



September 2, 2021

MEMORANDUM FOR: Regional Administrators

FROM: Keith Turi
Assistant Administrator
Recovery Directorate

SUBJECT: Amendment to FP 104-009-03, Individual Assistance Program and Policy Guide, Version 1.1

The purpose of this memorandum is to amend sections of FEMA Policy 104-009-03, *Individual Assistance Program and Policy Guide, Version 1.1* (IAPPG), published on May 26, 2021. Unless noted in this memorandum, all other policy guidance outlined in the IAPPG remains in effect.

On January 20, 2021, President Biden issued Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, designed to pursue a comprehensive approach to advancing equity for all, including people of color, people with disabilities, rural communities, and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Pursuant to this Executive Order and other related presidential memoranda, FEMA posted a Request for Information (RFI) in the *Federal Register* (86 FR 21325), requesting information on the extent to which existing agency programs, regulations, and policies perpetuate systematic barriers to opportunities and benefits for historically underserved groups; bolster resilience to the impacts of climate change; and address the disproportionately high and adverse climate-related impacts on disadvantaged communities.¹ A primary goal of the RFI was to seek comments on potential improvements in terms of the directives and principles of Executive Order 13985 and Executive Order 13563, *Improving Regulation and Regulatory Review*, which refers explicitly to equity, distributive impacts, and human dignity, all of which can be compromised by excessive and inflexible administrative burdens and paperwork requirements. This RFI goal is also consistent with the purposes and the findings of the *Study to Identify Methods to Assess Equity: Report to the President*, issued by the Office of Management and Budget in July 2021, and especially Finding 2: “Administrative burden exacerbates inequity.”

FEMA recognizes the need to expand its outreach to underserved populations consistent with that finding and its Pub 1 Core Values of Compassion, Fairness, Integrity, and Respect. These values are a reminder that FEMA aspires and intends to serve all people equitably, regardless of race, color, religion, national origin, sex (including pregnancy, gender identity, and sexual

¹ <https://www.govinfo.gov/content/pkg/FR-2021-04-22/pdf/2021-08444.pdf>.

orientation), disability, age, or genetic information. On all of these counts, FEMA seeks to do better by reducing unnecessary administrative burdens and excessive paperwork requirements, and by increasing flexibilities. On the basis of an initial summary review of the feedback received via the RFI and an internal analysis of our statutory and regulatory authorities and current policy and program guidance, FEMA noted areas where additional flexibilities could be provided to ensure access to assistance is equitably provided to all applicants.

The policy changes reflected in this memorandum are effective for disasters declared on or after August 23, 2021. These changes are fully consistent with the findings and proposals in *Study to Identify Methods to Assess Equity: Report to the President*, and in particular with this conclusion: “Research indicates that where there are administrative burdens, they do not fall equally on all entities and individuals, leading to disproportionate underutilization of critical services and programs, as well as unequal costs of access, often by the people and communities that need them the most.” Id. at 21.

Occupancy and Ownership Verification

Occupancy Documentation:

As noted in Chapter 3, Section II.A.4. of the IAPPG, 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 outlined in the *Documentation to Verify Occupancy* chart (Figure 9) for verification. On the basis of further research, FEMA is replacing the chart in the IAPPG with the following version, which expands the types and acceptable dates of documents that may be submitted to verify occupancy. Previously, occupancy documents had to be dated within three months prior to the disaster. To provide additional flexibility and fairness to disaster survivors who experience difficulty in gathering specific documents, FEMA expanded the acceptable date range for documents to extend both pre- and post-disaster. In the charts to follow, one year prior to the disaster means within one year prior to the start of the incident period for the declared disaster. Acceptable documents dated within the 18-month period of assistance must show pre-disaster usage or explicitly state that the applicant or co-applicant resided at the damaged dwelling at the time of the disaster.

Documentation to Verify Occupancy	
Document Types, Descriptions, and Required Elements	Acceptable Document Dates
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.	Utility bills must be dated within one year prior to the disaster or within the period of assistance.
Other Bills: Bank or credit card bill, phone bill, cable/satellite bill, medical provider’s bill, etc., that reflect the name of the applicant or co-applicant and the disaster-damaged residence address.	Bills or invoices must be dated within one year prior to the disaster or within the period of assistance.
Employer’s Documents: Pay stubs or similar documents received before the disaster, or a letter or other written statement from an employer prepared after the disaster, that	Employer’s documents must be dated within one year prior to the disaster or within the period of assistance.

Documentation to Verify Occupancy	
Document Types, Descriptions, and Required Elements	Acceptable Document Dates
reflects the name of the applicant or co-applicant and the disaster-damaged residence address. The letter or written statement must include the name and telephone number of the individual or organization providing verification.	
Lease/Housing Agreement: Copy of a written lease, housing agreement, or a letter or other written statement from the landlord that includes: • the name of the applicant or co-applicant • the landlord's contact information • the basic terms of tenancy including: ○ the location of the pre-disaster unit, ○ duration of the lease confirming that the applicant lived there at the time of the disaster, ○ signatures from both the applicant or co-applicant and the landlord. FEMA will accept a lease or housing agreement without a signature from the landlord, but FEMA must be able to verify the lease with the landlord.²	Documents must be current/effective during the disaster incident period but may be dated within the period of assistance.
Rent Receipts: Copy of a rent receipt or bank statement (e.g., an image of the cancelled rent check) that reflects the name of the applicant or co-applicant, the landlord's contact information, and the address of the pre-disaster housing unit.	Rent receipts must be dated within one year prior to the disaster or within the period of assistance.
Public Official's Documents: Documentation received before the disaster from a public official (e.g., Police Chief, Mayor, Postmaster, federal, state, local, tribal, or territorial government official) that includes the name of the applicant or co-applicant and the disaster-damaged residence address or a letter or other written statement prepared after the disaster that includes the name of the applicant or co-applicant, the disaster-damaged residence address, and that	Public official's document must be dated within one year prior to the disaster or within the period of assistance.

² FEMA previously required a landlord signature on any pre-disaster lease or housing agreement, but is providing additional flexibility for applicants when the landlord's contact information is provided and the document can be verified.

Documentation to Verify Occupancy	
Document Types, Descriptions, and Required Elements	Acceptable Document Dates
the applicant or co-applicant occupied the disaster-damaged dwelling at the time of the disaster. The letter or written statement must include the name and telephone number of the public official providing verification.	
Identification Cards: Driver's license, state-issued ID card, or voter registration card that reflects the name of the applicant or co-applicant and the disaster-damaged residence address.	Identification documents must be issued and dated prior to the incident start date and current (not expired) at the time of the disaster.
Social Service Organization Documents: Documentation received before the disaster from a social service organization that provided pre-disaster services to the applicant (e.g., Center for Independent Living, Meals on Wheels, the National Urban League, etc.) and includes the name of the applicant or co-applicant and the disaster-damaged residence address or a letter or other written statement from the organization prepared after the disaster verifying that the applicant or co-applicant occupied the disaster-damaged dwelling address at the time of the disaster. The letter or written statement must include the name and telephone number of the individual or organization providing verification.	The social service organization documents must be dated within one year prior to the disaster or within the period of assistance.
Local School Documents: Documentation received from a public or private school or the school district before the disaster that include the child's disaster-damaged residence and the name of the applicant or co-applicant, or a letter or other written statement from the school or school district prepared after the disaster verifying the child's residence at the time of the disaster and includes, in the case of a dependent, the name of the applicant or co-applicant. The letter or written statement must include the name and telephone number of the individual or organization providing verification.	The local school district documents must be dated within one year prior to the disaster or within the period of assistance.
Federal or State Benefit Documents: Documents received before the disaster from a federal or state agency that provided	The federal or state agency benefits documents must be dated within one year prior to the disaster or within the period of

Documentation to Verify Occupancy	
Document Types, Descriptions, and Required Elements	Acceptable Document Dates
benefits to the applicant (e.g., Supplemental Nutrition Assistance Program (SNAP), stimulus checks, etc.) and includes the name of the applicant or co-applicant and the disaster-damaged residence address or a letter or other written statement from the organization prepared after the disaster verifying that the applicant or co-applicant occupied the disaster-damaged dwelling address at the time of the disaster. The letter or written statement must include the name and telephone number of the individual or organization providing verification.	assistance.
Motor Vehicle Registration: Copy of a motor vehicle registration which shows that the vehicle was registered to the applicant or co-applicant at the disaster-damaged residence address.	The motor vehicle registration must be issued within one year prior to the disaster or within the period of assistance and current (not expired) at the time of the disaster.
Affidavits of Residency or Court Documentation: Copy of court documentation (e.g., a summons) which notes the name of the applicant or co-applicant and the disaster-damaged residence address.	Affidavits of residency or other court documentation must be dated within one year prior to the disaster or within the period of assistance.
Mobile Home Park Documents: In the case of mobile homes or travel trailers located in a mobile home park, the applicant or co-applicant may submit a letter or other written statement from the park owner or manager, which states that the applicant or co-applicant occupied the disaster-damaged dwelling at the time of the disaster. The letter or written statement must include the name and telephone number of the individual providing verification.	The mobile home park owner's or manager's documents must be dated current/effective during the disaster incident period but may be dated within the period of assistance.

FEMA is also amending the *Documentation Exceptions* section to reduce paperwork requirements by replacing the Proof of Occupancy subsection with the following:

- **Proof of Occupancy Self-Declarative Statement:** If the listed documentation in the above *Documentation to Verify Occupancy* chart is unavailable, FEMA may accept a written self-declarative statement as a last resort from applicants whose pre-disaster residence was a mobile home or travel trailer, as applicants residing in a mobile home or travel trailer may experience challenges with obtaining occupancy documentation. FEMA may also accept a written self-declarative statement as a last resort from applicants living in insular areas, islands, and tribal lands. Self-declarative statements may be written post-

disaster and **must** be provided to FEMA in writing to be maintained in the applicant's file, not solely viewed by an inspector. The statement must include:

- the address of the disaster-damaged residence;
 - length of time the applicant lived in the disaster-damaged residence prior to the Presidential disaster declaration;
 - the major elements of the following statement and additional explanation, "I have made a good faith effort, in coordination with FEMA, to obtain and provide a copy of acceptable occupancy documentation. I was unable to obtain this documentation because [provide an explanation of the circumstances that prevent standard occupancy verification to include why the other document types were not available to the applicant or how the available documents do not meet FEMA's requirements]. I hereby declare under penalty of perjury that the foregoing is true and correct."; and
 - the applicant's name and signature.
- If possible, the applicant should also provide any documents from the *Documentation to Verify Occupancy* chart, even if they do not meet all the requirements for the document type, to further support their claim.

Ownership Documentation:

Chapter 3, Section II.A.5. of the IAPPG states that when FEMA is unable to verify an applicant's ownership of their primary residence, the applicant may provide FEMA with documentation to prove ownership. On the basis of further research, FEMA is replacing the *Documentation to Verify Ownership* chart (Figure 10) in the IAPPG with the following chart, which expands the types and acceptable dates of documents that applicants may submit to verify ownership. Additionally, for any documents outlined below that are dated within the 18-month period of assistance, the document must demonstrate that the applicant owned the damaged dwelling at the time of the disaster. If the applicant is a minor child, documentation must be in the parent/guardian co-applicant's name.

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. Applicants may submit a document that is dated within the period of assistance.
Mortgage Documentation: Mortgage statement or escrow analysis.	Mortgage statements or escrow documents must be dated within one year prior to the disaster or within the period of assistance.
Structural or real property insurance document, bill, or payment record.	Documents must be dated within one year prior to the disaster or within the period of assistance.
Property tax receipts or property tax bill	Document must be current and/or effective during the disaster incident period. Applicants may submit a document that is dated within the period of assistance.
Manufactured home certificate of title	
Real Estate Provisions	
Contract for Deed	
Land Installment Contract	
Quitclaim Deed	

Documentation to Verify Ownership	
Document and Description	Acceptable Document Date
Bill of Sale or Bond for Title	
Will or Affidavit of Heirship naming the applicant heir to the property and a death certificate	
Receipts for Major Repairs or Improvements: The applicant or co-applicant may submit receipts that show they were responsible for major repairs, maintenance, or improvements (e.g., roof; HVAC; plumbing or other major utility repair or replacement such as water line, sewer, well, or septic; solar panels; major mitigation measures such as elevation; structural component repair or replacement) to the disaster-damaged residence address. The receipt must include the applicant or co-applicant's name and the disaster-damaged residence address.	Major repair receipts must be dated within five years prior to the start of the incident period for the disaster.
Mobile Home Park Letter: In the case of mobile homes or travel trailers located in a mobile home park, the applicant or co-applicant may submit a letter or other written statement from the commercial or mobile park owner or manager, which states that the applicant or co-applicant owned the disaster-damaged dwelling at the time of the disaster. The letter or written statement must include the name and telephone number of the individual providing verification, and must include how the individual knows the applicant or co-applicant owned the mobile home or travel trailer at the time of the disaster (i.e., they had a copy of their ownership documentation on file).	The commercial or mobile park owner's or manager's letter or written statement must be dated current/effective during the disaster incident period but may be dated within the period of assistance.
Court Documents: If the applicant or co-applicant was previously or is currently in a legal dispute that is pertinent to the ownership of the disaster-damaged residence, the applicant may submit a copy of court documentation that states the applicant owned the disaster-damaged residence address.	Court documentation must be dated within one year prior to the disaster or within the period of assistance.
Public Official's Letter: Public official's (i.e., federal, state, local, tribal, or territorial government official) letter or other written statement that includes the name of the applicant or co-applicant, the disaster-	Public official's document must be dated within the period of assistance.

Documentation to Verify Ownership	
Document and Description	Acceptable Document Date
damaged residence address, that the applicant or co-applicant owned the disaster-damaged dwelling at the time of the disaster, and the name and telephone number of the individual providing verification.	

In addition to adding the aforementioned documentation and document date flexibilities to the *Documentation to Verify Ownership* chart, FEMA is rescinding the language immediately following the chart up to the *Citizenship and Ownership* section. Additionally, to promote equity, FEMA will no longer limit the acceptance of evidence the applicant is financially responsible for major repairs or improvements to the primary residence to an option of last resort to prove ownership. Instead, as noted above, applicants may submit receipts that show they are responsible for major repairs, maintenance, or improvements (e.g., roof; HVAC; plumbing or other major utility repair or replacement such as water line, sewer, well, or septic; solar panels; major mitigation measures such as elevation; structural component repair or replacement) to prove ownership.

Lastly, FEMA is replacing the *Documentation Exceptions* section with the following additions:

- **Proof of Ownership Self-Declarative Statement:** FEMA will accept a written self-declarative statement as a last resort from applicants whose pre-disaster residence was a mobile home or travel trailer, as traditional forms of ownership documentation may not exist since mobile homes and travel trailers may be considered vehicles and not real estate. FEMA will also accept a written self-declarative statement as a last resort from applicants living in insular areas, islands, and tribal lands, as many of these areas lack the traditional documentation and land ownership practices common in the continental United States. Self-declarative statements must be provided to FEMA in writing to be maintained in the applicant's file, not solely viewed by an inspector. The statement must include:
 - the address of the disaster-damaged residence;
 - length of time the applicant lived in the disaster-damaged primary residence prior to the Presidential disaster declaration;
 - the major elements of the following statement and additional explanation, "I have made a good faith effort, in coordination with FEMA, to obtain and provide a copy of acceptable ownership documentation. I do meet FEMA's definition of an owner-occupant because I am (A) the legal owner of the home, (B) pay no rent, but am responsible for the payment of taxes or maintenance for the residence, or (C) hold lifetime occupancy rights. I was unable to obtain this documentation because [provide an explanation of the circumstances that prevent standard ownership verification of the appropriate owner-occupant category]. I hereby declare under penalty of perjury that the foregoing is true and correct."; and
 - the applicant's name and signature.
- **Heirship Proof of Ownership:** A written self-declarative statement as a last resort from

applicants whose pre-disaster residence was passed down via heirship,³ as often times, traditional forms of ownership documentation in these situations do not exist. Self-declarative statements must be provided to FEMA in writing to be maintained in the applicant's file, not solely viewed by an inspector. The statement must include:

- the address of the disaster-damaged residence;
- length of time the applicant lived in the disaster-damaged primary residence prior to the Presidential disaster declaration;
- the major elements of the following statement and additional explanation, "I have made a good faith effort, in coordination with FEMA, to obtain and provide a copy of acceptable ownership documentation. I was unable to obtain this documentation because [provide an explanation of the circumstances that prevent standard ownership verification].";
- the major elements of the following statement, "As the nearest relative of the deceased in the line of succession, my ownership includes all the rights and obligations of the deceased. The decedent's name is _____, who died on _____. I hereby declare under penalty of perjury that the foregoing is true and correct."; and
- the applicant's name and signature.

Self-declarative statements may be written post-disaster. FEMA will not accept a declarative statement of ownership for pre-disaster squatters or when conflicting documentation available to FEMA contradicts the declarative statement.

In instances where multiple applicants claim they are the owner-occupant, an applicant who provides other acceptable ownership documentation may be determined eligible when all other applicants claiming ownership for the same address provide self-declarations of ownership. If all claimants provide self-declarative statements, the first applicant to meet all eligibility and documentation criteria will be awarded the Housing Assistance funds.

Home Repair Assistance

Disaster-Caused Mold

As outlined in Chapter 3, Section IV.E. of the IAPPG, FEMA may provide financial assistance to repair an owner-occupied primary residence, utilities, and residential infrastructure, including private access routes, damaged as a result of a Presidentially-declared disaster up to the financial Housing Assistance maximum award.

FEMA is amending the *Home Repair Assistance* section in the IAPPG to include financial assistance to repair real property components impacted by disaster-caused mold growth.

This amendment is intended to support low income and other vulnerable disaster survivors who may not have the means to immediately address disaster damage, particularly when disasters are not declared immediately or inspections are delayed. However, all applicants with disaster-caused mold damage may be eligible for the assistance when they meet all other conditions of

³ Heirship is the legal right to receive real and personal property under state law upon the death of an ancestor or next of kin.

eligibility. These additional funds will be provided as part of the Home Repair Assistance award when applicable.

Americans with Disabilities Act (ADA) Line Items

As outlined in Chapter 3, Section IV.E. of the IAPPG, FEMA may provide financial assistance for damaged accessibility items (e.g., exterior ramps and grab bars) if they were present in the applicant's home pre-disaster. In an effort to provide assistance to applicants who incurred a disaster-related disability and now are required to install real property components to their home, FEMA is amending the *Home Repair Assistance* section of the IAPPG to include the following stand-alone sub-section to the *Home Repair Assistance* section. This subsection will be placed prior to the *Privately-Owned Access Routes* sub-section:

- I. *Assistance for Disaster-Caused Accessibility Real Property Needs*
 - a. FEMA may provide financial assistance under Home Repair Assistance for post-disaster accessibility-related items when these items are necessary to make the damaged home safe and functional for someone who has a disaster-caused disability. Home Repair Assistance for specific post-disaster accessibility-related items is not limited by a financial maximum award. The following post-disaster accessibility-related items are eligible under Home Repair Assistance:
 - i. Exterior ramp
 - ii. Grab bars
 - iii. Paved path of travel to the primary residential entrance (for accessible ingress or egress from the applicant's vehicle to their dwelling.)
 - b. **Conditions of Eligibility**
 - i. In addition to meeting general conditions of eligibility (see Chapter 3, Section II), applicants must meet the following conditions to receive Home Repair Assistance for post-disaster accessibility-related items:
 1. The real property component is necessary to make the dwelling safe and functional and will meet the access and functional need of the household resulting from the disaster-caused disability.
 2. The injury or illness was caused by the disaster and limits one or more major life activity as defined by the Americans with Disabilities Act, 42 USC § 12102(2).
 3. The component is not covered by insurance or provided by another source (i.e., Long-Term Care Insurance and Home and Community-Based Services Medicaid waivers).
 - c. **Required Documentation**
 - i. To be considered for Home Repair Assistance for post-disaster accessibility-related items, applicants must submit documentation that aligns with IAPPG Chapter 3, Section VI.B.2 Medical and Dental Assistance Required Documentation, as applicable.
 - d. **Limitations and Exclusions**
 - i. Condominium and cooperative owner-occupants are not eligible for financial assistance for post-disaster accessibility-related items in common

areas (see Chapter 3, Section II.B.1.).

Expanded Clean and Sanitize Assistance

Section 408(e)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act and 44 C.F.R. 206.119(c)(6)(ii) authorize FEMA to provide assistance for necessary expenses or serious needs resulting from a disaster. Under this authority, FEMA may provide a limited amount of financial assistance to applicants with disaster-caused real property damage who do not qualify for Housing Assistance because the damage did not render their home uninhabitable. In an effort to ensure all applicants who were impacted by a disaster may receive assistance to prevent additional losses and potential health and safety concerns, FEMA is replacing *Clean and Removal Assistance*, throughout the IAPPG and as specifically outlined in Chapter 3, Section VI.B.7., with the following type of assistance:

I. *Clean and Sanitize Assistance*

- a. FEMA may provide a limited amount of financial assistance to applicants with disaster-caused real property damage that did not render the home uninhabitable. Clean and Sanitize Assistance (CSA) is intended to ensure minimal damage to the home is addressed in order to prevent additional losses and potential health and safety concerns.
- b. CSA may be provided in all disasters, including those implementing FEMA Policy 104-009-17, *Pandemic Remote Inspection Process Individuals and Households Program Policy* (Interim).
- c. **Program Request and Approval**
 - i. An affected state, tribal, or territorial government must submit a written request to FEMA to implement CSA. The Governor's Authorized Representative or Tribal Chief Executive's Authorized Representative must submit a written request for CSA to the Federal Coordinating Officer. CSA may be requested in any disaster. CSA must be approved by the Regional Administrator prior to implementation.
- d. **Conditions of Eligibility**
 - i. In addition to meeting general conditions of eligibility (see Chapter 3, Section II), applicants must meet the following conditions in order to receive CSA:
 1. The pre-disaster primary residence is located in an area designated for Individual Assistance.
 2. Based on a FEMA inspection, the applicant has disaster damage recorded or, for renters, noted clean-up actions are needed or have been taken.
 3. The damage is not covered by the applicant's insurance.
 4. FEMA determines the applicant's disaster-damaged primary residence is safe to occupy.
- e. **Limitations and Exclusions**

- i. CSA is limited to \$300 per eligible household.
- ii. CSA will be awarded as a one-time payment.

FEMA continues to explore ways to increase equity in its programs and processes, among other things by reducing administrative burdens and paperwork requirements, and by increasing flexibility. If you have any questions or need additional information, please contact the Individual Assistance Division at FEMA-IHP-Policy@fema.dhs.gov.

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