

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

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December 8, 2016

Via Certified Mail RRR No. [REDACTED]  
**Federal Emergency Management Agency-Individuals and Households 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 AMOUNT OF HOME REPAIR ASSISTANCE**

Dear Sir or Madam:

Our non-profit law firm represents [REDACTED] in the matter of his claim for disaster assistance benefits referenced above. I have enclosed a copy of [REDACTED] signed FEMA Authorization and his Texas Driver's license, his signed Declaration setting out relevant facts, and twenty-nine Exhibits including photographs of the damages to [REDACTED] home, three estimates for the costs of repairs from contractors, copies of newspaper articles describing the storm that swept through [REDACTED] and a printout from the National Weather Service website which shows details about the storm that damaged [REDACTED] home.

[REDACTED] applied for FEMA assistance this summer because of storms in [REDACTED] County that caused extensive damage to his home and personal property. FEMA awarded [REDACTED] \$248.98, but denied him any further housing assistance because he had insurance. However, [REDACTED] insurance policy does not cover the damages caused by the storm. Our firm assisted [REDACTED] with an appeal of FEMA's decision. The appeal included proof that [REDACTED] home was not covered by the insurance policy. Without conducting a second inspection, FEMA awarded [REDACTED] and additional \$1,521.36 which included an award for two months of rental assistance and an additional \$335.36 for home repair. While [REDACTED] appreciates the \$584.34 which FEMA has awarded him in total for home repair assistance, it is not nearly enough to repair the damages to his home. [REDACTED] home remains unsafe, unsanitary, and uninhabitable because he has no money to repair the damages. **We hereby appeal the total amount of home repair assistance awarded by FEMA and request a second inspection and enough housing assistance to complete necessary repairs.**

The damages to [REDACTED] home are extensive and severe. On the night of the storm that damaged [REDACTED] home, the wind was so strong that it blew the rain against the side of the house. The wind forced the water through the siding on the house and into the space between

the roof and the ceiling. Eventually, the sheetrock on the ceiling became so saturated that it began to collapse. Large portions of the ceiling are now missing because they collapsed after being saturated with water. The ceiling throughout most of the living room is completely gone, and there are several holes in the ceiling throughout the other rooms in the house. Exhibits 8-16, and 19-29.

There was so much rain that fell on the night of the storm that it caused the property to flood. The rising waters caused damage inside and outside of the home. One of the more dangerous consequences of the water damage is that the home, which sits on blocks, is no longer level. The water caused the house to shift. The house is now so uneven that some of the blocks are not even touching the bottom of the house anymore. Exhibits 6 and 7.

The shifting of the house also caused serious damage to the plumbing. [REDACTED] had to replace a toilet and a valve that was damaged beyond repair by the storm, and the plumbing in the kitchen and under the house are also damaged. When the toilet and the valve broke, water leaked into the bathroom and damaged the floor and walls in the bathroom. The pipes under the kitchen were damaged and now leak. To this day there is a puddle of water under the house beneath the kitchen from the leaking plumbing.

The stairs that lead into the house were damaged. They are now unsafe. [REDACTED] was even injured when he stepped on one of the stairs and it broke. [REDACTED] fell and had problems getting up. When [REDACTED] was able to get up, he was sore and had to spend two days in bed trying to recover from the fall.

Although [REDACTED] is grateful for the \$584.34 that FEMA has provided him for home repair assistance, it is not nearly enough to complete the needed repairs to his home. He is currently living with his girlfriend until he can manage to complete repairs to his home that will make it safe and habitable again. [REDACTED] asked three different contractors for estimates for the costs of repairs to the home. [REDACTED] provided an estimate showing that the costs of repairs, including materials and labor, will be \$24,632.90. Exhibit 2. [REDACTED]'s telephone number is [REDACTED]. [REDACTED] provided an estimate for the costs of repairs, including materials and labor, that totaled \$17,900. Exhibit 3. [REDACTED] can be reached at [REDACTED]. Finally, [REDACTED] provided an estimate to [REDACTED] showing that the cost of repairs would be \$7,000. [REDACTED] hereby appeals FEMA's award of housing assistance and asks that FEMA conduct a second inspection of his home and provide him with home repair assistance that is adequate to make the necessary repairs.

FEMA Appeal

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Thank you for your attention to this appeal. If you need any other information, please do not hesitate to contact me at [REDACTED]

Sincerely,

TEXAS RIOGRANDE LEGAL AID, INC.

[REDACTED]

Attorney at Law

Enclosures

cc: [REDACTED]



Name: [REDACTED]  
Damaged Address: [REDACTED]  
FEMA Application: [REDACTED]  
Disaster No.: [REDACTED]

DECLARATION OF [REDACTED]

My name is [REDACTED]. I am over the age of eighteen (18) and competent to make this Declaration.

My house was damaged by storms and severe weather in [REDACTED] County this summer. I applied for FEMA assistance because I have no money to make repairs that are needed to make my home livable again. FEMA initially awarded me home repair assistance of \$248.98. However, FEMA denied me further housing assistance because I have an insurance policy on the home. The damage to my home was excluded from coverage under my policy, and I submitted a FEMA appeal which included a denial letter from my insurance company. FEMA then awarded me an additional \$1,521.36. The award included \$1,186 for Rental Assistance and \$335.36 for Home Repair assistance. Although I appreciate the help FEMA has given me, the total amount of Home Repair assistance, \$584.34, is no where near enough to make my home safe and habitable again. I hereby appeal the amount of Home Repair assistance FEMA has awarded me thus far and request a second inspection of my home and enough assistance to make my home safe and habitable.

My home is in [REDACTED] Texas, which is located in [REDACTED] County. The storm that damaged my home occurred on or about [REDACTED]. The damage made my home unsafe. On the night of the storm, three tornadoes, very strong winds, large hail, and torrential rainfall were reported in [REDACTED] County by the National Weather Service Weather Forecast Office, Exhibit 1. When the storm started to get really bad, I was eating dinner at McDonald's in [REDACTED]. All of the sudden, a huge gust of wind blew the doors of the restaurant wide open. I left the restaurant and started to drive home. However, the streets in [REDACTED] had so much water on them that it was difficult to get home. As I tried to drive down [REDACTED] Street in [REDACTED] the water was so high that it came up to the floorboard in my truck. After some time, I finally made it home. I noticed that the entire neighborhood was flooded. My property was so covered in water that I could not see the difference between the driveway and the yard.

At that point, I knew I couldn't stay at my home that night because it was too dangerous. I decided I would get some personal belongings and stay at my girlfriend's home. As I walked from my truck to my house, the water level was up to my knees. The water surrounded my home and was all the way up to the porch. I quickly gathered some clothes and secured the house so that no one could break in. I then went to my girlfriend's home and waited out the storm.

The next day, my girlfriend drove me to my house. As we drove into the neighborhood, we saw reporters in the neighborhood. Later, I saw a news story on television about the storm and the damage it caused. My neighbor and his home were featured in the story.

That first day after the storm, I just checked out the house from the vehicle. I didn't even try to get out and go inside my house because the property was still so flooded. From the vehicle, I could see that the water had completely flooded the property and surrounded my house, which

Name: [REDACTED]  
Damaged Address: [REDACTED]  
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sits on piers. I could see from the outside that the house had been severely damaged. The carport had collapsed and I could see that the door to the toolshed was cracked and had also collapsed.

That evening, I borrowed some rubber boots from a friend so that I could wade through the flood waters and get to the house. The following day I went with the rubber boots and checked on the damages to the inside of my house. Upon entering my home, I noticed that parts of the ceiling had been completely torn down. The wind during the storm was so strong that it blew rain through the side of the house and into the space between the ceiling and the roof. This caused the ceiling sheetrock to become completely saturated and eventually, large portions of the ceiling collapsed. The ceiling in the kitchen and the bedroom collapsed and there are now gaping holes in the ceiling in those rooms. Most of the ceiling in the living room has completely fallen.

The flood waters also caused my house to shift. The house is no longer level. The home sits on piers and because the entire house shifted from the flood waters, some of the piers are no longer touching the house. This causes my house to be unsafe. This also caused serious damage to the plumbing in the house. When I first inspected the inside of the home after the storm, I noticed that the shifting of the home caused the toilet and a valve to fail. This caused water to leak into the house, and I found about four inches of water standing in the bathroom. The floor and the walls in the bathroom are still damaged from the leaking water. I had to replace the toilet and the valve to prevent any more water from leaking out and damaging the house.

The plumbing in the kitchen is also damaged. To this day, it still leaks under the home. I know its still leaking because there is constantly a puddle of water sitting under the house, directly beneath the kitchen. This is a problem because when the rain flooded the property, it caused the home and the piers that the home sits on to become uneven. Since the house was no longer level, the metal pipes shifted and were extensively damaged.

The storm also damaged the stairs in the front and back of my house. The steps are now unsafe. In fact, I was actually injured stepping onto the steps. This happened about two weeks after the storm. I was going to step onto the bottom stair, and it broke under my weight. I fell directly on my right side. It took me about fifteen minutes before I felt able to get up. When I finally got up, I was so sore that I had to spend two days in bed trying to recover.

The FEMA inspector who first inspected my house did not look like an inspector at all. He had long hair and tattoos and when he came to my house, the inspection seemed rushed. I really felt like the inspector had his mind made up before he even came to my house. I did not feel that the inspection was adequate.

Since the storm, I have made some repairs to my home to prevent further damage. I used the first \$248.98 that FEMA provided me to fix the toilet and the valve that were leaking and causing more damage to the inside of my house. I want to complete more repairs, but the money that FEMA has given me is not enough to complete the work that needs to be done in order to make my house safe and habitable. I will have to pay a contractor to fix the house because I am unable to complete most of the repairs due to my health and physical condition. I have had a

Name: [REDACTED]

Damaged Address: [REDACTED]

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heart attack and two strokes and I cannot complete the manual labor that is required to make the house livable again. My income is limited to the disability benefits from the V.A. and social security I receive. I have had multiple contractors provide me with estimates for the costs of repairs. [REDACTED] provided me an estimate that showed the costs of supplies would be \$6,632.90 and the cost of labor would be \$18,000.00, totaling \$24,632.90. Exhibit 2. An estimate that I obtained from [REDACTED] shows that the cost of repairs would be \$17,900. Exhibit 3. Another contractor, [REDACTED] gave me an estimate for \$7,000. Exhibit 4. Although I am grateful for the \$584.34 that FEMA has provided me in home repair assistance, it is obviously not enough to make the necessary repairs to my severely damaged home. I need FEMA to provide me enough assistance to complete repairs that are necessary to make my home safe and habitable again. I ask that FEMA re-inspect my home and provide me with the assistance necessary to repair my home.

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

SIGNED ON THE 22 DAY OF NOVEMBER, 2016.

[REDACTED]