How to Prepare for and Recover From a Disaster:

A SELF-HELP TOOLKIT

Visit our website for more self-help resources:
iowalegalaid.org

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Disasters happen without warning. The best defense against a disaster is to prepare for it ahead of time. The goal of this Self-Help Toolkit is to help you prepare for a disaster. The Iowa Legal Aid (www.iowalegalaid.org) website Disaster page contains information and all of the links mentioned in this booklet. The Red Cross (www.redcross.org) and FEMA (www.ready.gov) websites have information to help you and your family talk about disasters and plan for what you will do if one strikes your community. Remember, the more that you plan before a disaster happens, the easier it will be to recover from the disaster.

This Self-Help Toolkit also has information to help you recover after a disaster hits. Iowa Legal Aid's website (www.iowalegalaid.org) has information to explain your rights and responsibilities as a tenant when your rental home has been damaged or destroyed. There is also information on disaster recovery benefits that may be available to you from the State of Iowa (Iowa Individual Disaster Assistance Grant) and the federal government (FEMA). There is useful information for making a claim with your insurance company, hiring a home repair contractor, registering your children for school, and other topics.

We hope that you find this information helpful. REMEMBER THAT THIS INFORMATION IS NOT A SUBSTITUTE FOR LEGAL ADVICE. You should consult an attorney if you need help.

Iowa Legal Aid provides help to low-income Iowans. To apply for help from Iowa Legal Aid with civil legal problems:

- **Call 1-800-532-1275**
- **Iowans age 60 and over, call 1-800-992-8161 OR**
- **Apply online at iowalegalaid.org**

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What is a disaster?

A disaster is a sudden event that causes great damage, loss, or destruction. A disaster can affect an individual (a house fire), can affect a few people and occur over a small area (a tornado), or can affect a lot of people and occur over a large area (river flooding). Disasters occur frequently in Iowa and Iowans are at risk from flooding, tornadoes, wind damage, and winter storms. It is important for Iowans to prepare in advance for a disaster.

How can I prepare for a disaster?

Although disasters often occur suddenly and without warning, there are ways to prepare for them. One way is to have a disaster kit filled with food, water, medications, and emergency supplies. Another way is to safeguard important documents. A family communication plan can help family members find each other after a disaster. It is important to have insurance that will cover the damage and loss that you could suffer from a disaster.

How do I create a disaster kit?

The following websites can help you create a disaster kit:

http://www.redcross.org/prepare
http://www.ready.gov/

What important documents should I keep safe?

Included in this booklet, you will find a list of documents you can gather before a disaster strikes. You can find this list on page 15, or refer to it on Iowa Legal Aid's website at:

http://bit.ly/disaster-doc-checklist

What communication plans should my family have?

It is important that family members can find each other after a disaster. Cell and Internet service may be down. It is important that family members have an agreed upon meeting place and a list of emergency contact telephone numbers. The following websites can help you create a family communication plan:

http://www.redcross.org/prepare
https://www.ready.gov/

Do I need flood insurance?

You may. Every year FEMA updates their flood hazard maps. Many factors go into the determination of whether a person needs flood insurance. If you have questions about your home's risks, you can review the flood hazard maps on the National Flood Insurance Program website (www.floodsmart.gov). Both homeowners and renters can find information at:

https://www.floodsmart.gov

How will I know if a disaster is going to affect my community?

Local media will issue notices and warnings about emergency events. Once a disaster occurs, it will be important to find out if a disaster declaration has been issued for your community. This information will be on local media. You can also find this information at:

http://bit.ly/disaster-declarations

What if we have to evacuate?

You will be notified by government officials or law enforcement officers if there are evacuation orders for your area. This can happen very quickly so it is important to have a plan in place before you are required to evacuate. Both the Red Cross **(http://bit.ly/evacuation-plan)** and FEMA **(http://bit.ly/evac-planning)** have information on creating an evacuation plan.

What additional concerns do persons with special needs due to age or disability have to address when making evacuation plans?

It can be extra stressful for persons with special needs to evacuate.

FEMA has a template to help you create a plan specific to your own special needs. This template addresses topics such as how to make arrangements for power outages when you rely on electronic medical devices. It gives suggestions for how to evacuate with mobility, vision, and speech limitations. It also creates plans for children and adults who need behavioral supports in chaotic environments. The template also addresses concerns about service and therapy pets. The template can be found at:

http://bit.ly/varied-plans

Both FEMA and the Red Cross have pamphlets for older Americans to help them prepare for a disaster or evacuation.

FEMA: **http://bit.ly/aged-americans**
Red Cross: **http://bit.ly/aged-americans2**

What evacuation plans are necessary for pets?

Pets are important members of most families. It is important to make plans for their care during an evacuation. For more information:

http://www.ready.gov/pets

What if we need to stay at an emergency shelter?

After a disaster, many people in your community may need a safe place to stay. The Red Cross will often open shelters where those affected by the disaster can stay. To find out if there are any open Red Cross shelters in your area, you can check their website, **http://bit.ly/disastershelter**. You can also call 211 to find out where your local disaster shelters are located.

What if I am overwhelmed from the stress of recovery?

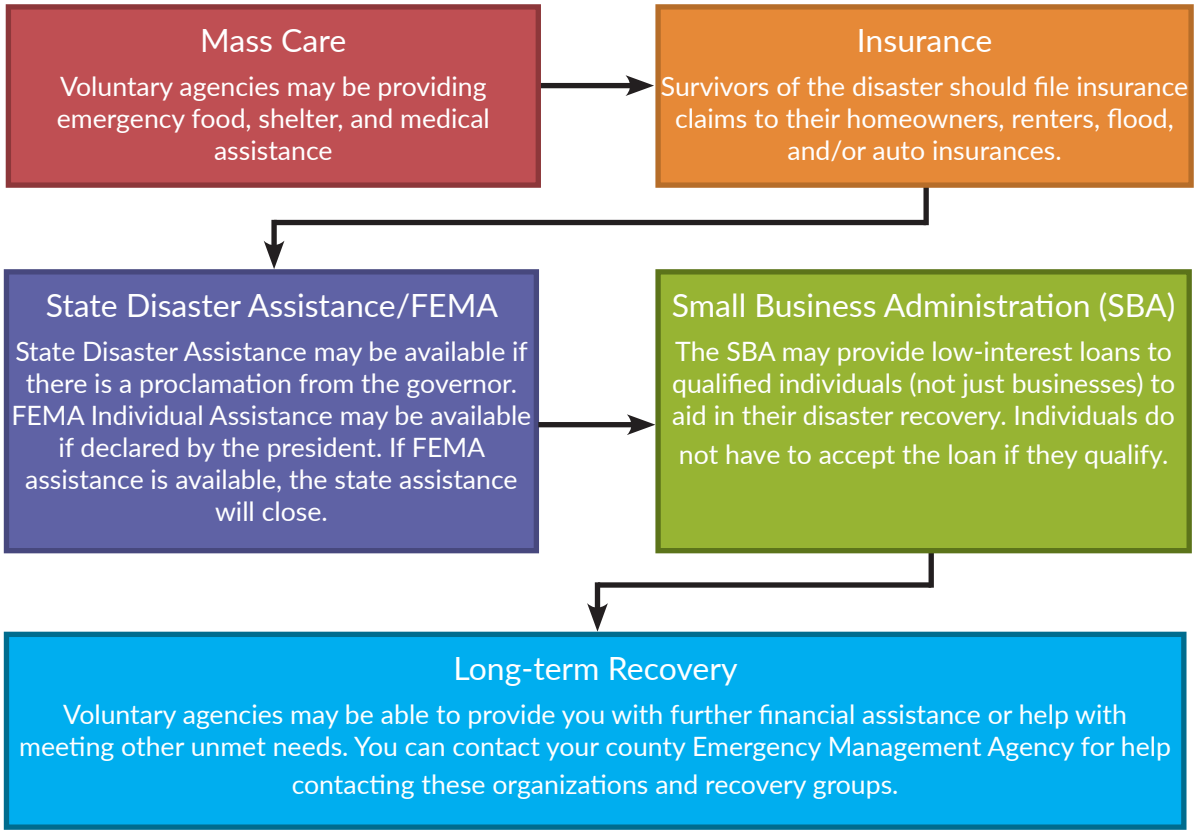
Recovering from a disaster can be very stressful. There is help available for disaster survivors. The Iowa Concern Hotline is available 24 hours a day, seven days a week. They can be reached at 1-800-447-1985. This is a free service. For additional resources, or for help talking with children about the disaster, see:

http://bit.ly/stress-assistance

What help is available after a disaster?

The help that is available after a disaster depends on the scope of the disaster. If it is a small disaster and not many people were affected, the assistance that is available will come from local charitable organizations (if there is available funding) and your insurance coverage (if you have it). If the disaster affects more people, the State of Iowa can issue a state disaster declaration for your county. If the

governor activates the Iowa Individual Disaster Assistance Grant Program, those affected by the disaster will be able to apply for assistance from the State of Iowa to recover. If it is a large scale disaster, the president may issue a federal disaster declaration. If the president activates the Individuals and Households Program, those affected by the disaster can apply for FEMA assistance. The Small Business Administration may also provide low-interest loans to qualified disaster survivors. Long-term recovery efforts are managed by voluntary agencies. The chart below depicts this process.



What are some legal issues I may face after a disaster?

There are many legal issues that a disaster survivor may face. The first is applying for and receiving the governmental assistance that is available to you. You may have difficulty in getting your insurance to pay what they are supposed to under your policy. You may need help working with your landlord to get your prepaid rent and security deposit back if you can no longer live in the rental unit. If you are a homeowner, you may need help dealing with your mortgage company or the contractor working on your house. If you have children, you may need help enrolling them in school.

How do I replace lost documents?

If possible, protect your important documents from damage during a disaster and take them with you when you evacuate. These documents will be important to prove your identity and eligibility for various government programs. Iowa Legal Aid has an article on their website that provides information on how to order replacement drivers' licenses, immigration documents, EBT cards, birth certificates, etc. For more information, see:

http://bit.ly/lost-docs

Where can my children go to school after the disaster?

If you are not able to live in your home after a disaster and are living in a FEMA trailer, shelter, or staying with friends or family, your children are considered homeless. Your children have a right to continue their education at their home school. The school district is responsible for transporting them to their school. Your children also have the right to enroll in the school district where they are now living. Each school district in Iowa has a homeless liaison. The liaison should be able to assist you with enrolling your children and obtaining transportation for your children. For more information, see:

http://bit.ly/temp-shelter

How can Iowa Legal Aid help after a disaster?

Iowa Legal Aid may be able to advise you on your legal problem by informing you of your legal rights and responsibilities. In some circumstances, Iowa Legal Aid may be able to represent you in court, before an agency, or negotiate with the other side on your behalf. If Iowa Legal Aid is unable to assist you, a referral may be made to a pro bono attorney. Iowa Legal Aid also has a website, articles, booklets, and forms available to help you represent yourself.

What are some important websites to help me prepare for and recover from a disaster?

www.ready.gov

www.redcross.org

www.iowalegalaid.org

What are some free mobile apps to help me prepare for and recover from a disaster?

American Red Cross:

- Disaster Preparation and Reponse App American Red Cross
- The Red Cross Emergency App
- The Red Cross Tornado App
- The Red Cross Flood App
- The Red Cross Shelter Finder App

FEMA:

- Ready.gov

Others:

- Disaster Recovery Log (Android version only)
- Floodwatch.org
- Iowa Legal Aid

A Guide to FEMA Assistance

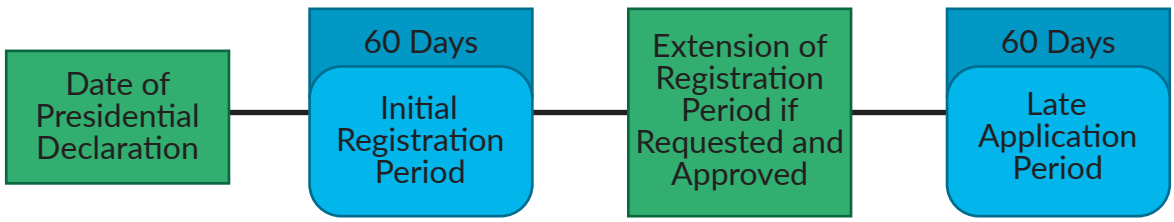
FEMA can assist with temporary housing, repair or replacement costs, and other disaster needs through the Individuals and Households Program. FEMA also provides Serious Needs Assistance designed to help people meet immediate expenses related to shelter, evacuation, and basic household needs. FEMA can also assist if you lost your job due to the disaster or if you need food assistance. FEMA only provides financial assistance to people who have needs not met by another source like insurance. FEMA can help people who are underinsured.

Does FEMA always help after a disaster?

No. FEMA Individual Assistance is not available after every disaster. It depends on the size and scope of the disaster. There must be a certain level of uninsured damages in the area. FEMA assistance is only available if the president declares the situation a federally declared disaster with Individual Assistance. Many disasters do not meet this threshold. FEMA assistance is generally only available for large-scale, catastrophic disasters. It is generally not available for the smaller, localized disasters that occur most often.

FEMA assistance registration timeline

The following diagram shows the registration period for FEMA Individual Assistance.



The initial registration period begins on the date a Presidentially Declared Disaster with Individual Assistance is declared and continues for 60 days. This initial period may be extended as determined by FEMA. FEMA may then accept late applications for a further 60 days.

FEMA application and appeal

How do I apply for assistance from FEMA? What information will FEMA ask for when I apply? You will need the following information when applying for assistance:

Social Security Number – At least one adult or child in your household must be a U.S. Citizen with a Social Security Number.

Insurance information – You will need information regarding the type of coverage you have. This

includes homeowners, renters, mobile home, flood, and automobile insurance.

Damage information – What type of dwelling and/or vehicle was damaged? What type of disaster caused the damages?

Financial information – What is your annual household income before taxes?

Contact information – What is the address and phone number of the damaged property? What is your current contact information if it has changed?

Direct Deposit information – Optionally, you can provide FEMA with the name of your bank, the type of bank account like checking or savings, your routing number, and your account number. With this information, FEMA can directly deposit any financial assistance you receive into your bank account. If you do not provide this information, FEMA will send any financial assistance you receive by check to the current address you provide.

FEMA personnel may be available to assist with applications at local disaster recovery centers, or they may send special Disaster Survivor Assistance Teams into affected areas to assist with applications. FEMA also has a smart phone application that can be downloaded at www.fema.gov or from your smartphone's application store. To apply by phone, or to receive help with a current application, you can call:

- 1 (800) 621-3326

OR

- TTY 1 (800) 462-7585

What is the application process like? What can I expect?

FEMA can provide many types of assistance. The first type of assistance survivors of a disaster will receive are Mass Care and Emergency Assistance. This includes emergency evacuation, reunification assistance, care for pets and service animals, as well as emergency shelter and food. FEMA assists in coordinating this assistance through local voluntary agencies and organizations. All survivors of disaster are eligible for this assistance, and there is no application necessary.

Additionally, insurance claims should be filed if you have some form of insurance that will cover damages caused by a disaster. FEMA may not require you to do this immediately, but you should act quickly to file insurance claims.

Federal assistance may be available for uninsured or underinsured disaster survivors. It may also be available if you experience a delay in receiving insurance funds you may be entitled to. The type of assistance that you will be applying for is Individual Assistance (IA). Please know that federal assistance cannot duplicate benefits provided by other sources, including insurance, and is not meant to pay for all losses caused by a disaster. Federal assistance from FEMA only provides funds to make basic repairs to make a home safe, sanitary, and livable. There are several types of financial and direct assistance through FEMA's Individual Assistance program. These include but are not limited to:

Housing Assistance

- Rental Assistance to rent alternate housing while an applicant is displaced from a disaster-damaged primary residence. Rental Assistance may be used to rent a house, apartment, manufactured home, recreational vehicle, or other readily fabricated dwelling.

- Lodging Expense Reimbursement for hotels, motels, or other short-term lodging while an applicant is displaced from a disaster-damaged primary residence.

- Home Repair Assistance to help restore an owner-occupied, disaster-damaged primary residence to safe and sanitary conditions.

- Replacement Assistance to help homeowners replace an owner-occupied primary residence when it is destroyed by the disaster.

Other Needs Assistance (ONA)

- FEMA's Other Needs Assistance provides survivors with financial assistance for uninsured and underinsured personal property losses, medical and dental expenses caused by the disaster, and other serious disaster-related costs.

Additional programs such as Crisis Counseling, Disaster Legal Services, and Disaster Unemployment Assistance may also be available.

Your application status may change several times as it is reviewed. You can always check your latest status by logging into DisasterAssistance.gov. When applying, you will have the choice to sign up for email, phone calls, and text updates. Remain alert and protect yourself against scams.

Sometimes for your application to continue in the review process, FEMA may need more information from you. You can submit the documents with your name and application number by:

- Uploading documents online in the Upload Center at DisasterAssistance.gov.
- Mailing to FEMA, P.O. Box 10055, Hyattsville, MD 20782-8055.
- Faxing to 1-800-827-8112.

Read any messages carefully that FEMA has sent you. These pieces of information will explain any decision FEMA has made and will tell you what steps you need to take.

The following are important steps that will be required during the application process:

1. Verify Your Identity: If FEMA is unable to verify your identity during the application process, you will be required to submit supporting documents.
2. Verify Home Ownership/Occupancy: FEMA is required by law to verify an applicant's home occupancy and to verify homeownership if you are applying for certain types of housing assistance.
3. Get a Home Inspection: After you apply with FEMA, your request for assistance is reviewed to determine if an inspection is needed to verify disaster-related damage to your home and personal property.
4. Submit Documentation: You can visit DisasterAssistance.gov to submit documentation and check the status of your application online.

FEMA will send you a written decision. It is important that you keep this notice and note the date you received it. If you receive financial assistance, this notice will contain information regarding what you can purchase with these funds. Keep all receipts for the purchases you make with funds FEMA provides to you. You may need to produce them for FEMA in the future. FEMA may require that you purchase and maintain a flood insurance policy in order to be eligible for Individual Assistance after future disasters.

What if I'm denied assistance or otherwise disagree with FEMA's decision?

You can appeal any decision made by FEMA. Once FEMA makes a determination, you will receive a letter explaining if you are approved for assistance, how much assistance you will receive, constraints on how you can use the assistance, and how to appeal the decision if you do not agree with it. You have 60 days from the date of the decision letter to appeal a FEMA decision.

The letter sent from FEMA will provide additional information on the types of documents or information that will need to be provided if you choose to appeal FEMA's initial decision. The documents apply specifically to the decision that has been made. With the letter, FEMA will provide an appeal form that may be used to provide additional information if you choose to do so. When submitting any documentation or information to FEMA, you must include your FEMA application number and disaster number on every page. You can submit your appeal documents online, in person, by mail or fax. You can call the FEMA helpline at (800) 621-3362 for assistance or questions regarding an appeal. For more information on filing your appeal, go to:

https://www.iowalegalaid.org/resource/fema-appeals-process

Where can I send my appeal letter? Can I file it electronically?

FEMA accepts appeals by mail, online, or fax. You can send your completed appeal letter, and any supporting documentation to:

FEMA - Individuals & Households Program
National Processing Service Center
P.O. Box 10055
Hyattsville, MD 20782-8055

Or fax to:

(800) 827-8112
Address your fax to: FEMA - Individuals & Households Program

Or upload to your disasterassistance.gov account.
Click "Check Status" on the Home Page and follow the instructions.

Keep copies of everything you send to FEMA, including your appeal letter. To check the status of your appeal, you can go to:

http://www.disasterassistance.gov

Click on "Check Your Application Status," or you can call FEMA at 1-800-621-3362

You do not have to pay taxes on or repay FEMA assistance you were eligible for. FEMA may later determine you were ineligible for assistance you received. For this reason, it is important you keep all receipts, photos, and other evidence you have of damages and repairs, or other purchases you made.

Pay close attention to your determination letter. It contains information regarding what you can use your assistance for. Keep all relevant documentation in your records for at least three years.

For more information on other FEMA programs, see:

http://bit.ly/survivor-assistance

When Your Home Is Impacted by Disaster: If you rent, what types of insurance policies are available?

Many people think that their landlord or their landlord's insurance will help them. This is not usually the case.

The landlord will often have hazard insurance on the property. This insurance policy covers the structure, the building, but not the property inside. The landlord's insurance policy will pay the landlord if the building is damaged and needs to be repaired. However, it will not pay for the tenant to replace their personal property or to find another place to live while the repairs are being made.

Tenants need to have renters insurance to protect them. Renters insurance can replace your furniture, clothes, and other property if they are damaged due to a disaster. If you have to move out for a few days while the rental unit is repaired or cleaned, renters insurance may pay to put you up in temporary housing. You will need to discuss renters insurance with your insurance agent. Different policies will cover different things. Usually the more protection you have, the more expensive the policy will be. You can sometimes receive a discount if you have more than one policy (e.g., auto and renters insurance) with the same company. You will need to speak with your insurance agent to get the coverage that you want. It can really help in the event of an unexpected disaster.

Renters insurance will usually cover damage caused by fire, theft, tornado, etc. It will not cover damage caused by a flood. If you want protection from a flood, you will need to buy flood insurance. Not everyone needs flood insurance. It depends on how likely your rental home is to flood. You can also discuss this with your insurance agent.

You can find information on flood insurance for renters at:

https://www.floodsmart.gov/

What if I rent and the disaster damaged the property and I can no longer live there?

Under Iowa Law, you have a right to end your rental agreement if the disaster has damaged or destroyed your rental unit to an extent that your enjoyment of the unit is substantially impaired. You may move out immediately. There are special things that you must do, whether to continue with the lease or to end it, and there are important deadlines you must know.

The Proper Way to End Your Lease: The 14 Day Deadline

If the home that you rent is not safe to live in, is damaged so that you cannot use much of the home, or is destroyed, you must act quickly. If you want to end your lease and move, you need to write to your landlord.

The letter needs to be written, mailed (or handed) to your landlord within 14 days of evacuating the home. The letter should say why you have been forced to move from the home and the date when you left. If a deposit was paid when you moved into the home, you need to give the landlord an address where the landlord can mail the deposit. If you have already paid rent for the month, you can get a partial refund from your landlord. The refund would be from the time the disaster made your home unlivable to the end of the month. You can find a sample letter on page 17 of this booklet.

Keep a copy of the letter for your records.

Your landlord can deduct certain amounts from your security deposit before refunding you. This could include things like overdue rent. The cost of repairing the disaster damage should not be deducted from the deposit unless you, the tenant, in some way caused or knowingly allowed the damage to take place. The refund should be sent to you within 30 days.

The tenant can provide his or her own "essential services," when it is lawful to stay, if the landlord fails to do so.

If you want to live in the rental home, and it is lawful, you can ask your landlord to still provide essential services. The law requires a landlord to keep a home in a fit and habitable condition. There may be major damage to the structure, electrical system, plumbing, and other essentials. Put all requests to provide essential services in the home in writing.

Keep a copy of the letter for your records.

If your landlord refuses to make the repairs to the essential items, then you are allowed to get the essential service yourself and deduct the equivalent amount from the rent. Iowa law does not limit the amount that can be deducted from the rent in order to get essential services. However, before you deduct the cost from your rent, you should consult a lawyer to help figure out what is an "essential service." Keep all receipts. You should be ready to provide a copy of the receipts to the landlord along with the part of the rent that you do pay.

You can ask that the landlord make repairs when it is lawful to stay; you can make your own repairs if the landlord fails to make the repairs.

If repairs need to be done but they are not essential, you may still be able to get the repairs completed. You must tell the landlord in writing at least 7 days (11 if you're mailing the letter) before rent is due that the repairs are needed. In writing, tell your landlord you will complete the repairs yourself and will deduct the costs from your rent. Keep in mind that the repair cannot be for an amount more than one month's rent. Also keep in mind you must have the repairs completed before receiving a written notice from your landlord stating his/her intent to end your rental agreement for nonpayment of rent.

Keep a copy of the letter for your records.

If you make the repairs, all receipts must be kept. You should be ready to provide a copy of the receipts to the landlord with the part of the rent that you do pay.

If it is lawful to remain in the home, but your use has been substantially limited, you may be able to reduce your rent.

If it is lawful, you can remain in your rental home. Even if the tenant has no money to make the repairs on his/her own, the rent due to the landlord may be reduced. However, this option can be very risky because a judge may not agree with your decision to only pay part of the rent.

If your use of the home is greatly limited due to a natural disaster, then you are only responsible for the fair market value of the portion of the home you are able to use. The change in the amount of rent owed is as of the date the damage took place.

If your home is uninhabitable, you may have a legal argument that you do not owe any rent. You need to make sure the home has not been condemned by the city where the house is located if you continue to occupy the home. If the fair market rental value of the home is $0, then you may not owe any rent at all.

It is very important to record the condition of the home by writing to the landlord. Pictures of the condition of the home will be very useful if the landlord tries to evict you for not paying or under-paying rent. In court you must show that the fair market rental value was lessened by damage from the natural disaster. This is the way you can justify the reduced rent you owe to your landlord. If possible, you should hold on to the amount of rent that you did not pay. The court may require the payment be made to the clerk of court to stop an eviction action for nonpayment of rent.

If You Own Your Home: Insurance and Repairs

If you own your own home, it is important to have homeowners insurance. This insurance will generally cover repairs or replacement of your home, cover replacement of your personal property, and can pay for temporary shelter while your home is being repaired. The website, http://bit.ly/homeowners_insurance, may help you determine your insurance options. You can find more information regarding your flood risk, insurance options, and flood recovery and preparation at:

https://heartlanddisasterhelp.org/flood

It is important to remember that renters insurance and homeowners insurance policies do not cover flood damage unless the person specifically buys flood insurance.

How do I work with my insurance company?

The first step you will need to do is file a claim with your insurance company. You will need to provide them with as much information as possible. If you do not agree with the company's decision, you can file an appeal.

How can I make sure I get my insurance company to pay?

You first must make a claim. You may have claims under homeowners, renters, car or flood insurance. If any insurance policy may cover any of your damage, call your agent, broker, or insurance company as soon as possible and report your loss. Do this even if you are not sure you have coverage. Do this even if you do not know if your claim will exceed your deductible. Make sure you write down the name of the person you speak to. Also write down the claim number the person you call gives you. You do not have to have a copy of your policy to make a claim. If you had to leave your home, make sure you give your insurance agent an address and telephone number where you can be reached.

What if I can't get through to my insurance company over the phone?

Write a letter telling the company about your loss. Make sure to keep a copy of the letter.

What if I live in a condominium?

If you own a condominium, you should look at both the coverage provisions in your association insurance policy, and the coverage under your individual unit homeowners insurance policy.

How do I get an insurance adjuster out to my home to assess the damage?

Ask the insurance company to send an adjuster to look at your property. To protect your rights, you should do this in writing. If necessary, you can call the insurance department for the state where your property is located. The number for the Iowa Insurance Division is 515-281-5705.

What can I do to prepare for the insurance adjuster?

Try to make a list of all property damaged or destroyed. Make your list as complete as you can. For each item, include a description, the date of purchase or approximate age, the cost at time of purchase, and what you estimate it will cost to replace the item. Make a copy of the list so you can give your agent one and keep one. Take pictures of the damaged areas. Write down the names, addresses and telephone numbers of witnesses. Obtain repair estimates. Try to locate original bills, canceled checks and receipts for lost items. Submit copies of these with your claim. Keep a record of your expenses. This includes what you pay for other housing.

What if I cannot wait for the insurance adjuster?

Some insurance policies reimburse you for temporary housing relocation costs while your home is being repaired and for car rental costs while your car is being repaired or replaced. Check your policy or call your insurance company. If your situation is desperate, make sure that you let the insurance company know. If the insurance company agrees you are covered, ask for an advance payment toward your losses. Due to the extreme amount of damage caused by a disaster, insurance companies may recommend you start repairing the damaged property before the adjuster's visit. You should get the insurance company's permission before doing so. Do not start repairs before you talk with someone from the company. Many companies will also give you an emergency advance to cover some repair costs.

What if the insurance company offers to pay me some money now?

You should carefully read any release or waiver before cashing any check from the insurance company. Sometimes, the insurance company will make you sign a paper saying the check is the full and final payment of your claim. If you have any question about the settlement offer, call a lawyer before settling and before cashing a check that is for payment in full. Before you settle with the insurance company, make sure you know the full extent of your damage and the full value of your claim. It may be important for you to get estimates before you agree to a specific amount. You may even need to get the work completed first.

How much should my insurance company pay me?

Read your policy. Most insurance companies will only reimburse you for reasonable cost of repair. If prices quoted for repairs seem too high, get another estimate. Always try to get your insurance company's agreement before undertaking repairs. Remember that your claim will only be approved up to your policy limit, even if the repair costs are reasonable.

What if the insurance company denies my claim or offers me less than I think I am entitled to receive?

You should ask the insurance company to give you its reasons in writing. If you think the insurance company may be wrong, consult a lawyer. Most insurance policies give you only one year from the date of the damage to bring any suit against the insurance company for failure to pay a claim. If you do not file suit in time, you may be unable to get anything.

What if my insurance does not cover all of the damages to my home or personal property?

You may be eligible for benefits under the FEMA program if you are unable to pay for repair or replacement of essential parts of your home or essential personal property. See the FEMA section of this resource. If you keep all your repair and replacement receipts, you may be able to file your losses with the IRS on your income tax returns next year. For information, you may call the IRS at 1-800-829-1040.

What if someone says he is from the Insurance Division or my insurance company and offers to speed up my claim if I pay him some money?

Beware of anyone who makes this kind of claim. Ask this person's name and immediately report him or her to your insurance company or the Iowa Insurance Division.

What if somebody else offers to help speed up my claim in exchange for some of my insurance benefits?

Call the Iowa Insurance Division about this kind of person, too. Consult a lawyer before signing any contract.

How can I keep from paying too much for repairs?

Find out as much as you can about the workers. It is especially important to find out about people who come without you calling. It is also important to check out people who come from out-of-town after a natural disaster. Ask if the worker is bonded or insured. Ask to see proof and ask if the worker is licensed. Contractors who do small odd jobs may not have to be licensed.

Ask if your job requires a permit. Most construction and major home repairs need a permit from the county or city. Do not let someone talk you into applying for the permit in your name. If they do not want to be known to local officials, they may be hiding from a bad reputation.

Get a written estimate detailing the work to be done and setting a completion date. Ask for references. Get names and addresses. Call the references and consider going to see some of the work the contractor has done. Avoid paying too much money up-front. You should pay only a minimal amount, perhaps as much as one-third, to indicate good faith and ability to pay.

If they tell you more money is needed in advance, be wary. They should have sound financial standing to pay for supplies or have good credit to make necessary purchases until you compensate them afterward. Make sure you can contact the contractor. Be wary if they can only give you a beeper number or a post office box address. Businesses with established addresses are usually safer. Ask questions to find out if the price is in line with pre-disaster prices.

How do I protect myself when entering into a contract to repair my home?

It is important that you hire a reliable and reputable contractor. You should check whether the contractor is licensed and check the contractor's references to make sure that the contractor is qualified to do the work. It is very important to get everything in writing. You should not have any verbal or side agreements. It is important not to pay all the money up front.

How can I find a good contractor?

First, beware of builders or contractors who go door-to-door selling their services. Be extra careful of someone not known in your community. Sometimes, someone will offer you a low price, saying he just did some work near you and has materials left over. Get the names of the people who hired him. Call the people who hired the builder or contractor and ask them if they were happy with the work done.

Deal only with licensed and insured contractors. Look into the work of any roofer, builder or contractor you are thinking of hiring. Get a list of recent pleased customers. Call them. Ask friends, relatives, neighbors, co-workers, insurance agents or claims adjusters for recommendations. Also, call your Better Business Bureau to see if the contractor has any complaints filed against him or her.

What should I know before I sign a contract?

Do not let anyone rush you into signing a contract. Get written estimates from at least three firms. Ask contractors if there is a charge for an estimate before letting him or her in your home. Do not automatically choose the lowest bidder. First, see if the low bidder is going to do all you need done.
IMPORTANT: Get a copy of the final, signed contract.

What is the best way to pay the contractor?

Beware of contractors who ask you to pay for the entire job before starting any work. If a contractor says you must make a down payment, it should not be more than one-third of the total price. Do not pay cash. Pay only by check, money order or credit card. Pay the final amount only after the work is finished and you are pleased.

What if the contractor says I should just make temporary repairs for now?

Beware of contractors who want you to spend a lot of money on temporary repairs. Make sure you have enough money to finish permanent repairs.

What if I need a loan to pay the contractor?

Be careful about putting your home up as security for a home improvement loan. If you do not repay the loan as agreed, you could lose your home. Have someone you trust read a contract before you sign. If you get a loan to pay for the work, have someone read these documents, too.

What if I think a contractor has cheated me?

Call the consumer division of your state Attorney General's office. The Iowa Attorney General's consumer hotline is:

1-888-777-4590

If you suspect fraud, waste, or abuse involving Federal Emergency Management Agency (FEMA) disaster assistance programs, you can make a confidential report to FEMA's Inspector General's Office. Call:

1-800-323-8603

You also can file a complaint with the Federal Trade Commission (FTC). Although the FTC cannot resolve individual problems for consumers, it can act against a company if it sees a pattern of possible law violations. Here are possible ways to contact the FTC:

FTC Consumer Response Center toll-free line:

1-877-FTC-HELP (1-877-382-4357)
Hearing impaired toll-free line for FTC Consumer Response Center: 202-326-2502
Internet (online complaint form) at www.ftc.gov.

Mailing address:

Consumer Response Center
Federal Trade Commission
600 Pennsylvania Ave. NW
Washington, DC 20580

The FTC publishes free brochures on many consumer issues. For a complete list of publications, write for "Best Sellers:"

Consumer Response Center, Federal Trade Commission
600 Pennsylvania Ave. NW
Washington, DC 20580

Disaster Documents Checklist

DO NOT RISK YOUR LIFE TO COLLECT THESE ITEMS AT THE LAST MINUTE.

Gather them in advance in case you must leave your home because of a flood or other disaster. Keep them safe and with you in a waterproof container.

- **Identification.** Driver's license, passport, photo ID, green card, visa, etc.; recent photos of you and your family.

- **Medical.** Medications, current prescription bottles, inhalers, oxygen, shot records, blood type cards, eyeglasses, etc. for you and your family. Make a list of medication needs and doctors for each of you. Keep the list with the medications.

- **Proof of address.** Deed, lease, recent utility bill to prove your address so that you can apply for benefits. These also may be needed so that you can return to your home if law enforcement blocks entry to the disaster area.

- **Insurance.** Life, medical, vehicle, renters, homeowners and other property insurance policies; medical, Medicaid, Medicare cards for you and your family.

- **Legal documents.** Birth certificates, adoption papers, child custody documents, orders of protection, divorce decrees, wills, powers of attorney, etc.

- **Cash and banking items.** Cash; credit, debit and ATM cards; checkbooks, bank books, account documents; deeds and leases; mortgage and other loan documents. Remember, ATM machines may not work, and electronic transfers will not be possible if there is no electricity. You will need cash.

- **Pets.** Tag your pets. Prescriptions, shot records, pet photos.

- **Cell phones and chargers**. Include address and phone books to contact family and friends. Keep phones fully charged.

- **Bills.** List of your bills (with account numbers) and mailing address for each.

- **Other important items.** Keys, recent pay stub, Social Security card, veteran's or military ID, food stamp and other benefit eligibility documents, etc.

- **Recent pictures of your home.** Whether you own or rent, take photos before the flood or other disaster of all areas, inside and outside, of your home and property, including basement, garage, barns, outbuildings, yard, etc. Get the photos developed immediately with date stamps. Keep them in your waterproof container.

- **Personal Items.** Family photos and precious items that cannot be replaced.

Sample Letter to Landlords

_____
Date

To _____(landlord):

My residence located at __[address, including apartment number, if any]__ is not habitable due to the _[disaster type, i.e. flooding and/or storm damage]_ that occurred on _[date of disaster]_. I can no longer reside in the residence as a result. This letter is to terminate my rental agreement for the above residence pursuant to Iowa Code §562A.25. This letter is also to request the return of my prepaid rent and security deposit. It can be sent to me at the following address:

_____
_____
_____

If there are any belongings in the residence that I would like to retrieve, I will make arrangements with you for their retrieval as soon as it is safe. Thank you.

Sincerely,

_____
Print and sign name(s) of resident(s)

Iowa Legal Aid office hours are Monday through Friday from 8:30 a.m. to 4:30 p.m. Offices are closed on holidays. To apply for help, call Iowa Legal Aid during intake hours: 9:00 a.m. to 11:00 a.m. and 1:30 p.m. to 3:30 p.m., except Thursday afternoon. Emergencies are taken during regular office hours. You may also visit the regional office nearest you, but it is helpful to first call for an appointment. A list of regional offices is located below. Please visit our website at www.iowalegalaid.org for current addresses. To apply online 24/7 go to iowalegalaid.org and from the home page select "Apply Online Here".

CEDAR RAPIDS REGIONAL OFFICE - Cedar Rapids

CENTRAL IOWA REGIONAL OFFICE - Des Moines

HELP REGIONAL OFFICE - Davenport

IOWA CITY REGIONAL OFFICE - Iowa City

NORTH CENTRAL IOWA REGIONAL OFFICE - Mason City

NORTHEAST IOWA REGIONAL OFFICE - Dubuque

NORTHWEST IOWA REGIONAL OFFICE - Sioux City

SOUTHEAST IOWA REGIONAL OFFICE - Ottumwa

SOUTHWEST IOWA REGIONAL OFFICE - Council Bluffs

WATERLOO REGIONAL OFFICE - Waterloo

LEGAL HOTLINE FOR OLDER IOWANS
515-282-8161 Main
800-992-8161 Toll-Free

1-800-532-1275
www.IowaLegalAid.org

Iowa Legal Aid is committed to providing quality legal services to eligible low-income people. However, due to limits placed on our program, we cannot help every person who applies for service. Complaint procedures have been established for clients and members of the general public who disagree with Iowa Legal Aid decisions. For a detailed copy of our complaint procedures, contact any Iowa Legal Aid office.

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1-800-532-1275

515-243-2151

Visit our Website for More Self-Help Resources:

iowalegalaid.org

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