you may designate someone (over the age of 18) to meet the inspector on your behalf. (If you or your representative is not available for the inspection, your application may be withdrawn.)

To the extent possible, be prepared to provide the inspector with several pieces of information:

- Valid photo identification;
- Proof of home ownership or primary residence in the damaged home;
- Proof of damage to your primary residence;
- Insurance documents for your home and/or auto;
- List of household occupants living in the home at the time of the disaster;
- Receipts for expenses you have incurred because of the disaster; and
- Photos of your property before and after the disaster.

Proof of home ownership can include the following documents:

- **Deed or official record**, which may be the original deed or deed of trust to the property listing you as the legal owner;
- **Tax receipts or a property tax bill** showing the damaged dwelling and listing you as the responsible party for the assessments;
- **Mortgage payment book or other mortgage documents** (e.g., late payment notice or foreclosure notice) where your name is listed along with the damaged dwelling address; or
- **Real property insurance** for the damaged primary residence, with your name or the name of a person living with you at the residence listed as the insured (you may be able to obtain copies from your insurance agent).

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Ownership documentation can be researched by the inspector or applicant on public websites (such as a county property tax website) and/or with your mortgage lender or property insurance company.

Proof of tenancy can include the following documents:

- **Current driver's license** showing the address of the damaged dwelling;
- **Utility bill** sent to the address of the damaged dwelling in the applicant's name (or the name of a co-applicant) (you may be able to obtain copies from the water, electric or gas company); or
- **First-class government mail** sent to you within the last three months at that address.

The FEMA inspector will complete a report and transmit it to FEMA's National Processing Servicing Center (NPSC). The NPSC will review the information and decide whether you qualify for assistance. In the interim, the NPSC may ask you for additional records, such as insurance papers, a copy of title, pay stubs, or repair estimates. FEMA will mail you a notice of its decision or may send it by email if you registered using an email address.

### **Are there application deadlines I should know about?**

Yes. Information on registration deadlines for federal disaster assistance can be found on the FEMA website. For disaster-specific information, see <https://www.fema.gov/disaster/declarations>.

For information about Disaster Unemployment Assistance, a federal program administered in coordination with the California Employment Development Department that provides temporary unemployment assistance to workers who become unemployed as a direct result of a federally declared disaster and who do not qualify for regular state-provided unemployment benefits, see [https://edd.ca.gov/en/unemployment/Disaster\\_Unemployment\\_Assistance/](https://edd.ca.gov/en/unemployment/Disaster_Unemployment_Assistance/).

### **Can FEMA extend the registration deadline?**

Yes. FEMA is authorized to accept late registrations for up to an additional 60 days after the standard registration deadline, but you should not assume this will be done. FEMA rules require an applicant to provide suitable documentation of the reasons for the delay. If you do not register with FEMA by the deadline, you may not be able to obtain any assistance from FEMA.

### **How long does it take to get help from FEMA?**

If you have damage to your home or its contents and you are uninsured, or you have suffered damage that is not covered by insurance, a FEMA inspector should contact you to set up an appointment to assess your damage.

Typically, within about 10 days after the inspection, if FEMA determines that you qualify for immediate help, you will receive a direct deposit to your bank account or a check in the mail. If FEMA denies your application, you will receive a letter or email explaining why you were turned down and will be given a chance to appeal the decision. If you were referred to the SBA, you will receive an SBA application, which you must complete and return to be considered for an SBA loan and for other types of assistance. If the SBA approves your application, it will contact you. If the SBA determines that you cannot afford a loan, it will automatically refer you to FEMA's IHP for help, and FEMA will contact you.

### **If FEMA denies assistance, how long do I have to appeal that decision?**

Appeals from FEMA's decisions regarding the Rental Assistance and Home Repair Assistance Programs must be made within 60 days of the date on FEMA's notice of decision.

### **If I have questions about my application or need to change some of the information provided, what should I do?**

Call the FEMA Disaster Helpline at (800) 621-FEMA / (800) 621-3362 (TTY (800) 462-7585) or visit [www.disasterassistance.gov](http://www.disasterassistance.gov) if you registered with FEMA with an email address.

### **What should I do if I have not heard from FEMA more than 12 days after the FEMA inspector's visit?**

Call the FEMA Disaster Helpline at (800) 621-FEMA / (800) 621-3362 (TTY (800) 462-7585) to ask about your application. You may also inquire at a Disaster Recovery Center about your application.

### **Where can I find more information about FEMA's programs for disaster victims?**

If you have questions about FEMA's programs for disaster victims, you may contact FEMA at (800) 621-FEMA / (800) 621-3362 (TTY (800) 462-7585). If you have internet access, you can review FEMA's website at [www.fema.gov](http://www.fema.gov) and <https://www.fema.gov/disaster> for disaster-specific information. The California Governor's Office of Emergency Services' also has helpful information on disaster-related resources on its website at <https://www.caloes.ca.gov/>.

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### STATE SUPPLEMENTAL GRANT PROGRAM INFORMATION

#### **What is the amount of an SSGP grant? Do I have to repay any grant I may receive?**

The maximum SSGP grant is \$10,000, but the average grant is between \$200 and \$2,000. Because it is a grant, and not a loan, you will not have to repay any SSGP grant you may receive. As mentioned above, SSGP is a state program that provides last resort financial assistance to victims of a declared disaster.

#### **Am I eligible for an SSGP grant?**

Because SSGP is a program of last resort, to be eligible for SSGP assistance you must have:

- Applied for and received the maximum IHP grants from FEMA;
- Completed a disaster loan application with the SBA;
- Made claims for disaster damages against all applicable insurance policies; and
- Accepted any available financial assistance offered from other sources such as private and public organizations (e.g., the American Red Cross).

Additional information about SSGP grants can be found on the following website:

<http://www.cdss.ca.gov/cdssweb/entres/forms/English/SSGP45.pdf>.

#### **How do I apply for an SSGP grant?**

There is no separate application process for SSGP grants. FEMA will transmit your application to SSGP once you have used the maximum amount available under IHP. If you have any questions, you should call the California Department of Social Services at (800) 759-6807 / TTY (800) 952-8349