



SEMINOLE COUNTY BAR ASSOCIATION LEGAL AID SOCIETY

Hurricane Irma

FEMA

You have 60 days from date of declaration to register for FEMA funds.

- Counties Designated for Individual Assistance on **September 13, 2017**: Brevard, Citrus, Hernando, Lake, Marion, Orange, Osceola, Seminole, Sumter & Volusia
 - DEADLINE TO APPLY: **NOVEMBER 12, 2017**
- Counties Designated for Individual Assistance on **September 11, 2017**: Flagler & Putnam
 - DEADLINE TO APPLY: **NOVEMBER 10, 2017**

To access FEMA assistance:

1. Fill out an application online at disasterassistance.gov
2. Call 1-800-621-FEMA (3362). Those with speech disabilities or hearing loss who use TTY should call 1-800-462-7585 or for 711 or video relay service call 1-800-621-3362.
 1. These numbers operate from 7am-9pm local time seven days a week.
3. Visit a Disaster Response Center: to locate the nearest DRC, visit: <https://asd.fema.gov/inter/locator/home.htm>
4. Visit this page to view FEMA intake video: <https://www.fema.gov/media-library/assets/videos/113839>

What you need to apply:

- Social Security number
- Address of the location where the damage occurred (pre-disaster address)
- Current mailing address
- Current telephone number
- Insurance information
- Total household annual income
- Routing and account number for your checking or savings account (this allows FEMA to directly transfer disaster assistance funds into your bank account).
- A description of your disaster-caused damage and losses

What can FEMA assistance do for individuals?

1. Rental payments for temporary housing for those whose homes are unlivable. Initial assistance may be provided for up to three months for homeowners and at least one

month for renters. Assistance may be extended if requested after the initial period based on a review of individual applicant requirements.

2. Grants for home repairs and replacement of essential household items not covered by insurance to make damaged dwellings safe, sanitary and functional.
3. Grants to replace personal property and help meet medical, dental, funeral, transportation and other serious disaster-related needs not covered by insurance or other federal, municipality and charitable aid programs.
4. Unemployment payments up to 26 weeks for workers who temporarily lost jobs because of the disaster and who do not qualify for state benefits, such as self-employed individuals.
5. Low-interest loans to cover residential losses not fully compensated by insurance. Loans available up to \$200,000 for primary residence; \$40,000 for personal property, including renter losses. Loans available up to \$2 million for business property losses not fully compensated by insurance.
6. Loans up to \$2 million for small businesses, small agricultural cooperatives and most private, non-profit organizations of all sizes that have suffered disaster-related cash flow problems and need funds for working capital to recover from the disaster's adverse economic impact. This loan in combination with a property loss loan cannot exceed a total of \$2 million.
7. Loans up to \$500,000 for farmers, ranchers and aquaculture operators to cover production and property losses, excluding primary residence.
8. Other relief programs: Crisis counseling for those traumatized by the disaster; income tax assistance for filing casualty losses; advisory assistance for legal, veterans' benefits and social security matters.

Designated Counties (Individual Assistance):

Alachua, Baker, Bradford, Brevard, Broward, Charlotte, Citrus, Clay, Collier, Columbia, DeSoto, Dixie, Duval, Flagler, Gilchrist, Glades, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Lafayette, Lake, Lee, Levy, Manatee, Marion, Martin, Miami-Dade, Monroe, Nassau, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, Sarasota, Seminole, St. Johns, St. Lucie, Sumter, Suwannee, Union, Volusia

Recovery Information and Resources

From The Florida Bar: A legal aid hotline is **now available** for Hurricane Irma survivors in Florida who cannot pay for an attorney: **1-866-550-2929**. The hotline operates through a partnership between The Florida Bar Young Lawyers Division, the American Bar Association (ABA) Young Lawyers Division, and the Federal Emergency Management Agency (FEMA).

The Florida Emergency Information Line has been activated and is available 24/7 for families and visitors at **1-800-342-3557**.

Additionally, the American Red Cross Northeast and Central Florida Regions have several offices throughout the area that may be able to assist:

Florida's Space Coast Chapter

(Brevard, Flagler, Volusia Counties)
321-890-1002

Greater Orlando Chapter

(Orange, Osceola, Seminole Counties)
407-894-4141

Mid-Florida Chapter

(Citrus, Hernando, Lake, Pasco, Polk, Sumter Counties)
863-295-5941

Northeast Chapter

(Palatka, Marion Counties)
904-358-8091

Critical Needs Assistance

FEMA says that it is approving one-time \$500 payments per household to Irma survivors who have immediate/critical needs because they are displaced from their primary dwelling due to the hurricane. FEMA defines immediate or critical needs as life-saving and life-sustaining items and may include water, food, first aid, prescriptions, infant formula, diapers, durable medical equipment, and fuel for transportation. Go to <https://www.fema.gov/news-release/2017/08/29/critical-needs-assistance>

Operation Blue Roof provides no-cost temporary repairs for roofs damaged by Hurricane Irma. The U.S. Army Corps of Engineers contractors will install the temporary roof covering at no cost. To get assistance, you must sign a "Right of Entry" (ROE) form to allow Corps staff and contractors to access your private property and assess roof damage. Complete an ROE form at a site near you. Call 888-ROOF-BLU (888-766-3258) for more information.

Other assistance options

Tax assistance

- The IRS has extended filing deadlines for those in disaster areas, generally giving them until January of next year to file and pay tax installments. If you get a late payment notice in the meantime, you can call the number on the notice to have the penalty waived.
- Taxpayers may also write off casualty losses that exceed 10 percent of their adjusted gross income. Importantly, these losses can be deducted from the return filed for the year prior to the disaster. So, if you had major losses from Hurricane Harvey or Irma, you could file an amended return and get a refund of 2016 taxes paid.

Access to 401(k) savings

- If you have money in a workplace retirement plan, you may be able to borrow some of that cash through a hardship loan. The IRS announced recently that it would reduce the

“red tape” on corporations providing hardship loans to employees affected by the disasters.

- However, if you fail to repay the loan, the withdrawn amount will be considered a “distribution” and will be subject to both income taxes and potential tax penalties.

Food

Feeding Kitchens are mobile and field kitchens manned by non-profits to provide food and water in Florida.

Points of Distribution (POD) are locations where the public may go to pick up emergency supplies such as shelf-stable meals and water.

Food and Nutrition Service Allows for Purchase of Hot Foods until September 30, 2017

- Retail stores that are licensed by Food and Nutrition Service may allow customer to purchase hot foods and foods intended to be consumed on retailer property with food stamps.
- Special Rule in effect until September 30, 2017.
- These foods will not be subject to sales tax
- Retailers encouraged to post notice of this in stores

SNAP Replacement Benefits, for existing food stamp recipients only:

- Replacement Issuance program for households that lose food due to disaster or misfortune
- Must be reported within 10 days of the disaster/event (Food and Nutrition Service (FSN) has allowed until Sept. 29th for individual affidavits)
- Household must complete form and submit to DCF:
- www.dcf.state.fl/programs/DCFForms/Search/OpenDCFForm.aspx?FormId=597
- www.dcf.state.fl.us/programs/access/map.shtml for where to send

Mass Replacement of Food Stamps

- DCF Announced automatic replacement for all households in the effected counties- covers 40% of the food lost
- Households that have received replacement benefits will be excluded- a household may receive mass replacement and then request to have the difference replaced via individual application
- DCF reports that benefits could be available on EBT cards as early as Sept. 22nd

DSNAP or Food for Florida

- Food for Florida is the name of Florida’s Disaster Supplemental Nutrition Assistance Program (D-SNAP)

- Food for Florida provides benefits to applicants who are not currently receiving food benefits through regular SNAP. There are several income and asset requirements and the applicants must have been living in the declared disaster area at the time of the disaster.
- **NOTE: The first round for DSNAP includes – Lake, Sumter & Citrus counties. The remaining counties will be opening in the near future**
 - <https://www.dcf.state.fl.us/programs/access/fff/siteLocations.shtml>
 - **Applications have specific dates, based on first letter of last name and 1 make-up day. Dates start week Sept. 25.**
- The household must have experienced at least one of the following adverse effects to be eligible:
 - Damage to or destruction of the household's home or self-employment business.
 - Disaster-related expenses not expected to be reimbursed during the disaster period (such as food loss, home or business repairs, temporary shelter expenses, evacuation expenses, home/business protection, disaster-related personal injury including funeral expenses).
 - Lost or inaccessible income, including reduction or termination of income, or a delay in receipt of income during the benefit period.

Public Assistance Extension on Certification

- **DCF is extending the September certification expiration period for one month** for all assistance programs (i.e., SNAP, Medicaid, Temporary Cash Assistance, Relative-Caregiver, and Non-Relative Caregiver).
- DCF is allowing households to file certification until October 31, 2017
- Any household that has a Sept 30th certification period will be automatically extended

Disaster Food Packages

- Offered in select counties. Short term program while DSNAP implemented
- Currently, no county in our service area approved but counties may be added in coming days
- Made available through the Disaster Household Distribution (DHD) program administered by the Florida Department of Agriculture and Consumer Services (FDACS) in collaboration with Feeding Florida and Farm Share and the U.S. Department of Agriculture.
- No application process- find distribution sites:
<http://www.freshfromflorida.com/Divisions-Offices/Food-Nutrition-and-Wellness/HurricaneFoodPackages>

Free School Meals

- All students in affected disaster areas in Florida can get free school meals under USDA's National School Lunch Program through Oct. 20
- <https://www.usda.gov/media/press-releases/2017/09/16/usda-assists-florida-children-affected-irma>
- <https://www.fns.usda.gov/disaster/florida-disaster-nutrition-assistance>

Unemployment

Disaster Unemployment Assistance (DUA)

- Also known as Disaster Relief and Emergency Assistance
- Federal Program that provides temporary financial assistance to individuals unemployed as a result of a “major disaster”
- Major Disaster declared September 11th for Putnam and Flagler, September 13th for all other service area counties
- On September 13th, Florida Department of Economic Opportunity posted availability of DUA benefits. Applications due by **October 13, 2017**

Eligibility for DUA

1. The individual must be out of work as a “direct result” of a major disaster; and
2. The individual does not qualify for regular unemployment compensation (Reemployment Assistance) benefits.

**Once approved, individual must actively look for work and accept suitable job offer. Individual must also continue to show that for every week out of work, her unemployment is result of the disaster.

Unemployed as a result of disaster?

- Self-employed persons who have lost business or business has suffered;
- Worker whose place of employment damaged by disaster;
- Worker who cannot reach her place of employment due to disaster;
- Workers who are unemployed due to injury resulting from disaster;
- *NOTE:* Worker outside the disaster area may be eligible only if the employer received majority of income from an entity that was damaged/destroyed by disaster

Information Required to Apply

- Proof of employment and earnings (may be submitted up to 21 days after application filed);
- Social Security Number;
- May provide a sworn statement if information about work and earnings not available
- Interim payments can be made while information is gathered/submitted but overpayment can be issued if necessary info not provided

How to Apply?

- Florida applicants: <http://www.floridajobs.org/job-seekers-community-services>
- Pursuant to Rule 73B-11.013 in a declared disaster, a Reemployment Assistance Claim may be filed by calling the Department of Economic Opportunity toll-free at [1\(800\)204-2418](tel:18002042418) or by mailing in a hard copy.

Miscellaneous Info

- Florida Benefits: Range from 120/week to maximum of 275/week
- Applications will be processed within 30 days of application (per DEO)
- Maximum duration of benefits is 26 weeks
- Benefits cannot extend beyond official end of disaster (6 months from date disaster declared- unless extension by Congress). Benefits cannot extend beyond period when the individual's unemployment is directly related to the disaster
- Claimant may appeal a determination within 60 days

Resources

- More info on labor protections during disasters, see Dept. of Labor's Severe Storm and Flood Recovery Assistance page: www.dol.gov/general/stormrecovery
- Information on availability of disaster assistance for non-citizens and mixed-status families is available on FEMA's website (<https://www.fema.gov/newsrelease/2015/06/29/frequently-asked-questions-disaster-assistance-noncitizens>)
- Information on eligibility of disaster assistance for families with members who are not U.S. citizens is also available from the National Immigration Law Center https://www.nilc.org/wpcontent/uploads/2015/11/disasterassist_immeligibility_2007-062.pdf

HOUSING

Landlord Tenant Possible Issues

- Moving or transferring vouchers if housing becomes inhabitable – Disaster Recovery Options for Federally-Assisted Tenants handout
- Evicted by LL who may look to increase rents in areas where there is a housing shortage, post-disaster
- Increase in evictions due to tenants using their rent monies to pay for evacuation, storm supplies, lodging, etc. (FEMA and Red Cross – financial assistance)
- Vacating unit without notifying their LL – now they cannot return because LL believed the unit to be abandoned.
- Coerced into paying rents for housing that is no longer habitable
- Withholding rents improperly, waiting for LL to make repairs and the consequences that follow.
- Property was damaged and now tenants cannot gain access to remove belongings

Federal Housing Administration (FHA) Mortgage

Borrowers who are current, but due to storm damage or income loss, may fall behind:

- CALL your lender – discuss options that may be available
 - Special forbearance could be offered for up to 18 months
- FHA lenders may waive late fees for those borrowers who become delinquent on loans as a result of disaster
- During the 90-day moratorium – loans may not be referred to foreclosure if you were affected by a disaster
 - Lender will evaluate for loss mitigation options
 - Review for forbearance or a partial claim

For those borrowers already in the foreclosure process:

- Borrowers may be eligible for FHA disaster relief, if they are in one of the three groups below:
 - Live within the geographic boundaries of a Presidentially declared disaster area
 - If borrower or household member is deceased, missing or injured directly due to the disaster
 - The financial ability to pay the mortgage debt was directly or substantially affected by the disaster

FHA 90-day Moratorium

- Only applies to borrowers who are delinquent – those who are current should continue to make their loan payments and if they are having trouble doing so, need to reach out to their servicer.
- FHA lenders will stop all foreclosure actions for those borrowers in the declared disaster area
- Borrowers must notify their lender to be sure they realize they have been affected
- 90 days from date of declaration

For additional information and guidance: HUD Regulations – 4330.1 REV-5 Chapter 14 – Federal National Disasters <https://portal.hud.gov/hudportal/documents/huddoc?id=43301c13HSGH.pdf>

Fannie Mae & Freddie Mac

- To find out if loan is owned by;
- Fannie: <https://www.knowyouroptions.com/loanlookup>
- Freddie: <https://ww3.freddiemac.com/loanlookup/>
 - Borrowers name, address, and last 4 of SSN is needed
- What help is available:
- May be eligible for up to 12 months forbearance – MUST call servicer to discuss options.
- **Fannie & Freddie** – Servicers must suspend any foreclosure sale for all homeowners with a property impacted by either Hurricane Harvey or Hurricane Irma as of the date the disaster occurred and until December 31, 2017.
 - <http://www.fanniemae.com/resources/file/aboutus/pdf/hurricane-relief-faqs-sf-business-partners.pdf>

- <http://www.freddiemac.com/singlefamily/guide/bulletins/pdf/bl11719.pdf>

Homeowners Insurance

- Encourage homeowners to call their insurance company to notify them of any damage and to file a claim.
- Florida legislature has created a statute prohibiting an insurance carrier from applying a policy hurricane deductible more than once during a calendar year for personal lines residential claims. It is particularly important for policyholders to be aware of this protection during active hurricane seasons. According to predictions, this will be one.

Homeowners Insurance – After filing your claim

- Keep your claim number for reference
- Make only temporary repairs – keep all receipts
- Once the claim has been submitted an adjusting company/agent will be assigned
- Once the damage has been assessed, the adjuster will then send the damage report to a claim examiner, who will contact you with an estimate to repair. (see hiring a contractor guide)
- Be cautious of fraudulent contactors who are going door-to-door.
- Do not sign any paperwork, you do not fully understand

Homeowners Insurance – Hiring a Contractor Guide

- Checking that the license exists and is in good standing
 - Ask for a state license number for each contractor, prior to hiring. Once you have the number, you can verify that it is a real license number associated with the contractor's name and is in good standing with the State of Florida.
- Visit the State of Florida Division of Professional Regulation website at <http://www.myfloridalicense.com/dbpr/> Click on “Verify a License” link in the top menu. Here you will see the current status of the license and when it expires. You can also view any complaints by clicking “View License Complaint” at the bottom of the screen.

Renters Insurance

- Trouble making claims
- Long wait times for adjusters
- Denial of claims that should be covered
- Appeal process
- Encourage renters to read/review their policies.

For BOTH Homeowners and Renters – you do not have to wait to take immediate action to make home habitable, just be sure to document the damage, prior to making the repairs. To be safe, call your insurance company as soon as possible to notify them of the damage and ask for instructions on how to document and what will be required.

Consumer Issues

- A great tool to share from the CFPB – <https://www.consumerfinance.gov/about-us/blog/financial-toolkit-for-victims-of-hurricane-harvey-and-hurricane-irma/>
 - Tips on who to contact, what to ask for and how to keep records
 - Borrowers can request assistance if their income has been interrupted or if they have had increased expenses, due to the storm. Encourage them to CALL – they cannot make assumptions that their creditors will provide these services/programs.
 - How to choose a contractor and how to avoid fraud and scams
 - Paying up front
 - Contractors selling repairs door-to-door
 - No uniforms or identification
 - Make sure they are licensed AND insured
- http://www.freddiemac.com/blog/homeownership/20170914_avoiding_repair_scams_after_disaster.html
- Unable to pay creditors (auto, loans, credit cards) due to loss of income or increased expenses.
- Scams/fraud for repairs and clean-up
- Encourage clients to reach out to all creditors, notifying them that they will have trouble making payments due to the disaster –
 - Possible forbearance offers
 - Waive late fees
 - Ask them not to report late payments for up to 90 days while client works on recovery – no guarantee, but ask.

Other Issues

- Seniors:
 - Vulnerable to scams and fraud during clean up
 - May need personalized help in completing applications and determining what assistance they may be eligible for
 - Rights and protections for those residing in ALF
 - If unit is uninhabitable –
 - Where can they go?
 - Must they continue to pay while living elsewhere
- Increase in Domestic Violence
- Missed child support payments – unable to make rent or other obligations because of this
- Veterans who were called to duty may need additional assistance –
[MakeTheConnection.net](http://www.maketheconnection.net), which supports service members, Veterans, and their loved ones through hundreds of [videos](#) featuring Veterans talking about their personal experiences with mental health treatment and recovery.