

Neighborhood Legal Services of Los Angeles and Pepperdine School of Law
FEMA Appeals Clinic
February 21, 2019

Interview Questions

It is not necessary to ask all of these questions of every client. The questions below are included as examples of the kinds of information it may be necessary for you to discuss with your client during your meeting.

1. What is the date of the decision?
2. Have you appealed this decision? If yes, do you have a copy of the appeal you submitted?
3. If more than 60 days have passed since the date on the decision, why did you not appeal this decision before? Did you have a good reason for not appealing until now? Did something prevent you from submitting your appeal on time?
4. Were you determined to be eligible for FEMA assistance?
 - Did you receive FEMA assistance for home repairs?
 - How much?
 - How much will it cost to fix your house? How do you know?
 - Did you receive FEMA assistance for temporary housing/rental assistance?
 - How much?
 - Did you receive FEMA assistance for other needs?
 - How much?
 - What other needs did you have?
 - Do you agree with the decision? Is it too much? Not enough?
5. Were you denied FEMA assistance? What was the reason given? (use questions from all applicable sections below)
 - A. FEMA stated there was a "voluntary withdrawal" of the application.**
 - Did you withdraw your application at any point?
 - If not, did you fail to submit required papers?
 - Did you have problems contacting the inspector?
 - Did you have trouble getting notices from FEMA due to a change of address or some other issue?

B. FEMA stated there was not sufficient proof applicant owned the home that was damaged and/or destroyed.

- Was the home that you applied for benefits for your primary residence at the time of the disaster?
- Did you submit proof of ownership to them? This includes:
 - Current title or deed
 - Recent mortgage statements, escrow payments of taxes, tax records
 - proof of maintenance
 - Documentation of any recent payment of insurance, bills, or structural insurance
 - A will naming the occupant as heir, along with a death certificate
- If you didn't submit proof, why didn't you submit proof?
- If you don't have any proof available, are you able to collect any of the above documents within 60 days of the decision letter date? If not, why not?

C. FEMA stated there was not sufficient evidence to determine applicant lived in the rental that was damaged and/or destroyed.

- Was the house or apartment that you applied for benefits for your primary residence at the time of the disaster?
- Did you submit proof of occupancy? This includes:
 - Written lease at the time of the disaster
 - Verbal lease
 - Utility bills or other bills with the address (dated within last 3 months)
 - Paystubs or other employer documents with your address
 - Current driver's license, state ID, voter registration
 - Intent to occupy (predated lease and a statement)
- If you didn't submit proof, why did you not submit proof?
- If you don't have any proof available, are you able to collect any of the above documents within 60 days of the decision letter date? If not, why not?

D. FEMA stated the damage was not caused by the disaster.

- What did FEMA stated caused the damage to your property? Why might they think that (i.e. did you say something to the inspector or write something in the application to suggest some other cause for the damage)?
- Do you have photos from before the disaster? After the disaster?

E. FEMA stated that applicant had a shared household and someone already applied for FEMA benefits from the household.

- Did you live with anyone else at the time of the disaster? Who did you live with (names and relationship)?
- Did the other person relocate? Do you know where they have relocated to?
- Did you share expenses for the household with them at the time of the disaster?
- Do you know if they applied for FEMA assistance separately? Do you know if they received FEMA benefits? If so, do you know what benefits they received (e.g., rental assistance, replacement of belongings, etc.) and how much they received? Did they share any of the FEMA assistance they received?

F. FEMA stated applicant was not willing to relocate.

- Did you indicate in your application that you did not want to move out of your current residence? (applicant may have been confused and thought FEMA was asking him to move out permanently)
- Have you moved while your residence is being repaired?
- Are you willing to move temporarily while your primary residence is repaired?
 - If yes, clarify on FEMA appeal that the applicant will or has moved temporarily while the home undergoes repairs.

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G. FEMA thinks applicant's insurance covered all the all applicant's disaster related needs.

- Do you have insurance? What kind of insurance (e.g. renter's insurance, property, disaster – specifically fire damage, etc)?
- Did you apply for insurance coverage? Did you receive a settlement?
 - What types of damages did it cover?
 - Repair/replacement?
 - Rental assistance (i.e., ALE)?
 - Personal property replacement?
 - How much did you receive for each type of damages? Is it less than FEMA's maximum aid amount (\$34,900)? Was it enough to cover all your damages?
 - If no, do you have the denial letter from your insurance?
 - If you have not received a decision yet, have you received a partial payment? What did it cover?
 - If you have not received a final settlement, do you know why?

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H. FEMA stated there was not sufficient proof of damages to qualify.

- (Review FEMA's denial letter and FEMA's explanation of why there was "insufficient damage"): Do you disagree with any of FEMA's findings? If so, which ones?
- Do you have photographs or other documentation to prove the damage to X?

6. Is there any other reason that FEMA denied your application?
7. Did you receive FEMA assistance, but disagree with the amount?
 - How much were you awarded?
 - How much will it cost you to repair your home?
 - Have you submitted those estimates to FEMA?
 - How long do you think that you will be out of your home?