

**LAW OFFICE OF
TEXAS RIOGRANDE LEGAL AID, INC.**

Corpus Christi Courthouse Office
Nueces County Courthouse 901 Leopard, Room 105
Corpus Christi, TX 78401
Telephone (361) 888-0282 Toll Free (800) 420-1501
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September 28, 2016

Certified Mail No. [REDACTED]

Attention: FEMA - Individuals & Households Program

Federal Emergency Management Agency-Individual and Housing Program

National Processing Service Center

P.O. Box 10055

Hyattsville, MD 20782-7055

RE: [REDACTED]

FEMA Application No.: [REDACTED]

Disaster No. [REDACTED]

DOB: [REDACTED]

SSN ending in [REDACTED]

APPEAL OF HOUSING ASSISTANCE DENIAL

Dear Sir or Madam:

Our non-profit law firm represents [REDACTED] in the matter of her claim for disaster assistance benefits referenced above. I have enclosed a copy of [REDACTED]'s signed FEMA Authorization, a copy of her Texas driver's license, and her signed affidavit setting out relevant facts, and eight Exhibits including the Bill of Sale transferring title of the home to [REDACTED], recorded as Instrument Number [REDACTED] in the [REDACTED] County Property Records, a computer printout from the [REDACTED] County Appraisal District website showing that [REDACTED] owns her home, two estimates from separate contractors for the costs of repairs, and four photos showing damages to [REDACTED]'s home. **We hereby appeal FEMA's denial of housing assistance for failure to verify ownership and for insufficient damages.**

[REDACTED] originally applied for assistance from FEMA on June 14, 2016 because of storms in [REDACTED] County that severely damaged her home. FEMA denied [REDACTED]'s application on June 17, 2016 for insufficient damages. [REDACTED] appealed that decision and FEMA again denied [REDACTED] assistance on August 1, 2016 for insufficient damages and because ownership was not verified.

FEMA inspected [REDACTED]'s home on June 15, 2016. The Inspection Damage Report that FEMA sent to our law firm shows that there is damage to [REDACTED]'s home caused by wind and wind/ wind driven rain. However, [REDACTED] was denied assistance on June 17, 2016 because of insufficient damages. After being denied assistance, [REDACTED] appealed FEMA's decision.

FEMA Appeal

FEMA App No. [REDACTED]

Disaster No. [REDACTED]

Page 2

FEMA conducted a second inspection of [REDACTED]'s home. After the second inspection, FEMA denied [REDACTED]'s application for insufficient damages and because ownership was not verified.

[REDACTED] is a [REDACTED]-year-old woman who lives with her husband and son in a modest two bedroom, one bathroom home in [REDACTED], Texas. Her house was severely damaged by a storm on or about [REDACTED]. The storm caused extensive damage to the home, including holes in the roof and ceiling. Exhibits 3-6. The water that poured through the damaged roof during the storm knocked down a large portion of sheetrock and insulation in one of the rooms. Exhibit 5. The roof is missing shingles and exposes the inside of the home to rain and the elements. Exhibits 3, 4, 6. Before the storm, there were no leaks in the house. Water now leaks through the roof and ceiling and causes mold to grow inside the house. The damages caused by the storm make the home unsafe to live in.

There are two homes on the land where [REDACTED]'s home is located. [REDACTED] owns the rear home. Her father conveyed the home to her in [REDACTED] by Bill of Sale. This conveyance has been recorded in the [REDACTED] County Clerk's Real Property Records as Instrument Number [REDACTED]. A copy is attached as Exhibit 1. [REDACTED]'s father conveyed the home and the right to live on the land where the home is located until her death. Exhibit 1, page 2. Therefore, [REDACTED] is the owner of the home and has lifetime occupancy rights on the land.

The address at [REDACTED]'s home is [REDACTED]. The address at the home was once [REDACTED], however it changed when [REDACTED]'s father built a new home in front of [REDACTED]'s house. At that time, [REDACTED]'s house became [REDACTED] and her father's new house became [REDACTED]. [REDACTED] never took the numbers off her house because she had no reason to do so. When the second FEMA inspector came to [REDACTED]'s house, he noticed that the old address was still present on the home. [REDACTED] was then denied assistance because ownership was not verified. However, the address at [REDACTED]'s house is [REDACTED]. It has been since [REDACTED] since her father built his house on the land in front of [REDACTED]'s home. A computer printout from the [REDACTED] County Appraisal District showing that [REDACTED] is the owner of the home is attached as Exhibit 2. [REDACTED] owns her home and asks that FEMA reconsider it's denial of assistance for failure to verify ownership.

On behalf of [REDACTED], we request that FEMA reevaluate its decision to deny her assistance, and categorize her as an owner as she meets FEMA's "owner-occupant" standard. She further requests that home repair assistance be provided for the disaster-related damage that makes the home uninhabitable. [REDACTED] needs financial assistance from FEMA in order to repair the damages to her home that make it unsafe.

FEMA Appeal

FEMA App No. [REDACTED]

Disaster No. [REDACTED]

Page 3

Please do not hesitate to contact me if you need additional information.

Sincerely,

TEXAS RIOGRANDE LEGAL AID, INC.

[REDACTED]
Law Graduate

Enclosures

cc: [REDACTED]



Name: [REDACTED]

Damaged Address: [REDACTED]

FEMA Application: [REDACTED]

Disaster No.: [REDACTED]

AFFIDAVIT OF [REDACTED]

[REDACTED] appeared in person before me today and stated under oath:

"My name is [REDACTED] I am over the age of eighteen (18) years of age and competent to make this Affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

"I live in [REDACTED] Texas and my home and some of my personal property, was damaged by a storm on or about [REDACTED]. The damage made my home unsafe. I applied for help from FEMA, but on June 17, 2016, FEMA denied me housing assistance. The denial letter said "Ineligible Insufficient Damage." On July 12, 2016, FEMA also denied me personal property assistance. That denial letter also said "Ineligible Insufficient Damage." I then appealed FEMA's denial. My appeal included a notarized statement, photographs, and a contractor's estimate for the costs of repairs to my home. FEMA re-inspected my home, but then denied my application a second time because of insufficient damages and because ownership was not verified. I am appealing those decisions.

"First, regarding FEMA's decision that I have not verified ownership, I think it is important that FEMA understand there are two homes on the property where my home is located. I own the rear home. My father conveyed that home to me in [REDACTED] by Bill of Sale. The Bill of Sale is recorded in the [REDACTED] County Clerk's Real Property Records. A copy is attached to my appeal. My father conveyed to me the home and the right to live on the land where the home is located until my death. Therefore, I own the home and I also have lifetime occupancy rights on the land.

"The address at my home is [REDACTED]. The address at my home was once [REDACTED] but it changed when my father built a new home on the front of the property. At that time, the houses were renumbered. My house became [REDACTED] and my father's new house became [REDACTED]. I never took the old numbers off my house because I had no reason to do so. All of the mail went to the same mailbox and it was never a problem before I applied for assistance from FEMA.

I think all of this became a problem when the second FEMA inspector came to my house, and he noticed that the old street number for my address was still present on the home. I was then denied assistance because ownership was not verified. However, the address at my house is [REDACTED]. It has been since [REDACTED] since my father built his house on the property in front of my home. I have attached a copy of a print out from the [REDACTED] County Appraisal District showing that I own the house at [REDACTED]. I own my home and I ask that FEMA reconsider it's denial of assistance for failure to verify ownership. I think this could be sorted out

again with another inspection if necessary, so the inspector can see the difference between my house and my father's.

"Second, regarding the denial for insufficient damage, I feel that my house was severely damaged by the storm. The wind and the rain caused extensive damage to the roof. The roof now has several holes and shingles blew off. Water started leaking through the roof and into the ceiling. Then, a large portion of the ceiling fell in one of the rooms. Now, there is sheetrock missing from the ceiling. Water comes through the holes in the roof and leaks through the ceiling. This creates more damage and I believe mold is growing in some places. Because there is so much damage to my roof, I have a blue tarp covering some of the holes and missing shingles. I use a piece of lumber and bricks to try to keep the tarp from blowing away in the wind. However, the tarp is not a permanent repair, and the roof is just going to continue to get worse.

"Before the storm, my roof did not leak. My home was safe and habitable. Because of the damages from the storm, my home is no longer safe to live in. I stay there because I have no other place to go, but I need assistance from FEMA to make my home safe and livable again.

"I have attached two estimates to my application. The estimate from [redacted] Roofing and Construction, Inc. shows that the cost of repairs will be \$3,708.45. The estimate from [redacted] Building and Restoration Services shows that the cost of repairs will be \$6,852.26. I ask that FEMA reconsider the denial of my application for assistance and re-inspect my home. I further request that FEMA provide me with assistance to repair my home and make it habitable again.

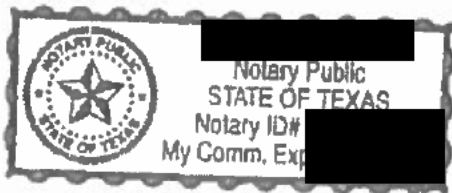
"Further Affiant sayeth not."

SIGNED ON THE 28th DAY OF SEPTEMBER, 2016

[redacted signature]

The State of Texas §
§
County of Hidalgo §

Sworn to and subscribed before me on this the 28th of September, 2016.



[redacted signature]
Notary Public, State of Texas

Translator's Affidavit

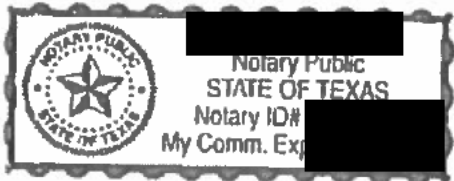
I, [REDACTED], being fluent in both the English and Spanish languages hereby certify that I have translated the foregoing affidavit to Linda Ruiz, and she has indicated to me that she fully understands it. Having first so stated to me, she proceeded to affix her signature to the affidavit.

Executed on: September 28, 2016



The State of Texas §
 §
County of Hidalgo §

Sworn to and subscribed before me on this the 28th of September, 2016.



[REDACTED]
Notary Public, State of Texas