

FEDERAL EMERGENCY MANAGEMENT AGENCY HOUSING RECOVERY POLICY RECOMMENDATIONS

FEMA SHOULD:

1. Take immediate actions to ensure survivors with the greatest needs have access to safe, decent homes while they get back on their feet by:
 - a. Quickly entering into an Interagency Agreement with the Department of Housing and Urban Development (HUD) to activate the Disaster Housing Assistance Program (DHAP) to provide low income survivors with direct, longer-term rental assistance and case management services provided by local housing professionals. DHAP plays a critical role in providing safe, decent, and affordable homes to some of our nation's most vulnerable individuals and families after a disaster. DHAP has been widely upheld as a best practice by past Democratic and Republican administrations.
 - b. Addressing financial barriers that prevent low income survivors from accessing FEMA's Transitional Sheltering Assistance (TSA) hotel program. Currently, participating hotels charge daily "resort" fees, require security deposits, and require that displaced households have credit cards – all of which are barriers for low income households that have already depleted any savings that they may have had and that are often unbanked or underbanked. There are numerous accounts of individuals that were unable to access FEMA's TSA program that later needed emergency hospital care after returning to mold-infested homes. Other families set up "tent cities" because they had no place to go;
 - c. Adopting and making public a simple declarative statement form survivors can use to provide residency and ownership of properties in disaster-impacted areas;
 - d. Ensuring that people experiencing homelessness prior to a disaster are eligible for the same emergency shelter and housing recovery resources available to impacted renters.
 - e. Protecting renters living in uninhabitable apartments caused by unnecessary delays by property owners. FEMA should consider ways to provide immediate, emergency rehabilitation to properties where tenants are at high health and safety risks and to determine proper cost-sharing with the property owner afterwards.
2. Establish coordination with other federal agencies, including:
 - a. Entering into an interagency agreement with the Small Business Administration (SBA) and HUD to ensure all three agencies share information and avoid duplication of benefits, including housing recovery and disaster remediation resources. For example, efforts to elevate homes with FEMA mitigation grants should occur before Community Development Block Grant – Disaster Recovery (CDBG-DR) funding is used to reconstruct or rehabilitate homes. FEMA should not, however, let extended interagency negotiations hold up disaster relief and rebuilding efforts;
 - b. Protecting survivors, volunteers, and paid workers engaged in recovery efforts from exposure to environmental health and safety hazards and communicating with them about the health and safety hazards involved in cleanup work; and
 - c. Streamlining processes and applications to avoid adding cost or time, whenever possible.
3. Allocate FEMA resources fairly and adequately to meet the needs of homeowners, renters, and people experiencing homelessness based on the greatest unmet housing and infrastructure needs after the disaster by:

- a. Collecting and posting at OpenFEMA comprehensive demographic data on the impact of the disaster and federal recovery efforts. Demographic data should include all protected classes covered by the Stafford Act, the Americans with Disabilities Act, Fair Housing Act, Title VI, and other civil rights protections, including, but not limited to race/ethnicity, income, age, disability, and gender, as well as housing tenure of the individual and location at a granular basis to enable meaningful analysis.
 - b. Surveying impacted neighborhoods on disaster and social neighborhood vulnerability, including all protected classes covered by the Stafford Act, the Americans with Disabilities Act, Fair Housing Act, Title VI, and other civil rights protections, including, but not limited to economic status, race/ethnicity, gender, disability, education, and age, as well as transportation dependence. Survey results should be made available to the public;
 - c. Prioritizing the exceptional needs of pre-disaster homeless populations in a disaster zone. Non-discrimination language should not be interpreted in a manner that prevents FEMA from addressing the needs of people who were homeless during the event. FEMA should include in its standard recovery assistance plan an on-site assessment of the situation at homeless encampments and shelters identified by each community's leaders; and
4. Protect displaced individuals from discrimination and help speed recovery efforts by:
- a. Requiring FEMA grantees to stop passing or enforcing laws which criminalize people experiencing homelessness for self-sheltering or conducting other life-sustaining behaviors in public places when there are inadequate alternatives;
 - b. Enforcing federal fair housing laws on FEMA's Housing Portal or any other website or resource to which FEMA may refer people seeking housing. FEMA should bar landlords from publishing discriminatory advertisements for rental properties. After past disasters, FEMA's Housing Portal and other websites to which FEMA's website linked included explicitly discriminatory advertisements that violated federal and state fair housing laws;
 - c. Providing guidance and ensuring compliance with non-discrimination laws, including the Stafford Act, the Americans with Disabilities Act, Fair Housing Act, Title VI, and other civil rights laws, for all entities administering or receiving housing resources in order to ensure fairness and avoid delays due to enforcement actions;
 - d. Working with HUD to provide timely, actionable fair housing guidance and training to FEMA staff or contractors who handle housing-related inquiries from the public;
 - e. Working with HUD to develop a Memorandum of Understanding (MOU) outlining a process to refer, investigate, and resolve discrimination complaints that arise from property owners or residents receiving housing assistance;
 - f. Ensuring that any information provided directly or indirectly by FEMA about housing resources for people displaced by the storm complies with fair housing requirements; and
 - g. Basing grant amounts on the cost to replace or repair damaged property rather than property values to help close financing gaps and to protect households that live in neighborhoods where property values are less than the cost of repairs and replacement.
5. Improve transportation assistance programs by:
- a. Providing resources to help displaced households without access to cars afford their increased transportation costs. FEMA should help cover the costs of Uber/Lyft, connector buses, and public transportation.
 - b. Increasing the maximum funds available to repair or replace a single parcel vehicle from \$5000 to \$10,000. Alternatively, FEMA should permit disaster survivors to enter into reimbursable short-term auto leases; and

- c. Increasing the maximum level of personal transportation assistance in cases where the surviving household can demonstrate the need for two personal vehicles to accommodate transportation to and from places of employment.
6. Protect against future disasters by:
 - a. Coordinating with HUD to help state and local governments develop a long-term disaster recovery/mitigation plan, with opportunities for public input. These plans should be made available to the public;
 - b. Revising flood hazard maps to reflect recurring, major flooding in recent years and making these maps publicly available;
 - c. Defining a base-level standard of public infrastructure for neighborhood safety and survivability and providing remedial local infrastructure for neighborhoods with inadequate levels of storm water protection. FEMA should explore equitable disaster deductible concepts to help balance federal, state, local obligations; and
 - d. Providing all individuals with the ability to relocate away from flood hazards, environmental hazards, and environmentally blighted neighborhoods.
 7. Issue guidance reaffirming that all federal wage, hour, and worksite safety protections are in place and are enforceable.

For More Information, contact Diane Yentel, NLIHC President and CEO (dyentel@nlihc.org) or Sarah Saadian, NLIHC Vice President of Public Policy (ssaadian@nlihc.org).

