

Name: Client Name
Damaged Address: _____
FEMA Application: _____
Disaster No. _____

LAW OFFICE OF
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September 6, 2016

Via CMRRR No. #####

Federal Emergency Management Agency-Individuals and Households Program
National Processing Service Center
P.O. Box I 0055
Hyattsville, MD 20782-7055

RE: Client Name
FEMA Application No.: _____
Disaster No. _____¹
DOB: __/__/_____
SSN ending in _____

APPEAL OF DENIAL OF HOUSING ASSISTANCE

Dear Sir or Madam:

Our non-profit law firm represents Client Name in the matter of her claim for disaster assistance benefits referenced above. I have enclosed a copy of Ms. Client's signed FEMA Authorization and her Texas Driver's license, as well as her signed Declaration setting out relevant facts, and twenty-nine Exhibits including twenty-six photographs of damages to Ms. Client's home, a printout from the National Weather Service Weather Forecast Office website, an estimate for repair costs for the damages to Ms. Client's roof, and an estimate for repair costs for the damages to Ms. Client's bedroom and bathroom. We hereby appeal FEMA's denial of Ms. Client's application for Housing Assistance.

Mrs. Client applied for FEMA assistance this summer because of storms in Kleberg County that caused extensive damage to her home. FEMA denied Ms. Client's application for

¹ For Harvey, the disaster number will always be: 4332

Name: Client Name

Damaged Address: _____

FEMA Application: _____

Disaster No. _____

Housing Assistance based on insufficient damages on [date].

Ms. Client is a __-year-old woman who lives alone in a three-bedroom, one-bathroom home in City, Texas. Ms. Client's funds are limited to the fixed income that she receives from social security. The storm that caused significant damage to her home occurred on or about [date]. Ms. Client was alone at home watching television and noticed that the signal started going on and off. Ms. Client could hear the rain and the wind outside getting stronger. As the storm continued, Ms. Client began to get frightened. She heard a strange noise coming from the bedroom. When she went to investigate, she saw that the bedroom ceiling had a hole and rain water was pouring into the house. Ms. Client used a trash can to collect the rain water pouring into the house and did her best to mop up the water that was already on the floor. However, Ms. Client has been unable to repair the damage to the ceiling, so the hole and stains are still there. See Exhibits 21-23.

Ms. Client also noticed that water was coming through the ceiling in her washroom. The water in the washroom came through the ceiling and the vent that releases heat from the water heater. The rain damaged the ceiling and cracked a board there. See Exhibits 9 and 10. Since the damage to the roof and ceiling in the washroom is above the water heater, Ms. Client now uses an umbrella to cover the water heater each time it rains. The storm also caused significant damage to Ms. Client's bathroom. See Exhibits 1-8. In the bathroom, the sheetrock on the wall is damaged and partially missing. The seals between the bathtub and the floor and between the bathtub and the walls are also peeling and missing. There are cracks in the wall behind the water knobs. See Exhibit 2. Ms. Client also has significant damage to the outside of her home. See Exhibits 11-16. The damage includes roof shingles that are damaged and loose, damaged boards, and damaged strips along the side of the home just below the roof. If Ms. Client's home is not repaired, the damage is likely to get worse. Ms. Client has already noticed what appears to be mold growing in the hole in the ceiling in the bedroom, and in the corners of the bathroom by the tub.

Ms. Client got estimates for the damage to her home from Roofing Company, and those estimates are enclosed as Exhibits 28 and 29. The contractor gave Ms. Client one estimate for the costs of repairs to the bathroom and bedroom and a separate estimate for the costs of repairs to the roof. Exhibit 28 is the estimate for the cost of repairs to the bathroom and bedroom. Exhibit 29 is the estimate for the cost of repairs to the roof.

Ms. Client asks that FEMA re-inspect her home and re-evaluate the decision regarding disaster-related damage affecting habitability, and provide her with home repair assistance as promptly as possible. Ms. Client has done what she can on her own to clean up and protect her house, even though it was difficult to do some of this in light of her health and age. Ms. Client's income is limited, and she has no money to make the repairs that are necessary to make her home safe and habitable again. She is appealing FEMA's

Name: Client Name

Damaged Address: _____

FEMA Application: _____

Disaster No. _____

denial of Home Repair assistance and asks that FEMA make another inspection of her home.

Thank you for your attention to this appeal from the denial of Housing Assistance. If you need any other information, please do not hesitate to contact me at ___-___-____.

Sincerely,
TEXAS RIOGRANDE LEGAL AID, INC.

Name of Attorney
Attorney

Enclosures
cc: Client Name

Name: Client Name
Damaged Address: _____
FEMA Application: _____
Disaster No. _____

DECLARATION OF CLIENT NAME

My name is Client Name. I am over the age of eighteen (18) years of age and competent to make this Declaration.

My home is in City, Texas, which is located in _____ County. The storm that damaged my home occurred on or about [date]. The damage made my home unsafe. FEMA denied my application for home repair assistance on [date]. I am now appealing FEMA's decision because the damage caused by the storm makes my home unsafe to live in, and I need assistance to make necessary repairs.

On the night of the storm that damaged my home, three tornadoes, very strong winds, large hail, and torrential rainfall were reported in _____ County by the National Weather Service Weather Forecast Office. Exhibit 27. The heavy rains and strong wind caused the most damage to my home, including causing water damage to the ceiling, walls, bedroom, bathroom, washroom, and roof. A few blocks south of my house, Straight Line Winds of 70-90 miles per hour were recorded. The first tornado, an EF-1, touched down about 3.1 miles from my house. Exhibit 27. The first tornado damaged several homes and apartments, busting windows and blowing off parts of roofs. The next tornado, also an EF-1, touched down about 4.7 miles from my home. That tornado tossed some bleachers 300 yards and also damaged roofs and trees. Exhibit 27.

The storm occurred on or about [date]. That day, rain had been falling most of the day. Around 8:30 pm, I was watching television when I noticed the rain and the wind getting stronger and stronger. As the storm continued, I noticed that the satellite television kept losing signal. I continued to hear the rain and the wind for some time and I began to get frightened. The wind was howling and I could hear the rain thumping on the roof. I could also hear the rain beating against the side of my house as the wind pushed it sideways.

At some point, I heard a strange noise in the bedroom and went to check it out. When I walked in the bedroom, I saw water pouring through the ceiling and I saw that the floor was already covered with water. I brought in a trash can to collect the water as it dripped through the ceiling, and I did my best to mop up the standing water on the floor. There is still a hole in the ceiling in the bedroom, and the surrounding ceiling is discolored. Exhibits 21-23.

After I put the trash can under the hole in the ceiling in the bedroom, I went to

Name: Client Name

Damaged Address: _____

FEMA Application: _____

Disaster No. _____

the washroom and found that more rain was coming through the ceiling there too. In the washroom, the rain was pouring through the ceiling and coming through the vent that releases heat from the water heater. I saw that the rain had already dripped onto the water heater and caused it to shut off. I got some towels and dried the water heater and I used plastic garbage bags to try and protect it from anymore rain. I also did my best to mop up the water that had already collected on the washroom floor. The ceiling in the washroom is still damaged and a board is broken and hanging. Exhibits 9 and 10.

After I mopped in the washroom, I went back to the living room and sat on the sofa and listened to the wind and the rain as it got harder and harder. I was frightened because water was already coming through the ceiling and I could tell it was still getting stronger. A short time later, the entire house suddenly went dark. I realized that the power had gone out and saw that the entire neighborhood was dark. I spent the rest of the night sitting on the sofa with candles providing light because the power was out and I was too frightened to sleep.

The next morning, I checked the other parts of my home and noticed significant damage to my bathroom. Exhibits 1-8. In the bathroom, I noticed that the walls, tub, floor, and seals were all damaged. Exhibits 1-8. I also noticed that the damaged seals on the bathtub exposed the material in the wall behind the tub and the floor underneath the tub. Exhibits 1-8. There are also cracks along the wall behind the bathtub faucet and knobs. Exhibit 2. The seal between the tub and the wall is so damaged that it is peeling away. Exhibits 1, 3, 4, 5, 6. In the edge between the tub and the floor, the seal has torn off and exposed an open crack between the bottom of the bathtub and the floor. Exhibits 6 and 7. In one corner of the bathroom, the damage from the rain is so severe that the sheetrock completely broke and there is a hole in the wall. Exhibits 1 and 8.

In the living room, I noticed that the ceiling was warped, sagging, and discolored in several areas of my home including the living room, hallway, den, and bedroom. Exhibits 17-26. In the living room, the ceiling is so loose and sagging that I feel it could fall at anytime. Exhibit 24.

I also noticed significant damage to the outside of my home. I saw that the wind and rain had loosened shingles and caused significant damage to the roof. Exhibit 14. I also noticed that the boards on the side of the home where the roof meets the exterior wall are damaged. Exhibits 11-16.

At some point during the day, the power finally came back on. Later that night, my daughter and son-in-law came to my house to check on me. My son-in-law was able to turn on the hot water heater in the washroom, even though it had shut off after getting wet during the storm. The ceiling and roof are still damaged in that area of my home, and I

Name: Client Name

Damaged Address: _____

FEMA Application: _____

Disaster No. _____

now use an umbrella to cover the water heater every time it rains.

I am appealing FEMA's denial of my application for housing assistance because I need help to repair the damage to my ceiling, roof, and bathroom in order to make my home safe to live in again.

I have obtained an estimate for repairs of the damage caused by the storm and how much it will cost. See Exhibits 28 and 29. The Roofing Company provided me one itemized estimate for the damages to the bathroom and bedroom. Exhibit 28. The Roofing Company also provided me a separate itemized estimate for the damages to the roof. Exhibit 29. I have also enclosed photographs showing some of this damage. They are enclosed as Exhibits 1 through 26.

I ask that FEMA re-inspect my home and re-evaluate the decision about disaster-related damage affecting habitability, and provide me with home repair assistance as promptly as possible. I have done what I can to clean up the home, even though it was difficult to do some of this in light of my age and physical condition. My home needs repairs and I have no money to repair it because I live on a fixed income from social security.

I hereby declare under penalty of perjury that the foregoing is true and correct.

SIGNED ON THIS ___ DAY OF _____, 2017.

Client Name

Name: Client Name
Damaged Address: _____
FEMA Application: _____
Disaster No. _____

DESCRIPTION OF EXHIBITS:²

Exhibit 1 – Photo of damage to the wall in the bathroom in the corner where the bathtub meets the wall

Exhibit 2 – Photo of damage to the side of the bathtub, cracks in the wall, and the exposure of material behind the bathtub.

Exhibit 3 – Photo of damage to the side of the bathtub and the exposure of material behind the bathtub.

Exhibit 4 – Photo of damage to the other side of the bathtub and the exposure of material behind the bathtub.

Exhibit 5 -Photo of damage to the other side of the bathtub and the exposure of material behind the bathtub.

Exhibit 6 – Photo of damage to the tub seal between the floor and the tub.

Exhibit 7 – Photo of damage to the tub seal between the floor and the tub.

Exhibit 8 – Photo of damage to the wall and seal between the tub and floor on the front of the tub.

Exhibit 9 – Photo of damage to the ceiling in the washroom where the vent goes out. The photo shows a ceiling board that broke as a result of the storm.

Exhibit 10 -Photo of damage to the ceiling in the washroom where the vent goes out. The photo shows a ceiling board that broke as a result of the storm.

Exhibit 11 – Photo of damage to the board on the side of the house just below the roof.

Exhibit 12 – Photo of damage to the board on the side of the house just below the roof.

Exhibit 13 – Photo of damage to the board on the side of the house just below the roof near the satellite dish on the front of the house.

Exhibit 14 – Photo of shingles peeling up on the roof.

² Only one of the exhibits is actually included in this example

Name: Client Name

Damaged Address: _____

FEMA Application: _____

Disaster No. _____

Exhibit 15-Photo of damage to the metal weatherization strips between the side of the house and the roof.

Exhibit 16 – Photo of damage to the metal weatherization strips between the side of the house and the roof.

Exhibit 17-Photo of water stains on the living room ceiling.

Exhibit 18-Photo of crack in the ceiling in the hallway.

Exhibit 19 – Photo of crack in the ceiling in the hallway.

Exhibit 20 – Photo of crack in the ceiling in the hallway.

Exhibit 21 – Photo of hole in the bedroom ceiling where water comes through when it rains. The photo also shows some discoloration and stains in the same room.

Exhibit 22-Photo of damage discoloration and stains on the ceiling in the bedroom .

Exhibit 23 -Photo of the hole in the bedroom ceiling.

Exhibit 24 – Photo of ceiling sagging in the living room. This photo shows where the ceiling is ready to fall at any time.

Exhibit 25 -Photo of hole in the ceiling in the den.

Exhibit 26 -Photo of hole in the ceiling in the den.

Exhibit 27 -Printout from the National Weather Service Weather Forecast Office website regarding the [Relevant natural disaster] on [date].

Exhibit 28 – Estimate from Roofing Company for the repair of the damage to the bathroom and bedroom .

Exhibit 29 -Estimate from Roofing Company

Name: Client Name

Damaged Address: _____

FEMA Application: _____

Disaster No. _____



Client Name

FEMA App. No. _____

Disaster No. _____

Exhibit No. 4