

## D. Rental Assistance Rate Increase

FEMA evaluates the need for a Rental Assistance rate increase by comparing U.S. Census Bureau American Community Survey statistics on housing inventory and vacancy rates to the best available data on disaster-caused housing impacts in declared disaster areas.

The STT government may request a Rental Assistance rate increase by submitting other reliable sources of these data elements for FEMA to use. The FMR Calculator allows FEMA to rapidly evaluate the need for a Rental Assistance rate increase based on pre-disaster housing stock data, the amount of housing impacted by the disaster, and the post-disaster vacancy rate for each impacted county.

FEMA may authorize Rental Assistance rate increases when the FMR Calculator demonstrates available housing for the area is insufficient to meet the disaster-caused housing need, or when elevated housing market rates adversely impact eligible applicants' ability to obtain rental resources.

The Regional Administrator (RA) or the Federal Coordinating Officer (FCO), if the RA has delegated authority to the FCO, may approve Rental Assistance rate increases for designated counties (or equivalent) when the FMR Calculator result indicates an increase above 100%. The increase may not exceed the amount indicated by the FMR Calculator, or 125% of the HUD FMR, whichever is lower. The RA or FCO must provide a written notification of the Rental Assistance rate increase and a copy of the FMR Calculator to the IADD.

The IADD may authorize Rental Assistance rate increases above 125% of the HUD FMR for individual counties (or equivalent) when the FMR Calculator indicates an increase to 125% of the published FMR and additional justification demonstrates a further increase is needed to meet the disaster-caused housing need. Only the IADD may authorize statewide Rental Assistance rate increases. The IADD may approve Rental Assistance rate increases for undeclared areas when housing availability is demonstrated to be insufficient to meet the disaster-caused housing need or when elevated housing market rates adversely impact eligible applicants' ability to obtain rental resources.

FEMA only applies Rental Assistance rate increases to Continued Temporary Housing Assistance awards. If an applicant relocates to a temporary housing unit outside of the area approved for a Rental Assistance rate increase, they are no longer eligible for Continued Temporary Housing Assistance awards above the published HUD FMR.

## E. Home Repair Assistance

FEMA may provide financial assistance to repair an owner-occupied primary residence, utilities, and residential infrastructure, including private access routes damaged as a result of a Presidentially-declared disaster up to the financial Housing Assistance maximum award.<sup>108</sup> Home Repair Assistance is intended to make the damaged home safe, sanitary, or functional. It is not intended to return the home to its pre-disaster condition. Home Repair Assistance counts towards the financial Housing Assistance maximum award an applicant may receive (see [Chapter 3, I](#)).



### Pre-Disaster HUD Applications

Prior to reviewing a pre-disaster HUD applicant's file for Continued Temporary Housing Assistance, FEMA will coordinate with HUD to determine if the pre-disaster housing unit is available to the applicant. Once the pre-disaster housing unit is available, or HUD is able to provide housing, FEMA will stop providing Continued Temporary Housing Assistance.

Home Repair Assistance for specific disaster-damaged accessibility items is not limited by a financial maximum award. The following accessibility items are eligible under Home Repair Assistance:

- Access ramp
- Grab bars

FEMA may provide financial assistance for the repair of real property components, including, but not limited to:

- Structural components of a home (e.g., foundation, exterior walls, roof)
- Windows, doors, floors, walls, ceilings, and cabinetry
- Heating, ventilation, and air conditioning system (HVAC)
- Access and egress, including privately-owned roads, privately-owned bridges, and privately-owned docks
- Blocking, leveling, and anchoring of a mobile home, and reconnecting or resetting its sewer, water, electrical, oil, and fuel lines and tanks
- Line items to restore a houseboat to a habitable state, not necessarily to return the houseboat to seaworthiness
- Utility systems, including electrical, gas, water, oil, and septic/sewage systems



#### Wells, Furnaces, and Septic Systems

For wells, furnaces, and septic systems, FEMA may provide assistance or reimbursement for the cost of a licensed technician's professional assessment associated with the repair or replacement of those components.

Additionally, when verifiable receipts or estimates are submitted on appeal, FEMA may pay up to the actual cost of the receipt or estimate for wells, furnaces, and septic systems.

Certain items or services determined to be eligible hazard mitigation measures, which reduce the likelihood of future damage to the residence, utilities, or infrastructure, may be eligible for Home Repair Assistance.

Figure 21 shows examples of disaster-caused damage that may be eligible for Home Repair Assistance, and also damage not covered by FEMA's IHP, and therefore, not eligible for Home Repair Assistance.

Figure 21: Types of Potentially Eligible Disaster-Caused Home Damage	
<i>May be eligible for Home Repair Assistance:</i>	<i>Not eligible for Home Repair Assistance:</i>
Roof	Garage
Windows	Pool
Foundation	Fences
Walls	Landscaping

### ***1. Conditions of Eligibility***

In addition to meeting general conditions of eligibility (see [Chapter 3, II](#)), the following conditions must be met to receive Home Repair Assistance:

- A FEMA inspection determines the repair of the component is necessary to ensure the safety or health of the occupant or to make the component or residence functional.
- The real property components were functional immediately before the declared disaster.
- The component was damaged, and the damage was caused by the disaster.
- The damage to the component is not covered by insurance.



#### **Components**

Components or residences that were fully or partially functional immediately before the declared disaster, despite their need for maintenance, may be eligible for Home Repair Assistance if they ceased to function as a result of the disaster.

### ***2. Limitations and Exclusions***

- Hazard mitigation may be awarded as part of Home Repair Assistance for real property components that existed, and were functional, prior to the disaster.
- Home Repair Assistance is not available for non-traditional forms of housing (e.g., tents and certain types of huts and lean-to structures).
- Home Repair Assistance is not available to landlords who do not permanently reside in the damaged dwelling. In addition, any available assistance is limited to the owner-occupied unit and not common areas.
- Applicants whose pre-disaster residence was a houseboat will not be required to obtain and maintain flood insurance for NFIP-insurable items, as these structures are uninsurable under NFIP.
- An applicant with insurance for a covered peril will be ineligible for Home Repair Assistance for insured real property components when the applicant fails to file a claim with their insurance company.
- Home Repair Assistance for flood-damaged real property in basements is limited to damaged items that result in living conditions affecting the safety, sanitation, and functionality of the home.<sup>109</sup>



#### **Basements**

FEMA defines a basement as an area of the home with its floor below grade (below ground level) on all sides.

Disaster-caused damage in a basement affecting the safety, sanitation, and functionality of the home may include:

- Damage to the structural components (e.g., foundation) of the home
  - Damage to critical utilities that support the overall function of the home (e.g., furnace, water heater)
  - Damage to the structure's interior (e.g., doors, floor covering); limited to rooms required for the occupancy of the dwelling (e.g., occupied bedrooms, a bathroom required for the occupied bedroom, a sole kitchen or living room); and no other room in another part of the dwelling meets that need
  - Damage presenting a hazard (e.g., wet or moldy drywall, carpet, or cabinets) in non-essential living areas (for removal only)
- Home Repair Assistance award amounts are based on repair or replacement of components that are of average quality, size, or capacity.
  - Home Repair Assistance will not be provided to make improvements to a component's pre-disaster condition unless required by current SLTT government building codes or ordinances, similar products are no longer feasible or available in the marketplace, or for reasonable hazard mitigation measures.

## F. Privately-Owned Access Routes

FEMA may provide financial assistance to repair privately-owned access routes (i.e., driveways, roads, or bridges) damaged as a result of a Presidentially-declared disaster.<sup>110</sup> Assistance for privately-owned access routes is intended to restore access to the owner's primary residence. In instances where multiple households share a privately-owned access route, assistance is shared between applicants, requiring additional coordination and documentation between FEMA and the applicants.

### 1. Conditions of Eligibility

In addition to meeting general conditions of eligibility (see [Chapter 3, II.](#)), the following conditions must be met to receive Home Repair Assistance for privately-owned access routes:

- A FEMA inspection determines repairs are necessary to provide drivable access to the primary residence.
- The applicant is responsible (or shares responsibility with other homeowners) for maintaining the privately-owned access route to their primary residence.
- The privately-owned access route is the only access to the applicant's primary residence or repair or replacement of a secondary route is necessary for practical use (e.g., it is impossible to access the residence without a bridge or road) or the safety of the occupants or the residence would be adversely affected because SLTT government emergency equipment could not reach the residence.
- Docks only:
  - A FEMA inspection will be required to determine whether the dock was functional prior to the Presidentially-declared disaster and whether repair is necessary.
  - The dock must be the applicant's sole means to access the primary residence.
  - Dock maintenance and repairs must be the applicant's responsibility.
- If multiple households share the access route, FEMA also requires:
  - Written consent from all applicants as pertains to the shared privately-owned access route.
  - A declarative statement affirming any assistance FEMA provides will be used to make repairs to the access route and the applicant understands they are responsible for securing permits and complying with local codes and ordinances.
  - The applicants do not have an established Homeowner's Association or Covenant responsible for repair of the access route, or the established Homeowner's Association or Covenant is unable to receive assistance from the SBA or private insurance to repair the access route.



#### **Privately-Owned Access Route**

If multiple households use a privately-owned access route, FEMA will make several attempts to encourage all households to apply for assistance in order to meet the needs of all affected households. Additionally, access of emergency vehicles should only be considered if access was available prior to the disaster.

## ***2. Limitations and Exclusions***

- FEMA will provide other types of IHP assistance before considering providing Home Repair Assistance for an applicant's private access route.
  - For eligible applicants who have sole responsibility to repair the access route to their home, FEMA will provide Rental Assistance, then consider eligibility for Home Repair Assistance for an applicant's private access route.
  - For eligible applicants who share responsibility with other eligible applicants to repair the access route, FEMA will provide Rental Assistance, Home Repair Assistance for items that do not affect the access route, ONA, then consider eligibility for Home Repair Assistance for an applicant's private access route.
- The Home Repair Assistance award amount is based on repair items (e.g., decking, guardrails, and handrails) that are of average quality, size, and capacity.
  - Repair awards will not include improvements to the access route's pre-disaster condition unless improvements are required by current SLTT government building codes or ordinances.
  - An applicant with access and functional needs that requires access for a particular vehicle may be approved for additional funds to improve the access if required for safe passage.
- FEMA will verify whether the SLTT government has taken or plans to take any emergency actions to repair the route to provide access for emergency service providers or to remove immediate threats to public health and safety. Eligible activities for the repair of privately-owned access routes are subject to Federal Environmental Planning and Historic Preservation (EHP) compliance review requirements.
  - Eligible applicants are responsible for complying with any conditions developed as a result of the EHP compliance review process and for obtaining any applicable Federal or SLTT government permits prior to conducting work.
- If multiple families share an access route, individuals who do not apply or do not meet all eligibility requirements will not receive assistance and will not be considered when determining the amount an eligible applicant will receive.



### **EHP Compliance Review**

The EHP compliance review process considers the effects of Federal funding on resources such as endangered species, floodplains and wetlands, and historic properties. FEMA is required to ensure that Federal funding complies with applicable Federal EHP laws, regulations, and executive orders (EOs) prior to providing assistance.

## G. Home Replacement Assistance

FEMA may provide financial assistance to owners whose primary residences were destroyed as a result of a Presidentially-declared disaster. Home Replacement Assistance may be applied toward purchasing a new permanent residence even if the new residence's cost is greater than the financial Housing Assistance maximum award.

FEMA calculates the replacement award amount according to the consumer price index data for the types of housing in the area where the damage occurred. FEMA establishes award amounts based on whether the pre-disaster home was a manufactured home, travel trailer, houseboat, or residential construction (e.g., single-family home). However, the award amount cannot exceed the financial Housing Assistance maximum award (see [Chapter 3, I.](#)).

### *1. Conditions of Eligibility*

In order to qualify for Home Replacement Assistance, applicants must meet general conditions of eligibility (see [Chapter 3, II.](#)) and the following:

- The residence was functional immediately before the disaster.
- A FEMA inspection confirms the residence was destroyed, and the damage was caused by the disaster. FEMA considers a residence destroyed when:
  - Disaster-caused damage necessitates the replacement of the majority of two or more major structural components (e.g., basement walls/foundation, load-bearing walls, or roof assembly have collapsed);
  - The disaster has completely removed the above-grade structure and only the foundation remains;
  - Flood waters have reached the roof, inundating the majority of the structure's living area;
  - The dwelling is in imminent threat of collapse because of disaster-caused damages;
  - In the case of mobile homes and or travel trailers, when the frame is visibly bent or twisted and releveled is not possible; or
  - Repair is not feasible, and replacement is necessary to ensure the safety or health of the occupant or make the residence functional.
- The damage to the residence is not covered by insurance.



#### **Functional**

Functional means a “component” or residence capable of being used for its intended purpose, or an item or home capable of being used for its intended purpose.



## ***2. Limitations and Exclusions***

- Home Replacement Assistance is not available for non-traditional forms of housing (e.g., tents, certain types of huts, and lean-to structures).
- Home Replacement Assistance is not available for other residence types (e.g., yurts and shipping containers or railroad cars converted into living quarters).
- Home Replacement Assistance is not available to landlords who do not permanently reside in the damaged dwelling. In addition, any available assistance is limited to the owner-occupied unit and not common areas.

## ***3. Appeal Considerations***

If FEMA determines the residence was not destroyed by the disaster, the applicant may appeal by submitting supporting documentation from governing authorities giving notice of condemnation, substantial damage, or demolition.

- FEMA will not automatically determine an applicant eligible for Home Replacement Assistance based on submitted documentation, because local authority determinations could be based on non-disaster-caused circumstances.
- After receiving appeal documentation from the applicant, FEMA will review the request to determine if another inspection is necessary in order to verify if the residence was destroyed due to disaster-caused damage.