



**ASSET MANAGEMENT
NOTICE
2010-16
ISSUED: September 2, 2010**

TO: All Owners, Managers and Property Staff
FROM: Robert Conroy, Director of Asset Management

**EMERGENCY PREPAREDNESS AND DISASTER RECOVERY REMINDER
HURRICANE EARL**

Although the exact track of Hurricane Earl has not been definitely established, it is prudent to review emergency and disaster recovery plans. For properties that are along the Maine coast or in densely wooded areas, the possibility of flooding, storm-surges or power loss due to high winds, should begin reviewing emergency plans for residents and staff.

Attached is an ***Emergency Preparedness Planner for Individuals and Families***. This planner provides excellent suggestions in how to prepare for an emergency, what supplies to have on hand, how best to plan for evacuation if necessary, and the number for County Emergency Management Agencies. Please share the attached information with all staff and residents. Be sure to let residents know of emergency preparedness and evacuation plans for your specific properties.

For additional information on how best to prepare, go to www.maine.gov/mema/prepare or contact the County Emergency Management Agency in your area using the numbers provided on the attached Planner.

For owners, managers and staff of HUD properties, in the event your property incurs storm-related damage, HUD would deeply appreciate it if you could provide a brief description of the damage by sending an email to EarlDamageReporting@hud.gov. Please include the following information:

- Project Name
- Project Location (City/Town and State)
- Nature and Extent of Any Injuries
- Nature and Extent of Damages (include number of units off line)
- Best estimate of time required to complete repairs and restore off line units
- Tenants Relocated (where relocated to)
- Owner/Manager contact name and phone number

HUD Notice 04-22 Disaster Recovery Guidance by Multifamily Housing After a Presidentially Declared Disaster is attached for your review. This Notice provides background and guidance on HUD's policy and procedure regarding disaster recovery efforts by Multifamily Housing after a Presidentially-declared disaster.

Attachments:

Emergency Preparedness Planner for Individuals and Families

***HUD Notice 04-22: Disaster Recovery Guidance by Multifamily Housing After a
Presidentially-Declared Disaster***

MAINEHOUSING NONDISCRIMINATION NOTICE

Maine State Housing Authority (“MaineHousing”) does not discriminate on the basis of race, color, religion, sex, sexual orientation, national origin, ancestry, age, physical or mental disability, or familial status in the admission or access to, or treatment or employment in, its programs, and activities. MaineHousing will provide appropriate communication auxiliary aids and services upon sufficient notice. MaineHousing will also provide this document in alternative formats upon sufficient notice. MaineHousing has designated the following person responsible for coordinating compliance with applicable federal and state nondiscrimination requirements and addressing grievances: Louise Patenaude, Maine State Housing Authority, 353 Water Street, Augusta, Maine 04330-4633, Telephone Number (207) 626-4000 or 1-800-452-4668 (voice), or 1-800-452-4603 (TTY).



U.S. Department of Housing and Urban Development

Housing

Special Attention of:
All Regional Directors
All Multifamily Hub Directors
All Program Center Directors
All Owners and Management Agents of
Multifamily Insured Properties
All Contract Administrators

NOTICE 04-22

Issued: November 10, 2004

Expires: November 30, 2005

Subject: Disaster Recovery Guidance by Multifamily Housing After a Presidentially-Declared Disaster

This Notice is intended to provide background and up-to-date guidance on HUD's policy and procedure regarding disaster recovery efforts by Multifamily Housing after a Presidentially-declared disaster. This Notice supersedes Notice 2004-18 and all prior directives on this subject. Until rescinded or amended this will be Multifamily Housing's procedures for disaster recovery.

Background:

This Notice is being issued to provide guidance to HUD Field Offices, owners, agents and residents. Everyone is encouraged to be sensitive to the problems and needs of those who were seriously impacted by Presidentially-declared disasters.

When the President declares a disaster, HUD participants must check with the Federal Emergency Management Agency (FEMA) to learn which counties have been designated for disaster recovery and the corresponding declaration dates. This information can be found on the Internet at <http://www.fema.gov/disasters> or by calling the local FEMA office.

The procedures described in this Notice are in effect for all Presidentially-declared disasters and will remain in effect for the duration of the emergency. Any county added to a declaration will also be eligible for disaster relief and, in such event, the provisions established in this Notice will apply.

The Department will rely upon FEMA eligibility determination. Those impacted by the disaster must make an application with FEMA, receive an application number, and obtain a letter of eligibility from FEMA, which specifically describes the type of eligibility. To obtain temporary rental housing, an applicant must have the FEMA letter, which will specify the applicant as displaced from their housing and as eligible for housing assistance.

FEMA continues to certify eligibility from time to time. Owners and residents are advised to check with the local FEMA office for ongoing guidance.

Owners and residents are strongly encouraged to make an application to FEMA. Owners, residents and displaced residents will not be afforded relief under this Housing Notice unless they have been certified by FEMA as eligible.

Waivers of Handbooks, Notices, etc.:

Hub Directors should process requests for waivers of provisions in the Office of Housing Handbooks and Notices that do not reflect statutory or regulatory requirements, as quickly as possible. Hub Directors should prepare a Finding and Determination, which justifies each waiver request, and forward them to Headquarters for review and approval by the Director of Multifamily Housing Asset Management. Upon approval by Headquarters, please maintain a copy of the justification in the project file. The Real Estate Management System (REMS - Problem Statement Screen) must be updated when a request for a waiver is granted.

The Hub will develop and forward to Headquarters a policy for release of project funds, inspection repairs and rehabilitation as well as the approval of repair invoices. Upon review and approval by Headquarters, the policy is to be implemented by the Hub for duration of the emergency.

Priority for Permanent Rental Housing:

Displaced residents may be moved to the top of the waiting list in Section 221(d) and 236 projects for permanent rental housing as long as the residents are FEMA certified as disaster victims.

Multiple Occupants in a Unit:

The Department will allow multiple occupants in a unit provided it does not create a health and safety problem. FEMA-certified displaced residents can move in with families and friends occupying HUD-assisted units on a temporary basis, provided that the host household obtains the project owner's approval.

In the case of a Section 8-assisted unit, if a current, eligible family chooses to allow a non-eligible FEMA-certified individual/family to move into the unit on a short-term basis, the non-eligible family is considered a guest of the eligible Section 8 family. A multifamily project owner may allow the eligible family to house the guest(s) for a limited period (e.g., 90 days) without interruption of the subsidy. Residence by the eligible family is the predicate for continuation of the Section 8 subsidy.

Leases and Rents:

Owners with persons to be housed under these temporary housing measures should have the applicant execute a 30-day renewable lease. Subject to state or local law, the lease should have a provision which states that the lease terminates when the resident's permanent housing unit becomes available or when FEMA no longer certifies a

resident's FEMA eligibility. Rents for these temporary housing units must be set at the rents that were in effect immediately prior to the Presidential declaration. In the event the rents are more than the FEMA-approved rental assistance, the resident is responsible for paying the difference.

Use of Community Space:

Owners are encouraged to allow community space, kitchens, restrooms and other facilities to be used for shelters or disaster recovery-related activities.

Other Regulatory/Policy Relief:

REAC Inspections – The Department's practice is to postpone all physical inspections of projects for a minimum of 30 days from the date of the federally-declared disaster throughout the designated counties. The Department will conduct an evaluation from time to time to determine when, and for what counties, physical inspections will resume. When inspections are resumed, information will be posted on the REAC web site.

MF-FASS - Owners of multifamily properties located in the declared area that sustained damage, and who are required to file an annual financial statement (AFS), may request an extension of up to 30 days to file their AFS. This extension request must be submitted electronically to REAC via the Multifamily Financial Assessment Subsystem.

Occupancy Requirements – Program occupancy requirements do not apply for tenants who are afforded temporary housing.

Vacant Units – Owners are encouraged to hold vacant units off the market in anticipation of providing temporary housing to FEMA-certified displaced residents. However, please note that for Section 202/811 projects, vacant units can only be provided for temporary housing for FEMA-certified displaced residents, if there is no waiting list.

Evictions of Current Residents – Owners are encouraged not to evict residents who have not returned to their units in the impacted areas after the units have been repaired, if the resident has a reasonable basis for not returning (health, loss of income, loss of personal property like furniture, etc.). Owners may hold the vacant units off the market for a reasonable time as long as the rent is current. If the resident is delinquent on rent payments, the owner is encouraged to make a judgment based on the facts and circumstances of each case. Owners must stay in contact with displaced residents and keep them informed as to the date they can return to their units. However, if a displaced resident moves from a shelter or from temporary housing to other permanent housing, the owner is free to rent the unit.

Use of Escrows – The Department will approve use of reserves for replacements/residual receipts to make necessary repairs pursuant to outstanding Departmental policies and Handbooks. Mortgagees have been encouraged to provide

priority processing for these requests. Once the request for funds (Form HUD-9250) is received, the approval will be expedited. Headquarters will use United Parcel Service for overnight mailing. The field office must provide a specific address (not a post office box) to ensure the release of funds can be expedited. Also, the request for funds must be identified as “disaster relief.”

Insure Loans Mortgage Servicing – HUD has instructed mortgagees to allow maximum flexibility for owners with delinquent project loans in the impacted areas. HUD encourages owners to quickly repair their properties to reduce resident displacement and to permit the return of displaced residents.

HUD-Held and 202 Mortgage Servicing – The Department will allow mortgagors to defer their payments, if they are using project funds to repair the property while waiting for insurance benefits or disaster financial assistance. HUD will approve a temporary forbearance plan under these circumstances.

Resident Occupancy/Eviction – Owners are encouraged to allow residents who have been displaced from their unit to have a right of first refusal for a reasonable time after their unit is repaired and ready for re-occupancy. Owners must inform residents in writing when their unit is habitable and can be re-occupied. Residents should be given a reasonable time frame to return to their unit. Owners are encouraged not to evict residents who have returned to their unit and who have reduced income due to a job loss as a result of the declared disaster. Payment plans for delinquent rents are encouraged. However, if a former resident moves to other permanent housing, the owner may rent the unit.

Section 8 Assisted Units:

Owners with residents under a project-based Section 8 contract whose unit was rendered uninhabitable can temporarily lease a unit in another building, which is habitable, under Uniform Physical Condition Standards. The owner can sign a temporary lease on behalf of the displaced Section 8 resident and begin to voucher for the contract rent for that temporary unit. The owner then pays the contract rent on the temporary dwelling until the resident’s permanent rental unit has been restored to a habitable condition and the owner notifies the resident that they may resume occupancy of their unit. The resident is still responsible for resident’s share for the temporary unit.

Should the displaced resident fail to return, the owner may rent the repaired unit to an eligible Section 8 applicant. Before doing so, however, the owner must inform the tenant in writing that their assistance is terminated. In the event that the owner rents the unit to an eligible Section 8 applicant, the owner must first terminate the lease that the owner executed on behalf of the displaced resident. In addition, should the temporarily displaced resident move from the temporarily leased unit before their permanent rental unit is repaired and made available for their return, the owner can no longer voucher for the temporary unit.

Once the original unit is fully repaired and ready for occupancy, all Section 8 provisions apply. This arrangement calls for close contact and cooperation between the owner and the resident.

In the event the owner may wish to rent temporarily a vacant Section 8- assisted unit to a FEMA-certified displaced resident, the Department will allow an owner to house this resident. However, the owner can only voucher and the Department may only pay Section 8 housing assistance payments for units occupied by eligible Section 8 families. Therefore, there would be no housing assistance payment made on behalf of a non-eligible Section 8, FEMA certified resident.

FHA-Insured Projects in Development Phase:

Vacant units in pipeline properties may be made available for temporary housing and permanent housing, if they can be released early for this purpose. Owners and local officials are encouraged to take the necessary steps to make units available.

Insurance Loss Draft Approval:

The Hub Director has the authority to execute insurance loss drafts. Mortgagees are encouraged to expedite their approval of the draft as well.

Office of Affordable Housing Preservation (OAHP) (Formerly Office of Multifamily Housing Assistance and Restructuring – OMHAR):

For properties going through the mark-to-market process, OAHP will grant a reasonable extension of time for owners impacted by the declared disaster. This will allow for additional time to hold resident meetings and for delays in property inspections and/or appraisals for affected properties. For owners whose OAHP properties are not affected, but who have documented properties elsewhere affected by the declared disaster, causing them to be delayed in their responsiveness on any property going through debt restructuring, OAHP will take these factors into account when exercising its discretion about an owner's responsiveness and in imposing time-related penalties.

Use of Reserves/Owner Contribution:

The Department will allow the use of reserve escrows for immediate project use to augment cash flow for the period of the emergency. Owners must negotiate and sign a repayment plan with HUD. Reserves must be replenished from local, state, or federal benefit programs as well as insurance proceeds. Owner contributions during the emergency period can be repaid to the owner under a plan approved by HUD.

Departmental Enforcement Center:

Owners adversely affected by a declared disaster are encouraged to contact the appropriate satellite office of the Departmental Enforcement Center (DEC), in writing, if they are unable to respond in a timely manner to any correspondence or notices issued by the DEC. Based on the documentation submitted by owners, the DEC will consider the effect of the disaster on the owner's ability to comply and will exercise discretion in judging responsiveness before imposing any time-related penalties or delaying inspections, as appropriate.

Questions:

Questions about this Notice should be addressed to the Office of Multifamily Housing Asset Management.

John C. Weicher
Assistant Secretary for Housing-
Federal Housing Commissioner

Distribution: W-3-1,



EMERGENCY PREPAREDNESS PLANNER

For Individuals and Families



Pre-Emergency Checklist:

- ☐ Post emergency telephone numbers by phones and make sure that everyone knows how and when to dial 911.
- ☐ Replace your emergency water every four months.
- ☐ Show each responsible member of the household how to turn off the utilities.
- ☐ Have a meeting place away from the home.

Emergency Supply Kit

Your kit should be packed and ready to go. You should be able to carry the kit by yourself, or know someone who will help you or your kids. Include in your kit:

- ☐ Water-one gallon per person, per day, for at least three days. To be used for drinking and sanitation.
- ☐ Food-at least five days supply of non-perishable food. Something you like.
- ☐ Battery-powered and or hand crank radio with extra batteries. Weather radio.
- ☐ Flashlights and extra batteries.
- ☐ First Aid Kit (and understand how to use it).
- ☐ Whistle - used to signal for help.
- ☐ Dust mask, work gloves, appropriate clothes for the weather, sturdy shoes.
- ☐ Personal hygiene supplies, male and female.
- ☐ Moist towelettes, plastic garbage bags with ties for personal sanitation.
- ☐ Wrench or pliers to turn off your utilities- water, gas and electric.
- ☐ Manual can opener for any canned food.
- ☐ Roll of Plastic sheeting, blue tarps.
- ☐ Prescription medications you take every day, insulin, heart meds, asthma inhalers.
- ☐ Paper cups, plates, plastic utensils, mess kit, paper towels, toilet paper, and diapers.
- ☐ Sleeping bag or warm blankets, pillows for each person.
- ☐ Extra prescription glasses.
- ☐ Important family documents/records, ID's, bank records, insurance records.
- ☐ Cash or Traveler's Checks
- ☐ Household bleach-to be used as a disinfectant or in an emergency, use to treat water-16 drops of *regular bleach* per gallon of water. Do not use scented or color safe bleaches with added cleaners.
- ☐ Pet food, pet bowls, pet toys, pet meds.

Shelter Info and Needs

If you and your family have to move to a local emergency shelter, please remember the following:

Bring your own Emergency Supply Kit. Not all shelters will be pet friendly - it's up to you as a pet owner to have a plan for your pets.

- ☐ No weapons - law enforcement will be on site.
- ☐ Bring your own medications, there will be none at the shelter.
- ☐ Bring your own pillow, blankets.
- ☐ Pet food, pet bowls, pet meds.
- ☐ Some type of pet cage and a leash, per pet.
- ☐ No drinking, smoking, spitting, swearing.
- ☐ No fighting will be tolerated.
- ☐ Pets will not be allowed in the shelter, there may be other rooms set up for use as a pet shelter.
- ☐ Pet owners are responsible for their pets feeding, watering, and pet waste.
- ☐ Books, games, or other activities for children may be helpful.

Develop a family communication plan:

Plan on how your family will contact each other. Designate several locations where your family will meet.

Create a plan to evacuate:

Make arrangements for your pets. Bring your emergency kit. Choose several different locations where your family would go in the event of an evacuation.

Create a plan to shelter-in-place (stay inside):

Designate a room in your home as a shelter, no windows/doors that open to the outside. Cover windows, bring pets indoors.

Practice, practice, practice your family plan!



EMERGENCY PREPAREDNESS PLANNER

For Individuals and Families



Family First Aid Kit

- ☐ Weather tight box or bag.
- ☐ First Aid manual - read the manual before you have to use your own kit.
- ☐ Extra prescription medications.
- ☐ Two pairs of sterile plastic gloves.
- ☐ Sterile dressings-2x2s 4x4s.
- ☐ Antibiotic ointment or cream.
- ☐ Adhesive bandages (band aids) variety of sizes.
- ☐ Adhesive first aid tape.
- ☐ Elastic bandage (Ace bandage).
- ☐ Liquid soap and/or moist towelettes.
- ☐ Small pair of sharp scissors.
- ☐ Tweezers.
- ☐ Safety pins.
- ☐ Thermometer.
- ☐ Eye wash solution, to flush the eyes or as a general decontaminant for cuts.
- ☐ Aspirin and/or non-aspirin pain reliever.
- ☐ Your own prescribed medical items.
- ☐ Antacids.
- ☐ Diarrhea medication (Pepto-Bismol).
- ☐ Rolled gauze bandage.
- ☐ Antiseptic wipes.
- ☐ Small flashlight, extra batteries.
- ☐ CPR mask, for doing CPR.
- ☐ Disposable instant cold packs.

What Else Can I Do?

Volunteer with CERT, Red Cross, or any other disaster response agency.

Learn first aid and CPR.

Find out if your place of employment has an emergency plan.

Find out if your child's school has an emergency plan.

Include your extended family in your emergency planning.

Practice your family plan regularly.

Spread the word about family preparedness to your neighbors, friends and coworkers.

For more information contact your County Emergency Management Agency:

Androscoggin:	784-0147
Aroostook:	493-4328
Cumberland:	892-6785
Franklin:	778-5892
Hancock:	667-8126
Kennebec:	623-8407
Knox:	594-5155
Lincoln:	882-7559
Oxford:	743-6336
Penobscot:	945-4750
Piscataquis:	564-8660
Sagadahoc:	443-8210
Somerset:	474-6788
Waldo:	338-3870
Washington:	255-3931
York:	324-1578

Helpful Websites

www.ready.gov
www.redcross.org
www.maine.gov/dhhs/boh
www.211maine.org
www.nws.noaa.gov
www.maine.gov/mema