

II. Individuals and Households Program Eligibility

While each type of IHP assistance has specific conditions of eligibility and documentation requirements, this chapter describes the basic conditions of eligibility that apply to all FEMA IHP assistance. Specific situations and living arrangements that require clarification are also addressed. This chapter also provides information on the appeal process for applicants who disagree with FEMA's eligibility determination.

A. General IHP Eligibility

These general conditions must be met for an applicant to be eligible to receive IHP assistance:

- The applicant must be a U.S. citizen, non-citizen national, or qualified alien.
- FEMA must be able to verify the applicant's identity.⁶⁵
- The applicant's insurance, or other forms of disaster assistance received, cannot meet their disaster-caused needs.⁶⁶
- The applicant's necessary expenses and serious needs are directly caused by a declared disaster.⁶⁷

The process FEMA uses to verify that necessary expenses and serious needs are directly caused by a declared disaster is described in [Chapter 3, III](#).

In order to receive some forms of Housing Assistance and ONA, applicants must also satisfy occupancy and ownership requirements.

The estate of a deceased applicant is not eligible for IHP assistance. However, a surviving pre-disaster resident of the household may receive assistance if they meet all IHP eligibility criteria.

1. U.S. Citizenship

Only U.S. citizens, non-citizen nationals, or qualified aliens may be eligible for IHP assistance.

During the disaster assistance registration process or on a *Declaration and Release form (FEMA Form 009-0-3)*, applicants self-certify their citizenship status and declare, under penalty of perjury, they fit one of the statuses indicated in *Figure 6*.



Welfare Reform Act

Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, commonly known as the Welfare Reform Act, provides that aliens who are not qualified aliens are not eligible for Federal public benefits.

Federal public benefits include any retirement, welfare, health disability, public or assisted housing, post-secondary education, food assistance, unemployment benefits, or any similar benefits for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of the U.S. or by appropriated funds of the U.S.

Figure 6: U.S. Citizenship and Resident Aliens	
Status	Definitions
U.S. Citizen	A person born in one of the 50 United States, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, or the Northern Mariana Islands; a person born outside of the U.S. to at least one U.S. parent; or naturalized citizen.
Non-Citizen National	A person born in an outlying possession of the U.S. (e.g., American Samoa or Swain’s Island) on or after the date the U.S. acquired the possession, or a person whose parents are U.S. non-citizen nationals. All U.S. citizens are U.S. nationals; however, not every U.S. national is a U.S. citizen.
Qualified Alien	<ul style="list-style-type: none"> • Legal permanent resident ("green card" holder) • An asylee, refugee, or an alien whose deportation is being withheld • Alien paroled into the U.S. for at least one year • Alien granted conditional entry (per law in effect prior to April 1, 1980) • Cuban/Haitian entrant • Aliens in the U.S. who have been abused, subject to battery or extreme cruelty by a spouse or other family/ household member, or have been a victim of a severe form of human trafficking • Aliens whose children have been abused and alien children whose parent has been abused who fit certain criteria

If an applicant does not meet the criteria identified in *Figure 6*, the household may still apply for and be considered for IHP assistance if:

- Another adult household member meets the eligibility criteria and certifies their citizenship status during the registration process or signs the *Declaration and Release* form; or
- The parent or guardian of a minor child who is a U.S. citizen, non-citizen national, or a qualified alien applies for assistance on behalf of the child, as long as they live in the same household. The parent or legal guardian must register as the co-applicant, and the minor child must be under age 18 at the time the disaster occurred.

There are several categories of aliens lawfully present in the U.S. who are not eligible for IHP assistance. These include, but are not limited to:

- Temporary tourist visa holders
- Foreign students
- Temporary work visa holders
- Habitual residents such as citizens of the Federated States of Micronesia and the Republic of the Marshall Islands

Regardless of citizenship status, disaster survivors may be eligible for the following programs:

- [Chapter 2: Mass Care/Emergency Assistance](#) (search and rescue, medical care, shelter, food, and water, and reducing threats to life, property, and public health or safety)
- [Chapter 5: Crisis Counseling Assistance and Training Program \(CCP\)](#)
- [Chapter 4: Disaster Case Management \(DCM\)](#)
- [Chapter 6: Disaster Legal Services \(DLS\)](#)
- Disaster Food Stamps (*Disaster Supplemental Nutrition Assistance Program, or D-SNAP*), which is administered by the U.S. Department of Agriculture; the STT government can request the Federal government to initiate D-SNAP only after a Presidential disaster declaration approving Individual Assistance.

2. Identity Verification

FEMA must be able to verify an applicant's identity with a valid Social Security Number (SSN) before considering their eligibility for disaster assistance. By verifying identity, FEMA prevents fraud and ensures applicants receive the disaster assistance intended for them.⁶⁸

FEMA typically verifies an applicant's identity at the time of registration:

- Through an automated public records search; and
- Through a series of questions associated with the applicant's credit file or public records.

Applicants who do not successfully respond to the series of questions will not be eligible for expedited forms of assistance prior to receiving an inspection or submitting identity verification documents.

When FEMA is unable to verify an applicant's identity through the automated public records search or the applicant answers identity-verifying questions incorrectly, the applicant may be asked to submit a copy of one of the documents described in *Figure 7*.

Figure 7: Acceptable Documentation to Verify Identity	
Documentation to verify name/SSN:	<ul style="list-style-type: none"> • Documentation from the Social Security Administration (SSA), or other Federal entity, containing full or last four digits of SSN • Social Security card if accompanied by Federal or state-issued identification • Employer’s payroll document containing full or last four digits of the SSN • Military identification • Proof of name change: <ul style="list-style-type: none"> ○ Name change court order ○ Marriage, civil union, or domestic partnership certificate ○ Divorce or annulment decree ○ Certificate of citizenship or naturalization ○ U.S. Tribal government document ○ U.S. amended/corrected birth certificate ○ If the applicant still fails identity verification using their previous name, the applicant will be required to submit one of the other forms of acceptable identity verification • U.S. passport • On a case-by-case basis, FEMA may allow applicants residing in U.S. territories to submit specific identity verification documents, such as voter registration cards, etc.
Documentation - applying for assistance on behalf of a minor child:	<ul style="list-style-type: none"> • Any of the documents listed above, if in the child’s name • Child’s birth certificate and a copy of the child’s Social Security card or documentation from the SSA, or other Federal entity, containing the full or last four digits of the child’s SSN

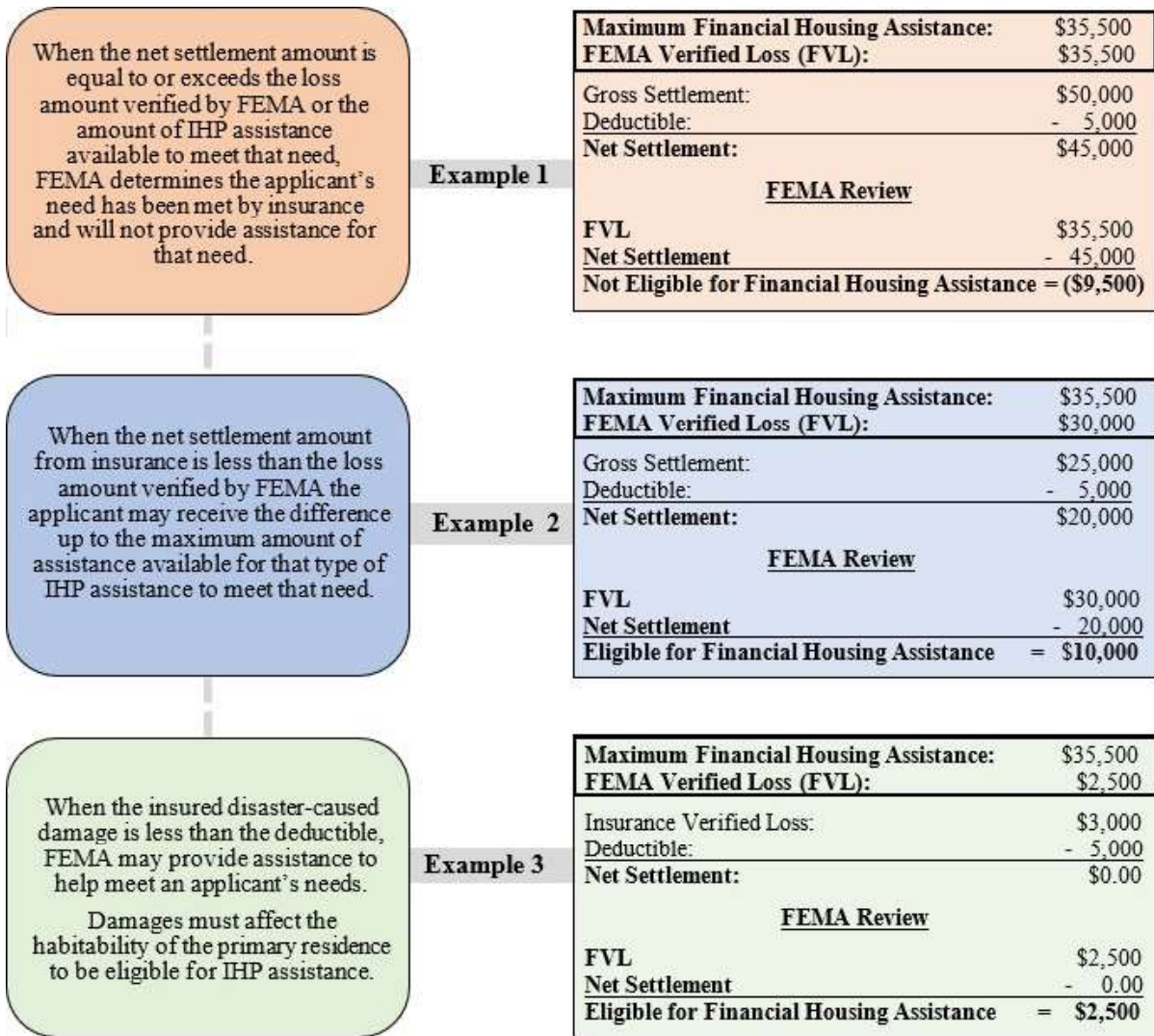
FEMA does not accept the following documents as proof of an applicant’s identity:

- Internal Revenue Service forms (IRS)
- Notarized statements or affidavits from applicants or any third parties
- Applications for a marriage license or assistance from a Federal entity

3. Insurance

FEMA provides IHP assistance to applicants for their uninsured or underinsured disaster-caused expenses and serious needs (see *Figure 8* for eligibility examples). Applicants are required to inform FEMA of all insurance (flood, homeowners, vehicle, mobile home, medical, burial, etc.) coverage that may be available to them to meet their disaster- caused needs. Insured applicants must provide documentation that identifies their insurance settlements or benefits before FEMA will consider their eligibility for categories of assistance that may be covered by private insurance.

Figure 8. Insurance Eligibility Examples



Insurance Deductible

In an insurance policy, the deductible is the amount that the policyholder agreed to pay out of pocket before an insurance company pays any benefits. This amount is subtracted from the total amount paid by the insurance company. Insurance premiums are typically more affordable when they involve higher deductibles.



FEMA-Verified Loss (FVL)

The total dollar amount of IHP eligible disaster-caused damage to real and personal property as verified by FEMA.

The FVL represents the total potentially eligible damage, but due to insurance coverage, the financial Housing Assistance maximum, and other eligibility factors an applicant may not ultimately receive assistance for their full FVL.

After an applicant submits their insurance settlement information, FEMA compares the net settlement amount received for each loss to the maximum amount of assistance available for that type of IHP assistance.

FEMA only considers insurance coverage which includes the peril(s) (e.g., flood, wind, wind-driven rain, tornado, fire, etc.) listed as a cause of damage identified for the disaster when determining eligibility for assistance. For example, an applicant is not required to submit flood insurance documents for a wind-only disaster. When applicants are impacted by multiple perils, FEMA compares insurance benefits and verified loss amount separately for each peril.

Exceptions:

- **Uninsurable Items:** Insured applicants may receive assistance for items not typically covered by homeowners or flood insurance, such as wells, septic systems, access roads, etc., regardless of the type of disaster-caused damage or the applicant's insurance coverage.
- **Delayed Settlement:** While FEMA cannot provide assistance for disaster-caused needs covered by insurance benefits, FEMA may provide assistance to help meet an applicant's immediate needs when their insurance benefits are delayed.⁶⁹ Two important conditions for receiving this form of FEMA assistance are:
 - Applicants who demonstrate their insurance settlement has been significantly delayed (30 days or more from the date a claim was filed) through no fault of their own, may be considered for initial Rental Assistance.⁷⁰
 - Applicants accepting assistance in advance of receiving their insurance settlement must agree to repay FEMA upon receiving their insurance settlement.

4. Occupancy

Applicants (both owners and renters) must be able to prove they occupied the disaster-damaged primary residence before receiving Housing Assistance and some types of ONA (i.e., Personal Property Assistance and Moving and Storage Assistance). Certain types of ONA do not require verification of occupancy of a primary residence; these include Transportation Assistance, Funeral Assistance, Medical and Dental Assistance, and Child Care Assistance.

All household members at the time of the disaster are considered occupants. Occupant means a resident of the housing unit.⁷¹ FEMA verifies occupancy through an automated public records search or submitted documents. In locations where automated verification of public records is limited, FEMA may partner with applicable authorities from the SLTT government to verify occupancy.

Occupancy Documentation:

When FEMA is unable to verify an applicant's occupancy of their disaster-damaged primary residence, the applicant may provide FEMA with any of the documents listed below for verification. FEMA will request additional documents from the list in *Figure 9* to prove occupancy in cases where the name reflected on utility bills and the name of the primary occupant conflict or when additional documentation is needed to clarify other conflicting information.

Figure 9 : Documentation to Verify Occupancy

Document and Description	Acceptable Document Dates
<p>Utility Bills: Electric, gas, oil, trash, water/sewer bills that reflect the name of the applicant or co-applicant and the disaster-damaged residence address.</p>	<p>Utility bills must be dated within 3 months prior to the incident period. Utility bills showing no usage, or only service charges, are not sufficient occupancy verification documents.</p>
<p>Merchant’s Statement: Bank or credit card statement, phone bill, cable/satellite bill, etc. that reflect the name of the applicant or co-applicant and the disaster-damaged residence address.</p>	<p>Merchant statements must be dated within 3 months prior to the incident period.</p>
<p>Employer’s Statement: Pay stubs and similar documents that reflect the name of the applicant or co-applicant and the disaster-damaged residence address.</p>	<p>Employer’s statements must be dated within 3 months prior to the incident period.</p>
<p>Lease/Housing Agreement: Copy of a written lease, housing agreement, or landlord’s written statement that includes the name of the applicant or co-applicant, the landlord contact information, the basic terms of tenancy including the location of the pre-disaster unit, amount of rent, and duration of the lease confirming that the applicant lived there at the time of the disaster; and signatures from both the landlord and applicant/co-applicant.</p>	<p>These documents must be issued and dated prior to the incident start date and current (not expired) at the time of the disaster.</p>
<p>Rent Receipts: Copy of a rent receipt or bank statement (with image of the cancelled check) that reflects the name of the applicant or co-applicant, the landlord’s contact information, the location of the pre-disaster unit, the amount of rent, and the landlord’s signature.</p>	<p>Rent receipts must be dated within 3 months prior to the incident period.</p>
<p>Public Official’s Statement: Public official’s (e.g., Police Chief, Mayor, Postmaster) written statement that includes the name of the applicant or co-applicant, the disaster-damaged residence address, the period of occupation, and the name and telephone number of the individual providing the verification.</p>	<p>Public official’s statements must be dated within the 18-month period of assistance or extended period of assistance.</p>
<p>Driver’s license, state-issued ID card, voter registration card that reflect the name of the applicant or co-applicant and the disaster-damaged residence address.</p>	<p>Identification documents must be issued and dated prior to the incident start date and current (not expired) at the time of the disaster.</p>

Document Exceptions:

- **Proof of Occupancy:** If the listed documentation is unavailable, FEMA may accept a written self-declarative statement as a last resort, only from the applicants living in insular areas, islands, and tribal lands. The statement must also include how long the applicant lived in the disaster-damaged residence prior to the Presidential disaster declaration, an explanation of the circumstances that prevent standard occupancy verification, and the applicant's signature. The self-declarative statement may be written post-disaster.
- **Intent to Occupy Statement:** Applicants not occupying the residence at the time of the disaster may still receive consideration for IHP assistance if they submit a written statement along with supporting verifiable documentation, such as a utility deposit or a pre-dated lease that contains the applicant/co-applicant's name and the residence address. Supporting documentation must be dated on or before the first day of the incident period.
 - **Example 1:** An applicant who recently purchased a home that was destroyed while the applicant was in the process of moving in may be eligible based on intent to occupy. Such applicants not occupying the residence at the time of the disaster may still be eligible if they submit documentation showing their intent to occupy the home as their primary residence.
 - **Example 2:** In addition to meeting general eligibility criteria (see Chapter 3, II.), incarcerated applicants must submit documentation verifying they will be released prior to the end of the assistance period, such as official documentation from the correctional facility or detention center, or information (e.g., name of incarcerated individual, city and state of the facility, etc.) necessary to complete an online search of the facility's online database to determine the release date, if available.
- If an incarcerated applicant is not released prior to the inspection, and cannot be present for an inspection, they must designate a third party 18-years or older to meet with the inspector on their behalf.

Citizenship and Occupancy: To meet the occupancy requirement, the applicant (or co-applicant) must prove occupancy and meet FEMA's citizenship requirement. If the applicant is a minor child, the co-applicant must be the child's parent or legal guardian, and prove they occupied the disaster-damaged residence at the time of the disaster.

Student Occupancy: Applicants who lived in housing provided by an educational facility (e.g., college dormitory) may be eligible for IHP assistance if the student housing was their primary residence. For additional information on student eligibility for disaster assistance, see [Chapter 3, II.B.](#)

5. Ownership

FEMA verifies ownership through an automated public records search or submitted documents. In locations where automated verification of public records is limited, FEMA may partner with applicable authorities from the SLTT government to verify ownership.

When an applicant's ownership of their pre-disaster primary residence has been verified, they may be considered for Home Repair Assistance, Home Replacement Assistance, or PHC Assistance.

FEMA defines an owner-occupied residence⁷² as one where the applicant:

- Is the legal owner who permanently resides at the disaster-damaged residence; or
- Does not hold a formal title to the residence and pays no rent, but is responsible for the payment of taxes or maintenance of the residence; or
- Has lifetime occupancy rights with formal title vested in another (see *Figure 10* for required documentation).

Ownership Documentation: When FEMA is unable to verify an applicant’s ownership of their primary residence, the applicant may provide FEMA with documentation to prove ownership. Applicants may provide additional documents from the list in *Figure 10*.

Figure 10: Documentation to Verify Ownership	
Document and Description	Acceptable Document Date
Deed or Official Record: Original deed or deed of trust to the property.	Deed must be current/effective during the disaster incident period.
Mortgage Documentation: Mortgage statement or escrow analysis.	The most recent mortgage statements available should be submitted (within three months of the disaster incident period) and escrow documents should be from the last quarter.
Real property* insurance document, bill, payment record, or structural insurance documentation. <i>*Buildings or other structures permanently attached to land, and the land itself. Includes items that are structural components of the buildings or structures.</i>	Within three months of the disaster incident period
Property tax receipt or property tax bill	Current and/or effective during the disaster incident period.
Manufactured home certificate of title	
Real Estate Provision	
Contract for Deed	
Land Installment Contract	
Quitclaim Deed	
Bill of Sale or Bond for Title	
Will or Affidavit of Heirship naming the applicant heir to the property and a death certificate	

The document provided must reflect:

- The name of the applicant or co-applicant registering for assistance;
 - If the applicant is a minor child, documentation must be in the parent/guardian co-applicant's name
 - If ownership is proven by an Affidavit of Heirship or a will, documentation must reflect the deceased owner's name, date of death, and evidence of the applicant's heirship. The will or Affidavit of Heirship documentation must comply with state law.
- The address of the disaster-damaged primary residence; and
- A date prior to the disaster incident period.

Document Exceptions: If the listed documentation is unavailable, FEMA may accept:

- A written self-declarative statement as a last resort, only from applicants living in insular areas, islands, and tribal lands. The statement must include the address of the disaster-damaged primary residence, how long the applicant lived in the disaster-damaged primary residence prior to the Presidential disaster declaration, an explanation of the circumstances that prevent standard ownership verification, and the applicant's signature. The self-declarative statement may be written post-disaster; however, FEMA will not accept a declarative statement of ownership for pre-disaster squatters.
- Evidence the applicant is financially responsible for major repairs to the primary residence. Evidence may include receipts that show the applicant was responsible for major repairs or maintenance (e.g., roof, furnace, plumbing, structural component repair or replacement).

Citizenship and Ownership: To meet the ownership requirement, the applicant or co-applicant must prove ownership and meet FEMA's citizenship requirements. If applying on behalf of a minor child, the applicant must be the owner of the home and the child's parent or legal guardian.

B. Additional Eligibility Considerations

Although general eligibility considerations apply to all IHP applicants, certain situations and living arrangements require additional clarification.

1. Condominiums and Cooperatives

FEMA may provide Housing Assistance and ONA to condominium (condo) owner-occupants and cooperative (co-op) owner-occupants for eligible disaster-caused damage they are responsible for within their unit (see *Figure 11*).

The owner of a condo or co-op unit is generally responsible for the fixtures, installations, and additions within the interior surfaces of the unit's perimeter walls, floors, and ceilings. This includes interior partitions, plumbing, appliances, and the exterior heating and cooling units from the point of supply into the unit. FEMA generally does not provide assistance for disaster-caused damage to structural elements (e.g., roof, exterior walls, chimneys, and shared foundation) and common areas shared by all residents such as recreational facilities, outdoor space, parking, landscaping, fences, laundry rooms, and all other jointly-used space.

The condo or co-op association’s master insurance policy generally covers damage to common areas and structural elements of the building that are shared by all residents. If the condo or co-op association does not hold an insurance policy for a particular peril and the association is responsible for the item, FEMA will not assist with the expenses related to any damage or the assessment fees resulting from the disaster due to the item being a shared common area expense.



Condominium vs. Cooperative

A **condominium residence** generally is a type of housing where each resident owns their individual unit in a multi-unit building and shares the costs of maintaining the structural elements and common areas (i.e., roof, hallway, HVAC, walkways).

A **cooperative residence** is generally a type of housing wherein residents are shareholders of a corporation that owns the building and/or property where they reside. The share entitles each resident exclusive use of the unit they live in.

Figure 11: Condo and Co-op Assistance			
Building Portion	Responsible Party	Insurance Policy Type	Eligible for IHP
Condo or co-op unit, walls in	Unit owner	Unit owner’s policy	Yes, if uninsured or underinsured losses
Damaged structural elements and common areas shared by all residents	Condo or co-op association	Condo or co-op association’s master policy	No, unless applicant submits documentation indicating individual responsibility

Individual condo or co-op owners who claim responsibility for damaged structural elements (e.g., roof, exterior walls, chimneys, and shared foundation) or damaged items in common areas need to submit verifiable documentation to FEMA indicating individual responsibility, including the master policy or bylaws, in order to be considered for assistance.

2. Limited Liability Company

Individuals or households living in properties owned by a Limited Liability Company (LLC) or time-share properties are considered renters and generally are not eligible for Home Repair Assistance or Home Replacement Assistance. However, an applicant occupying a dwelling owned by an LLC or other similar legal entity may be eligible for Home Repair Assistance or Home Replacement Assistance if they provide documentation that proves:

- The applicant occupies the dwelling as their primary residence;
- The legal entity does not have commercial purposes, such as ownership of more than one dwelling;
- The applicant or member of the household is the sole member of the legal entity;
- The dwelling is uninsured or underinsured; and
- All other Conditions of Eligibility are satisfied.

Applicants who own a dwelling on LLC-owned land may also be eligible for Home Repair Assistance or Home Replacement Assistance if they prove ownership of the home. FEMA may request additional documents to prove ownership when additional information is needed or to clarify conflicting information.

Applicants living in dwellings owned by an LLC or other similar legal entity will remain eligible for all categories of assistance that do not require ownership verification.

3. Separated Households

FEMA may provide Rental Assistance and/or LER to members of a family or household who were separated during a disaster through no fault of their own, such as those who were evacuated to different locations. Once the separated household members reunite, any eligible Continued Temporary Housing Assistance (see [Chapter 3, IV.C.](#)) will continue under the head of household's application to ensure no duplication of benefits (DOB). Rental Assistance provided to the previously separated household members will cease to ensure no DOB. Each application's total number of months and total amount of Rental Assistance and LER awarded is compared to the 18-month assistance period separately. Generally, FEMA provides all eligible IHP awards under only the head of household's application to assist all members of the pre-disaster household. Only the head of household will be eligible for additional categories of IHP assistance.

4. Roommates and Boarders

FEMA defines roommates as household members with an independent financial responsibility for the housing unit that are not dependents of each other and are not married, such as renters whose names are on a lease.

FEMA considers boarders as individuals or families in a private commercial relationship with the landlord. Boarders may reside in a housing unit with the landlord/head of household or in a separate housing unit within the structure.

FEMA defines a commercial relationship as a formal agreement to rent a portion of a residence from the owner.



Housing Unit

Housing unit is defined as a house, apartment, manufactured home, recreational vehicle, readily-fabricated dwelling, houseboat, or any other distinctly-separated living space. A living space may qualify as a housing unit if it includes facilities for cooking, eating, and sanitation. It must be directly accessible from an outer door or through an interior door in a shared hallway rather than by walking through another household's living space.

Figure 12: Assistance for Roommates and Boarders

Type of Assistance	Eligible Party	Limitations
Personal Property Assistance	Each roommate and boarder with individually-owned items	Combined applications for same housing unit cannot exceed a specific line item maximum quantity limit
Medical and Dental Assistance Funeral Assistance Child Care Assistance Moving and Storage Assistance Miscellaneous Items Transportation Assistance Group Flood Insurance Policy	Each roommate and boarder	Standard criteria
Rental Assistance	<p>First roommate who applies, unless roommates are unable to relocate together due to extenuating circumstances</p> <p>Boarders residing in the same housing unit as the landlord/head of household, if unable to relocate together due to extenuating circumstances</p> <p>Boarders residing in a separate housing unit within the structure may be eligible for Rental Assistance separate from the landlord</p>	FEMA expects all household members residing in the same housing unit to relocate together



A FEMA inspector verifies wildfire damage at a severely impacted home site in Texas.

Roommates and boarders must be able to demonstrate a formal agreement or financial responsibility to the household. A pre-disaster financial responsibility or formal agreement can be supported by one of the following:

- Pre-disaster rent receipts, cancelled checks, or money orders for the disaster-damaged primary residence;
- Pre-disaster lease, landlord's written or verbal statement, or rental agreement for the disaster-damaged primary residence; or
- Pre-disaster major utility bills (water, electricity, or gas) in the roommate's or boarder's name for service at the disaster-damaged primary residence.

Roommates and boarders may be eligible for individually-owned ONA personal property items and identified miscellaneous line items on the *ONA Administrative Option Selection Form*. They will be considered under separate applications, but all the applications combined cannot exceed what FEMA identifies as the maximum quantity limit for a specific line item for a housing unit. FEMA awards assistance to the landlord/head of household or the first roommate that applies. Subsequent applicants designated as roommates or boarders will only receive assistance for non-duplicative line items; however, this limitation excludes boarders residing in a separate housing unit. Designation as a roommate or boarder does not impact an applicant's eligibility for Medical and Dental Assistance, Funeral Assistance, Child Care Assistance, Moving and Storage Assistance, Transportation Assistance, or GFIP under ONA.

Generally, FEMA awards Rental Assistance under one household member application for the housing unit, with the expectation that the household will relocate together. In some instances, Rental Assistance may be provided to individual roommates or boarders when they are unable to relocate with the household due to extenuating circumstances. In order for FEMA to process Rental Assistance, the individual roommate or boarder must submit a written statement explaining the extenuating circumstances that prevented the household from relocating together along with supporting documentation, if applicable.

5. Military Personnel

FEMA may provide assistance to eligible active duty military and civilian military employees if the assistance is not duplicated from available assistance from the military such as the Military Personnel and Civilian Employees' Claim Act.

FEMA does not automatically provide Rental Assistance for applicants who live in military-provided housing that received disaster-caused damage. However, applicants living in military housing may receive FEMA Rental Assistance if they provide documentation showing they are not receiving housing assistance from another source.



Military Personnel

The *Military Personnel and Civilian Employees' Claim Act* provides assistance to active duty military personnel and military civilian employees in military housing for personal property (including vehicles) as a result of disaster-caused damage or loss.

The *Safe Haven Allowance* from the Department of Defense (DOD), assists military personnel and their families with disaster-caused housing costs.

Active duty military members who can satisfy occupancy and ownership conditions of eligibility for their privately-owned pre-disaster primary residence may be eligible for all categories of assistance. Active duty military members are ineligible for assistance if they are not occupying their privately-owned residence at the time of the disaster or cannot prove their intent to occupy the residence within the period of assistance. Active duty military personnel stationed outside of the country can authorize a third party to be present for inspection of their primary residence within the declared area. All military personnel, regardless of residence type or military status, may be eligible for ONA if the items are not covered by the Military Personnel and Civil Employees' Claim Act.

6. *Students*

FEMA may provide assistance to students who have disaster-caused damage or losses. Students living in housing provided by an educational facility may be eligible for Housing Assistance. FEMA determines eligibility for Rental Assistance based on whether the student applicant is “dependent” or “independent” and whether the housing is their primary residence. Independent students living in college dormitories may be eligible for Rental Assistance; dependent students are not eligible for Rental Assistance.



Students

Eligible student applicants may receive Medical and Dental Assistance, Funeral Assistance, Moving and Storage Assistance, Transportation Assistance, Assistance for Miscellaneous Items, and Child Care Assistance under ONA regardless of their residence type or dependent status.

Personal Property Assistance is available for uninsured damaged items regardless of the student’s residence type or dependent status. Personal Property Assistance is limited to student-owned items recorded during FEMA inspection. This excludes items provided by the institution or covered by an insurance policy.



Independent

The term “Independent” refers to students who are financially independent from parent(s) or guardian(s) and:

- Do not have a primary residence elsewhere and are responsible for their own living expenses;
- Are at least age 24 by December 31 of the award year;
- Were married prior to the disaster;
- Are in a masters or doctorate program;
- Have legal dependents;
- Are an orphan or ward of the court;
- Are on active military duty or are a military veteran; or
- Have documented determination of independent status by a financial aid administrator.

7. Pre-Disaster U.S. Department of Housing and Urban Development (HUD) Applicants

FEMA works closely with HUD to ensure applicants who were pre-disaster recipients of HUD assistance receive the appropriate form of FEMA Temporary Housing Assistance after a disaster.

Because FEMA may not duplicate assistance with any other Federal program, insurance, voluntary organization, or other entity, the applicant, FEMA, and HUD must work closely to determine the appropriate responsibility for the applicant's disaster housing needs. FEMA's Joint Field Office (JFO) will work with HUD counterparts at the SLTT government levels to determine which applicants were assisted by HUD prior to the disaster. Applicants' eligibility for FEMA Temporary Housing Assistance will be based on the availability of HUD assistance for the applicants after the disaster.

Once HUD assistance is available and offered to the applicant by HUD, the applicant will no longer be eligible for FEMA Temporary Housing Assistance. At this time, if they refuse to receive HUD assistance, they will no longer be eligible for continued disaster-related HUD assistance. For limitations and exclusions, see [Chapter 3, IV.A.3](#).

8. Residents of Assisted Living Facilities

Applicants whose primary residence is an assisted living facility may receive assistance for housing, personal property, and other disaster-caused needs not covered by the assisted living facility. Assisted living facilities are usually responsible for relocating their residents to temporary housing, if necessary. In some instances, certain furnishings in the residence may belong to the assisted living facility.

FEMA provides assistance to applicants living temporarily in a hospice, hospital, nursing home facility, or similar facility at the time of the disaster, and who have a primary residence in the declared area. The applicant must demonstrate their current living situation is temporary, they intend to relocate back to their damaged primary residence, and their housing needs are not being met by the temporary living facility.

Applicants living in assisted living facilities may still be eligible for certain ONA types, such as Personal Property Assistance and Moving and Storage Assistance.

9. Homeless

FEMA does not provide Housing Assistance (Rental Assistance, direct assistance, Home Repair Assistance, or Home Replacement Assistance) to applicants experiencing homelessness because the need for housing was not caused by the disaster.

Applicants experiencing homelessness pre-disaster may be eligible for certain types of ONA (Transportation Assistance, Medical and Dental Assistance, Funeral Assistance, and Child Care Assistance).



Definition of Homeless

An applicant experiencing homelessness is an individual whose pre-disaster living arrangements were transient in nature and void of any form of structural ownership. Examples of homeless living situations may include rent-free shelters, bridges, underpasses, or streets.

10. Residents of Non-Traditional Housing

FEMA may provide initial Rental Assistance and ONA to applicants who resided in non-traditional forms of housing (e.g., tents and certain types of huts and lean-to structures) pre-disaster.

Non-traditional housing may be more prevalent in certain areas, such as tribal communities, territories, and insular areas. Occupancy must be verified by a credible or official source (e.g., tribal council, public official, homeless outreach advocate) at the time of inspection. Applicants may also verify occupancy by submitting any document listed in [Chapter 3, II.A.4](#), or a signed, written statement from a credible or official source, which includes the applicant’s name, location of residence, dates of occupancy pre-disaster, and the source’s name, title, and contact information.

If pre-disaster occupancy cannot be verified, applicants may only be eligible for types of ONA that do not require occupancy verification (Transportation Assistance, Medical and Dental Assistance, Funeral Assistance, and Child Care Assistance). FEMA does not provide direct assistance, Home Repair Assistance, Home Replacement Assistance, or Continued Temporary Housing Assistance to residents of non-traditional housing.



Definition of Non-Traditional Housing

Non-traditional housing is a form of dwelling void of structural floor, structural walls, and structural roof.

Figure 13: Assistance for Residents of Non-Traditional Housing

Eligible Party	Type of Assistance	Limitations
Applicants who resided in non-traditional housing who are unable to verify occupancy	<ul style="list-style-type: none"> • Transportation • Medical and Dental • Funeral • Child Care 	<ul style="list-style-type: none"> • Ineligible for all forms of Housing Assistance • Ineligible for forms of ONA that require successful verification of occupancy (Personal Property, CNA, and Moving and Storage)
Applicants who resided in non-traditional housing (i.e., tents, etc.) who are able to verify occupancy	<ul style="list-style-type: none"> • Initial Rental Assistance • LER • All types of ONA 	<ul style="list-style-type: none"> • Ineligible for Continued Temporary Housing Assistance or direct assistance • Ineligible for Home Repair or Replacement Assistance

11. Flood Zones and Protected Areas

Restrictions and conditions apply to the IHP assistance FEMA provides in Special Flood Hazard Areas (SFHAs), sanctioned communities, Coastal Barrier Resources System (CBRS) units, and otherwise protected areas (OPAs).

National Flood Insurance Reform Act (NFIRA)

NFIRA and FEMA regulations require applicants who receive Federal financial assistance to purchase flood insurance for future flood damage to any insurable property for acquisition or construction purposes. This requirement applies only to real and personal property that is, or will be, in a designated SFHA and can be insured under the National Flood Insurance Program (NFIP). For purposes of IHP, Federal financial assistance means assistance in the form of Home Repair Assistance, Home Replacement Assistance, PHC, or Personal Property Assistance. Therefore, applicants who live in a designated SFHA and receive IHP assistance for Home Repair Assistance, Home Replacement Assistance, PHC, or Personal Property Assistance must obtain and maintain flood insurance coverage for at least the amount of disaster assistance they receive from FEMA for NFIP-insurable items real or personal property. Applicants may satisfy the insurance requirement by purchasing private insurance or a policy through the NFIP.

Applicants who do not obtain and maintain flood insurance will be ineligible for IHP assistance for flood-damaged real or personal property in future disasters with flood-related damage.

A dwelling may be insurable by the NFIP if it meets the NFIP definition of a building, which is defined as “a structure with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site.”⁷³ If an applicant is provided IHP assistance for flood-damaged real property and the dwelling is uninsurable through NFIP, the applicant will not be eligible for flood-damaged real property losses in future disasters with flood-related damage.

The NFIP was created to reduce the impact of flooding on private and public structures by providing affordable insurance to property owners and by encouraging communities to adopt and enforce floodplain management regulations. If a property is later remapped and no longer determined to be in a designated SFHA, the flood insurance requirement will no longer apply.

Coastal Barrier Resources Act (CBRA)

CBRA protects coastal areas from development by limiting Federal financial assistance for development-related activities in designated CBRS areas. CBRS areas are coastal areas that protect valuable habitat for fish and wildlife and are subject to wave, wind, and tidal forces; these areas are mapped by the U.S. Fish and Wildlife Service. The CBRS contains two types of coastal barrier areas: CBRS Units and OPAs.

An eligible applicant whose pre-disaster primary residence is located within a CBRS Unit may not be considered for Home Repair Assistance, Home Replacement Assistance, PHC, or certain types of ONA.

An eligible applicant may be considered for Rental Assistance and the following types of ONA:

- Funeral Assistance
- Medical and Dental Assistance
- Child Care Assistance
- Critical Needs Assistance

- Clean and Removal Assistance
- Assistance for Miscellaneous Items
 - Financial assistance may not be considered for items obtained after the start of the incident period that are typically used to rebuild the pre-disaster residence.⁷⁴ However, assistance may be awarded for expenses to purchase or rent items required to power life-sustaining medical equipment (e.g., generators; see [Chapter 3, VI.B.4](#)).

FEMA may not provide Direct Temporary Housing Assistance in the forms of MLR or TTHUs within a CBRS Unit. However, an applicant may be eligible to receive these forms of assistance provided in locations outside of the CBRS Unit.

An eligible applicant whose pre-disaster primary residence is located within an OPA may be considered for all forms of IHP assistance; however, the residence is also subject to NFIRA requirements for sanctioned communities and SFHAs, if applicable (see [Chapter 3, II.B.10](#)). Federal flood insurance through the NFIP is not available in CBRS Units or OPAs.

Sanctioned Communities

Sanctioned community means a community in which FEMA has identified SFHAs on a Flood Insurance Rate Map (FIRM) and the community has failed to join the NFIP within one year of the FIRM being published. Although a community's participation in the NFIP is voluntary, participation is required for purchase of Federal flood insurance within the community and requires the community to adopt and enforce a flood damage prevention ordinance. A suspended community is a community in which FEMA has identified SFHAs on a FIRM, but FEMA has suspended the community from the NFIP for failure to enforce a flood damage prevention ordinance in compliance with the NFIP.

Applicants who have disaster-caused flood damage to their primary residence in a sanctioned community are not eligible to receive assistance for NFIP-insurable real and personal property items damaged by flooding.⁷⁵ However, the individual or household may be eligible,⁷⁶ if the community in which the damaged property is located qualifies for and enters the NFIP during the 6-month period following the declaration.

Applicants who fail to obtain and maintain flood insurance, or live in sanctioned communities may be eligible for all the following, if general IHP conditions of eligibility are met:

- Medical and Dental Assistance, Funeral Assistance, Assistance for Miscellaneous Items, Child Care Assistance, Moving and Storage Assistance costs over \$1,000 (NFIP covers the first \$1,000 of moving expenses), Transportation Assistance, and CNA;
- Rental Assistance or Direct Temporary Housing Assistance in the form of Multi-Family Lease and Repair, TTHUs, or Direct Lease;
- Real and Personal Property items not damaged by flooding; and
- Uninsurable damaged items, such as wells and septic systems.

Figure 14: Flood Insurance Requirements for Homeowners and Renters

Owners	Flood insurance coverage must be maintained at the address for as long as the address exists and for at least the assistance amount awarded for flood-damaged, NFIP-insurable losses. If the home is sold or otherwise becomes owned by someone else, the requirement to purchase and maintain flood insurance carries over to any subsequent owner.
Renters	<p>Flood insurance coverage must be maintained on the contents for at least the IHP assistance amount awarded for flood-damaged, NFIP-insurable personal property, as long as the applicant lives at the flood-damaged rental property address. The requirement is lifted once the applicant permanently moves from the rental unit.</p> <p>Subsequent renters will not be required to maintain flood insurance for their personal property unless they previously received IHP assistance for flood-damaged, NFIP-insurable personal property while residing at the same address.</p> <p>Note: If a pre-disaster renter becomes an owner by purchasing the rental property at which they received IHP assistance for their flood-damaged, NFIP-insurable personal property losses, but fails to maintain the flood insurance on their personal property, they may receive IHP assistance for flood-damaged real property losses; however, they will not be eligible for Personal Property Assistance.</p>
*44 C.F.R. § 206.110(k)(3)(i)(A)	

Applicants may also receive Mass Care and Emergency Assistance (MC/EA), including congregate sheltering ([Chapter 2, II.](#)) and Transitional Sheltering Assistance (TSA) ([Chapter 2, IX.](#)), Crisis Counseling ([Chapter 5](#)), Disaster Unemployment Assistance (DUA) ([Chapter 7](#)), Disaster Legal Services ([Chapter 6](#)), and Disaster Case Management ([Chapter 4](#)).

Flood Insurance Requirement for Recreational Vehicles

Recreational Vehicles (RVs) may include motorized vehicles (i.e., Class A, B, or C vehicles, or motorhomes) and travel trailers (e.g., fifth wheel, pop-up camper, etc.).

Generally, motorized vehicles are not insurable as property by the NFIP. Applicants whose primary residence is a motorized vehicle are exempt from the requirement to obtain and maintain flood insurance and may be eligible for IHP assistance, even if they received IHP assistance for flood-damaged personal property in a previous disaster.

RVs without wheels, built on a chassis, and affixed to a permanent foundation (referred to as “travel trailers”)⁷⁷ are insurable under the NFIP. Applicants located in an SFHA, who previously accepted IHP assistance for a flooding incident and whose primary residence is a travel trailer,⁷⁸ are required to obtain and maintain flood insurance for as long as the address exists for at least the amount of flood-damaged IHP assistance received for real and/or personal property.

Applicants with a NFIRA requirement, who fail to affix a travel trailer to a permanent foundation and/or to properly elevate the travel trailer in compliance with the community’s floodplain management requirements, rendering the unit uninsurable under NFIP, will be ineligible to receive any Federal assistance for flood-damaged real or personal property⁷⁹ in a future disaster.⁸⁰

30-Day Period for Applicants to Decline Financial Assistance

An applicant has 30 days to decline financial assistance that would trigger the flood insurance obtain and maintain requirement. Applicants who do not wish to obtain and maintain flood insurance must return all disaster assistance they receive for NFIP-insurable real and personal property to FEMA no later than 30 days from the date of the award determination letter from FEMA.

C. Appeal Process

1. Timeline for Appeal

Applicants must appeal initial eligibility determinations⁸¹ within 60 days of the date on their eligibility notification letter.⁸²

2. Determinations that May be Appealed

Applicants may submit a written appeal if they disagree with any FEMA determination. An applicant may appeal:

- Initial eligibility determinations for Housing Assistance and ONA, including:
 - The amount or type of Housing Assistance and ONA an applicant received;
 - The decision to withdraw an application for FEMA disaster assistance;
 - The recovery of funds improperly awarded to an applicant (see [Chapter 3, VII](#)); or
 - The denial of a late application request for assistance.
- A denial for Continued Temporary Housing Assistance.
- Direct Housing Assistance determinations, including:
 - The termination of eligibility to remain in a temporary housing unit;
 - FEMA's intent to collect rent or the amount of rent collected from occupants of a FEMA-provided temporary housing unit;
 - A denial of a request to purchase a FEMA-provided MHU;
 - The sales price of a FEMA-provided MHU the applicant may want to purchase; or
 - Any Individual Assistance eligibility or participation-related determination, action or inaction.

When ONA is administered under the Joint or State Option described in ONA Cost Share and Administration (see [Chapter 3, VI.A.2](#)), the applicant must submit their appeal to the STT government. FEMA does not accept multiple appeals for the same reason, but may request additional information and conduct additional reviews as new information is received.

3. Requests for Copies of IHP Assistance File

Applicants may submit a written, signed request for a copy of FEMA's records related to their application for IHP assistance. The request must be in writing and specifically state what information the applicant would like to receive (e.g., entire file copy, copy of all correspondence from FEMA, etc.) and who is to receive the requested information (e.g., self, attorney, friend, etc.). If the file copy is to be provided to a third party, the full name and address of the third party must be included in the request.

The request must include the following for identity verification purposes:

- Applicant's full name
- Applicant's FEMA Application Number and Disaster Number
- Damaged property address and current mailing address, if different
- Applicant's date and place of birth
- Applicant's signature with one of the following:
 - Notary stamp or seal; or
 - The statement "I hereby declare under penalty of perjury that the foregoing is true and correct."

Written requests can be mailed or faxed using the information below.

- **Mailing Address:** Individuals and Households Program, National Processing Service Center; P.O. Box 10055; Hyattsville, MD 20782-8055
- **Fax Number:** 800-827-8112

If a Disaster Assistance Center account has been created, applicants can also upload documents through the Upload Center in their online account.

4. Appeal Submission

The applicant's appeal letter must explain the reason(s) for appeal and must be signed by the applicant or person who the applicant authorizes to act on their behalf.

The appeal submission should also include the following information:

- Applicant's full name
- Applicant's FEMA Application Number and Disaster Number
- Address of the applicant's pre-disaster primary residence
- Applicant's current phone number and address

Figure 15: Sample Appeal Letter

<div style="border: 1px solid black; width: 100%; height: 100%;"></div> <p>Dear FEMA,</p> <p>On February 17, 2016, I received a letter from you stating that I am ineligible for assistance because I have insurance. I would like to appeal your decision, as my insurance company will not cover the damage.</p> <p>Enclosed please find my insurance denial letter showing that I do not have insurance coverage for the damage to my home and personal property located at 123 Main Street, Everytown, Virginia.</p> <p>Please review the enclosed information and reconsider your decision.</p> <p>Thank you,</p> <p>Applicant [Signature]</p>	<p>Applicant Name Application Number Disaster number Street Address City, State, Zip Phone number</p>
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If someone other than the applicant files the appeal, the applicant must also submit a signed statement giving that person authority to represent the applicant.⁸³ See Written Consent ([Chapter 3, II.C.1](#)) for more information. The appeal letter should be accompanied by documentation to support the appeal request, such as repair estimates, contractor estimates, or other supporting documentation.

5. Appeal Determination

After FEMA receives the appeal, a caseworker with no prior involvement in the case reviews the appeal and file to determine if there is sufficient documentation to change FEMA’s determination. If more information is needed in order to make a determination, FEMA takes one or more of the following actions:

- Calls the applicant and sends a letter requesting additional information with a deadline of 30 days to submit the additional information
- Contacts a third party, such as a contractor, insurance company, or mechanic in order to verify submitted information
- Schedules an appeal inspection

FEMA notifies applicants in writing about the appeal decision within 90 days of the receipt of the appeal letter.⁸⁴ FEMA’s appeal decision represents the final agency determination and cannot be appealed again.⁸⁵