**SAMPLE: Letter of Appeal**

Name of Applicant

Address of Applicant

FEMA Registration Number: Date:

Mail to: FEMA-Individuals and

Households Programs National Processing Service Center

P. O. Box 10055

Hyattsville, MD 20782-7055

Fax to: (800) 827-8112

Dear FEMA:

This letter is to appeal your decision and request a review of my case. My appeal relates to (check all that apply):

* Eligibility
* The amount or type of assistance
* Late application
* Request to return money
* Continued assistance

[Explain in writing why the decision about the amount or type of assistance you received is not correct.]

Please review and advice. Thank you for your consideration.

Name of Applicant Signature of Applicant

**IMPORTANT: To be considered by IHP, your appeal letter must be postmarked within 60 days of the date of the decision letter’s date. If you need information about your case, you or someone\* from your household may request a copy of the information in your file by writing to:**

**FEMA – Records Management National Processing Service Center**

**P. O. Box 10055**

**Hyattsville, MD 20782-7055**

**(\*If someone from your household other than yourself or co-applicant is requesting information from your file, include a signed statement by you giving that person your authorization to request this information.)**

What is Legally Sufficient Written Consent?

FEMA generally communicates directly with each applicant to protect their private information. The Privacy Act requires FEMA to obtain written consent from the applicant in order to share their disaster assistance records with a third party. The written consent must:

• Be in writing (handwritten or typed)

• Include the applicant’s identity verification information (full name, current address, date and place of birth)

• Be dated and signed by the applicant

• Be notarized or have a copy of a state-issued identification card or include a statement verifying the information is true under penalty of perjury

• Include an individual identifier. Examples are: the registration number, current mailing address, current phone number, SSN, etc.

• Specify what information can be released to the third party (e.g., the entire case file, the current contact information, the amount of disaster assistance received, etc.)

• Include a third party designation. The individual must designate, identify, and name the individuals, entities, or organizations to which the disclosure is being consented

**SAMPLE -- WRITTEN CONSENT**

I, *[ First and Last Name of Person Giving Consent],* born on *[ Date of Birth of Person Giving Consent]* residing at *[ Damaged Dwelling Ad dress of Person Giving Consent],* hereby consent to disclosure of the information collected by FEMA under my Application Number *[ FEMA Application Number of Person Giving Consent]* to the organizations and/or individuals listed below. My phone number is *[Current Phone Number].*

I specifically consent to have the following information disclosed to them:

*[Be very specific about what you want to have released; include a statement such as:*

* *My entire case files, including inspection report, amount of assistance etc.:*
* *M y current contact information ( name, address, phone number, e-mail address, and FEMA application number]*

The above information may be disclosed to following organizations and/or individuals:
1.

2.

 *[(Optional)* Additionally, I consent to have the above named organizations and/or individuals speak on my behalf and represent me before FEMA].

*[ ( Optional )* Additionally, I consent to disclosure of my information to any other organization that is a member in good standing of either the National Voluntary Organizations Active in Disasters (NVOAD) or that is participating in a FEMA or State recognized Long Term Recovery Committee (LTRC) for *[ the FEMA Disaster Number for the applicant's registration ].]*

This consent is made pursuant to and consistent with 28 U.S.C. §1746. I declare, under penalty of perjury, that the foregoing is true and correct.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(Signature of Applicant Providing Consent and Date)*

**Appeal Process:**

Can I appeal?

* 60 days within days of decision
* Have the denial letter
* Significant information or evidence from a third party source

Technically, it is the applicants right to appeal any decision they do not agree with from FEMA. However, due to the lengthy time, being that appeals can take up to 90 days, appealing can hold up the continuation of the FEMA process.

If you do wish to continue with your appeal, the information listed below should guide you in your appeal process.

* Owners:
	+ Real Property: FEMA will assist in covering housing damages if your home was damaged structurally by the hurricane. If you received a determination letter from FEMA, don’t agree with it, and would like to appeal. Follow the following procedures.
		- Write the appeal letter like explained previously. Get an estimate of damages, and a copy of insurance settlement or denial letter. Attach both those documents in the appeal.
			* But I don’t have insurance so I can’t submit the settlement letter
				+ Still get an estimate of damages from a third party source. You are more than willing to include you’re pictures, but they will not be sufficient enough for your appeal. Along with your contract estimates, write a brief statement explaining lack of insurance and submit those documents with your appeal.
	+ Rental Assistance
		- An important not for the Case Mangers: it does not matter if the applicant is an owner or a renter, the “willing to move” box on their FEMA application needs to be checked as “YES” to receive rental assistance. This indicates that they are willing to vacate while within 50 miles of their home while the repairs are being done.
			* I am an owner, with real property damage, and insurance:
				+ You can receive rental assistance IF the applicant gets a statement from their insurance stating that the insurance company does not over ALE (Additional Living Expenses)
			* I am an owner, with real property damage, and no insurance:
				+ You can receive rental assistance if the inspection says that the living conditions are unsafe and they checked the “willing to move” box on their FEMA application

If inspector says that the property is livable, the likelihood of receiving rental assistance is low.

* + Personal Property: Applicants have the right to appeal personal property, but a misperception is that FEMA will make you whole again. FEMA will cover the basic necessities of your personal property. In other words, the personal property you need to live.
		- If you are an owner and qualify for SBA, you are expected to use SBA to cover your personal property.
* Renters:
	+ Real Property: FEMA likely won’t cover real property because applicant does not own the home and therefore isn’t held responsible to fix the house.
	+ Rental Assistance:
		- An important not for the Case Mangers: it does not matter if the applicant is an owner or a renter, the “willing to move” box on their FEMA application needs to be checked as “YES” to receive rental assistance. This indicates that they are willing to vacate while within 50 miles of their home while the repairs are being done.
			* If the inspector says that the home is unsafe and the applicant checked “willing to move” the applicant will receive rental assistance
			* If the inspector states that the applicant has insufficient damage, but the renter thinks differently:
				+ The renter needs to get a statement from the landlord stating that the renter needs to vacate the home until the repairs are complete. In addition to the formalized statement, include the contact information of the landlord and submit the statement with your appeal explaining that the home is not safe or sanitary.

My landlord is not cooperating with me and will not provide me with a formalized statement:

The renter needs to submit a statement explaining that the owner/landlord is not willing to cooperate or has been unavailable for an extended amount of time.

* + Personal Property:
		- Applicants have the right to appeal personal property, but a misperception is that FEMA will make you whole again. FEMA will cover the basic necessities of your personal property. In other words, the personal property you need to live

**EXAMPLE OF CONTRACTOR’S ESTIMATE REQUIREMENTS**

**An estimate/invoice is not required to be from a licensed contractor, as long as the estimate/invoice is verifiable.**

A verifiable contractor’s statement must detail how the damage is disaster related, and list repairs that need to be made and the date the repairs will be completed.

**Contractor’s Business Name**

Address

City, State, zip

Phone #- **(IMPORTANT INFORMATION TO INCLUDE)**

**Property Owner’s Name** Address – of damaged dwelling City, State Zip

##### ESTIMATE FOR REPAIRS:

**Description of Repairs Quantity Unit Cost**

**1.**

**2.**

**3.**

Include a statement on the estimate that the repairs are due to the flood/storm/disaster on or about: Give the date: day/month/year.

**For HVAC** (heating, ventilating, and air conditioning)
State that the unit is damaged beyond repair (or parts are no longer available) and is a result of the flood/storm/disaster on or about: give the date: day/month/year.

If the unit has to be replaced, state it is a **like replacement** and not an upgrade.