Helping Survivors after a Disaster

Presented by:
Kate Meiss, Attorney
Neighborhood Legal Services of Los Angeles County
• Emergency Response
• FEMA, SBA & Other Help
• Role of Pro Bono
Red Cross
Insurance proceeds
FEMA benefits
SBA loans
Disaster Unemployment

- Welfare Emergency Cash
- Disaster Food Stamps
## “Waves” of Legal Issues

<table>
<thead>
<tr>
<th>1-6 Weeks</th>
<th>1-6 Months</th>
<th>6 Months-Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immediate Needs</td>
<td>Appeal FEMA denials</td>
<td>Foreclosures &amp; Bankruptcies</td>
</tr>
<tr>
<td>Applications for aid</td>
<td>Probate, Title, PoAs, Guardianships</td>
<td>Defend FEMA Recoupments</td>
</tr>
<tr>
<td>Insurance claims</td>
<td>Insurance disputes</td>
<td>Tax relief (disasters)</td>
</tr>
<tr>
<td>Landlord Tenant/Mortgage Qs</td>
<td>LLT issues</td>
<td>LLT issues-mold, inadequate repairs</td>
</tr>
<tr>
<td></td>
<td>Continued rental assistance</td>
<td></td>
</tr>
</tbody>
</table>
Emergency Response
Immediate Help - Red Cross

Individuals who are undocumented can get emergency help.

- Shelter, food, clothing
- Medical supplies
- Help Centers
- Presidential Declaration
  - DRCs
  - Federal Aid
Pro Bono Role - Emergency period

- Staff the DRC, Hotlines
- Assist with Applications
- Identify Legal issues
Survivors-Trauma Informed Interviewing

- Survivors may be “numb”
- Memory is impacted, non-linear
- Listen, even if that is “all” you can do
- Be Patient, Kind, Supportive
FEMA Process & Other Help
FEMA Benefits

- Lodging, Rent & Direct Housing (IHP)
- Counseling
- Public Assistance
- Other Needs Assistance (ONA)
- Disabled Access items (ONA but no limit)

Only for Citizens, LPRs, Qualified Aliens
Applying for FEMA

Deadline - Sixty days after Declaration
WHAT to EXPECT after YOU APPLY for FEMA AID

A CALL FROM A FEMA INSPECTOR

A DECISION LETTER

A BRIEF INSPECTOR’S VISIT
Letter-10 days later approved, denied or sent SBA Application

Approved-keep receipts, document

Denied-Appeal
CalWORKs (welfare)

Medi-Cal & Medicare special rules

Disaster Food Stamps

Unemployment

Disaster Unemployment

Trainings at: PBTraining.org
FEMA IHP:
Housing & ONA
Individual & Household Program (IHP) Eligibility

Lived in the disaster area
Disaster related (serious) needs
No insurance or too little
Can prove identity
Can prove occupancy/homeownership
USC, LPR, “eligible alien”

No income or resource test
## Counseling & Funeral Expenses

<table>
<thead>
<tr>
<th>Crisis Counseling</th>
<th>Funeral Expenses (ONA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Outreach &amp; Education</td>
<td>Immediate family died in disaster</td>
</tr>
<tr>
<td>Individual &amp; Group</td>
<td>Internment &amp; reinternment</td>
</tr>
<tr>
<td>Crisis counselors: 800-985-5990 or Text “Talk with us” to 66746</td>
<td>Other expenses (Up to ONA limit=$34,900)</td>
</tr>
</tbody>
</table>
# IHP Housing Programs

## Renters
- **Rental assistance** (utilities, security deposit (1 month))
- **Direct housing**
- **Continued rental assistance** (up to 18 months at FMR)

## Homeowners
- **Rental assistance** (Up to 18 months at FMR)
- **Repairs to primary residence**
- **Replacement of residence** (Repair & replace limit: $34,900)
Replacing Belongings-ONA Eligibility

Eligible
- Serious need
- Necessary Expense
- Proof owned item

Not eligible
- Not an essential need
- Insurance covered it
- Failed to apply for SBA Loan, if required
Other Needs Assistance Program (ONA)

- Personal property
- Vehicle replacement
- Moving & storage
- Medical & dental
- Child care
- Access items for people with a disability (no limit)

Limit for all ONA items=$34,900
<table>
<thead>
<tr>
<th>SBA Loan Application Required</th>
<th>No SBA Loan Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal property replacement</td>
<td>Funeral (including reinternment)</td>
</tr>
<tr>
<td>Vehicle replacement</td>
<td>Medical, dental Disabled access items</td>
</tr>
<tr>
<td>Moving and Storage</td>
<td>Child care</td>
</tr>
<tr>
<td>Up to $40,000 for SBA loan</td>
<td></td>
</tr>
<tr>
<td>Requirements</td>
<td>Issues/Problems</td>
</tr>
<tr>
<td>------------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>Must apply to get some IHP help</td>
<td>Client lacks documentation</td>
</tr>
<tr>
<td>Ability to repay is a factor</td>
<td>Approved, but cant really afford it</td>
</tr>
<tr>
<td>Collateral needed if loan is &gt; $10,000</td>
<td>Delays</td>
</tr>
</tbody>
</table>
Pro Bono Attorney’s Role

- Intervenes with Agencies
- Litigation
- Research & Drafting
Question 1

Which of the following statements are true vis-a-vis pro bono lawyers helping after a disaster?

A. It usually is an incredibly rewarding experience

B. It does not have to be an enormous investment of time

C. You can travel or do it from your office

D. The need continues sometimes even years after the actual disaster

E. All of the above
WE NEED YOU

- Need continues long after event
- Role can be limited or extensive
- Can include client contact or not
- All kinds of expertise

- For Woolsey, call 818-492-5227
No Experience Needed

• No experience needed!
• Variety of Cases
• Time commitment is flexible
• Work at your desk
• Come to a Disaster Center
• Represent a client
• Become a Legal first responder
Roles for Pro Bono/Volunteers

- Disaster Relief Hotline
- Staffing DRC’s
- Legal Assistance and Representation
- Legal Clinics
- Community Outreach and Materials
- Research and drafting
Resources

Free training
Pbtraining.org
&
Practicing Law Institute

Disasterlegalaid.org
Helping handbook
(Morrison Foerster)

NLSLA Support:
Mentoring Case Support
Training
A tenant who lost their job & home might be able to get which of the following help?

A. Food, clothing, shelter, & other items from the Red Cross
B. Unemployment or disaster unemployment from the State
C. Rental payments or other direct housing assistance from FEMA
D. Disaster Food stamps, if low income
E. All of the above
“E” – All of the above is Correct.

A. Emergency help from the Red Cross is available even to individuals who are undocumented; the other help is not.

B. Unemployment is available and disaster unemployment covers individuals who can’t get regular unemployment. Keep in mind the deadline for disaster UI is usually 30-40 days after the disaster, so people need to apply on time.

C. Rental payments from FEMA are available if a person can prove they lived in the disaster area, were impacted, and need help with rent.

D. Disaster food stamps may become available to help low-income survivors.
FEMA expects survivors to utilize other resources such as insurance before paying to replace lost property.

A. True
B. False
The correct answer is “A”-True.

FEMA will pay if a person does not have insurance or their insurance does not pay enough to replace their lost clothing, household furnishings, and other personal belongings. But FEMA requires a person to first go to those resources and, for some items, to apply for an SBA loan.

For housing assistance, including home repair and replacement, insurance must be used first, then IHP up to $34,900 (as of 10/18), then an SBA loan may be available.
A person who lost their car and all their personal belongings in a disaster may have to apply for an SBA Loan before FEMA will pay for these lost items.

A. True  
B. False
The correct answer is “A”-True.

Survivors must apply to SBA for a personal property loan of up to $40,000 before FEMA will provide ONA aid for such property.

If a person is excluded from an SBA loan, because they are very poor, or denied based on bad credit, FEMA can pay other needs assistance for personal belongings.
Questions?

• Contact Julie Rattray
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  julierattray@nlsla.org