

## CHAPTER 38: MULTIFAMILY EMERGENCY/DISASTER GUIDANCE

### SECTION 1. INTRODUCTION

One of the most critical elements of the Department's mission is to ensure that the residents of HUD's multifamily housing properties live in decent, safe, and sanitary housing without discrimination. It is a difficult task to accomplish this mission during a time of crisis, especially when the crisis was caused by a natural disaster or other emergency. However, the Office of Multifamily Housing Programs has a responsibility to ensure that the residents of HUD's multifamily housing properties can find quality housing in emergency situations and to assist the owners of multifamily housing in restoring damaged properties to a decent, safe, and sanitary condition as soon as possible.

#### 38-1 PURPOSE

The purpose of this Chapter is to:

- A. Provide information for multifamily housing staff tasked with providing disaster-related information to owners/agents and residents during emergency situations.
- B. Provide a baseline disaster response protocol for field offices to service and protect HUD assets.
- C. Provide a menu of options that are available for implementation to speed responsiveness, and address the needs of owners and residents.

The contractual relationship between HUD and the owner/agent is defined by the business agreements between the parties. The Hub's objective in an emergency or a Presidentially Declared Disaster (PDD) is to protect HUD-insured/assisted properties, to preserve and restore financial soundness, and to assist owners in their recovery efforts so that all multifamily properties are restored as quickly and efficiently as possible with minimal disruption to the residents and the community.

#### 6-1. APPLICABILITY

**This chapter applies to all HUD-insured and/or assisted properties affected by a PDD** or when a Hub Director determines that an emergency exists such that the procedures incorporated as part of this chapter will provide HUD staff and the owner/resident community guidance for dealing with an emergency.

It should be noted that the declaration of a PDD or implementation of an Emergency Disaster Response **does not** confer any automatic waivers concerning any HUD Regulations, Policies or Procedures.

## **SECTION 2. PRE-DISASTER PLANNING**

### **6-2. CONTINUITY OF OPERATION PLAN**

The Field Office Director is required to maintain a Continuity of Operation Plan (COOP). The Multifamily Plan and Strategy is intended to complement that plan but is specific as to dealing with the Multifamily Housing portfolio when normal servicing procedures and guidance are not adequate. The COOP should designate a Multifamily Emergency Response Coordinator (ERC) for the Hub and form an Emergency Response Team (ERT).

The Team and the Coordinator must be identified, trained and available during an emergency. The Director of the Office of Multifamily Asset Management will be the initial contact for coordinating communication between the Hub and Headquarters.

To the extent possible, the Emergency Response Team (ERT) should consist of HUD Multifamily field office staff, external partners and customers, property owners and management agents, other HUD program offices (i.e., Community Planning and Development (CPD), Public and Indian Housing (PIH), etc.), governmental agencies and emergency response providers and the community. This Team should meet periodically to plan, prepare, and train in preparation for an emergency.

### **6-3. PRE-DISASTER AND EMERGENCY GOALS AND PLANNING**

The main goal of pre-disaster planning is to have essential staff prepared to respond to any Multifamily Housing emergency. Pre-disaster planning involves preparing and training a Multifamily Team to respond to any type of emergency so that HUD can help mitigate the impact of the emergency. The Coordinator should be trained to access the portfolio of damaged properties and be prepared to implement the Disaster Response Plan (DRP) should a PDD be declared. The Coordinator should also be prepared to assist and advise owners, agents, and residents when there is resident displacement or any significant emergency.

Most emergencies cannot be anticipated. However, some areas of the country are more prone to emergencies than others, e.g., the Gulf States are prone to hurricane damage, the Mid-West states are prone to flooding, and some states have a history of earthquakes or tornadoes. Emergency planning in these geographical locations is imperative.

#### **6-4. THE ROLE OF THE EMERGENCY RESPONSE TEAM**

The Emergency Response Team (ERT) is responsible for coordinating the activities of the Hub in responding to an emergency.

One suggested make-up of the internal ERT is outlined below. The Hub Director can add additional staff and functions as he or she sees fit. The Hub Director will always be the chair. The team should include:

- The Hub Director
- The Program Center Director(s)
- The ER Coordinator
- A Construction Analyst
- Procurement staff
- A Project Manager(s)
- An Occupancy Specialist(s)
- An FHEO Specialist
- The Contract Administrator Oversight Monitor (CAOM)
- A CPD staff person

The ERT should meet quarterly in person or by conference call to ensure that the Team is always prepared for an emergency. The quarterly drill meetings provide a good opportunity to train as well as review procedures and responsibilities.

#### **6-5. THE EMERGENCY RESPONSE COODINATOR**

The Multifamily Hub Director will designate an Emergency Response Coordinator (Coordinator). The Coordinator should be trained to access the portfolio of damaged properties and be prepared to implement the Disaster Response Plan (DRP) should a PDD be declared. The Coordinator should also be prepared to assist and advise owners, agents, and residents when there is resident displacement. This person will be responsible for functions that include, but are not limited to:

- A. Providing the ERT and other HUD field staff with this Guidance.
- B. Identifying the responsibilities of all ERT members.
- C. Determining the appropriate size of the ERT. This will be dependent on the size and scope of the emergency.

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- D. Determining how staff will handle calls from persons with speech and/or hearing impairments and persons with limited English proficiency (LEP).
  - E. Developing a conceptual plan and schedule which covers tasks such as assembling the ERT quarterly/annually to review processes, procedures, forms, etc.
  - F. Assembling the ERT when there is a potential emergency.
  - G. Coordinating with Office of Multifamily Housing's Office of Development staff to include pipeline properties.
  - H. Coordinating potential technical support responsibilities with the Construction Analyst (or designated staff person) in preparation of the on-site assessment(s) for technical assistance and the need for contractors.
  - I. Ensuring that disaster procedures are forwarded via email to the owners/agents in the affected disaster area (e.g., mass email).
  - J. Ensuring that current contact phone numbers and email addresses for all owners/agents, Housing Finance Agencies (HFAs), and industry organizations are correct and on-hand.
  - K. Communicating information to the Contract Administrator Oversight Monitor (CAOM) for properties with Performance-Based Contract Administrator (PBCA) oversight; who in-turn will communicate with the PBCA.
  - L. Performing a quarterly data quality check of the impacted properties information in the Integrated Real Estate Management System (IREMS). The information should be reviewed to identify data errors (missing property names, missing unit totals, etc.) and corrected as necessary.
  - M. Ensure that there is a plan for tracking progress on repairs, resident displacement, and any other problems that occur. This information must be entered into iREMS.

**NOTE:** Owners and management agents who own/manage a large number of properties may have their own emergency response plan. It is recommended that the ERT contact these owners/agents so that you can include any information that they have that may be helpful when formulating the Hub's plan.

## 6-6. PREPARING FOR AN EMERGENCY

Planning and training are essential to achieving a well coordinated and implemented emergency response effort. A listing of other federal, state, local and private resources should be compiled so that it is available to address the needs of individuals and owners who are impacted by the emergency. The HUD field office should update this list to include other federal resources (FEMA, HHS, etc.), state resources, and local/private resources such as county programs, churches, faith based organizations, etc., that may be of assistance during a PDD or an emergency.

In the event of an imminent emergency, the Hub/HUD field office should be proactive and request an Affected Properties List (APL) from Headquarters based on prior knowledge or estimates of the areas that may be affected. The process will allow HUD field office staff to identify the potential inventory, eliminate duplication, and update the list as necessary. When an event such as a storm or hurricane can be predicted ahead of time, the Hub should develop a pre-disaster response strategy and compile an inventory of properties that will potentially be affected as soon as Headquarters/HUD field office staff is notified that the event is imminent.

## **6-7. PRE-DECLARATION REPORTS/EVENT WARNINGS**

When an emergency is predicted, the Coordinator should develop a pre-emergency report for the Hub Director. The report should be updated daily and should include:

- A. A report on staff/volunteers available for HUD, FEMA, or other organizations and the hours they can be available.
- B. A report on locations of FEMA centers if established.
- C. Emergency contact numbers for HUD field staff.
- D. A list of the areas that may be affected.
- E. The number of properties and estimated number of residents in the emergency/disaster area.
- F. The number of displaced residents with disabilities and/or special needs who may be impacted. If possible, the report should identify the number of LEP persons in the area and the languages that they speak
- G. Certification that all applicable information was forwarded to all owners/agents in the disaster/emergency area.
- H. Current information regarding the emergency/disaster status (mild, severe, etc.).
- I. A count of staff unable to work due to transportation problems, possible personal injury, property damage, etc.

## 6-8. **DISASTER INFORMATION SCRIPT**

During the pre-emergency phase, the ERT must develop an informational script. The informational script must be distributed to all HUD field staff and must be used when receiving telephone or other inquiries from disaster victims, the public, the press, etc. HUD field office staff should also have FEMA, State, local, and private resources information readily available. Points of contact for HUD's other program areas (PIH, CPD, SF, etc.) should also be assembled.

The list should contain the following information:

- FEMA Center addresses, phone numbers and website.
- American Red Cross, Salvation Army, etc. phone numbers.
- National Housing Locator number or web site which is [http://portal.hud.gov/app\\_nhls/](http://portal.hud.gov/app_nhls/).
- The Department of Agriculture's Rural Housing Service phone number.
- State Housing Finance Agency phone numbers.
- HUD's housing discrimination hotline: 800-669-9777 (Voice), 800-927-9275 (TTY).

### Questions to ask the caller:

- Are you a resident or owner/agent? Concerned citizen?
- Where is your property or apartment complex located? (The property name and address)?
- How severe was the damage at the affected property, neighborhood and/or roads?
- Have residents (you) been displaced? If so, how many, and to where, etc.?
- Do any displaced residents have special needs/disabilities that you know of?
- What is your temporary phone number (obtain an alternate cell number)?

- What is your email address?

Owners/agents should be provided on-going technical assistance and should be encouraged to self-report any vacancies that could be used to house displaced residents and listed in the National Housing Locator ([http://portal.hud.gov/app\\_nhls/](http://portal.hud.gov/app_nhls/)) and the field office.

## **6-9. INTEGRATED REAL ESTATE MANAGEMENT SYSTEM (iREMS)**

The Affected Portfolio List and Tracking Report (discussed in Section III) are developed from data in iREMS. Consequently, all iREMS data must be accurate and frequently reviewed for completeness to generate reliable tracking reports once the emergency occurs. Project Managers must be advised to keep the iREMS Problem Statement and Occupancy pages updated at all times.

## **6-10. RESIDENT COMMUNICATION**

Residents should be informed that if they are displaced in an emergency, they are responsible for advising the owner and/or the owner's representative of their temporary housing location and their intentions during and after the emergency/disaster. If the displaced resident has a new, temporary address or telephone number, they should provide it to the owner or agent of the development from which they were displaced. Residents should also be advised that due to potentially dangerous conditions, they may not have ready access to their possessions. Owners are responsible for securing the property to the best of their ability immediately after the emergency, and to protect the personal property of the residents. The resident will need to contact their insurance agent (rental insurance) for any coverage on their personal property.

Disposal of any personal property must be done in accordance with local law. Additionally, owners may take action to terminate a lease and dispose of personal property in accordance with local law when displaced residents indicate their intention not to return or fails to respond to the owner's notice.

In the event a property's rental office has to be vacated, the owner should publish where he or she can be contacted and should regularly inform residents as to progress making repairs and when they might re-occupy their residence.

## **6-11. OWNER'S COMMUNICATION RESPONSIBILITY**

Owners also have a responsibility to ensure that the property is secured and that residents' possessions and valuables are secured and protected to the greatest extent possible. Residents have a right to return to the unit from which they were displaced once their residence is repaired so owners must make a concerted effort to track displaced residents by phone, mail, family, friends, by contacting FEMA, or some other method. An owner may offer, and a resident may accept, an alternate unit acceptable to all parties if that will facilitate a displaced resident's returning to a permanent residence. However, once a resident accepts any permanent housing they no longer have a right to return to the unit from which they were displaced.

Owners must inform all displaced residents in writing at least 60 days prior to the expected date that the unit will be ready for re-occupancy. The notice must be issued via regular and certified mail to the resident's last known address. Owners should be reminded of their duties to ensure that this information is provided in accessible formats for persons with disabilities and in the appropriate language for persons with LEP. Owners should also be reminded of their duty to make reasonable accommodations for persons with disabilities.

Displaced residents must respond within 30 days of the notice and inform the owner of their intention to return or not, and provide contact information. The response must be in writing, although the resident may also call the owner's contact representative to indicate his or her decision and to ask any questions they may have about returning. If the resident does not respond within 30 days from the date of the notice, the owner must send a second notice notifying the resident that he or she no longer has a right of return to the unit that the resident occupied prior to the PDD. Those residents indicating an intention to return must be given a minimum of 60 days from the date the unit is ready for re-occupancy to re-occupy the unit. An owner has the option to give a displaced resident a longer period to return to the property. Once again, owners should be reminded of their duties to ensure that this information is provided in accessible formats for persons with disabilities and in the appropriate language for persons with LEP, and of their duty to make reasonable accommodations for persons with disabilities.

An owner may offer an available comparable unit to a displaced resident if the unit that the resident occupied before the PDD cannot be repaired or if the repairs require a long period of time to complete. If a returning resident accepts an alternate unit, the resident(s) is considered re-housed and not eligible for additional unit transfer except in accordance with HUD Handbook 4350.3 REV-1. If the displaced resident(s) resided in a Section 8 HAP unit and was over-or under-housed, as defined in the aforementioned handbook, prior to the PDD, an appropriate size must be offered as a replacement, if available.

If a displaced resident fails to return after notifying the owner of his or her intention to return during the right to return period and there was no agreement between the displaced resident and the owner to extend the time period, the owner may take action to terminate the lease in accordance with local law and rent the unit. In this case the

resident no longer has a right to return to the unit and will be treated as a new applicant and will have no priority as a PDD displaced resident on the waiting list.

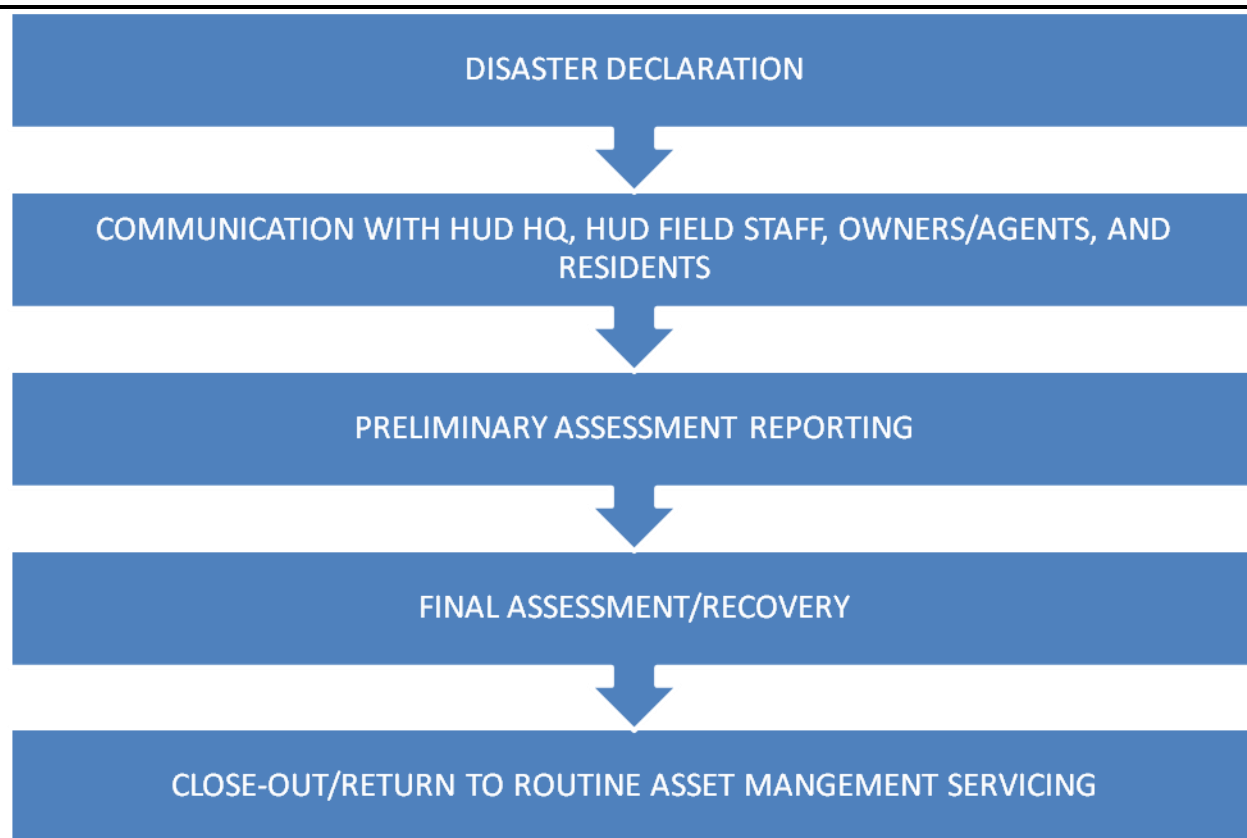
### **SECTION 3. THE PRESIDENTIALLY DECLARED DISASTER (PDD)**

#### **6-12. OVERVIEW**

A Presidentially Declared Disaster is defined as a “major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121 et seq.). FEMA recommends that the President declare a major disaster or emergency and coordinates all relief efforts.”

All HUD-related properties in a PDD area may not be impacted. The number of properties that require special disaster assistance due to a PDD will be in addition to normal servicing of the regular portfolio. This section will outline routine oversight and monitoring procedures that should be followed by HUD field office staff once a disaster has been declared. There are three phases of recovery activities: (1) preliminary assessment/reporting, (2) recovery, and (3) close-out/return to routine asset management servicing. This section also provides an overview of the roles and responsibilities that HUD Headquarters staff, HUD field office staff, and owners/agents, and residents, play in carrying out these three phases.

The following is a diagram that illustrates the cycle once a Disaster is declared.



Once a disaster is declared, the Emergency Response Team (ERT) should determine what procedures should be applicable for the Hub's emergency response. Coordination with the Office of Multifamily Housing Programs in Headquarters is encouraged, but not mandatory in the absence of a PDD.

## 6-13. **PROCEDURES - OVERVIEW**

Once the President declares a disaster, HUD field offices serve as the central point for coordinating all Multifamily housing disaster activities. These procedures, which are discussed in more detail below, are in effect until the recovery plan has been completed for all affected properties. Additional geographic areas may also be added after the initial declaration.

When the President declares a federal disaster, there are steps that must be taken immediately to minimize the impact of the disaster on the property and the residents.

### A. Immediate/Primary Procedures

1. Assemble the assigned ERT members.

2. Obtain the list of properties in the PDD area from Headquarters.
3. Respond to phone inquiries using the informational script.
4. Coordinate with FEMA and other agencies.
5. Conduct ongoing phone surveys with owners/agents of potentially affected properties using the Preliminary Disaster Assessment (Appendix A-3).

**B. Secondary Procedures**

1. Review Preliminary Disaster Assessment data for accuracy and completeness.
2. Determine the Damage Assessment Code for every property based on the Preliminary Disaster Assessment as determined by the Construction Analyst or designee (Appendix A-3).
3. Complete the Affected Portfolio List and Tracking Report (Appendix A-2).
4. Complete the Vacancy Utilization/Displaced Resident Report (Appendix A-4).
5. Request HUD Contract Administrator Oversight Monitors to suspend full or partial Housing Assistance Payment (HAP) contracts for units where residents will be displaced more than 30 days.
6. Determine if additional help is needed to adequately respond to the conditions. This may include additional staff (skills set), lap tops, cameras, transportation or other supplies.
7. Determine if contractor support is needed to survey, inspect, assess repairs, etc.
8. Prepare for regular conference calls with Headquarters.
9. Determine if Section 8 assistance can be temporarily transferred in a "Pass Through." (See Section 38-30).

Note: Except for doing pre-emergency preparation and on-going surveys of damage and resident displacement, formal direction must be received from Headquarters to implement multifamily guidance. However, the Hub and/or Program Center Director may have ordered certain activities in any emergency. Also, the Hub and/or Program Center Director may ask for volunteers to assist FEMA. The offering of volunteers must be coordinated and approved by Headquarters.

**6-14. PRELIMINARY ASSESSMENT AND REPORTING**

Once an area is declared a federal disaster area by the President, the first step is to conduct a preliminary assessment of the potentially affected portfolio. The preliminary assessment process is initiated once the Affected Portfolio List (APL) is received by the Hub director, from Headquarters. The pre-disaster APL can augment but not replace the APL from Headquarters. The APL is the sole source used to gather information on properties. The APL will help determine resident needs, identify vacancies, develop the

master list for reporting, and target damaged properties for recovery activities. The APL can be amended with Headquarter approval. Refer to Appendix A-2 for a sample of the APL.

**Note:** HUD field offices may not develop separate property lists. Separate lists may foster confusion and/or result in an inability to account for all properties in the affected portfolio. However, the local office may know of a property that was damaged but is not on the APL or in the PDD area. In that case, Headquarters should be advised. The Project Manager (PM) should also advise all owners to register with FEMA to determine if they qualify for assistance.

## 6-15. **REPORTING TOOLS**

The following reporting tools are used for documenting the status of properties affected by an emergency or disaster:

### **A. Preliminary Assessment**

The Preliminary Disaster Assessment (PDA) is the initial list of all properties that were identified as having suffered damage during the emergency or disaster. The PDA is critical in assessing the extent of disaster damage and resident displacement and is used to prioritize properties based on level of damage. Information is obtained for the PDA via telephone contact with the owner/agent and must be used for all properties on the APL. Refer to Appendix A-3 for a sample of the Preliminary Disaster Assessment for Multifamily Housing Properties. Upon completion of the Preliminary Disaster Assessment, the Hub Construction Analyst or designee will score each property with a “disaster code”, which will be used when conducting the on-going re-assessments discussed later in this section. The numerical “code” designation can change over time.

**Note:** The preliminary disaster assessment includes questions to determine the unmet basic needs of residents or property owners and their employees such as food, water, health risks, disability issues, life-threatening issues, etc. If unmet needs are identified, the Hub Director should coordinate with Headquarters and/or the appropriate FEMA Office, and the appropriate Federal, state, and/or local resources. Life-threatening issues should be reported to FEMA emergency personnel immediately as well as other local agencies.

### **B. Vacancy Utilization/Displaced Resident Report**

The Vacancy Utilization/Displaced Resident Report is used to assess available units for displaced residents. The ERT must use this report along with the PDA when contacting owners/agents. Vacant units in pipeline properties may be utilized for temporary housing and permanent housing if the property is in the habitable stage of development. Owners/agents and local officials are encouraged to take the necessary steps to make

units available (e.g., utilizing online marketing databases, realtor referral resources, registering with the State/local housing locator service, etc.). Refer to Appendix A-4 for a sample of the HUD Vacancy/Utilization Report.

**Note:** If it is known that (1) vacant units are not in good repair as evidenced by a recent physical inspection score below 60, (2) action is being taken to abate the Section 8 contract; or, (3) legal action is being taken to foreclose, then those units should be excluded from the report. If the ERT has been informed of non-HUD related vacancies indicate “No” in the HUD Property column on the sample “Vacancy/Utilization Report”, and forward along with the required documents to Headquarters.

### **C. Final Disaster Assessment**

When possible, the Hub Construction Analyst or designee should be dispatched to conduct an on-site final assessment of the affected properties. The final disaster assessment is performed to confirm the extent of the damage reported during the PDA and to determine which properties should be inspected or re-inspected by the company contracted to do a more thorough damage assessment if a contractor is in place. The Hub Construction Analyst or designee must obtain a copy of the PDA in preparation of the on-site final assessment. During the final assessment, photographs and/or video should be taken and information on the damage should be obtained from the owner/agent and documented. The list will also include inspections for all potentially affected properties in the development pipeline. Refer to Appendix A-5 for a sample of the Final Disaster Assessment for Multifamily Housing Properties. Other entities (mortgagee, insurance companies, FEMA) may also be inspecting the properties. If available obtain copies of these inspections to assist with the analysis and recovery efforts for the property.

### **D. Affected Portfolio List and Tracking Report (TR)**

Once all PDAs and Vacancy Utilization Reports have been completed, the Emergency Coordinator is responsible for consolidating the information into the Tracking Report (TR). The TR is the primary tool used to track information obtained from all parties and to communicate property status information to Headquarters. Refer to Appendix A-2 for a sample of the TR.

## **6-16. FINAL RECOVERY**

The goal is to restore operations to normal or improved operating levels after an emergency and to re-house displaced residents, as soon as possible. A successful recovery strategy begins with a final assessment of damage, followed by technical assistance to owners/agents, and ultimately resumption of normal asset management functions. Recovery from a major disaster/emergency may be protracted and can be

different from project to project. Ultimately, the emergency is over when all repairs have been made, all displaced residents have returned to the apartment they were displaced from or found other permanent housing, and the property is physically and financially sound.

## **6-17. TECHNICAL ASSISTANCE TO OWNERS AND MANAGEMENT AGENTS**

Ongoing communication and technical assistance to owners/agents will be necessary until; (1) all properties are restored to decent, safe, and sanitary condition or, (2) all properties are declared unsafe and uninhabitable. If a property is declared unsafe and uninhabitable, resident relocation procedures must be followed in accordance with outstanding HUD policy.

## **38-19. USING THE FINAL DISASTER ASSESSMENT**

During this phase, under the direction of the ERT, HUD staff must conduct follow-up surveys using the Final Disaster Assessment to verify the information and report findings to Headquarters. The Final Disaster Assessment should be completed within 15 business days or as soon as possible depending on the severity of the PDD. This information must be documented on the TR in the appropriate columns and should notate and explain issues related to:

- Confirming all damage reports;
- Confirming the number of properties or the number of units at a property that will remain off-line until repaired. The owner/agent should identify unit numbers and specific residents and this information should match the data tracked on the Displaced Residents/Unmet Needs section of the Preliminary Disaster Assessment (Appendix A-3);
- Verifying and documenting the Reserve for Replacement and Residual Receipts balances in HUD systems and enter the information in the DTR;
- Whether or not the owner has certified that a method has been established to track displaced residents, including mode and frequency of contact, whether communications are accessible to persons with disabilities and persons with LEP, if needed;
- Whether steps to be taken to update residents on the status of re-occupancy;
- Monitoring the due dates for the recovery plan. Ideally the owner should submit a recovery plan within 30 business days of the final assessment; however, the extent of the damage, the timing of the insurance settlement, and/or the need for loans or grants may delay the submission of a recovery plan;

- Scheduling an on-site meeting within 60 days of the final assessment to monitor recovery efforts;
- Monitoring Housing Assistance Payment (HAP) contract suspensions for unoccupied or damaged units;
- Coordinating the damage assessment with the HUD inspection contractor (if any); and,
- Ensuring that insurance proceeds are co-endorsed and deposited appropriately (if applicable).

The Project Manager must forward a template letter to owners/managers confirming the information obtained in the final disaster assessment. This letter will also notify the owner of the due date for the recovery plan and confirm the scheduled on-site assessment to assess the status of repairs outlined in the owner/agent's recovery plan. Refer to Appendix A-6 for the sample confirmation letter to owners/agents.

## **38-20. RECOVERY PLANS FOR DAMAGED PROPERTIES**

A viable recovery strategy is essential for every damaged property. There should be a comprehensive plan and time line for all properties and an individual plan for each property that was damaged. The comprehensive plan should be measurable, and include time frames. Each individual plan should be specific, funded, measurable, and include time frames regarding when the repair work will be completed.

The comprehensive disaster recovery plan should include measures to:

- Protect residents from displacement and mitigate health and safety concerns;
- Ensure that displaced residents' property is secure and protected;
- Ensure that displaced residents are returned to their apartments as rapidly as possible;
- Protect HUD's assets;
- Ensure ongoing management operations while reducing disruption; and,
- Provide key personnel contacts;

Time lines are critical in developing the recovery plan. The owner/agent should strive to:

- Minimize the impact on residents, especially where displacement occurs;

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- Minimize the disruption to management operations;
  - Facilitate effective coordination of recovery tasks with contractors;
  - Maintain communication and cooperation with HUD staff and displaced residents;
  - Provide for security where necessary;
  - Make timely debt service and vendor payments or seek forbearance.
  - Identify sources of funds such as reserve for replacement funds, insurance funds, grants, loans, etc.

### **38-21. THE COMPONENTS OF A RECOVERY PLAN**

The recovery plan must be submitted within 30 business days of the final disaster assessment. The following are the key components that must be documented in an acceptable recovery plan. Additional information may be required depending on the type and extent of the emergency:

- Primary Contact Information (Owner and Management Agent, etc).
- Summary of Damage and Impact Analysis.
- Recovery Strategy (proposal for restoring the property to normal condition).
- Contractor Award Information (Including supporting documentation that the award meets HUD's procurement requirements). If normal procurement practices are impractical and the owner cannot advertise or collect bids, then he/she must justify the method used and the CPA must certify costs in the next yearly audit.
- Tentative completion dates for major systems.
- Overall completion date for all damaged items.
- Process for coordinating temporary resident relocation and return plan of the tenants.
- An accounting of all escrows, information regarding any loan applications, and information regarding insurance claims.
- Information on any shortfalls in the funds needed to make repairs and the owner's plan stating how they will make up any shortfall in the funds to fully restore the property to its pre-disaster condition.
- Process for bringing units back on-line and moving residents to vacant units if repairs will be made while residents are in place including a plan for how the owner plans to meet the needs of persons with disabilities or LEP during the temporary relocation and return of residents to their units.
- A plan and procedures for tracking and contacting displaced residents including residents with disabilities or LEP.

Additionally, the following items must be submitted with the recovery plan:

- Summary of contractor's experience.
- Copies of bids.
- Licensing and bonding documentation.

## **38-22. MONITORING AND EVALUATING RECOVERY PLANS**

The Project Manager will evaluate recovery plans (using inspection reports, monthly accounting reports, etc.) for reasonableness. This evaluation should be performed in coordination with a HUD Construction Analyst or designee assigned to perform the on-site disaster assessments. Properties that have significant damage and resident displacement should be designated as "Troubled" and monthly accounting reports should be required for insured and Secretary-held loans.

Once the recovery plan is approved, the Project Manager will:

- Monitor the disposition of insurance funds, loans, grants, etc., and releases from Reserve for Replacement and Residual Receipts accounts;
- Provide Asset Development staff with damage assessment information relating to pipeline properties;
- Maintain necessary assessment surveys;
- Perform necessary inspections;
- Monitor repair plans for completion;
- Prepare waivers, suspension reports, forbearance requests, etc. if necessary;
- Resume routine physical inspections, Management and occupancy Reviews (MORs), etc., if they were suspended;
- Continue appropriate servicing as dictated by the Plan; and
- Ensure iREMS is updated continually in the Problem Statement.

Once the recovery plans have been completed, final inspections have been conducted, and residents have returned to their units, the ERT will update the APL to note that the property may return to normal asset management servicing.

### **38-23.      MONITORING AND EVALUATING RECOVERY PLANS**

As part of the close-out phase, the ERC, and any staff working with the ERC, should complete the checklist (Appendix A-7) as evidence that HUD has verified that all items noted in the owner's recovery plan have been completed. The completed checklist should be maintained with the approved disaster recovery plan in the project file for each affected project. Comments/concerns requiring additional actions and recommendations by the owner should be addressed. This action is not mandatory but can be a good tool for historical purposes.

### **38-24.      EMERGENCY RESPONSE TEAM CLOSEOUT**

Following a disaster, the ERC should assemble all HUD field office staff to obtain input, recommendations and suggestions, to be better prepared for future events by amending the Hub Disaster/Emergency response plan. A formal evaluation of the Response Plan can be helpful for the future. Recommendations based on "lessons learned" should be forwarded to Headquarters.

## **SECTION 4.   PROGRAM AND DISASTER RELIEF OPTIONS DURING A PDD**

These "options" are available in an emergency if authorized by the Hub Director unless otherwise stated for PDDs.

### **38-25.      FEMA ELIGIBILITY**

**The Department relies upon FEMA's eligibility determination.** Those impacted by the disaster (i.e. owners and residents) must make an application with FEMA, receive an application number, and obtain a letter of eligibility, which specifically describes the type of eligibility. Those impacted by a disaster will not be afforded relief or assistance as a result of a Presidential Declared Disaster unless they have been certified by FEMA as being eligible. However, residents displaced by a PDD have a right of return regardless of whether they registered with FEMA or not. Owners must register with FEMA as financial assistance grants, loans and other federal assistance may be made available. Usually once declared, applicants for individual assistance only have sixty days to apply.

### **38-26.      WAIVERS OF HANDBOOKS, NOTICES, ETC.**

Hub Directors should process requests for waivers of provisions of the Office of Housing Handbooks and Notices that do not reflect statutory or regulatory requirements, as quickly as possible. Hub Directors should justify each waiver request by preparing a

Finding and Determination and forwarding it to Headquarters for review and approval by the Director of the Office of Asset Management. Upon approval by Headquarters, the Project manager must place a copy of the justification in the project file. The Integrated Real Estate Management System (iREMS - Problem Statement Screen) must be updated when a waiver is requested, granted or denied (such as using R for R for security, or relocation etc.). This is to ensure uniformity where the impacted area is widespread.

### **38-27. PRIORITY FOR TEMPORARY AND PERMANENT RENTAL HOUSING**

Displaced residents may be moved to the top of the waiting list in Section 221(d) and 236 projects for temporary or permanent rental housing as long as the residents are displaced and are FEMA certified as disaster victims. This preference is only available after a Disaster has been declared by the President.

Federal statute and HUD regulations require that PDD displaced residents be given priority over other applicants for either temporary or permanent housing in all multifamily properties currently insured under sections 221(d)(3), 221(d)(4) and 221(d)(3) BMIR and 236 programs (See HUD handbook 4350.3 REV-1, chapter 4, paragraph 4-6). The term of this requirement is for 18 months from FEMA's publication of the PDD declaration, unless extended by Congress. The PDD displaced resident is required to provide their FEMA certification to qualify for priority on the waiting list and must also be eligible for the unit (cannot be over or under housed). An owner should maintain the same waiting list preferences that were in place prior to the PDD except for the preference priority for the 18-month period referenced above. This is a one-time preference per PDD.

When a displaced resident secures temporary housing using this preference rule and they decide to remain in the unit and not return to the unit which they occupied at the time of the disaster they are considered permanently housed. They lose their right to return to the unit they occupied at the time of the disaster when it is repaired, and they are no longer afforded any preference.

### **38-28. MULTIPLE OCCUPANTS IN A UNIT**

The Department will allow multiple occupants who were displaced to live in the same apartment unit provided it does not create a health and safety problem. Only FEMA-certified displaced residents can move in with families and friends occupying HUD-assisted units on a temporary basis, provided that the host household obtains the project owner's approval.

In the case of a project based Section 8 Housing Assistance Payments (HAP) assisted unit, if a current, eligible family chooses to allow a non-eligible, but FEMA-certified individual/family to move into the unit on a short-term basis, the non-eligible family is considered a guest. A multifamily project owner may allow the eligible family to house

the guest(s) for a limited period (e.g., 90 days) without interruption of the subsidy. Residence by the eligible family is the predicate for continuation of the Section 8 subsidy. As a condition of approval the “guest” must endorse a lease addendum (see Appendix A-9). Should the eligible family move out, the “guest” must vacate also.

**38-29. LEASES AND RENTS FOR NON-PERMANENT RESIDENTS**

Owners with displaced persons to be housed under these temporary housing measures in available vacant units should have the family or individual execute a 30-day renewable lease. Subject to state and local law, the lease should have a provision which states that the lease terminates when the resident’s permanent housing becomes available or when FEMA no longer certifies a resident’s FEMA eligibility. Rents for these temporary housing units must be set at the rents that were in effect immediately prior to the Presidential declaration. In the event the rents are more than the FEMA-approved rental assistance, the resident is responsible for paying the difference.

**38-30. USE OF COMMUNITY SPACE**

Owners are encouraged to allow community space, kitchens, restrooms and other facilities to be used as shelters or disaster recovery-related activities. However, use of these areas should be balanced to not overly disturb current residents or significantly interfere with the use by current residents.

**38-31. OTHER REGULATORY/POLICY RELIEF**

- A. **REAC Inspections** – The Department’s practice is to postpone all physical inspections of projects in the immediate impacted area from the date of the PDD. The Department will conduct an evaluation from time to time to determine when, and for what counties, physical inspections will resume. When inspections are resumed, information will be posted on the REAC web site.
- B. **MF-FASS** - Owners of multifamily properties located in the declared area that sustained damage, and who are required to file an Annual Financial Statement (AFS), may request an extension of up to 30 days to file their AFS. This extension request must be submitted electronically to REAC via the Multifamily Financial Assessment Subsystem.
- C. **Occupancy Requirements** – Program occupancy requirements do not apply for residents who are afforded temporary housing. Certain exceptions for 202/811 are covered immediately below in Section D.
- D. **Vacant Units** – Owners are encouraged to hold vacant units off the market in anticipation of providing temporary housing to FEMA-certified displaced residents. However, for Section 202/811 projects, vacant units can only be provided for temporary housing for FEMA-certified displaced residents, if there is no waiting list of otherwise eligible tenants. If a former Section 8 unit is used to house someone displaced by the PDD, he/she must pay market rent.

E. **Evictions of Current Residents** – Owners are encouraged not to evict residents who have not returned to their units in the impacted areas after the units have been repaired, if the resident has a reasonable basis for not returning (health, loss of income, loss of personal property like furniture, etc.). Once an apartment is repaired and ready for occupancy, Owners may hold the vacant units off the market for a reasonable time as long as the rent is current. If the resident is delinquent on rent payments, the owner is encouraged to make a judgment based on the facts and circumstances of each case. Owners must stay in contact with displaced residents and keep them informed of the date they can return to their units. However, if a displaced resident moves from a shelter or from temporary housing to other permanent housing, the owner is free to rent the unit. Owners must provide this information to residents in accessible formats for persons with disabilities and in appropriate languages for persons with LEP.

F. **Use of Escrows** – The Department will approve use of reserves for replacements/residual receipts to make necessary repairs pursuant to outstanding Departmental policy and Handbooks. Mortgagees are encouraged to provide priority processing for these requests.

For a Secretary-held mortgage, once the request for funds (Form HUD-9250) is received, the approval will be expedited. Headquarters will use United Parcel Service for overnight mailing. The field office must provide a specific address (not a post office box) to ensure that the release of funds is expedited. Also, the request for funds must be identified as “disaster relief.”

G. **Insured Loans Mortgagee Servicing** – HUD will instruct mortgagees to allow maximum flexibility for owners with delinquent project loans in the PDD impacted areas. HUD encourages owners to quickly repair their properties to permit the return of displaced residents. The mortgagee should be advised on all developments related to repairs, resident displacement and funding. Requests for extensions to assign a note through MDDR will receive expeditious processing by HUD.

H. **HUD-Held and 202 Mortgage Servicing** – The Department will allow mortgagors to defer their payments, if they are using project funds to repair the property or for security, etc. while waiting for insurance benefits or disaster financial assistance. HUD may approve a temporary forbearance plan under these circumstances. Hub Directors are authorized to approve foreclosure forbearance agreements in PDD areas in maximum increments of 90 days for properties that meet the following minimum requirements:

- The Hub Director determines that it is likely that forbearance will result in restoration of the project to full operation and the mortgage brought current;
- The property has underfunded repair needs; and,

- 
- The owner is actively negotiating for or awaiting an insurance claim payment, or the owner is actively negotiating or awaiting a release of grant funds
  - The owner otherwise is in full compliance with all business agreements with HUD.

The owner is required to execute a Forbearance Agreement that will include the terms of the forbearance and will require the owner to submit a monthly accounting report and progress report of negotiations and repairs. HUD handbook 4350.1, REV-1 provides a sample workout agreement that can be used for these purposes. A copy of the forbearance agreement must be sent to the Multifamily Notes Branch for HUD-Held properties and the Chief Financial Officer's (CFO's) office in Fort Worth on Section 202 and 811 projects as well as a copy to the Office of Asset Management in Headquarters.

Insured mortgages: If the lender requests forbearance, a 90-day extension of the election to assign may be approved under the same circumstances as above except that the mortgagee will provide the information above to the Hub Director for approval. All extensions must be requested through the Multifamily Delinquency and Default Reporting System (MDDR).

When funds are secured to repair the property, the Hub Director may approve a final written forbearance agreement and/or extension to assign if the following conditions are met:

1. The Hub Director has determined that the funds are sufficient to fully restore and preserve the property and to pay in full, all delinquencies and arrearages in the mortgage accounts;
2. The owner has a Hub approved, time-phased repair plan with a targeted end date, and is in full compliance with the plan and its other business agreements; and,
3. The owner submits monthly accounting reports and monthly progress reports as required by the Hub.

If there is a serious default of the repair plan or failure to supply cash required to cure the deficiencies, the Hub will follow normal disposition and enforcement policy and practices.

Where it is determined that there is no possibility of preserving the property, no forbearance or extensions of elections to assign should be approved. The Department's normal disposition policies and procedures will apply.

- I. Mortgage Prepayment – Mortgagors who wish to prepay their FHA insured or HUD-Held mortgage are subject to any existing lockout provisions, applicable use restrictions, resident notification and HUD review/approval requirements. No exceptions are authorized for properties located in the PDD areas.

- a. For Section 221 and 236 properties that are preservation-eligible and the owner has a right to prepay without HUD approval, the owner must provide the statutory Resident Notification letter no less than 150 days and no more than 270 days before the intended payment date. Owners of properties in the PDD area shall post notice at the property as well as send the statutory required Resident Notification letter to each tenant residing at the property on the date of the disaster, via regular and certified mail to the resident's last known address. The owner must retain copies of all notification letters and certified receipts in resident files. If the owner does not provide the appropriate resident notification, the owner must execute a use agreement.
  - b. For Section 221 and 236 properties where HUD approval is required to prepay and the project is subject to 250(a) of the national Housing Act (Notice 2004 -17), the Department will continue to require owners to send the Resident Notification letter via regular and certified mail to the resident's last known address. The owner must retain copies of all notification letters and certified receipts in the resident files. However, the Department will consider an exception request to lessen the notice period for these projects. Exception requests should be forwarded to the Office of asset management in Headquarters for review. A Rental use Agreement must also be executed and recorded at the time of prepayment
- J. **Resident Occupancy/Eviction** – Residents who have been displaced from their unit have a right of first refusal for a reasonable time after their unit is repaired and ready for re-occupancy. Owners must inform residents in writing when their unit is habitable and can be re-occupied. Residents should be given a reasonable time to return to their unit, usually, within 60 days after notification of availability. Owners are encouraged not to evict residents who have not returned to their unit for good cause or who have reduced income due to a job loss as a result of the declared disaster. Payment plans for delinquent rents are encouraged. However, if a displaced resident moves to other permanent housing, the owner may rent the unit. Owners must provide this information to residents in accessible formats for persons with disabilities and in appropriate languages for persons with LEP.
- K. **Resident Files and Recertification Requirements** – If resident files are destroyed or unavailable as a result of a PDD, an owner/agent can use the TRACS certification database in Secure Systems as a source of information for HUD assisted residents. In such cases, TRACS can be used to establish or confirm who resided at the site and who received HUD rental assistance prior to the PDD. In addition, if the waiting list information for assisted units was lost due to the PDD, the owner/agent must advertise the availability of assisted units in accordance with the Affirmative Fair Housing Marketing Plan, and create a new waiting list. The owner is responsible for documenting the loss of the pre-PDD waiting list and the need for “starting over.” All

returning residents who are subject to income certification requirements must be recertified as soon as possible upon their return to the property if their income or other eligibility criteria has changed, or if they are due for an annual recertification. The recertification process should be initiated no later than 15 business days after the displaced resident returns.

## 38-32. **SECTION 8 SERVICING**

Routine servicing should remain in place as long as a resident is occupying a habitable apartment. However, a Project Manager may need to take special action with regard to apartments covered under a Section 8 Contract if any or all of those apartments are damaged. This section describes four actions that can be taken if some or all of the apartments covered by Section 8 are damaged, inaccessible, or without services and/or utilities.

- A. **Section 8 Contract Suspension** – Section 8 must be suspended on a vacated apartment beginning the following month after the resident has been displaced, unless Headquarters approves otherwise. The suspension may not be lifted until the resident returns or the unit is ready for re-occupancy. Since all disaster related suspensions require Headquarters approval they are done on a case by case basis. The need to suspend must be discussed during the regular post PDD conference calls with Headquarters.
- B. **Tenant Holding-Over** – Section 8 payments cannot be made if a unit has been declared uninhabitable or condemned. Suspended payments should not resume until all code violations are removed and the unit is declared habitable. This is the case even if the resident chooses to remain in the uninhabitable apartment. The Owner should evict a resident who refuses to voluntarily move from an uninhabitable unit which does not meet with local code requirements.
- C. **Section 8 Pass Through** - Owners with residents under a project-based Section 8 HAP contract whose unit was rendered uninhabitable may temporarily lease a unit in another building, which is habitable, under Uniform Physical Condition Standards with approval from Headquarters. The Owner can sign a temporary lease on behalf of the displaced Section 8 resident and begin to voucher for the contract rent for that temporary unit. The owner then pays no more than the contract rent on the temporary dwelling until the resident's permanent rental unit has been restored to habitable condition and the owner notifies the resident that they may resume occupancy of their former unit. The resident is still responsible for the resident's share of the temporary rent. The Hub will be responsible for inspecting the "pass through" apartment before occupancy to ensure it meets physical standards. Or, the owner may provide a third party inspector acceptable to HUD, to inspect.

Should the displaced resident fail to return, the owner may rent the repaired unit to an eligible Section 8 applicant. Before doing so, however, the owner must inform

the resident in writing that their assistance is terminated. In the event that the owner rents the unit to an eligible Section 8 applicant, the owner must first terminate the “pass through” lease that the owner executed on behalf of the displaced resident. In addition, should the temporarily displaced resident move from the temporarily leased unit before their permanent rental unit is repaired and made available for their return, the owner can no longer voucher for the temporary unit and the resident is considered permanently housed.

Once the original unit is fully repaired and ready for occupancy, all Section 8 provisions apply. This arrangement calls for close contact and cooperation between the Owner and the resident.

The PASS-through arrangement is only available to residents and owners who voluntarily agree to the conditions. HUD will not assume any additional costs such as relocation expenses or utility expenses related to a Pass-through arrangement.

- D. Section 8 Apartments Occupied by Ineligible Residents** - The Department will allow an owner to temporarily rent a vacant Section 8- assisted apartment to a FEMA-certified displaced resident. However, the owner can only voucher, and the Department may only pay, Section 8 housing assistance payments for units occupied by eligible Section 8 families. Therefore, there would be no housing assistance payment made on behalf of a non-eligible Section 8, FEMA certified resident.

**D. Transferring a Section 8 Contracts to a Different Property**

Residents who occupied units at the time of a PDD that were destroyed, condemned or substantially damaged and the Section 8 Housing assistance Payment (HAP) contract is transferred to a new property, have the right to move to the new property. Those residents who received Section 8 assistance prior to the disaster, and who remain qualified, will receive Section 8 rental assistance at the new property.

**E. Section 8 HAP Contract Opt-Outs**

Opt-out requests for properties that have been condemned, destroyed or substantially damaged as a result of a PDD will be handled on a case-by-case basis. The procedures for opt-outs are outlined in Chapter 11 of the Section 8 Renewal Policy Guide. Please note that for projects that have been deemed uninhabitable by the Department and no residents are residing in the project, the notice requirement of Section 8(c)(8) of the United States Housing Act of 1937 will be reduced from one-year to 120 days. The notice must be issued to each resident at the last known address via regular and certified mail (return-receipt requested). Guidance will be provide by Headquarters regarding securing, issuing, and the eligibility of of tenant protection vouchers for the disaster-displaced residents of a multifamily housing property where the owner opts-out of the Section 8 HAP Contract.

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**38-33. FHA-INSURED PROJECTS IN THE DEVELOPMENT PHASE**

Vacant units in pipeline properties may be made available for temporary housing and permanent housing, if they can be released for this purpose. Owners and local Hub officials are encouraged to take the necessary steps to make units available.

**38-34. APPROVAL OF INSURANCE LOSS DRAFTS**

The Hub Director has the authority to execute insurance loss drafts on Secretary-held and 202/811's. Mortgagees are encouraged to expedite their approval of the draft, as well as, on insured loans.

**38-35. MARK-TO-MARKET PROPERTIES (OAHF)**

For properties going through the Mark-to-Market Program, HUD will grant a reasonable extension of time for owners impacted by the declared disaster. This will allow for additional time to hold resident meetings and for delays in property inspections and/or appraisals for affected properties. For owners whose properties are not affected, but who have documented properties elsewhere affected by the declared disaster, causing them to be delayed in their responsiveness on any property going through debt restructuring, HUD will consider these factors when exercising its discretion about an owner's responsiveness and in imposing time-related penalties.

**38-36. USE OF PROJECT RESERVE FUNDS AND OWNER CONTRIBUTIONS**

The Department will allow the use of reserve escrows for immediate project use other than for typical Reserve uses, to augment cash flow for the period of the emergency. Owners must negotiate and sign a repayment plan with HUD. Reserves must be replenished from local, state, or federal benefit programs as well as insurance proceeds when they become available.

Owner contributions during the emergency period can be repaid to the Owner under a written plan approved by HUD. The Hub Director has the authority to approve such a plan.

**38-37. CONTACTING HUD**

Owners who are adversely affected by a PDD are encouraged to contact the appropriate HUD office, in writing, if they are unable to respond in a timely manner to any correspondence or notices such as default notices, notices of violation, enforcement notices, etc. Based on the documentation submitted by Owners, the HUD office will consider the effect of the disaster on the owner's ability to comply and will

exercise discretion in judging responsiveness before imposing any time-related penalties or delaying inspections, approving assignment extension, etc. as appropriate.

**38-38. HEADQUARTERS, FIELD OFFICE, OWNER/AGENT AND RESIDENT RESPONSIBILITIES**

See Appendix A-8.

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## APPENDIX A-1

### EMERGENCY MANAGEMENT STRUCTURE

#### **Continuity of Operations (COOP):**

Presidential Decision Directive (PDD) 67 established the requirement that all Federal Executive Branch departments and agencies have in place a comprehensive and effective program to ensure the continuity of essential Federal functions under any circumstances. To support this policy the Federal Executive Branch has implemented the Continuity of Operations (COOP). COOP is defined as the activities of individual departments and agencies and its subcomponents to ensure that its essential functions are performed including plans and procedures that delineate essential functions; specify office succession and the emergency delegation of authority; provide for the safekeeping of vital records and databases; identify alternate operating facilities; provide for interoperable communications; and validate the capability through test, training and exercise. The Hub emergency response for natural disasters should be incorporated into the COOP.

#### **Federal Emergency Management Agency:**

On March 1, 2003, the Federal Emergency Management Agency (FEMA) became part of the U.S. Department of Homeland Security (DHS). The primary mission of the Federal Emergency Management Agency is to reduce the loss of life and property and protect the Nation from all hazards, including natural disasters, acts of terrorism, and other man-made disasters, by leading and supporting the Nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.

#### **Statutory Authority:**

[Robert T. Stafford Disaster Relief and Emergency Assistance Act](#), PL 100-707, signed into law November 23, 1988; amended the Disaster Relief Act of 1974, PL 93-288. This Act constitutes the statutory authority for most Federal disaster response activities especially as they pertain to FEMA and FEMA programs.

FEMA works in partnership with other organizations that are part of the nation's emergency management system. These partners include state and local emergency management agencies, 27 federal agencies and the American Red Cross.

#### **National Response Framework:**

The National Response Framework (NRF) presents the guiding principles that enable all response partners to prepare for and provide a unified national response to disasters and emergencies. It establishes a comprehensive, national, all-hazards approach to domestic incident response. The National Response Plan was replaced by the National Response Framework effective March 22, 2008.

The National Response Framework defines the principles, roles, and structures that organize how we respond as a nation. The National Response Framework:

- describes how communities, tribes, states, the federal government, private-sector, and nongovernmental partners work together to coordinate national response;
- describes specific authorities and best practices for managing incidents; and,
- builds upon the National Incident Management System (NIMS), which provides a consistent template for managing incidents.

The U.S. Department of Housing and Urban Development is identified in Emergency Support Function (ESF) #6 – Mass Care, Emergency Assistance, Housing, and Human Services Annex. Information on the National Response Framework including Documents, Annexes, References and Briefings/Trainings can be accessed from the [NRF Resource Center](#).

### **Federal-to-Federal Support in Non-Stafford Act Situations:**

The Department of Homeland Security (DHS) and Federal agencies may support a Federal department or agency that has requested DHS assistance in handling an incident that would generally fall under the requesting department or agency's jurisdiction.

Federal departments and agencies routinely manage the response to incidents under their statutory or executive authority that do not require the assistance of other Federal agencies. When a Federal entity with primary responsibility and authority for handling an incident requires assistance, that agency may request DHS coordination of Federal multiagency assistance. In such cases, DHS coordinates assistance using the procedures and structures within the *National Response Framework*. Generally, the requesting agency funds the participation of other Federal departments and agencies in accordance with provisions of the Economy Act unless other pertinent authorities exist. To initiate Federal-to-Federal support, the requesting agency submits a request for assistance to the DHS Executive Secretary via the National Operations Center (NOC). Requests include a summary of the situation, types and amount of resources needed, financial information, and any other appropriate details.

Upon approval of the request, the Secretary of Homeland Security issues an operations order to the NOC. The NOC, through FEMA's National Response Coordination Center (NRCC), coordinates the activation of the appropriate Emergency Support Functions. The Secretary of Homeland Security designates a Federal Resource Coordinator (FRC) to manage Federal resource support. In circumstances requiring extraordinary coordination, the Secretary may appoint a Principal Federal Official to serve as his or her representative in the field.

The requesting agency designates a senior official to work in coordination with the FRC as part of the Unified Coordination Group to identify and define specific support requirements. The requesting agency also provides comptrollers to the NRCC, Regional Response Coordination Center (RRCC), and the Joint Field Office (JFO), as appropriate, to oversee financial management activities.

## APPENDIX A-2

### AFFECTED PORFOLIO LIST/AND TRACKING REPORT (TR)

County	REMS ID	Property Name	Street Address	City	Property Phone	Assisted Units	Total Units	Client Type	Proj Manager	COMMENTS	# Units Vacated	codes*	R4R Balance	Residual Receipts
Prince George's	800000123	SUNRISE I	6400 Walker Drive	CLINTON	301-868-1000	18	18	Disabled	KIMBERLY MUNSON					
Prince George's	800000124	SUNRISE II	6500 Walker Drive	CLINTON	301-868-1000	12	12	Disabled	DAVID STORMS					
St. Mary's	800000125	HIGHPOINT RIDGE	2330 Village Avenue	LAPLATA	301-405-2700	50	50	Elderly	MICHELLE FERRELL					
St. Charles	800000126	HIGHVIEW I	1833 Hill Road	WALDORF	301-679-2100	24	24	Elderly	DIANNA ALCANTRA					
St. Charles	800000127	HIGHVIEW II	1834 Hill Road	WALDORF	301-679-2100	71	71	Elderly	HERB MALLETT					

**\* Codes:**

0 = No Damage - No Dislocation  
 1 = Power Outage - No Dislocation  
 2 = Minor Damage - No Dislocation  
 3 = Minor Damage - Dislocation  
 4 = Modest Damage - No Dislocation

5 = Power Damage - Full Dislocation  
 6 = Severe Damage - Minor (< 50%) Dislocation  
 7 = Severe Damage - Significant (>50%) Dislocation  
 8 = Severe Damage - Red Flagged  
 9 = Severe Damage - Demolition  
 10 = No Assessment

## APPENDIX A-3

## PRELIMINARY DISASTER ASSESSMENT

Preliminary Disaster Assessment  
for Multifamily Housing PropertiesU.S. Department of Housing  
And Urban Development  
Office of Housing  
Federal Housing Commissioner

Public Reporting Burden for this collection of information is estimated to average .25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The purpose of this form is to assist the owner in assessing the energy conservation needs of the property. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Office of Information Policies and Systems, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600 and to the Office of Management and Budget, Paperwork Reduction Project (2502-0582), Washington, D.C. 20503. Do not send this completed form to either of the above addresses.

**Instructions:** Using this assessment checklist, HUD staff must complete the general property information section and contact the owner/management by telephone to obtain responses to the questions below. If unmet needs are identified below, HUD staff must coordinate with Headquarters staff and the appropriate Federal, State, and/or local officials to the extent possible. Life threatening issues should be reported to emergency personnel immediately.

## GENERAL PROPERTY INFORMATION

Assessment Date:	Property Name:	Property Address:	
Owner:		On-Site Management Agent:	
Owner Phone Number:		Management Agent Phone Number:	
Alternate Contact/Phone Number:		Alternate Contact/Phone Number:	
Email Address:		Email Address:	
IREMS Number:	FHA Number:	Section of the Act:	Contract Number:
	<input type="checkbox"/> N/A	<input type="checkbox"/> N/A	<input type="checkbox"/> N/A
Total Units:	Type of Subsidy		Client Type
Total Assisted Units:	<input type="checkbox"/> Section 8 <input type="checkbox"/> Section 236 <input type="checkbox"/> Rent Supplement <input type="checkbox"/> PRAC		<input type="checkbox"/> Family <input type="checkbox"/> Disabled <input type="checkbox"/> Elderly <input type="checkbox"/> Elderly/Disabled <input type="checkbox"/> Other (please specify)
	<input type="checkbox"/> PAC <input type="checkbox"/> Section 221(d)(3) BMIR <input type="checkbox"/> RAP <input type="checkbox"/> Unsubsidized		

## RESIDENT STATUS/UNMET NEEDS

Number of Occupied Units Pre-Disaster: _____	Number of Units Currently Occupied: _____	Number of Residents with Special Needs: _____		
		YES	NO	N/A
1. Have there been any reported resident injuries?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Do the residents require evacuation?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Would you like assistance with evaluating residents?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Has alternate contact information been obtained from residents?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Have residents been provided alternate contact information from the management staff?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Have any of the following unmet needs been identified?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Food?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Health Risks?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability Issues?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Limited English proficiency and/or ability to read/write?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Life Threatening Issues?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>PROPERTY</b>		YES	NO	N/A
<b>Does the property have any of the following:</b>				
1. Power?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Water?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Vehicle Access?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Standing Water?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Were the buildings flooded?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, how deep and for how long?				
6. Is the property accessible and safe to enter?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Are permits or clearances required to re-occupy, repair, or re-construct the property?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Has management personnel taken photographs of the damage? If yes, request a scanned or faxed copy of the photographs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>UNITS</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>How many units are damaged and cannot be reoccupied? _____</b>			
1. Can residents be moved to other units on-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Are you aware of other projects where these residents can be relocated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Can all residents return to their units immediately?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Can all residents return to their units within the next two weeks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Can all residents return to their units within one month?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall Damage (please indicate) <input type="checkbox"/> None <input type="checkbox"/> Minor <input type="checkbox"/> Moderate <input type="checkbox"/> Major <input type="checkbox"/> Severe			
Disaster Code (please indicate) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9			
<b>Codes:</b> 0 = No Damage-No Dislocation; 1=Power Outage – No Dislocation; 2=Minor Damage – No Dislocation; 3=Minor Damage-Dislocation; 4=Modest Damage-No Dislocation; 5=Power Damage-Full Dislocation; 6=Severe Damage-Minor (<50%) Dislocation; 7=Severe Damage-Significant (> 50%) Dislocation; 8 = Severe Damage – Red Flagged; 9=Severe Damage-Demolition; 10=No Assessment			
Priority Code (please indicate) <input type="checkbox"/> Green <input type="checkbox"/> Yellow <input type="checkbox"/> Red			
Comments:			
Name of Reviewer:	Title of Reviewer:	Date:	

## APPENDIX A-4

## VACANCY UTILIZATION/DISPLACED RESIDENT REPORT

**Disaster Vacancy Utilization/  
Displaced Resident Report  
for Multifamily Housing Properties****U.S. Department of Housing  
And Urban Development  
Office of Housing  
Federal Housing Commission**

Public Reporting Burden for this collection of information is estimated to average .25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The purpose of this form is to assist the owner in assessing the energy conservation needs of the property. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Office of Information Policies and Systems, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600 and to the Office of Management and Budget, Paperwork Reduction Project (2502-0582), Washington, D.C. 20503. Do not send this completed form to either of the above addresses.

**Instructions:** Using this assessment checklist, HUD staff must complete this form by contacting HUD and non-HUD owners/management agents in the disaster affected area to identify available vacancies.

Date:	Affected Property Name:	Affected Property Address:		County:	
Disaster Name: (if known)		<input type="checkbox"/> Unknown	Have any evacuees been housed in the property? ____ If yes, number of families housed and unit size. ____		
Are there any vacant units that may be used for housing residents displaced by the storm? ____ If yes, how many? Please list Unit size, type and date unit(s) will be ready for occupancy:					
Property Name/Address	Number Available	Unit Size	Unit Type (Family, Elderly, Persons with Disabilities, etc.)	Date Available for Occupancy	HUD Property?
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
Name of Reviewer:		Title of Reviewer:		Date:	Telephone Number:

## APPENDIX A-5 FINAL DISASTER ASSESSMENT

### Final Disaster Assessment for Multifamily Housing Properties

**U.S. Department of Housing  
And Urban Development  
Office of Housing  
Federal Housing Commissioner**

Public Reporting Burden for this collection of information is estimated to average .25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The purpose of this form is to assist the owner in assessing the energy conservation needs of the property. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Office of Information Policies and Systems, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600 and to the Office of Management and Budget, Paperwork Reduction Project (2502-0582), Washington, D.C. 20503. Do not send this completed form to either of the above addresses.

**Instructions:** Using this assessment checklist, HUD staff must complete the general property information section and perform an on-site assessment to verify the information in the preliminary report for final determination of damage.

On-Site Assessment Date:	Property Name:	Property Address:	
Owner: Owner Phone Number: Alternate Contact/Phone Number: Email Address:		On-Site Management Agent: Management Agent Phone Number: Alternate Contact/Phone Number: Email Address:	
IREMS Number:	FHA Number: <input type="checkbox"/> N/A	Section of the Act: <input type="checkbox"/> N/A	Contract Number: <input type="checkbox"/> N/A
Total Units: Total Assisted Units:	Type of Subsidy <input type="checkbox"/> Section 8 <input type="checkbox"/> PAC <input type="checkbox"/> Section 236 <input type="checkbox"/> Section 221(d)(3) BMIR <input type="checkbox"/> Rent Supplement <input type="checkbox"/> RAP <input type="checkbox"/> PRAC <input type="checkbox"/> Unsubsidized		Client Type <input type="checkbox"/> Family <input type="checkbox"/> Disabled <input type="checkbox"/> Elderly <input type="checkbox"/> Elderly/Disabled <input type="checkbox"/> Other (please specify)
Describe the building exterior damage. (Provide a general description per building, # of buildings, etc.) Indicate below and provide a description. If no exterior damage, indicate "N/A." Use additional sheets as necessary.			
Debris Removal/Disposal		Description:	
Garage/Carport		Description:	
Accessory Structures (e.g., pool, playground, mail kiosk, etc.)		Description:	
Landscaping		Description:	
Fencing/Entrance		Description:	
Other		Description:	
Describe the building interior damage. (Provide a general description per building, # of buildings, etc.) Indicate below and provide a description. If no interior damage, indicate "N/A." Use additional sheets as necessary.			

Doors	Description:			
Flooring	Description:			
Interior Walls	Description:			
Ceilings	Description:			
Cabinetry	Description:			
Appliances	Description:			
Electrical System	Description:			
Plumbing System	Description:			
Mechanical System	Description:			
Other	Description:			
If applicable, describe the exposed exterior/interior electrical damage.  <input type="checkbox"/> N/A	Description:			
Describe any temporary work that has been performed or is still needed.  <input type="checkbox"/> N/A	Description:			
Description of Damage (Use additional sheets if necessary)	Unit of Measure	Quantity	Cost per unit	Total
				\$
				\$
				\$
				\$
				\$
				\$
<b>Total Damages</b>			\$	

**Summary of Findings**

Total Number of Units Affected: _____	Occupancy Level Prior to Disaster _____%	Current Occupancy Level: _____%	Total Number of Relocated Residents: _____	Expected Duration of Relocation: _____ (please indicate) <input type="checkbox"/> Days <input type="checkbox"/> Months <input type="checkbox"/> N/A
Are Permits or clearances required to re-occupy, repair, or re-construct the property? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Photographs – Attach a minimum of 12 digital color photographs depicting damage to the property. Label each photograph with the specific location and date photograph was taken (building number, unit number, specific location on the property, such as fence on west property line, etc.). Provide a brief description of the				

damage depicted in the photograph and provide at least two photographs for each category of damage.		
Comments:		
Name of Reviewer:	Title of Reviewer:	Date:

## APPENDIX A-6

### SAMPLE CONFIRMATION LETTER TO OWNER/AGENT FOR SCHEDULED FINAL ASSESSMENT



U.S. Department of Housing and Urban Development

DATE

To:

Re: Disaster Assessment for

Dear Mr.:

This letter serves as follow-up to our telephone conversation regarding the scheduled on-site disaster assessment for the subject project. The damage assessment is scheduled for \_\_\_\_\_. This review will be conducted to verify information obtained during the preliminary damage assessment, determine the extent of damage, and assess the overall needs of the residents and property.

Our HUD representative will physically inspect selected occupied and all vacant units and common areas. In preparation for the on-site damage assessment, please ensure copies of photographs or other damage related materials are available for the reviewer and that keys are available to all property common areas and units. Also, please ensure that all residents are provided with at least the required 24-hour advance notice, so that our inspector may enter occupied units.

We encourage you to have knowledgeable property personnel available to assist with and accompany our staff during the assessment. The goals of this review are to expedite the damage assessment, identify repair needs, and evaluate your property and restore the property to its operating condition.

We will provide you with a copy of the Final Assessment Report so that you can provide our office with a repair and recovery plan within 30 days or less of the date you receive the Final Assessment Report.

Thank you for your cooperation in this matter. If you have any questions, please contact me at: \_\_\_\_\_ or by email at:

Sincerely,  
(Name)  
Project Manager

## APPENDIX A-7

### CLOSE-OUT CHECKLIST

A. In this section, check the appropriate box. If NOT applicable write N/A.

Yes	No	N/A	
			Have the all items notated in the recovery plan been completed?
			Have all displaced residents returned to the units? If not, explain.
			Have postponed physical inspections and MORs been rescheduled?
			Have cancelled on-site management reviews been rescheduled?
			Have suspended Section 8 payments been resumed?
			Have Mortgage payments resumed?
			Have the deposits to the R for R account resumed and/or have any R for R loans been repaid?
			Have the PBCA and CAOM been notified that the property has returned to the asset management inventory?
			Is IREMS current?

B. Comments/Concerns

--

Name and Title of Emergency Coordinator (or authorized official):	Date

\_\_\_\_\_  
**Project Manager Signature**

\_\_\_\_\_  
**Date**

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## APPENDIX A – 8

### HEADQUARTERS, FIELD OFFICE, OWNER/AGENT, AND RESIDENT RESPONSIBILITIES

#### **HEADQUARTERS RESPONSIBILITIES RELATED TO EMERGENCIES AND PDDs**

Headquarters is responsible for:

- Providing the Affected Properties List (APL) of all properties within the affected geographical area to the HUD field office;
- Holding regular conference calls with the Hub Director/HUD field staff;
- Participating in conference calls with HUD's Office of Field Policy and Management staff;
- Approving volunteer disaster assignments;
- Coordinating and approving overtime, travel, and supplies;
- Determining if Disaster Vacancy Reports of available Section 8 units are needed for displaced residents.
- Approving Section 8 PASS Through, forbearance, etc.

The Office of Asset Management is responsible for:

- All asset management responsibilities requiring Headquarters approval;
- Property Disposition (PD) properties;
- Physical Inspection Oversight to include reviewing and processing requests for postponing/cancelling scheduled physical inspections with HUD's Real Estate Assessment Center (REAC). Also responsible for monitoring the counties and timeframes for resuming physical inspections;
- Obtaining regular reports from HUD field staff and briefing the Director, Office of Asset Management on the status of all post-disaster activities including, successes, failures, etc; and,
- Maintaining on-going communication between HQ and field staff, including Office of Multifamily Housing, Field Policy and Management, and other program offices as appropriate.

#### **HUD FIELD OFFICE RESPONSIBILITIES**

HUD field offices are responsible for:

- Assembling the assigned ERT members;

- 
- Obtaining the list of properties in the PDD area from Headquarters;
  - Responding to phone calls, correspondence, etc;
  - Coordinating with FEMA as necessary;
  - Conducting phone surveys with owners/agents of potentially affected properties using the Preliminary Disaster Assessment;
  - Reviewing Preliminary Disaster Assessment data for accuracy and completeness;
  - Determining the Damage Assessment Code based on the Preliminary Disaster Assessment as determined by the Construction Analyst or designee;
  - Completing the Disaster Tracking Report;
  - Completing the Vacancy Utilization/Displaced Resident Report;
  - Requesting HUD Contract Administrator Oversight Monitors to suspend full or partial Housing Assistance Payment (HAP) contracts for units if appropriate;
  - Coordinating the depositing of insurance funds into escrows and continued release of reserves;
  - Submitting issues to the Hub Director regarding properties that have not submitted Recovery Plans and/or requests for extended timeframes;
  - Making recommendations to the Hub Director regarding enforcement actions;
  - Submitting requests for debt forbearance and Section 8 HAP Transfers to the Hub for assistance and guidance;
  - Coordinating with Provide Asset Development staff with damage assessment information relating to pipeline properties;
  - Maintaining completed assessment surveys; and
  - Performing a final inspection to ensure recovery plans are consistent with repair needs as identified in the final disaster assessment surveys.

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## **OWNER/AGENT RESPONSIBILITIES**

Owners/agents are responsible for:

- Applying for assistance with FEMA, SBA, HFA's, etc.;
- Knowledge of HUD's Occupancy requirements and policies;
- Contacting the local HUD office following a disaster;
- Providing a status report for the residents and property condition;
- Developing an emergency relocation plan to relocate residents prior to the storm especially at 202/811 Elderly or Disabled Properties and nursing homes;
- Ensuring that residents provide EMERGENCY contact numbers;
- Developing tracking mechanisms to contact residents and determine the intent to return to the unit;
- Develop a pre-disaster checklist that is shared with tenants in case of a disaster;
- Self-reporting to the National Housing Locator (Owners can go to this site to list unit availability);
- Determine the extent of damage, security needs, resident property protection needs, etc.
- Maintaining prompt communication with HUD field staff when providing preliminary and final assessment surveys to assist with recovery planning;
- Contacting the property's insurance provider to apply for property and business interruption claims;
- Contacting the mortgagee to inquire about forbearance options;
- Contacting the assigned Section 8 Contract Administrator or PBCA;
- Maintaining inventory of all residents, property, phone numbers, mailing address, and emails;
- Determining which residents have been displaced due to unit damage or a failure of a major building system such as the electrical system, etc.;
- Tracking each displaced resident's temporary location and maintain contact information for each displaced resident, particularly if the property will likely have units off-line for more than 30 days; and,

- Contacting the Federal Emergency Management Agency (FEMA) for on-going guidance and instruct residents to register with FEMA through 1-800-621-FEMA (3362), or [www.fema.gov](http://www.fema.gov).

### **RESIDENT RESPONSIBILITIES**

Residents are responsible for:

- Contacting the Federal Emergency Management Agency (FEMA) and submit an application for eligibility. Residents may register with FEMA by telephone, 1-800-621-FEMA (3362), or [www.fema.gov](http://www.fema.gov). Residents impacted by the disaster must make an application with FEMA, receive an application number, and obtain a letter of eligibility from FEMA, which specifically describes the type of eligibility. To obtain temporary rental housing, an applicant must present the FEMA letter, which will identify the resident as displaced and eligible for housing assistance. The Department will rely upon FEMA eligibility determination when affording housing assistance relief; however, residents are advised to check with the local FEMA office for ongoing guidance;
- Contacting the insurance carrier to submit renters insurance claims for damage caused by the disaster (if applicable);
- Providing the owner/agent with current contact and emergency contact information to receive property status information regarding the re-occupancy schedule. When possible, residents should provide alternate contact information for a relative; and,
- Responding to owner/agent requests to return to the units. If the resident does not intend to return to the unit, they should immediately notify the owner/agent in writing in accordance with residency termination procedures.

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## APPENDIX A – 8

### **DISASTER GUEST LEASE ADDENDUM**

The Disaster Guest Addendum dated \_\_\_\_\_, is attached to and made a part of the Lease dated \_\_\_\_\_ by and between \_\_\_\_\_ (Landlord) and \_\_\_\_\_ (Tenant(s)) for apartment number \_\_\_\_\_ in \_\_\_\_\_ Apartments is hereby amended with the addition of this Addendum. Unless terminated or modified as provided herein, this Addendum shall remain in force throughout the term of the Lease.

#### **DEFINITION OF DISASTER GUEST**

*A person(s) who resides with an eligible family for a reasonable amount of time without an interruption of the Rental Assistance and who:*

- (1) has been displaced by a Presidentially Declared Disaster
- (2) has received a FEMA Certification for being displaced

#### **PURPOSE OF 90 DAY PERIOD FOR THE DISASTER GUEST**

A disaster guest is permitted by the Landlord to occupy the Tenant's unit for a reasonable amount of time, provided that it does not create a health and safety problem. In the case of a project based rental assisted unit, if a current, eligible family chooses to allow a non-eligible, but FEMA-Certified individual/family to move into the unit on a short term basis, the non-eligible family is considered a guest. A multifamily project owner may allow the eligible family to house a guest(s) for a limited period (e.g. 90 days) without interruption of the subsidy or rental rights. Residence by the eligible family is the predicate for the continuation of the project based subsidy. Should the eligible family move out, the guest must vacate also.

1. **SCREENING:** Tenant and the proposed guest agree to provide the Landlord with all information necessary for the Landlord to screen the Disaster Guest to determine whether the guest meets Landlord's reasonable occupancy criteria.
2. **DISASTER GUEST HAS NO RIGHTS OF OCCUPANCY:** The Disaster Guest qualifies for occupancy only for a limited period of 90-days. The Disaster Guest has no rights to occupancy, even if the Disaster Guest is a family member of the Tenant, and may not qualify for continued occupancy as a remaining family member.
3. **TENANT'S LEGAL AND FINANCIAL RESPONSIBILITY:** As the Tenant and provider of the disaster guest who will occupy these Premises the Tenant has the following legal and financial duties:

- a. Tenant agrees to indemnify, defend, and hold Landlord harmless from and against any and all claims, actions, suits, judgments, and demands brought by any other party on account of or in connection with any activity or damage caused by the disaster guest.
  - b. Tenant will ensure that the disaster guest abides by all lease terms and with Landlord's rules and regulations. If Tenant learns of violations by the disaster guest, the Tenant will immediately remove the disaster guest from the premises.
  - c. Tenant understands that the disaster guest is considered a guest of the Tenant and as such, the Tenant is responsible for the actions of the disaster guest while on the premises. The disaster guest's violations of the lease terms and Landlord's rules and regulations could result in the termination of the Tenant's lease.
4. **POLICY CHANGES:** Management reserves the right to alter or amend any of the above stated policies. In the event of a Disaster Guest Policy change, Management will provide thirty (30) days notice to the Tenant of the proposed change(s), and whenever appropriate will provide the Tenant with a revised Disaster Guest Addendum to sign.
5. This addendum is incorporated into the Lease Agreement and the Tenant agrees to abide by each and all such rules. Failure to comply may allow the Landlord to terminate the Lease Agreement as provided by the State's landlord/tenant laws.

## **SIGNATURES**

### **TENANT(S)**

1. \_\_\_\_\_

\_\_\_\_\_  
DATE SIGNED

2. \_\_\_\_\_

\_\_\_\_\_  
DATE SIGNED

### **LANDLORD**

BY: \_\_\_\_\_

\_\_\_\_\_  
DATE SIGNED

THIS PROPERTY OPERATES IN ACCORDANCE WITH FAIR HOUSING LAWS. WE DO NOT DISCRIMINATE AGAINST ANY PERSON IN THE TERMS, CONDITIONS OR PRIVILEGES OF SALE OR RENTAL OF A DWELLING OR IN THE PROVISIONS OF SERVICES OF FACILITIES IN CONNECTION THEREWITH, BECAUSE OF RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN.

---

## DISASTER GUEST QUESTIONNAIRE

Name of Tenant(s) who you will be a guest of: \_\_\_\_\_

Name of Disaster Guest:

—

Previous Address: \_\_\_\_\_

Telephone: HOME \_\_\_\_\_ CELL \_\_\_\_\_

Birthday \_\_\_\_\_ Social Security No \_\_\_\_\_ Sex \_\_\_\_\_

1. Are you currently employed? YES NO

If yes, please provide following:

Name of current employer: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Length of Employment: \_\_\_\_\_

2. For all previous addresses during past 5 years, please list:  
(attach additional pages if needed)

1. Dates of tenancy:

Address:

Landlord's name:

Landlord's telephone number:

2. Dates of tenancy:

Address:

Landlord's name:

Landlord's telephone number:

- 
- |     |  |     |    |
|-----|--|-----|----|
| 3.  | Have you been evicted from an apartment community during the past 5 years for committing lease violations?   | YES | NO |
|     | If yes, please explain: _____  |     |    |
| 4.  | Have you been involved in any legal actions, including arrests, adjudications, criminal or civil actions during the past 10 years?   | YES | NO |
|     | If yes, please explain: _____  |     |    |
| 5.  | Are you listed on any state's sex offender registration?   | YES | NO |
| 6.  | Do you illegally use, purchase or sell controlled substances?  | YES | NO |
| 7.  | Do you abuse alcohol?  | YES | NO |
| 8.  | Do you agree to abide by all Lease terms and the Landlord's community rules and regulations?   | YES | NO |
| 9.  | Do you understand that your occupancy will be terminated should you fail to comply with the Landlord's community rules and regulations?  | YES | NO |
| 11. | Do you understand that you are occupying this property as a guest due to your displacement from the Presidentially Declared Disaster of the Tenant listed above, and therefore, you have no rights to continued occupancy of the Tenant's unit should the Tenant vacate the unit for any reason? | YES | NO |

I hereby certify that I have carefully read the Disaster Guest Questionnaire, understand all of its content, and have provided true and correct answers to all questions.

\_\_\_\_\_  
Disaster Guest

\_\_\_\_\_  
Date

I hereby certify that I have carefully reviewed all information provided by the Disaster Guest in response to the Disaster Guest Questionnaire, and to my knowledge the Disaster Guest has provided true and correct information and answers.

\_\_\_\_\_  
Tenant

\_\_\_\_\_  
Date

