

**Governor's Office of Homeland Security
and Emergency Preparedness**
State of Louisiana

JOHN BEL EDWARDS
GOVERNOR



CASEY TINGLE
DIRECTOR

DIR-2023-0113-002

January 13, 2022

George A. Robinson
Regional Administrator
DHS FEMA Region 6
800 N Loop 288
Denton TX 76209

Re: DR-4611, Request for a Direct Housing Rent Waiver

Dear Mr. Robinson:

Relative to the ongoing DR-4611 (Hurricane Ida) Direct Housing (DH) mission; the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is submitting this request for FEMA to delay the implementation of rent collection for Direct Housing households throughout the course of the recently approved 6 month extension period (February 28, 2023 through August 29, 2023), as allowed under 44 CFR 206.117(b)(1)(ii)(F) which states, "After the end of the 18-month period of assistance, FEMA may begin to charge up to the fair market rent rate for each temporary housing unit provided." This flexibility would be consistent with FEMA's implementation of this provision under previous Direct Housing missions in Louisiana such as DR-1603, DR-1607, DR-1786, and DR-4277. Further, the circumstances of DR-4611 warrant this approach for the reasons outlined below. Louisiana appreciates the continued partnership with FEMA and our local partners in navigating the complexities and impediments involved with Direct Housing for families most impacted by Hurricane Ida as well as the support for the state's implementation of Non-Congregate Sheltering, as both programs greatly assisted some of the most vulnerable and impacted survivors. Louisiana requests FEMA consider this request with the same people-first approach.

This request can be supported for several reasons. The first implementation of NCS utilizing travel trailers continues to be regarded as a critical and successful aspect of Hurricane Ida recovery. As it overlaps with Direct Housing in a number of ways, FEMA and the State have worked diligently to reduce complexities and confusion for survivors and communities. In addition, the collaboration resulted in successful transfer of over 100 families from NCS to DH which reduced the wait time and burden for these families. This work would certainly be undermined if rent is implemented for Direct Housing at this time. Louisiana is working to end the NCS program during this 6 month period, and approval of this request would allow FEMA and the State to

continue working under both programs with families on their transition plans without the certain confusion and frustration that will result from rent for some families but not others.

Approval of this request will also greatly increase the equitable implementation of Direct Housing. Due to the challenges and level of effort required to implement Direct Housing, the program continues to take longer to ramp up and longer to end. In particular, these delays were more significant for Hurricane Ida than for previous Direct Housing missions in our state. The practical result of these timing challenges is that for those survivors who waited in queue for the assistance for the longest period will be further impacted if they are required to pay rent at this point. A number of these families waited over a year to be housed and it is not fair to implement rent for them within 6 months of receiving the assistance while other families received the assistance for a much longer period. This issue cannot be completely resolved without regulatory changes but it can be significantly mitigated with approval of this request.

A review of the 3234 households indicated as licensed into FEMA's Ida (DR-4611) Direct Housing Program as of December 5, 2022 show that there are 1288 households documented as having Special Needs; 580 of these households are reported as aged 65 or older; and 2438 of these households report an income of \$40,000 or less. These are without a doubt Louisiana's most fragile and vulnerable households. The compassionate response and appropriate course of action is to not put undue hardship and financial burden on them by charging them rent for temporary housing assistance as they struggle to recover.

As the Direct Housing program serves the families with the most significant damage, it is understandable their pathway to recovery and transition to permanent housing plan is complicated by a number of factors. Data collected through Disaster Case Management and recent testimony before Legislative hearings indicates families are experiencing ever-increasing delays, obstacles and lack of responsiveness from insurance companies. Further, Federal programs intended to support the recovery of these families are also slow and difficult to navigate. For many survivors, the only pathway to achieving their permanent housing plan is through CDBG-DR funding (the State's Restore Program). The administrative process to access this funding required a number of months and the grant agreement between the State and HUD was finally signed in late September, 2022. Also, applications submitted to FEMA under Hazard Mitigation Assistance programs at a minimum require months of review and often take a year or more for approval. It is clear that programs designed to assist with disaster housing recovery are not designed or implemented in coordination with the 18 month timeline of Direct Housing. The unfortunate challenges caused by this lack of synchronization should not be borne solely by the survivors. In light of the financial burden of housing recovery, it is counterproductive to add further financial burden to these same households many of which have an existing mortgage in addition to the financial challenges of recovery.

FEMA is authorized to approve this request based on both Stafford Act and regulation. Stafford Act Section 408 (c)(1)(B)(iv) states, "After the end of the 18-month period referred to in clause (iii), the President may charge fair market rent for each temporary housing unit provided." 44 CFR 206.117(b)(1)(ii)(F) states "After the end of the 18-month period of assistance, FEMA may begin to charge up to the fair market rent rate for each temporary housing unit provided." In both instances, FEMA is provided with flexibility relating to both whether rent will be charged and what amount is appropriate. This request calls for FEMA to utilize this flexibility to support a people-first approach to the challenging circumstances of Direct Housing.

In preparation for rent implementation at the end of the 6-month extension period, the State commits to working with FEMA on a simplified and survivor-centric approach to establishing fair rent amounts, to reduce the burden for households to appeal and navigate additional documentation requirements. Data to support this process often exists with either the CDBG-DR or SBA programs in addition to information already collected by FEMA. These sources have been utilized in previous events to expedite the rent reduction process with minimal impact to the survivors. FEMA continues to make progress on this aspect of the program and we support continuation of these efforts.

The State recognizes and appreciates FEMA's hard work implementing Direct Housing and supporting the recovery of these families. To that end, the State requests favorable consideration of this request.

Thank you for the coordination on this effort and your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Casey Tingle', with a stylized, cursive script.

Casey Tingle
Governor's Authorized Representative (GAR)