



Los Angeles Housing Department
LAHD

**Los Angeles/Long Beach/
Riverside**

RCPGP Region

**Legislative and
Regulatory Resources
and Barriers Report**

(Including Los Angeles, Orange, Riverside,
San Bernardino, and Ventura Counties)

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Prepared For

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LEGISLATIVE AND REGULATORY RESOURCES AND BARRIERS REPORT
REGIONAL DISASTER HOUSING PLANNING PROJECT

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EXECUTIVE OVERVIEW

The large-scale displacement of residents following a disaster affects more than just the individual residents. Residential communities are also the core of a jurisdiction, providing employees to businesses and serving as the tax base for the provision of community services. Following a disaster, the reestablishment of housing in a timely manner is essential for the recovery of the entire community, businesses, and local government. In an effort to illustrate the importance of a quick housing recovery, a literature review of population movements following major disasters such as Florida's Hurricane Andrew in 1992 and the 1995 Great Hanshin Earthquake in Kobe, Japan, was conducted. The review indicated that the rate of return of displaced residents dropped significantly after one year, and displacement persisting two years after the event was likely to be permanent.

Disaster housing is a complex issue that requires a comprehensive look at the guidance, regulations, and programs that could both facilitate and hinder the preparation, mitigation, recovery, and reconstruction processes relating to disasters. In addressing these points, planners must consider each of these stages, as the actions taken during each stage can be used to maximize a community's ability to successfully prepare for, respond to, recover from, and mitigate against the effects of a catastrophic disaster. Planners should think about how current procedures, rules, and regulations might be integrated to enhance disaster resilience in the community or how these considerations might present roadblocks to recovery. The rules and regulations that are currently in place can be evaluated to determine how they might function in a non-disaster environment. If disconnects, missed opportunities, frustrations, and poor coordination are detected in "normal" circumstances, such shortcomings would only be magnified after a catastrophic disaster, especially under the microscope of the media and the 24/7 news cycle, which would undoubtedly pose the question, "Why are displaced residents not being better served and why was the local government not prepared?"

In an effort to assist counties and other local jurisdictions in the preparation of disaster housing plans and strategies, the City of Los Angeles Housing Department (LAHD) has been awarded a Federal Emergency Management Agency (FEMA) Regional Catastrophic Preparedness Grant, which pays for contractor support to establish a Disaster Housing Working Group (DHWG), which is working to develop a regional Disaster Housing Planning Guide (DHPG). One component of this project is the research, review, and analysis of legal and regulatory resources and the relevance these authorities may have on the disaster-housing mission.

This document is focused on practical concerns and begins by summarizing issues that have been identified as likely to be encountered from an authority, regulatory, or programmatic perspective. The relevant authorities and programs are then reviewed, together with descriptions of the purpose, applicability, and components of each authority and program. This report was developed through extensive research, review by senior subject matter experts (SMEs), and input from the DHWG.

Throughout the development of this report, the following practices have been identified as high-priority action items:

- **Identifying local codes and regulations.** While Federal and State guidelines present clear processes and procedures for awarding grants and direct assistance to displaced residents, all Federal assistance must comply with State and local requirements. It is important that planners write out or graphically formulate the required processes, necessary permissions, and associated costs (e.g. building permit fees) in an effort to expedite the process of identifying locations that may be used for housing, installing or building housing, and assessing the structural soundness and habitability of existing housing.
- **Prioritizing zoning and building codes and design requirements.** Returning the affected population to permanent housing after a disaster is important. However, maintaining the population's safety and minimizing the amount of future work necessary to meet zoning and building codes are major considerations. Planning ahead by developing pre-approved ordinances, policies and procedures that safely streamline these requirements and can be activated after a disaster should be considered.
- **Supporting private and non-profit housing organizations.** Public education, outreach, and planning are all factors that lead to successful recovery efforts. These elements must be conducted in such a way to influence people at the community level. The housing mission will be more effective when local homeowners and associations, apartment managers, and housing providers are more prepared.
- **Integrating the access and functional needs community.** People living with disabilities and others with access and functional needs are often not adequately accounted for in preparedness efforts. Working together with local representatives, detailed approaches to assessing and providing housing that accommodates these populations can be outlined and decided upon before a disaster.

The timely, coordinated approach to facilitating preparedness activities in connection with understanding and addressing these concerns is paramount. From a regional perspective, developing a clear understanding of capabilities, processes, and resulting needs and gaps will help jurisdictions collectively improve their planning efforts and increase the level and quality of available services in the area after a disaster.

The research in this report concludes that now is the time to proactively reach out to the whole community and prepare for disasters that will affect housing and housing-related resources. It is important for local and county jurisdictions to engage relevant departments and agencies in an effort to comprehensively understand the existing processes and outline mitigative steps that may minimize the time and hindrances associated with repairing and rebuilding. Relevant waivers and temporary suspensions of codes and regulations could be written now, reviewed by the appropriate parties, and approved so that such waivers and suspensions can expeditiously be executed when a disaster occurs.

In connection with this, it is important to consider, review, and understand proactive, non-traditional approaches to housing before a disaster occurs so that these approaches can be dynamically evaluated and applied as the magnitude and types of disaster-related effects warrant. Training and equipping homeowners' associations and local private and non-profit groups, which interact with their populations on a regular basis and disseminate information and resources to answer questions and inform their constituents, will lessen the burden on response and recovery organizations.

A successful recovery is a community-driven event. In a catastrophic disaster, recovery entails hundreds of communities working together and independently to evaluate, plan, and implement a path to sheltering, repairing, and ultimately building more sustainable, resilient housing. Not all considerations described in this report will be appropriate to all jurisdictions. It is understood that some smaller jurisdictions may not have the capacity or all of the agencies addressed or mentioned in the report. However, planners should consider items that they believe would be better addressed at the county or State level (due to lack of capacity in their jurisdiction) and commence discussions with their county to help ensure their jurisdiction's needs are addressed.

LEGISLATIVE AND REGULATORY RESOURCES AND BARRIERS REPORT
REGIONAL DISASTER HOUSING PLANNING PROJECT

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LEGISLATIVE AND REGULATORY RESOURCES AND BARRIERS REPORT
REGIONAL DISASTER HOUSING PLANNING PROJECT

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LEGISLATIVE AND REGULATORY CONSIDERATIONS

The provision of housing in the United States is primarily a private-sector activity. Families and individuals own homes and condominiums, rental property owners manage apartments, banks offer mortgages and financing, and insurance companies offer coverage to protect against hazards. Government agencies regulate the housing market in certain ways—with land use planning, code enforcement, and other programs—and provide financing or land use concessions for a relatively small amount of affordable housing. However, when a catastrophic disaster strikes, the government is often expected to step in and play a larger role.

Disaster housing is a complex issue that requires a comprehensive look at the guidance, regulations, and programs that could both facilitate and hinder the preparation, mitigation, recovery, and reconstruction processes. In addressing these points, planners should consider each of these stages as the actions taken during each stage can be used to maximize a community's ability to successfully prepare for, respond to, recover from, and mitigate against the effects of a disaster.

The following discussion of issues and considerations has been developed by using a multi-faceted approach. First, precedents of disaster-housing practices were researched and reviewed in great detail; best practices, lessons learned, and recommended information sources were then compiled. The issues that were identified during the research process were then reviewed by an independent group of subject matter experts (SMEs). Additionally, Disaster Housing Working Group (DHWG) meetings served as an important forum for exchanging ideas and identifying issues of importance to the region. Issues identified and discussed during DHWG meetings have been incorporated in this report, as appropriate.

The content that follows should not be considered an exclusive or final authoritative source for disaster-housing issues and considerations, but serves to accomplish the following:

- Identify issues related to disaster housing that could impede or enhance accomplishing the mission of getting people back into their community after a disaster.
- Outline approaches, considerations, and methods to prepare for or handle the issues that will be encountered and help guide planners and leadership in understanding and making decisions.
- Suggest which partners to include in discussions and decision-making.

Mitigation

The Problem

Many residential property owners, including single-family home and condominium owners/occupants and rental property owners, do not have the information or resources to

make physical changes on or around their properties that could reduce the likelihood of extensive damages. Some examples of pre-disaster actions to minimize damages include: (i) installing automatic gas shut-off valves so that damaged gas lines do not start a fire; (ii) shear wall strengthening of multi-story buildings to prevent structural damage and collapse; and (iii) ensuring that the homeowners' associations (HOAs) spend time and money on pre-disaster strengthening of properties as well as on aesthetic improvements.

Why is it important to focus on this problem?

Returning the affected population (i.e., displaced residents) to their own homes is the goal of every disaster recovery mission. To accomplish this, it is important that residential property owners understand the ways in which their property could be damaged and the steps they can take to reduce the effects of a disaster.

Considerations

Jurisdictions should consider the following mitigation concerns and findings and address them in their plans:

- Mandated brush clearance requirements protect homes against wildfires. The California Department of Forestry and Fire Protection mandates that brush be cleared within 30–100 feet from buildings, a standard that has been adopted by many counties in California.
 - This standard is not currently consistently applied across jurisdictions nor is it uniformly regulated and enforced by local fire districts.
 - Planners should consider coordinating with the local fire district, community and neighborhood associations, and emergency managers to conduct a comprehensive outreach and education campaign for residential property owners with property in high-risk locations.
- Preventative building code requirements help lessen the direct and indirect effects of a disaster. Indirect effects include fires resulting from broken gas lines, which have occurred in past earthquakes. Such gas releases can cause issues beyond those of the earthquake.
 - To mitigate post-earthquake damage, jurisdictions might consider implementing codes that require the adoption of automatic gas shut-off valves if such requirements are not already in place. Weighing the costs of requiring shut-off valves to be installed now versus the savings that such measures would yield from damages being averted during a disaster is an essential consideration. In addition, appropriate foundational construction and securing mechanisms help prevent building dislocation and destruction.
 - Coordinating with local building and safety departments, as well as State building and safety departments, can help identify State-level codes and requirements that have not been fully adopted at the local level, define necessary codes that could be developed, and formulate approaches to implement such codes and requirements at the local level.

- Local residential audits can help identify potential issues or provide recommendations for preventative measures. Utilities companies often offer free energy audits to help property owners understand ways in which they can reduce their bills; such audits may also be used to identify potential issues.
 - Jurisdictions should consider working with their local fire department, insurance companies, home inspectors, appraisers, and building and safety departments to create a basic checklist of mitigative measures that residential property owners can use themselves or in tandem with their home inspectors.
- Providing financial incentives through tax breaks, insurance discounts or subsidies, or other methods can emphasize the importance of residential property owners taking steps to protect their homes and may reduce the potential impact to recovery on the housing stock after a disaster.
 - Jurisdictions can work with insurance companies and local officials to identify industry standards and incentive structures that would be beneficial to all involved.

Insurance

The Problem

Californians are known to be inadequately insured for earthquakes and other disasters. In 2011, it was reported that only 12 percent of homeowners in California have earthquake insurance.¹ Also, it should be noted that earthquakes are not the only disaster that the region is susceptible to. The U.S. Geological Survey (USGS) has indicated that West Coast storms similar to those that inundated California with severe floods in the 1860s are projected to become more frequent and intense as a result of climate change.² Most Southern Californians do not have flood insurance, and residential damage resulting from flooding might not be paid for by standard property insurance. In addition, some property owners who do not have a mortgage (i.e., those who are no longer required to submit annual proof of coverage to a lender) may no longer carry property insurance; therefore, they have no coverage for any type of damage to their homes.

Why is it important to focus on this problem?

A catastrophic event will stretch all types of resources available for response and recovery—both government and private funds. Therefore, understanding, purchasing, and maintaining insurance is an important recovery element for homeowners. While insurance will not cover all repair costs (and often requires a substantial deductible), it can significantly defray the financial impact to homeowners after a disaster.

¹ Romero, R. (2011, March 11). Few SoCal homeowners have earthquake insurance. *KABC-TV Los Angeles*. Retrieved June 11, 2012, from <http://abclocal.go.com/kabc/story?section=news/consumer&id=8009096>

² USGS. (n.d.). *Multi-Hazard West Coast Winter Storm Project*. Retrieved June 11, 2012, from <http://urbanearth.gps.caltech.edu/winter-storm-2/>

Considerations

Many homeowners may assume that federally funded assistance (such as that from the Federal Emergency Management Agency (FEMA) and the U.S. Small Businesses Administration (SBA)) will be provided and that, consequently, there is no need for them to have insurance. Therefore, disseminating information about what kind of assistance is likely to be available from the Federal government and how such assistance compares with and complements insurance coverage can help increase individual homeowner preparedness.

- Jurisdictions should consider whether or not requiring residential property owners to have comprehensive insurance is a realistic approach and, if they find that such a requirement is not realistic, identify the impediments and reasons why property owners are not currently obtaining full insurance for their properties. As mentioned previously, the vast majority of homeowners do not currently carry earthquake insurance. Premium costs and high deductibles contribute to this gap, but working with insurance companies can help jurisdictions understand other factors that could be addressed as well.
 - Jurisdictions can work with insurance companies to understand the requirements and capabilities of policies in their area in an effort to communicate with residential property owners and educate them about their policies before a disaster. Clarifying what is covered, what is not covered, and what options are available could lead to an increase in the number of residential property owners obtaining insurance or could at least help them know what to expect with regard to required documentation and processes following a disaster.
 - Distribution of information that explains what insurance policy-specific stipulations or caveats should be considered before residential property owners can be insured or what property characteristics would prevent insurance from being available or cause it to be more expensive than it would be in other locations. This issue is especially important for homeowners whose property is not “fee simple” but is a condominium type of ownership regulated by a HOA that oversees common areas. The homeowner should know the types and limits of the association’s insurance and what additional coverage the owner needs to obtain or is responsible for.
 - In coordination with insurance companies, one possible campaign for jurisdictions to consider could emphasize that as more people purchase earthquake insurance, the overall costs for policyholders could decrease because more funding would be available to draw from when an incident does occur. Such a campaign could make purchasing the product more affordable and attractive.
- Jurisdictions can also work with insurance companies to identify if discounts may be offered to residential property owners who take certain steps to better prepare and protect their properties before a disaster. Such measures could include working with local or State officials to amend building and safety codes or requiring that certain steps be taken to lessen the impact on their residences during and after a disaster, thus reducing the liability of insurance companies.

- While having insurance coverage is critical to the financial recovery of housing owners, support for homeowners who do not have insurance coverage, or those who have insufficient coverage, must also be considered.
- Jurisdictions should also consider if a disaster fund could be established to cover all or part of the deductible on a means-tested basis. Considerations include municipal bonds or private activity bonds.³
 - **Municipal Bonds.** Bonds issued by government agencies are called municipal bonds. The funds that are raised through the purchase of such bonds are used to finance projects that benefit the community such as roads, schools, bridges, sewers, parks, water treatment, or low-income housing. Most bonds issued by government agencies are tax-exempt. This means that bondholders do not have to pay Federal income taxes and, in most cases, state income taxes on the interest they earn.
 - **Private Activity Bonds.** Government agencies may also, in certain cases, issue tax-exempt bonds on behalf of private businesses. These bonds are known as “Qualified Private Activity Bonds” and may be issued for various purposes such as the development of low-income, multi-family housing; industrial development; redevelopment projects; and enterprise zones or facilities that treat water, sewage, or hazardous materials. The lower borrowing costs facilitate the development of projects that may not otherwise be feasible if financed at market rates. Unlike typical municipal bonds, the payment of principal and interest on private activity bonds is not the responsibility of the issuing government agency. Instead, it is the responsibility of the private business receiving the proceeds; the bond must be structured to receive repayments of the assistance over time from the borrowers. By relieving government agencies of the financial obligations associated with bond debt, private activity bonds are a low-risk alternative for communities to finance projects. The City of Los Angeles issued mortgage revenue bonds as part of its toolbox for rebuilding damaged housing after the 1994 Northridge earthquake in its “Loans to Lenders” Program. Funds were used not for insurance deductibles but for lenders to refinance rental properties that needed repairs but were ‘underwater’ (i.e. without equity) due to the financial recession at the time, and either could not qualify for SBA financing or such financing was insufficient due to loan amount caps.

Best Practice: Navigating insurance matters and assistance following a disaster is a complicated process. Community outreach and counseling services, such as the provision of legal assistance in connection with helping disaster survivors interpret insurance policies to ensure that the maximum benefit can be obtained, may be beneficial. A jurisdiction may want to include in its recovery plan a local strategy to organize and target various resources for public education, counseling, and case management.

³ California State Treasurer’s Office. (n.d.). *California Debt Limit Allocation Committee*. Retrieved June 11, 2012, from <http://www.treasurer.ca.gov/cdlac/>

Best Practice: The Young Lawyers Division of the American Bar Association has an agreement with FEMA to provide free legal assistance to disaster victims after a Presidentially declared disaster.⁴ These services apply to any cases that will not produce a fee and are provided to low-income individuals who, prior to or because of the disaster, are unable to secure legal services adequate to meet their needs as a consequence of a major disaster. People may seek information and assistance on matters such as insurance claims, home repair contracts, consumer protection, landlord-tenant concerns, mortgage foreclosure, debt collection problems, and labor or employment problems. Advice or referrals may also be provided in connection with replacing vital documentation, such as wills, powers of attorney, and other important legal documents damaged or lost in a disaster. When activated, FEMA will establish a telephone Disaster Legal Services Hotline for those seeking legal assistance.

Short-Term Housing Option Requirements

The Problem

After a catastrophic event, the resources that planners had assumed would be available for rapidly re-housing displaced residents, such as vacant rental housing, may also be damaged and deemed unsuitable for use. The jurisdiction must then determine what to do when called upon by its residents to provide new temporary homes.

Why is it important to focus on this problem?

This is the type of problem that requires pre-disaster planning. Beginning to think about this need after the disaster occurs is much too late and doing so may lead to delays in meeting the housing needs of affected citizens which may cause the media to question the jurisdiction's lack of prior consideration of a disaster scenario.

Considerations

In identifying the need for short-term housing and facilitating the fulfillment of its mission, there are a number of issues that need to be addressed before such housing options can be established and made available to the affected population. The City of Oldsmar, Florida, in its temporary housing ordinance, provides an example of a pre-disaster ordinance that establishes policies for emergency waivers for post-disaster temporary accommodations.⁵

The types of short-term housing options that will be allowed in the jurisdiction need to be determined in advance as each jurisdiction will have varying allowances for the types that can be used. Planners can work with building and safety departments and zoning officials to understand the current laws. Local officials will then need to be asked to discuss and make recommendations regarding temporary post-disaster waivers or considerations that could be enacted at the time of a local state-of-emergency declaration and would allow for a wider base, as needed, of short-term options as the nature of the disaster demands.

⁴ American Bar Association Young Lawyers Division. (n.d.). *Life Cycle of an ABA YLD/FEMA Disaster Hotline*. Retrieved June 11, 2012, from

http://www.americanbar.org/content/dam/aba/administrative/young_lawyers/life_cycle_of_an_aba_yld.pdf

⁵ Oldsmar, Florida. (n.d.). *Section 18-40: Emergency waiver of non-conforming land uses and structures for post-disaster temporary accommodations*. Retrieved June 11, 2012, from

<http://www.tbrpc.org/tampabaydisaster/pinellaslms/pdf/Oldsmar%20Temporary%20Housing%20Ordinance.pdf>

In connection with this, additional details and further options are discussed in the Short-Term/Interim Housing Options Research Report, which was produced under this same project.

- Planners can work with local housing, building and safety, planning, and zoning departments in an effort to understand the comprehensive environment in which they are working and outline zoning, permitting, and inspection requirements. Each jurisdiction will have varying requirements for where short-term housing can be located, what permits will be mandated, and the required level and frequency of inspections. Some of the associated questions that may be posed include the following:
 - Are there specific codes or requirements that must be followed, such as the installation of anchoring systems or smoke alarms in each bedroom? Which of these codes are nonnegotiable and which ones could be temporarily suspended or postponed for a set amount of time? Codes and requirements that are directly related to the safety of the occupants should not be suspended, but there may be creative ways to make them less costly or burdensome.
 - What permits might be required and what are the associated costs? How can the costs be lowered or eliminated for the homeowner?
- Standards for where short-term housing options can be located are also important. For example, will jurisdictions allow short-term housing to be placed on lots where properties have been destroyed and deemed uninhabitable, but where infrastructure may still be available? Are there parks, schools, or other locations that may be appropriate to serve as temporary housing facilities? As mentioned above, more detail, including sample questions to ask owners/operators of potential sites and facilities, is discussed in the Short-Term/Interim Housing Options Research Report.
- Planners should work with local housing, zoning, and building and safety officials to outline the conditions for placing short-term housing and identify if any existing codes or regulations need to be enforced, waived, or otherwise considered.
- In light of the ongoing financial crisis and housing downturn, the use of unoccupied, foreclosed properties could be considered as a short-term housing option.
 - Planners can work with local banks, housing departments, and building and safety departments to discuss this option. Liability, insurance, and habitation standards would need to be identified, discussed, and considered. For example, due to the large number of foreclosed residential properties starting in 2008, the City of Los Angeles established a foreclosure registry to prevent blight and protect tenants from arbitrary eviction. The information gathered would be useful for this purpose.⁶
 - If this is a viable option, planners should work with the above-referenced stakeholders to create a matrix or form that could be used to quickly identify potential properties after a disaster, determine the level of assessment and repairs

⁶ City of Los Angeles Housing Department Foreclosure Registry Program. Retrieved December 26, 2012 from <http://lahd.lacity.org/lahdinternet/ForeclosureInformation/tabid/418/language/en-US/Default.aspx>

that would be required for the properties to be inhabitable, and identify the process for assigning properties to the affected population.

- Similarly, planners can examine how unoccupied apartments, condominiums, and office buildings might be considered as potential locations for short-term disaster housing options. In 1999, the City of Los Angeles approved an Adaptive Re-Use Ordinance to facilitate the use of obsolete office and industrial buildings in the downtown area for residential purposes which may be useful for this effort.⁷
 - For office buildings, planners should consider whether zoning would need to be temporarily changed or if waivers would need to be put in place in order for such structures to be used as short-term housing; the same concept would apply to building code enforcement.
- Federal agencies can provide a number of short-term housing options for jurisdictions with affected populations who cannot remain in their residences. In supporting this mission, however, it is important for agencies to understand the operating environment and situation.
- Planners can work with FEMA; the U.S. Army Corps of Engineers (USACE); and the local housing, building and safety, public health, environmental health, and planning departments to understand the zoning, permitting, and inspection requirements for these housing options.
 - Federal resources will pay all appropriate fees and abide by these processes and will be able to work more efficiently if they are provided with a comprehensive listing of the jurisdictional requirements and all other local and State guidance they must abide by. Providing dedicated representatives to support permitting and inspection will enable the recovery process to go faster. Also, a dedicated liaison with sufficient authority from the Federal agencies can help resolve issues.
- Jurisdictions should consider what fees or permits could be delayed or collected after the initial stabilization phase of recovery and develop appropriate documentation and an outlined approach on how to deal with delaying fee collection.
- Being prepared to provide demographic information to Federal agencies can help them to proactively identify potential needs in the jurisdictions.
- The concept of using open spaces for disaster housing options is being pursued aggressively given the projected consequences of a catastrophic incident in the area. While certain geographic areas have dense populations, others have a significant amount of open space and relatively mild climates.
- Jurisdictions can work with housing, building and safety, and planning departments; utilities providers; and county property tax assessors to identify the available open spaces in the jurisdiction and the current zoning specifications of each space; the process for using them for short-term, temporary, or permanent housing; and the requirements, permitting, and inspections that would be required.

⁷ City of Los Angeles Retrieved December 26, 2012 <http://www.preservation.lacity.org/reuse-ordinance>

- Jurisdictions can coordinate with utilities providers to understand the surge on the system that might result from additional housing—even on a short-term basis—and address and consider maximum capacities and resource requirements to support the open space housing needs.

Property Condemnation and Building Removal

The Problem

It is unlikely that jurisdictions have anticipated how to handle a large-scale catastrophic disaster that results in miles of properties with severely damaged homes, multi-family residences, and commercial and industrial buildings. Most jurisdictions are likely to have local ordinances concerning property condemnation, building removal, and disposition of debris or they may rely on State law that addresses these issues in the health and safety codes. Some jurisdictions have standards—perhaps developed for other purposes—that determine the extent (percentage) of deterioration that can lead to the property being condemned (e.g., 50 percent or more deteriorated); such standards may even allow the locality to remove the building if the owner does nothing (after a set period of time and due process). However, such standards may typically be applied on a case-by-case basis and the application of these standards may be relatively rare.

Why is it important to focus on this problem?

When one considers what the disaster scenario entails—the response of disaster victims who have just lost their assets, surviving neighbors who want the damaged properties cleared, and squatters and looters who may take advantage of the situation—the situation could quickly spiral out of control. After the 1994 Northridge earthquake, there were several multiple-block clusters of severely damaged apartment and condominium buildings in the San Fernando Valley and West Los Angeles, which were subsequently labeled “ghost towns” by the City’s Housing Director, Gary Squier, because they were uninhabitable. The City of Los Angeles moved quickly to engage a well-established security firm to board and fence the properties and patrol against looting and vandalism, but the City was later criticized for not going through a competitive bid process in connection with hiring the security firm. It is very easy to criticize—years later—the actions taken in the heat of a crisis to quickly address serious problems. Another criticism resulting from the Northridge earthquake was that the debris from damaged buildings and freeways was deposited in low-income, minority communities in southeast Los Angeles County for what was supposed to be a short-term period but instead stretched into years. Surrounding neighborhoods complained of illness and environmental racism, and the situation became very difficult for all concerned. The more forethought that is given to these considerations before a disaster occurs will facilitate a more efficient housing recovery.

Considerations

When considering placing temporary housing options on destroyed property, the process for condemning and removing the existing buildings so that the new options can be installed would need to be examined.

- Planners can work with building and safety departments to determine the process for condemning a property.
 - Planners can also coordinate with officials regarding the issues of debris management, environmental health, and building and safety needs in an effort to identify what can be done—or is allowed to be done—if the owner either does not or cannot remove destroyed buildings.
 - Also consider if the condemnation process is different when there is a situation that is considered dangerous to the population (e.g., the presence or storage of hazardous materials on the property).
 - Determine and develop processes to meet notification requirements before government can take action if there is insurance or liens on the property.
 - It may sometimes be difficult to determine the identity, and thus the contact information, of an owner of a damaged property if there is no agent for service of process listed in local or State databases for property tax or corporate filings. Also, properties may be in probate, foreclosure, or other legal status that may prevent certain actions, such as debris clearance or boarding, to take place.
- Planners can work with State Public Assistance officials to determine eligibility of structures under FEMA’s Public Assistance (PA) Program and to determine which individuals may be eligible for temporary housing assistance. More information can be found in FEMA’s Public Assistance Guide. This guide explains how FEMA implements the portion of the law that authorizes Federal grants for infrastructure recovery through its PA Program.⁸

Permitting

The Problem

The goal of quickly facilitating residential repairs to allow for the re-occupation of damaged housing and fulfilling necessary permitting processes to do so may be impeded by a shortage of staff at the local level, which could be a major roadblock to recovery. The current economic decline has led to reduced staffing due to layoffs, furloughs, and early retirements in many jurisdictions.

Why is it important to focus on this problem?

Disaster recovery, specifically the goal of regaining “normalcy” and residency by the tax-paying population, is reliant on an efficient and fair permitting process.

Considerations

A clear permitting process that outlines each required step, associated fees, the department or lead point of contact, and an understanding of expectations will enhance the likelihood of State and Federal housing support being quickly provided to the jurisdiction. This process can be expedited by compiling a comprehensive list of each

⁸ FEMA. (2007, June). *Public Assistance Guide*. Retrieved June 11, 2012, from http://www.fema.gov/government/grant/pa/pag07_t.shtml

type of permit and inspection required (e.g., building, safety, environmental, etc.) to be handed out as a reference tool. Additionally, providing comprehensive, dedicated support to Federal contractors, such as the USACE, at the local building departments, will enhance the effectiveness of the recovery process.

- Local building and safety departments should consider ways in which to augment their staff in an emergency in order to handle the influx of people endeavoring to meet permitting requirements following a disaster.
- Outlining required permits for all types of properties in a single document will allow builders, homeowners, insurance companies, and construction companies to understand the comprehensive process, as well as all of the associated fees. Maintaining this document electronically and updating regularly will enhance preparedness.
- After identifying the permits and process, work with housing, building and safety, public health, and environmental health departments to understand the requirements and standards—in order of impact—that may apply to the safety and well-being of those occupying the property. In this discussion, requirements that could be temporarily waived or suspended to enhance the ability of the affected population to return to their homes can be determined, and sample waivers that could be included with a local state-of-emergency declaration written.
 - Regulations that protect residents—the waiver of which would be deemed a safety issue—need to be examined to determine which regulations should not be waived in any situation (and noted as such).
 - Allowing a less extensive, more flexible standard or “grandfathering” prior conditions for properties to expedite rebuilding may be desirable. Requirements that focus on extensive design or sustainability standards that cannot easily be met are likely the first rules that should be considered for waiving for the purpose of added flexibility, suspension, or deferment of performance. For example, discuss local requirements that dictate that a certain percentage of building materials must be recycled. If available resources cannot meet the requirements for review and permitting of recycling plans given the extensive rebuilding that must take place, this will result in delays in connection with building back the community and returning residents to permanent housing. On the other hand, research and lessons learned elsewhere may show a way to creatively reuse earthquake debris that does not contain hazardous substances (e.g., asbestos, lead-based paint), which would support principles of sustainable building and reduce the severity of one of the major problems associated with disasters: debris removal and storage. In addition to including environmental experts in the discussion, it may be desirable to invite insurance companies since their policies are typically written to pay for ‘replacement value’ of the current property, and their perspective on these issues may be useful to include.

Information Resource: Effective January 1, 2011, California updated its codes to include green building regulations (referred to as the California Green Building Standards Code [CALGreen]). Local jurisdictions have drafted—or are drafting—ordinances to include local amendments to the California Codes for adoption into their own codes.

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- CALGreen includes mandatory requirements that all occupancies throughout the State will need to comply with and includes a list of voluntary measures (as appendices to the Code) that can be included through a local amendment process. In lieu of designating voluntary measures as mandatory, the local agency may adopt, through an amendment to CALGreen, a point-system certification by a third-party program, such as Build It Green for residential properties and Leadership in Energy and Environmental Design (LEED) for non-residential properties.⁹
- Planners should consider whether suspending or temporarily waiving requirements will complicate issues during long-term recovery efforts if additional work or renovations will be required for properties to pass inspection at a later time. Whatever a community decides to do, it is important that standards for renovation and new construction are clearly understood before a disaster occurs to ensure that these standards are enforced and do not lead to matters that would delay the redevelopment process. Owners need to be aware of this information in advance of a disaster so they can decide how they will proceed in connection with repairing and rebuilding efforts after a disaster.

Best Practice: Nonconforming and substantial damage policies generally state that a structure must be rebuilt to meet current adopted standards once it meets a certain damage threshold. Requiring post-disaster rebuilding to meet current safety codes and floodplain regulations is essential to building a more disaster-resilient community, while other standards might not be as necessary and could be a burden to disaster recovery efforts.¹⁰

- Planners should consider whether permit fees could be reduced in an effort to expedite repairs and ease the financial burden on homeowners; delayed so that property owners could pay them later; or waived altogether to reduce the financial impact on those recovering. Consider outlining associated requirements and stipulations and submitting the waiver with the local state-of-emergency declaration.
- When considering which fees to waive, outline reasons to suspend the fees and what the impact—positive or negative—of doing so will be. For example, if waiving or deferring payment of certain fees will expedite construction timelines and thus quickly reestablish property values, it will preserve the property tax base, helping to stabilize the economy and prevent revenue losses in the following years as well as creating goodwill with homeowners.

⁹ City of Santa Rosa. (2010, May 20). *An analysis of the new California Green Building Code and the adoption process for local jurisdictions*. Retrieved April 5, 2012, from http://ci.santa-rosa.ca.us/doclib/Documents/CDB_CALGreen_Summary_and_the_Code_Adoption_Process_by_Michael_Whitaker_CBO.pdf

¹⁰ Florida Division of Emergency Management. (2010, October). *Post-Disaster Redevelopment Planning*. Retrieved April 5, 2012, from <http://floridadisaster.org/Recovery/documents/Post%20Disaster%20Redevelopment%20Planning%20Guidebook%20Lo.pdf>

Best Practice: Among other factors, waiving permitting fees for residents may play a role in more rapid recovery for jurisdictions. Waiving permit fees may encourage residents to apply for permits within a shorter timeframe after a disaster and minimize the instances of residents pursuing repair work without a permit. This may result in a shorter period of time between permit issuance and actual construction taking place, thus leading to more recovery activity within a jurisdiction.¹¹

Health and Safety

The Problem

If people must leave their community, their resources will go with them—perhaps permanently. Following a catastrophic disaster, available housing will be extremely limited. Normal standards for health and safety are established with consideration for long-term occupancy and, over time, have become stricter as standards of living have increased. For example, plastic covering on windows and the use of temporary address placards may not be acceptable, thus impeding occupation of otherwise safe structures when housing is in short supply. Also, restricting reentry can result in people being kept away from their homes because of their lack of, or inaccessibility to, adequate documents for personal identification.

Why is it important to focus on this problem?

If people can stay in their homes, they will be more likely to put their energy and resources into rebuilding their neighborhoods. It is critical to define alternative housing standards that are safe enough to allow people to stay in their homes but not so stringent that otherwise safe buildings will be deemed unsuitable for occupancy. Likewise, areas that are unsafe or unhealthy for habitation may be safe to enter for short periods of time, enabling people to retrieve personal property and vital records.

Considerations

Jurisdictions should consider identifying minimum standards for health and safety after a major disaster and determining how they will enforce them.

- In connection with the permitting process, the local and State health and safety codes should be considered, and a document outlining the related requirements maintained. By analyzing the operating environment, jurisdictions can identify if there are minimum standards they may want to pursue and if there are any guidelines that could be suspended or waived in an effort to get people back into their houses after a disaster.

Best Practice: Jurisdictions may establish minimum standards and criteria before they allow residents to re-enter a disaster area. Damage will likely vary among structures and, for safety reasons, hazard abatement (such as the demolition of severely damaged buildings and the removal of heavy debris) will likely be necessary before re-entry can take place.

¹¹ Rand Corporation. (2008). *Post-Katrina Recovery of the Housing Market Along the Mississippi Gulf Coast*. Retrieved April 5, 2012, from http://www.rand.org/pubs/technical_reports/2007/RAND_TR511.pdf

Jurisdictions should consider criteria that can be used for determining which structures will be eligible for re-occupancy, based on a percentage of damage to the following specific key elements of a building:

Foundation
Roof system
Exterior/interior walls
Floors and flooring materials
Plumbing and gas lines and valves
Electrical systems
HVAC systems¹²

- Planners can work with public health, environmental health, building and safety, and housing departments at the local and State levels to outline an approach for enforcing and creating waivers and plans for handling health and safety issues after a disaster, while examining how the approach could change in a catastrophic environment. It is important to understand that certain standards that would be considered acceptable immediately following the disaster (such as using portable outdoor toilets) would not be considered acceptable three months after the event. The standards would need to define which requirements will be met by the conditions of the structure itself and which will be met by the state of conditions outside the building. While utilities such as water and sewer lines are being repaired and reconnected, residents who stay in their homes will need to be within walking distance of group facilities or distribution centers that can help meet basic needs that are not available within their homes.
- Planners should also consider how to deal with areas that have been deemed uninhabitable. Work with the aforementioned departments to create a plan for retrieving the affected populations' property if areas are deemed uninhabitable. Also examine how such a plan could vary for areas that have been affected by a hazardous materials event or exposure.
 - A liability waiver could be considered (with appropriate legal review and approval) that would permit residents to briefly return to their property to obtain personal belongings and necessary items if the area is considered a candidate for condemnation or destruction. Having this waiver available and vetted in advance of a disaster is ideal.

Inspections

The Problem

The damage assessment, permitting process for rebuilding, and health and safety determinations will require many more qualified building inspectors than the number of currently employed inspectors. Completing inspections after a disaster may take longer than normal due to access issues, the necessity for more detailed reviews to be conducted for each site, and less familiarity with the contractors' or owners' work, and so on.

¹² Lindell, M.K., Prater, C.S., & Perry, R.W. (2006, July 15). Chapter 11: Community Disaster Recovery. *Fundamentals of Emergency Management* (308–345). Retrieved April 5, 2012, from http://archone.tamu.edu/hrrc/Publications/books/FEMA_book/FEMA_book_in_PDF/FEMACH_11Recovery.pdf

Why is it important to focus on this problem?

Following a disaster, local officials may encounter a large number of damaged structures and a high volume of permit applications and face the challenge of fulfilling them with few resources. Most property owners want to repair and rebuild as quickly as possible. As such, there may be pressure on local officials to waive requirements that are perceived to hamper resuming “normalcy”, including pressure to waive inspection and permit requirements. However, simply yielding to such pressure without clear rules and guidelines could expose residents and their properties to future problems.

Considerations

- Planners will need to consider the level of rigor for inspections, the number required, and the frequency for conducting building inspections.
- Work with public health, environmental health, housing and building, and safety departments to gain an understanding of the current inspection requirements as part of the permitting process. This could result in a standardized flow chart that includes estimated timelines, requirements for inspection, and requirements for inspectors. Understanding the situation enables better identification of efficiencies or potential areas that may impede the disaster-housing mission.
- Jurisdictions should consider which types of inspections could be suspended or shortened in an effort to minimize the number of inspectors required. This could also entail delaying certain routine inspections.
- Anticipating the need for additional staff to handle inspections can form the basis for the development of post-disaster mutual aid requests. Through the State’s Post-Disaster Safety Assessment Program (SAP), the California Emergency Management Agency (Cal EMA), formerly known as the California Office of Emergency Services (CA OES), provides volunteer and public resources, including engineers, architects, and building inspectors to perform required safety assessments. The SAP is activated at the request of local government through the Incident Command System (ICS)-based Standardized Emergency Management System (SEMS). For further information, see the Cal EMA SAP home page:
<http://www.calema.ca.gov/Recovery/Pages/Safety-Assessment.aspx/>.
- Jurisdictions could consider the rate of inspections completed per normal day compared to the anticipated number of inspections that would need to be done after a disaster. The Safety Assessment Program *Frequently Asked Questions* document¹³ suggests that the total of obviously damaged buildings (which is obtained by windshield surveys) represents approximately 30 percent of the actual number of building assessments that would be required (the total number of obviously damaged buildings divided by 0.3 equals the total number of assessments required). Based on data from the Northridge earthquake, each SAP evaluator team is able to complete

¹³ California Emergency Management Agency. (n.d.). *Safety Assessment Program (SAP) Frequently Asked Questions*. Retrieved June 11, 2012, from <http://www.calema.ca.gov/Recovery/Documents/Safety%20Assessment%20Program/SAP%20FAQ%204%2011.pdf>

approximately 13 inspections per day (the total number of assessments required divided by 13 equals the total number of SAP evaluators needed to complete the total assessments in one day). If the total number of SAP evaluators required is large, the local government may consider using a smaller number of SAP evaluators for a longer period of time. The requesting jurisdiction needs to estimate a reasonable amount of time (number of days) during which required assessments may be completed. SAP evaluators are generally deployed for a period of five days.

- Working with the Cal EMA SAP to train and certify all available qualified staff to increase the SAP cadre will help the jurisdiction meet post-disaster inspection needs and also increase the jurisdiction's capability to provide reimbursable assistance to neighboring jurisdictions when needed.
- A three-tier posting classification system is recommended by Cal EMA and is described in the publication series *Procedures for Postearthquake Safety Evaluation of Buildings* (ATC-20)¹⁴. Cal EMA suggests using the modified forms and placards as described in the SAP Evaluator training manual and the Addendum to ATC-20 (ATC-20-2). The ATC-20 placards or similar placards developed by the local jurisdiction can be used as official placards once they have been formally adopted by the jurisdiction. Cal EMA provides a model ordinance template, located at <http://www.calema.ca.gov/Recovery/Documents/PlacardingOrdinanceFinalDraft.pdf>, as a guide to adopting these revised placards.
 - In addition, for structures with more than one unit, tagging should consider that some units may be inhabitable while others will have minimal or no damage.
 - The example above illustrates why 'windshield surveys' (i.e. what can be seen by an inspector in a car in front of the building) are only the first step of safety assessments. A building that does not seem to have structural damage (e.g. it is not leaning to one side) may have broken plumbing or electrical systems that would make it unsafe to reoccupy. The need for detailed internal inspections will increase the number of inspectors needed to truly assess safety in the jurisdiction's housing stock.

Zoning

The Problem

Many problems could arise when discussing zoning issues relating to disaster housing. In the best of economic times, land use, zoning, and planning permit processes are often not as fast and efficient as the public would like for their own properties; meanwhile, others in the community think that project approvals move too fast. There is often conflict about land use and zoning, and approval processes can drag on for years in some local jurisdictions, with strong community contingents focused on "Not In My Back Yard" (NIMBY) or "Build Absolutely Nothing Anywhere Near Anything" (BANANA) tenets. Add to that the current economic decline, which has led to reduced staffing due to layoffs, furloughs, and early retirements in many jurisdictions. In light of this, a disaster

¹⁴ Applied Technology Council. (n.d.). *Placards and Evaluation Forms*. Retrieved June 11, 2012, from <https://www.atcouncil.org/placards.html#atc-20>

recovery ‘creative solution’ of keeping single-family home occupants in their neighborhood by allowing them to live in recreational vehicles (RVs) in their driveway or on the street while their homes are being repaired could face major hurdles.

Why is it important to focus on this problem?

Disaster recovery, specifically the goal of regaining “normalcy” and residency by the tax-paying population, is reliant on an efficient land use permitting process. A catastrophic disaster also provides an opportunity to rezone some areas for open space or for housing to be zoned at a higher density near public transit infrastructure; however, such discussions, which are often contentious before a disaster, could drag out the recovery process. For example, community conflict about how to rebuild after the 1989 Loma Prieta earthquake delayed residential and neighborhood rebuilding in the San Francisco Bay Area for many years.¹⁵

Considerations

After a disaster, the ability of the affected population to recover is directly tied to its ability to secure housing. This can occur through the use of temporary structures (e.g., tents), short-term options (e.g., mobile homes, travel trailers, fold-out rigid temporary shelters), or other non-traditional means. Jurisdictions will need to identify existing zoning requirements, what options such requirements will allow, and whether short-term suspension of the code could be proposed to allow residents of damaged housing to stay in the vicinity.

- Work with building and safety and local zoning departments to assess how residentially zoned areas could be used for short-term/temporary and long-term housing options. Through the planning process, jurisdictions should consider if residents would be allowed to do the following:
 - Reside on their property in a tent or other temporary structure (e.g., RVs, campers, trailers, etc.). The following are among the questions that might be asked and issues that might be considered:
 - What zoning and regulatory changes would be necessary to allow temporary structures to be placed on the site of a damaged home if the house was damaged or destroyed but the infrastructure (electrical, water, sewer) still functioned?
 - To facilitate this option, would it be useful, desirable and/or legally binding, to allow residents to sign a legal waiver absolving providers of municipal and utility services such as fire protection, law enforcement, water and power from any liability stemming from that choice, in order to stay on their property?

¹⁵ Curtius, M. (1999, October 17). A Decade Later, Bay Area Residents Still Rebuilding. *The Seattle Times*. Retrieved June 11, 2012, from <http://community.seattletimes.nwsourc.com/archive/?date=19991017&slug=2989426>

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- Consider if residents may be allowed to use a temporary structure on their personal property for a specified amount of time (e.g., up to two years after the disaster), instead of indefinitely.
- Construct secondary dwellings on properties that were not affected. The following are among the questions that might be asked.
 - If a residence could provide shelter on its property for a short-term solution for another family that has been displaced from its home, would this be permitted if the zoning normally allows only one housing unit?
 - What would the conditions and process be?

Best Practice: When safe and feasible, communities should consider allowing individual placement of interim housing on private property during repair and rebuilding and consider allowing employer-supplied temporary housing on commercial properties.¹⁶

- For cities that maintain parking restrictions on certain vehicles, such as RVs and trailers parked in curbside spaces, driveways, or parking lots, consider whether those zoning rules or restrictions and the enforcement of them may be suspended to allow the affected population to stay near their damaged homes in non-traditional housing options for a short-term period. Planners should consider if there would be stipulations to these rules, such as the requirement for infrastructure or other necessities to be in place for this to be allowed.

¹⁶ Florida Division of Emergency Management. (2010, October). *Post-Disaster Redevelopment Planning*. Retrieved April 5, 2012, from <http://floridadisaster.org/Recovery/documents/Post%20Disaster%20Redevelopment%20Planning%20Guidebook%20Lo.pdf>

Best Practice: When a disaster has rendered a single-family residence uninhabitable, officials may consider that a maximum number of mobile homes, manufactured homes, or RVs may be temporarily permitted on the single-family lot or off-site, subject to any specified conditions set forth by the jurisdiction (including limitations, restrictions, etc.), during rehabilitation of the original residence or construction of a new residence on the existing site, regardless of zoning district requirements.¹⁷

After a determination that this temporary permit may be implemented, jurisdictions/officials may consider allowing temporary waivers of non-conformity. Such permits may be issued only upon the determination that the original structure is uninhabitable.

The initial term of the permit that allows a non-conforming structure to remain in use and onsite can be set at a particular number of days from the date of a state-of-emergency declaration. After this initial term, if officials determine that circumstances are safe and efficient and that reconstruction of damaged properties warrants an extension of the permit period, officials may issue a resolution allowing for an extension of all issued permits. The consideration of any additional extensions may then be granted on a case-by-case basis by officials.

If it is determined that RVs will be allowed, a jurisdiction may consider the need for prior inspection of the unit by officials and an issuance of a Certificate of Occupancy, or temporary Certificate of Occupancy, as determined by the appropriate officials.

The jurisdiction may require that the RV, mobile or manufactured home, or manufactured building be removed from the property no later than a specified number of days after the new or rehabilitated residence is certified to be safe for occupancy.

- When considering secondary dwellings on properties in areas that were not damaged, planners can work with building and safety and planning departments to identify population density laws and supporting infrastructure requirements that can reasonably be expanded and not negatively affect uses of the infrastructure.
 - Considerations in these areas include the following:
 - Can the respective grids (electrical, water, sewer) handle the increased usage?
 - Are there adequate safety mechanisms (law enforcement, firefighters, and fire hydrants) to support the population?

¹⁷ Oldsmar, Florida. (n.d.). *Section 18-40: Emergency waiver of non-conforming land uses and structures for post-disaster temporary accommodations*. Retrieved June 11, 2012, from <http://www.tbrpc.org/tampabaydisaster/pinellaslms/pdf/Oldsmar%20Temporary%20Housing%20Ordinance.pdf>

Best Practice: As the infrastructure can support, create developer incentives in the form of a density bonus, which would allow developers to build at a density higher than residential zones typically permit, providing greater density if the builder provides additional affordable units in development. Alternatively, a builder can “buy” density by paying into a local housing trust fund or other mechanism.¹⁸

Density bonuses, one of the most widely used cost offsets used in inclusionary zoning policies, allow more homes to be built on a parcel of land than would otherwise be permitted by the underlying zoning code. For example, a 10 percent density bonus would allow 110 units of housing in an area originally zoned for 100 units. When offered in conjunction with inclusionary zoning, density bonuses can help developers recoup the reduced revenue associated with offering a share of units at below-market rates by increasing the number of units that may be built on a property.¹⁹

- Planners should consider if there are any limitations to the allowed number of occupants in a residence that need to be lifted, suspended, or altered to allow residents of buildings that are not affected to have friends and family stay with them for extended periods of time and not be in violation of local codes or regulations.
 - Jurisdictions should consider the length of time for which they would allow this to occur and how individual rental agreements or contracts could be properly relaxed to reduce the number of issues that could arise from property owners. The following are among the questions that might be asked:
 - Are there rules being enforced by the property owners that are set by the jurisdiction or are the rules set and enforced by the property owners? If the latter, it will be important to get buy-in and participation from property owner association representatives.

Controlling Rent Increases

The Problem

In some high-cost communities, it has been difficult for low-income, displaced residents to return to their communities after the housing is rebuilt because they cannot afford the new rents.²⁰

Why is it important to focus on this problem?

A healthy community requires housing for individuals and families with a range of incomes. As one housing expert said, “Housing is where jobs go home at night.”²¹ A

¹⁸ Lowcountry Housing Trust. (n.d.). *How Can The Market Help Deliver More Affordably-Priced Housing?* Retrieved April 5, 2012, from http://www.lowcountryhousingtrust.org/resource-center/archive/category/government/view/how_can_the_market_help_deliver_more_affordably_priced_housing

¹⁹ HousingPolicy.org. (n.d.). *Policy: Establish Inclusionary Zoning Requirements or Incentives.* Retrieved April 5, 2012, from http://www.housingpolicy.org/toolbox/strategy/policies/inclusionary_zoning.html?tierid=121#1

²⁰ Children’s Defense Fund. (2009, July 10). *What it Takes to Rebuild a Village After a Disaster.* Retrieved June 13, 2012, from <http://www.childrensdefense.org/child-research-data-publications/data/rebuild-village-hurricane-katrina-rita-children.html>

community cannot recover from a disaster if there is no place for residents who work in the local grocery stores, banks, schools, and so forth, to live.

Considerations

In jurisdictions where there are regulations on allowable rent increases, eviction protections, and similar rules applied to private rental property, proper controls should be considered to ensure that housing that is not damaged or that has quickly been repaired maintains an appropriate rental price. Jurisdictions that do not have existing policies to control or stabilize rents should consider preparing such a policy or procedure for property owners to ensure that speculation and exorbitant rental prices do not prohibit the population from remaining in or returning to the area after the disaster.

- Planners can work with housing departments, property owner associations, and local officials to determine a realistic and fair approach for post-disaster policies. Such policies can be enacted along with a local state-of-emergency declaration.

Homeowners' Associations (HOAs)

During recovery, HOA requirements on building design or aesthetics could serve as an impediment to stabilizing properties and keeping the affected population in—or near—their houses. Jurisdictions can work with HOAs, housing departments, neighborhood or community planners, and local officials to identify mutually agreeable approaches that will protect the associations and the jurisdiction.

- Before an incident, planners could provide sample memos or letters that would support HOAs in suspending rules related to structure design or aesthetics or temporary structures on residents' property in an effort to allow residents to stay on their properties.
- Jurisdictions can offer HOAs assistance and materials that could help residents understand the insurance process, including information about available financial programs, permitting and rebuilding processes, and other vital recovery elements. These associations can serve as valuable partners for reaching homeowners with regard to both the preparedness mission and the recovery mission.

²¹ Garcetti, E. (2007, June 4–10). Makeover That Makes Sense for L.A.? The Hollywood Example. *Los Angeles Business Journal*. Retrieved June 11, 2012, from http://ens.lacity.org/council/cd13/oped/cd13oped73445635_06042007.pdf

Best Practices: Waive HOA fees during the rebuilding period and document this practice in covenants. (Any waivers of fees will be easier to implement if this is addressed beforehand in covenants versus trying to enforce this after a disaster.)

HOA insurance coverage structures vary depending on the initial set-up, location, home style, etc. Some HOAs have only common-area insurance and require each homeowner to have their own full-coverage policy. Other HOAs have master fire coverage and homeowners have only policies to cover their personal belongings. However, ideally, the HOA would have a master insurance policy and the homeowners would have complementary policies.

HOAs should consider a policy provision that may include covering lodging expenses paid for by the HOA during recovery.

Building Materials

The Problem

Following a disaster, building materials will be in high demand, a situation that may lead to various problems. According to a Brookings Institute study, after the 2004 Indian Ocean earthquake and tsunami in Indonesia, there were so many organizations in Aceh trying to reconstruct houses that a shortage of building materials occurred and a spike in construction costs resulted.²²

Why is it important to focus on this problem?

Post-disaster reconstruction projects are susceptible to resourcing bottlenecks, such as a lack of resources or alternatives, limited sources of resources, and difficulty in accessing the resources that are required for reconstruction. A sudden increase in resources required for housing construction combined with resourcing capacity bottlenecks significantly limits the degree to which successful recovery can occur.

Considerations

The timely repair and rebuilding of properties that may be damaged but can quickly be repaired and occupied is an essential part of the disaster-housing mission. Identifying available materials and high-demand products and making them available will be important.

- Planners should understand that there will be a high demand for certain materials, and there will likely be a scarce supply. This situation could inflate prices and complicate the recovery of the housing market. Jurisdictions can work with local building supply stores, the housing department, and local officials to identify market controls that will prevent price gouging after a disaster.
- Planners can also work with the building supply stores to emphasize the importance of getting products into the area to aid in the recovery. During the planning process,

²² Kharas, H. (2010, January 21). "Build Back Better" in Haiti: Lessons from the Indonesian Tsunami. *Brookings*. Retrieved June 11, 2012, from http://www.brookings.edu/opinions/2010/0121_haiti_aid_kharas.aspx; Samarasinghe, A. (2006, October 30). Slow down in building materials supplies. *Sri Lanka News*. Retrieved June 11, 2012, from <http://www.dailynews.lk/2006/10/30/fin05.asp>

coordinate the prioritization for supply chains and access routes with the local emergency management officials.

- Jurisdictions can meet with transportation authorities to determine if there are any regulations for when or how building materials can be brought into a jurisdiction and if any of the jurisdictions being passed through have ordinances that could affect bringing certain materials into the area. For example, some oversized items can only be moved during non-peak hours or would require special permits to pass on interstates, highways, or local surface roads.

Information Resource: To provide vital supplies and transportation services to a disaster area in the United States, emergency declarations may be issued by the President, Governors, or the Federal Motor Carrier Safety Administration (FMCSA). These declarations trigger the temporary suspension of certain Federal safety regulations, including hours of service, for motor carriers and drivers engaged in specific aspects of the emergency relief effort. See 49 CFR 390.23 for the actual emergency regulation.

“Declarations of Emergency: *Emergency Cargo* - Motor carriers and drivers providing *direct emergency relief to, from or within* the areas covered by the declarations are temporarily relieved from Parts 390–399 of the Federal Motor Carrier Safety Regulations, including Hours of Service (HOS).”²³

Information Resource: State permits might be waived depending on the situation. (For example, permits have been waived in times of emergency and during the response phase for recent wildfires.) During the recovery phase (after the “emergency” has passed), the waiving of permits will likely be decided on a case-by-case basis.

The State enforces the highway system and State routes, which have maximum standards; the local city or county public works department will enforce/handle issues for heavy/oversized loads on local roads.²⁴

Private Financing

The Problem

After a disaster, jurisdictions must resolve such questions as where the funds for repairs will come from and how the existing lien holders (i.e., mortgage lenders and investors) will handle the problem of delayed payments.

Why is it important to focus on this problem?

Obtaining financing for residential property owners after a disaster will be an important part of recovery as financing will be necessary to make minimal or major repairs to

²³ U.S. Department of Transportation, Federal Motor Carrier Safety Administration. (n.d.). *Disaster Relief Information for Drivers and Motor Carriers*. Retrieved April 5, 2012, from <http://www.fmcsa.dot.gov/emergency/disaster-relief.htm>

²⁴ California Department of Transportation. (n.d.). *Legal Truck Size & Weight. Office of Truck Services*. Retrieved April 5, 2012, from <http://www.dot.ca.gov/hq/traffops/trucks/#LTSE>;
California Department of Transportation. *Transportation Permits*. Retrieved April 5, 2012, from <http://www.dot.ca.gov/hq/traffops/permits/>

dwellings, purchase new properties, or rebuild differently (e.g., more environmentally sustainable and disaster resilient).

Considerations

Given the current financial situation and recent mortgage issues, the loan process is not easy to navigate and, given the expected influx of needs after a disaster, planners should consider how the jurisdictions could support and expedite this process in a proactive but cautious manner.

- Jurisdictions can work with banks and lenders to understand the process and the associated fees and procedures that must be completed as part of the process. Such procedures could include appraisals, title reports, income and employment verification, and property record review, etc.
- Options for how each mortgage or loan can be handled and how payments can be suspended or temporarily postponed should be considered from the jurisdictional perspective, the housing department, tax assessor's office (working to help determine property values through comparable sales data), and local officials can identify at which stage in the process they can provide efficiencies or alternative methods of accomplishing their negotiable requirements and how they will ensure that the nonnegotiable steps can be accomplished in a timely manner.
 - Banks and lenders should consider the intermediary steps they are willing to take to approve and process loans and what they will require of those receiving the funding. Stipulations and future requirements for documentation should be considered if a streamlined approach is implemented.

Federal Finance Programs

The Problem

Insurance claims and private financing will not be sufficient to meet the needs of every property owner with damaged housing. Some will not be insured or they may be underinsured or have prohibitively high deductibles, while others will not qualify for private financing. Therefore, many homeowners and rental property owners will need Federal disaster assistance to repair or replace damaged housing.

Why is it important to focus on this problem?

Without some type of assistance to quickly and efficiently reestablish housing, the time that it takes for communities to recover could be very long. However, depending on the circumstances, not all existing programs will be available. Also, there are varying requirements and qualifications associated with the large variety of potentially available disaster-housing programs. Due to income limits and specific qualification requirements, for example, some jurisdictions may have more qualifying disaster victims than others. Because of these complexities, it is important for planners to become familiar with the requirements of various finance programs, which populations can be served by which programs, what documentation requirements exist, and what information will need to be furnished to qualify for any given program.

Considerations

There are a number of programs available from Federal agencies to support the affected population, including disaster loans for homeowners, rental property owners, and renters.

- Jurisdictions should consider maintaining a comprehensive list of potentially available programs and the requirements for each of them. A matrix that captures this information could be created and used to understand which local populations can be served by which programs and to maximize the ability of the jurisdiction to maintain its population and provide support to the affected residents.
- An outline of limits and restrictions on the programs available, types of housing, and processes can be developed through coordination with emergency management; housing, building and safety, public health, and environmental health departments; and local officials.
 - It is important to understand that the U.S. Small Business Administration (SBA) places caps on loan amounts. As such, funding from this source may be insufficient for owners of multi-family properties. Identifying other agencies or lenders with programs to serve the populations that require more funding than the SBA threshold and supporting homeowners in accessing those programs will be an important step to recovery.
 - Planners can work with local, State, and Federal program representatives to collectively understand the finance programs and the delivery systems available so they may leverage them accordingly. Not all programs are automatically activated for every disaster declaration. Planners can help ease the process by identifying which programs will meet their jurisdictions' needs and preparing accordingly to request program support following a disaster.
- While there appear to be numerous programs and funding resources, each program has requirements that must be met by applicants, such as documentation of expenses, income limits, specific needs, etc. Based on jurisdiction demographics such as income levels and property values, some jurisdictions may have more “qualifying” disaster victims than others.

Property Owners and Managers

The Problem

The loss of housing in connection with a disaster reduces the available housing stock—making undamaged properties, including housing in surrounding areas, worth a premium. There is already a high percentage of renters in Southern California and the strain on the rental market will be exacerbated by homeowners whose property has been damaged and who seek out rental housing.

Why is it important to focus on this problem?

Many of the traditional assistance programs focus on restoring homeowners' property. Since almost all rental property is in the private realm, planners will need to work with

the private sector to help ensure rental properties are also repaired and reestablished as quickly as possible.

Considerations

Given that a high percentage of the population are renters (accounting for 40 percent of the households across the five-county region²⁵), stabilizing the residences of people who do not own their homes will be important.

- Jurisdictions can work with property owner associations, their housing department, and building and safety department to develop a course of action that benefits all involved. The jurisdiction can help property owners by providing support to help them understand what benefits, programs, funding, and requirements they are eligible for and must abide by.
 - Jurisdictions may also consider supporting property owners or managers by providing training sessions to help them understand basic disaster preparedness and response and recovery activities, as well as providing guidance for developing business continuity plans.
 - The concept that the property owner is responsible for providing a habitable residence for occupants should be reinforced and stressed.

Best Practice: Work to identify programs that may duplicate benefits to cooperatively coordinate programs to ensure that property owners and jurisdictions receive maximum benefits.

- Jurisdictions can work with local and State housing and building and safety officials to determine if there are code or ordinance changes that could be enacted to require certain levels of responsiveness and repairs by property owners after a disaster.
- Planners can also research and understand the funding eligibility of common areas for condominiums or other communities that must be repaired or restored after a disaster. Given the nebulous nature of the ownership and qualification of common areas, some programs may not be applicable funding sources.

Lesson Learned: Ensure that adequate insurance is maintained. A major source of economic loss may relate to landscaping, exterior building paint, building foundations, walkways, pools, tennis courts, and satellite dishes, which are not normally covered by insurance. While excluded from basic coverage, some areas of potential loss can be covered for a minimal additional premium.

Ensure that renters/homeowners are properly insured.

Associations should ensure that their flood insurance policies include coverage for foundations and that the buildings are covered under one policy, including the common areas and the individual units.

Keep updated photos of common areas and premises.²⁶

²⁵ U.S. Census Bureau. (n.d.). *2010 Census Interactive Population Map*. Retrieved June 11, 2012, from <http://2010.census.gov/2010census/popmap/>

Information Resource: SBA disaster loans may only be used to pay for disaster-related repairs. They cannot be used to pay for deferred maintenance items or any upgrades to the property, unless such upgrades are required by code.

SBA disaster loans that are used to repair or replace real property or leasehold improvements may be increased by as much as 20 percent of the total amount of disaster damage to real estate and/or leasehold improvements, as verified by SBA, for mitigation.

SBA disaster loans of up to \$200,000 are available to individual unit owners to repair or replace disaster damages not fully covered by insurance or other disaster recoveries. Individuals may also borrow up to \$40,000 to replace damaged or destroyed personal property not covered by insurance, etc. Individuals may not borrow money to repair common areas that are the responsibility of the HOA.²⁷

- The responsibility for preparedness and mitigative activities could also be passed from property owners to their tenants to further stress the importance of preparing for a disaster.

Access and Functional Needs

The Problem

A catastrophic disaster resulting in the displacement of many residents will affect people with disabilities and others with access and functional needs. In order for people with disabilities and others with access and functional needs to transition back to their community, it is important to provide them with assistance to locate suitable housing when they cannot return to their former homes.

Why is it important to focus on this problem?

In the past, shelters have sometimes required people with disabilities and others with access and functional needs to move to hospitals, nursing homes, or other institutions because they could not quickly locate suitable housing or the supportive services required by this population. As a result, people who once lived independently in their own homes found themselves institutionalized soon after an emergency or disaster occurred.²⁸

Considerations

Providing accessible housing that accommodates the range of access and functional needs of the population is a priority and mandate of the disaster-housing mission. This can be facilitated through the use of existing properties, renovating facilities to meet the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and other standards, or by providing interim options that address all of the needs.

²⁶ Poliakoff, G.A. (n.d.). *Lessons of Andrew and Opal: Implementing a Disaster Plan*. Retrieved April 5, 2012, from http://www.becker-poliakoff.com/pubs/articles/poliakoff_g/poliakoff_lessons_of_andrew.pdf

²⁷ U.S. Small Businesses Administration. (n.d.). *Fact Sheet for Homeowner Association Unit Owners*. Retrieved April 5, 2012, from <http://www.sba.gov/content/fact-sheet-homeowner-association-unit-owners>

²⁸ FEMA. (2010, November). *Guidance on Planning for Integration of Functional Needs Support Services in General Population Shelters*. Retrieved June 11, 2012, from www.fema.gov/pdf/about/odc/fnss_guidance.pdf

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- Planners can work with local access and functional needs representatives, housing departments, and building and safety representatives to create a list of common accessibility issues and methods for proactively addressing them.
- Planners can also work with Mass Care and Shelter functions and emergency management to consider adjusting case management forms and documents to assess the type of accessibility (e.g., wide doorways, ramps, water filtration, electrical power, room for durable medical equipment, resident caregivers) required by individuals.
- Planners can also work with housing and building and safety departments to create an inventory of housing options with the appropriate levels of accessibility to quickly assign the affected population to residences that can accommodate individual and household needs.

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AUTHORITIES AND PROGRAMS

It is important for jurisdictions to adhere to existing Federal, State, and local laws, codes, statutes, regulations, and other legal authorities in order to protect their housing stock and be eligible for reimbursement and inclusion in Federal and State assistance programs. Past recovery efforts have shown that jurisdictions that have not followed the prescribed laws and processes can be liable for disaster-related monetary assistance they may have received and, in some instances, have had to repay it. Jurisdictions—especially smaller jurisdictions that have not had extensive experience managing Federal grant funds or Presidentially declared disasters—should review and consider authorities, and the requirements of each, to determine if there are any authorities that might be eligible for temporary suspension or that may be waived in an effort to encourage the short-term or intermediate recovery activities.

Obtaining a waiver or suspension to a statute or rule would require approval by the relevant authority. Past approaches have included adding language to local emergency declarations—noting that, for a specified time, certain regulations or authorities will not be enforced. Additionally, planners could recommend extending the period that the affected population would have to fulfill requirements following a disaster.

It is vital that planners understand the regulatory environment in which they are operating and the authorities they must comply with in order to examine the courses of action they can pursue and would recommend. In connection with this, the following authorities and programs have been identified as relevant references for disaster housing. The content of all references, including the Code of Federal Regulations (CFR), listed below can easily be found on the Internet.

Federal

Department of Homeland Security/Federal Emergency Management Agency

The following sections refer to types of assistance that are funded or regulated by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended, 42 U.S.C. 5121 et seq.

Essential Assistance

Section 403 of the Stafford Act, 42 U.S.C. 5170b, authorizes FEMA to provide emergency assistance in connection with disaster response. Such actions may include providing assistance for various forms of shelter, mass care, and other emergency assistance. Section 403 is also the authority for FEMA's Transitional Shelter Assistance program, which provides funding for hotel and motel accommodations for disaster victims. FEMA's regulations for implementing Section 403 of the Stafford Act can be found in 44 CFR 206.225.

Temporary Housing Assistance

Section 408 of the Stafford Act, 42 U.S.C. 5174, authorizes FEMA to provide temporary housing to disaster victims. Temporary housing assistance can be provided in the form of financial assistance to enable disaster victims to rent temporary housing facilities, the direct provision of rental properties that have been acquired by FEMA, funds to repair owner-occupied primary residences that have been damaged by disaster events, or funds to replace owner-occupied primary residences that have been destroyed by a disaster. The regulations that FEMA uses to implement the temporary housing program under Section 408 of the Stafford Act can be found in 44 CFR 206.117.

Individuals and Households Program

Section 408 of the Stafford Act, 42 U.S.C. 5174, also authorizes FEMA to provide Individuals and Households Program (IHP) assistance to disaster victims to address their uninsured or underinsured necessary expenses and serious needs that cannot be addressed through other means. The regulations that FEMA uses to implement the IHP can be found in 44 CFR 206.110 and 119.

National Disaster Housing Strategy (NDHS)

The NDHS, which is addressed in Section 683 of the Stafford Act (6 U.S.C. 772), describes the collective approach to the disaster-housing mission nationwide and the methods used to coordinate and organize the delivery of services. It captures information on the types of partners to include in the disaster-housing process, outlines principles and considerations for planning, and offers ideas for implementing a strategy at the state level.

National Flood Insurance Program (NFIP)

The NFIP is administered by FEMA under the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4001 et seq. Pursuant to the NFIP, FEMA can provide flood insurance to homeowners, renters, and business owners in communities that agree to participate in the program. Insurance proceeds that are provided in the aftermath of flood-related disasters can be very helpful in disaster recovery efforts. The regulations that FEMA uses in the administration of the NFIP can be found in 44 CFR 59–80.

Hazard Mitigation Grant Program (HMGP)

Section 404 of the Stafford Act, 42 U.S.C. 5170c, authorizes FEMA to provide hazard mitigation assistance to help state and local governments implement long-term mitigation projects in an effort to reduce losses associated with future disasters. HMGP funds can be used for a variety of projects, including elevating or reconstructing damaged properties to avoid future losses. FEMA's regulations for implementing HMGP can be found in 44 CFR 206.430–440.

Cora C. Brown Fund

Pursuant to a Presidential delegation, Section 701(b) of the Stafford Act, 42 U.S.C. 5201(b), authorizes FEMA to accept gifts and bequests. This rule applies to the Cora C. Brown Fund—a gift that was made to the Federal government in the 1970s by Cora Brown, who left her estate to be used to help victims of natural disasters. Money from

this fund can be used to address disaster-related needs that have not been met by disaster assistance programs or insurance. FEMA's implementing regulation can be found in 44 CFR 206.181.

Legal Services

Section 415 of the Stafford Act, 42 U.S.C. 5182, establishes that whenever the President determines that low-income individuals are unable to secure legal services that are adequate to their needs arising from a major disaster, programs will be conducted with the advice and assistance of appropriate Federal agencies and state and local bar associations. One such program is provided through an agreement with the Young Lawyers Division of the American Bar Association, whereby free legal assistance is made available to disaster survivors. Legal advice is limited to cases that will not produce a fee and typically addresses insurance claims, landlord/tenant problems, consumer protection, and replacement of legal documents.

Disaster Housing Assistance Program (DHAP)

The Stafford Act authorized the DHAP to provide resources for rental assistance, security and utility deposits, and case management services for families who were displaced by Hurricanes Katrina, Rita, Gustav and Ike. DHAP continued providing housing subsidies for families receiving, or eligible to receive, rental assistance administered by FEMA. Through an interagency agreement between FEMA and the U.S. Department of Housing and Urban Development (HUD), HUD's network of public housing agencies (PHAs) applied for, and administered, the assistance to families. DHAP was a temporary housing assistance program for each disaster and had 'sunset' program termination dates. In order to prepare families for this eventuality, case management services were provided for the entire duration of DHAP. These case management services included assisting participants to identify non-disaster supported housing solutions such as other local affordable housing options available for income eligible families.

Department of Housing and Urban Development (HUD)

Community Development Block Grants (CDBG) for Disaster Recovery Assistance

HUD's CDBG program funds local community development activities, including the use of CDBG funds to provide loans or grants to rehabilitate residential buildings damaged by disasters. The CDBG program is authorized by Title I of the Housing and Community Development Act of 1974, as amended. In addition, Section 108 of the Housing and Community Development Act, 42 U.S.C. 5308, enables communities to borrow up to five times their most recent CDBG allocation to pursue revitalization projects that can be useful in responding to disasters. HUD's implementing regulations related to the CDBG program can be found in 24 CFR Part 570.

HOME Investment Partnerships Program (HOME)

This program is authorized by Title II of the Cranston-Gonzalez National Affordable Housing Act, 12 U.S.C. 1701q. It authorizes grants to eligible states and local governments to fund a wide range of development activities, including new construction

and rehabilitation and/or acquisition of affordable housing, as well as the provision of direct rental assistance to low-income households. As with CDBG funds, HUD may suspend a number of HOME regulatory requirements during the course of disaster recovery activities. HUD's implementing regulations related to HOME can be found in 24 CFR Part 92.

Reprogramming of Public Housing Funds

With HUD's approval, Public Housing Authorities (PHAs) may reprogram Public Housing Capital Funds to be used to address damages caused by disasters, enabling PHAs to repair damages and keep public housing available for low-income families. The Capital Fund is authorized by the Housing Act of 1937, as amended. (See 42 U.S.C. 1437g(d).) HUD's implementing regulations relating to reprogramming public housing funds can be found in 24 CFR Parts 905 and 968.

Federal Housing Administration (FHA) Mortgage Insurance for Disaster Victims

This program is authorized by Section 203(h) of the National Housing Act, 12 U.S.C. 1709. The statute authorizes FHA insurance for victims of Presidentially designated disasters who have lost their homes and are in the process of rebuilding or acquiring another home. This program provides mortgage insurance to protect lenders against the risk of default on mortgages held by qualified disaster victims. HUD's implementing regulations relating to the Section 203(h) program can be found in Parts 203.1 et seq., 204.1 et seq., 221.1 et seq., 234.1 et seq., and 235.1 et seq.

FHA Rehabilitation Mortgage Insurance

Section 203(k) of the National Housing Act, 12 U.S.C. 1709(4k), authorizes homebuyers to borrow funds from lenders to purchase or refinance a house that requires repair, rehabilitation, or modernization. Section 203(k) is one of many FHA programs that can be used to insure mortgage loans in an effort to encourage lenders to make mortgage credit available to borrowers who may not otherwise qualify for conventional loans on affordable terms. HUD's implementing regulations relating to FHA rehabilitation mortgage insurance can be found in 24 CFR 203.50.

FHA Loss Mitigation Program

This program is designed to help homeowners (mortgagors) who struggle to pay on their FHA loans. It is authorized by 12 U.S.C. 1709, and HUD's implementing regulation relating to this program can be found in 24 CFR 203.501.

HUD-owned Homes

HUD has the authority to sell or lease HUD-owned homes to disaster victims at a discount. This practice is authorized by Section 203 of the National Housing Act, 12 U.S.C. 1709, and HUD's implementing regulations relating to HUD-owned homes can be found in 24 CFR Part 203.

Assisted Living Conversion Program (ALCP)

This program authorizes grants to private, nonprofit owners of eligible housing developments that may be used to convert some or all of the owners' housing units into Assisted Living Facilities (ALFs) or Service-Enriched Housing (SEH) for elderly residents aging in place. The program is authorized by Section 202b of the Housing Act of 1959, 12 U.S.C. 1701q-2, and HUD's implementing regulations for the ALCP can be found in CFR 232.1.

Demonstration Program for Elderly Housing for Intergenerational Families

This program is authorized by Section 202 of the Housing Act of 1959, 12 U.S.C. 1701q. Very low-income grandparents or relatives who are heads of households and raising a child no older than 18 years of age may qualify for assistance under this program.

Emergency Solutions Grants (ESG)

This program is authorized by Title IV of the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. 11371-78. It authorizes grants that can be used to help increase the number and quality of emergency and transitional shelters for homeless individuals and families. Grantees use ESG funds to rehabilitate and operate homeless shelters. HUD's implementing regulations relating to ESGs can be found in 24 CFR 576.1 et seq. Its reauthorization by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act provided additional funds to be used for homelessness prevention and rapid re-housing of homeless households.

Housing Opportunities for Persons with HIV/AIDS (HOPWA) Program

HOPWA funding provides housing assistance and related support services as part of HUD's Housing and Community Development Consolidated Plan entitlement programs, which work in partnership with communities to manage Federal funds that are appropriated for HIV/AIDS programs. The funds may be used for a wide range of housing and social service activities. The program is authorized by the AIDS Housing Opportunity Act, Section 851 et seq. of P.L. 101-625, and HUD's implementing regulations relating to HOPWA can be found in 24 CFR 574.3.

Housing Choice Voucher (HCV) Program (Section 8)

The HCV program assists very low-income families, the elderly, and individuals with disabilities to afford decent, safe, and sanitary housing in the private market by paying part of the monthly cost of rental housing. Participants in the HCV program may qualify for funding through the Disaster Voucher Program (DVP) in the event of a disaster. For example, supplemental appropriations in the aftermath of Hurricanes Katrina and Rita provided funding through the DVP to provide temporary rental vouchers to people who were displaced by the hurricanes and who were previously assisted by HUD through public housing and Section 8 vouchers. HUD's implementing regulations relating to the HCV program may be found in 24 CFR 982.

Section 8 Moderate Rehabilitation Single Room Occupancy (SRO) Program

This program assists very low-income, single, homeless individuals to obtain safe, sanitary, and secure housing in privately owned rehabilitated buildings. The program is authorized by the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. 11401, and HUD's implementing regulations may be found in 24 CFR Part 882, Subpart H.

Section 811 Supportive Housing for Persons with Disabilities Program

Section 811 capital advances can be used to construct, rehabilitate, or acquire structures to be used as supportive housing for low-income people with disabilities. The program is authorized by the National Affordable Housing Act, P.L. 101-625, 42 U.S.C. 8013, and the implementing regulations may be found in 24 CFR 891.

Shelter Plus Care (S+C) Program

This program authorizes rental assistance for homeless people with disabilities, primarily those with serious mental illnesses, chronic problems with alcohol and/or drugs, and AIDS-related diseases. The program is authorized by Subtitle F of Title IV of the McKinney-Vento Homeless Assistance Act of 1987, and the implementing regulations may be found in 24 CFR 582.1

Supportive Housing Program

This program provides grants for new construction, acquisition, rehabilitation, or leasing of buildings that provide transitional or permanent housing. It also provides support services for homeless individuals and families. The program is authorized by Title IV of the McKinney-Vento Homeless Assistance Act of 1987, and the implementing regulations may be found in 24 CFR 583.1.

Self-Help Homeownership Opportunity Program (SHOP)

SHOP awards grants to eligible national and regional nonprofit organizations (e.g., Habitat for Humanity) that can be used to purchase home sites and develop or improve the infrastructure that is necessary to be in place to set the stage for sweat equity and volunteer-based homeownership programs for low-income people and families. The program is authorized by Section 11 of the Housing Opportunity Program Extension Act of 1996.

Small Business Administration (SBA)

Home Disaster Loans

SBA offers low-interest loans to disaster victims to enable them to repair or replace real and personal property damaged or destroyed in disasters. The authority for these SBA loans is Section 7(b)(1) of the Small Business Act of 1953, as amended, 15 U.S.C. 636(b)(1), and SBA's implementing regulations may be found in 13 CFR 123.1 et seq.

Business Physical Disaster Loans

Any business or private, nonprofit organization that is located in a declared disaster area and has incurred damage during the disaster may apply for a loan to help replace damaged property or to restore property to the condition it was in before the disaster. SBA extends physical disaster loans of up to \$2 million to qualified businesses or private, nonprofit organizations. Physical disaster loan proceeds may be used for the repair or replacement of real property, machinery, equipment, fixtures, inventory, and leasehold improvements. Disaster loans to repair or replace real property or leasehold improvements may be increased by as much as 20 percent of the total amount of disaster damage to real estate and/or leasehold improvements, as verified by SBA, to protect the damaged real property against possible future disasters of the same type. The authority for these SBA loans is Section 7(b)(2) of the Small Business Act of 1953, as amended, and SBA's implementing regulations may be found in 13 CFR 123.1 et seq.

Department of Agriculture (USDA)

Section 502 Direct Loan and Loan Guarantee Programs

Title V of the Housing Act of 1949, as amended, authorizes direct loans to qualified applicants; these loans can be used to acquire, build, rehabilitate, improve, or relocate dwellings in rural areas. Borrowers can obtain direct loans from USDA or private lenders. In addition, disaster victims whose homes have been damaged by a disaster may be eligible for a new Section 502 loan to pay for necessary repairs. USDA's implementing regulations may be found in 42 U.S.C. 1490q.

Section 504 Home Repair Loan and Grant Program

The Section 504 Home Repair Loan and Grant program targets individuals and households with even lower incomes than those assisted by Section 502 funding. Section 504 loans can be used to repair, improve, and/or modernize a home. The Section 504 Home Repair Loan and Grant program is available exclusively to very low-income rural seniors aged 62 or older. USDA's implementing regulations may be found in Section 541 of the Housing Act of 1949, as amended, 42 U.S.C. 1490q.

Section 514 Farm Labor Housing Loans and Section 516 Farm Labor Housing Grants

Both of these multi-family housing programs provide assistance to develop housing for farm workers. Under Section 514, 42 U.S.C. 1484, USDA is authorized to make direct loans to be used for the construction of housing. Section 516, 42 U.S.C. 1486, authorizes grants of up to 90 percent of the cost for non-profit organizations and public bodies to construct housing.

Section 515 Rural Rental Housing Loan Program

Section 515 of the Housing Act of 1949, as amended, 42 U.S.C. 1485, authorizes USDA to provide rural rental housing loans to enable developers to provide multi-family housing for the elderly, individuals with disabilities, and families who cannot afford to buy their own homes. The implementing regulations may be found in 24 CFR 884.

Section 521 Rural Rental Assistance Program

Section 521 of the Housing Act of 1949, as amended, 42 U.S.C. 1490a, authorizes USDA to make rental assistance payments to owners of rental housing to enable eligible tenants to pay no more than 30 percent of their income in rent. For individuals receiving Section 521 rental assistance and living in units made uninhabitable by a disaster, USDA permits the transfer of rental assistance to other eligible Section 514 or 515 housing units.

Section 538 Guaranteed Rural Rental Housing Loan Program

Section 538 of the Housing Act of 1949, as amended, 42 U.S.C. 1490p-2, authorizes borrowers to obtain loans from private lenders to finance multi-family housing in rural areas, and USDA guarantees to pay the lender for losses in the event of borrower default.

Department of Veterans Affairs (VA)

VA Home Loans

Pursuant to 38 U.S.C. 3701, et seq., the Veterans Administration is authorized to assist veterans, certain service personnel, and certain unmarried surviving spouses of veterans to obtain credit for the purchase, construction, or improvement of homes on more favorable financial terms than are generally available to non-veterans. The Veterans Administration is authorized to make special incentives available in the aftermath of Presidentially declared disasters.

Specially Adapted Housing (SAH) Grant Program

This program authorizes grants for constructing or modifying adapted homes for veterans with 100 percent permanent and total service-related disabilities. The program is authorized in Chapter 21 of Title 38 U.S.C., and its implementing regulations may be found in 38 CFR Part 36.

Department of Health and Human Services (HHS)

Community Services Block Grant (CSBG) Program

Although HHS does not have a direct role in the provision of housing resources, it has authorities that can be useful in facilitating the disaster recovery process, primarily through the provision of wrap-around services and grants to areas affected by disasters. CSBG funding is provided through block grants to the states, the District of Columbia, six territories, and 66 Native American tribes, which then distribute CSBG funds to Community Action Agencies (CAAs) and other organizations serving low-income populations. Typically, CSBG-coordinated housing programs incorporate a number of approaches to improve the shelter and living environments of the program participants. The CSBG program is authorized by the Community Opportunities, Accountability, and Training and Educational Services Act of 1998, 42 U.S.C. 9801 et seq. The HHS implementing regulations may be found in 45 CFR Part 96.90.

Social Services Block Grant (SSBG) Program

SSBG funds are distributed to the states, the District of Columbia, five territories, and insular areas for the provision of social services that are directed toward achieving economic self-sufficiency, preventing abuse, preventing or reducing inappropriate institutionalization, and securing referrals for institutional care. Each state has the flexibility to determine which social services will be provided in connection with the distribution of funds. This program is authorized by Title XX of the Social Security Act, 42 U.S.C. 1397 et seq., and its implementing regulations may be found in 45 CFR 96.70.

Department of the Interior/Bureau of Indian Affairs (BIA)

Indian Community Development Block Grant (ICDBG) Program

BIA does not maintain a disaster housing program, but Tribal requests for housing are referred to and coordinated by HUD. One HUD funding source that can particularly benefit Native Americans and Tribal areas is assistance from ICDBG Imminent Threat (IT) grants. The grants can be used to develop viable American Indian and Alaska Native communities, including decent housing and economic opportunities—primarily for low- and moderate-income people. Program funding can be used for housing rehabilitation, land acquisition to support new housing construction, and—under limited circumstances—new housing construction. The program is authorized by the Housing and Community Development Act of 1974, as amended, 42 U.S.C. 5301 et seq., and the implementing regulations may be found in 24 CFR 1003.

BIA Housing Assistance

This assistance is primarily devoted to providing decent, safe, and sanitary housing through renovations, repairs, or additions to existing houses. The assistance is restricted for use within reservations and approved Tribal service areas, and it is authorized by the Native American Housing Assistance and Self-Determination Act of 1996.

Department of Defense/U.S. Army Corps of Engineers (USACE)

The USACE often works with FEMA in responding to disasters. In the aftermath of many disasters, the USACE provides sheltering and interim housing support. With regard to sheltering, the USACE focuses on planning mass care shelter sites and the construction of temporary shelter facilities. With respect to interim housing, the USACE may be mission-assigned by FEMA to support FEMA's Direct Housing Operations activities.

Operation Blue Roof

This program, which is managed by the USACE, is funded by FEMA and may be available to all counties in which disasters have been declared. To assist with temporary roof repairs, USACE contractors install plastic sheeting as a temporary solution, allowing disaster victims to remain in their homes until they can make permanent repairs. The program is for primary residences or permanently occupied rental properties.

General Services Administration (GSA)

Federal Supply Schedules

GSA provides essential products and services that are useful in the provision of housing assistance to disaster victims. Federal Supply Schedules (contracts through which Federal customers can acquire products and services directly from commercial suppliers) enable state and local governments to purchase products and services that facilitate recovery from disasters and help disaster victims return to their homes. GSA's relevant authorities may be found in 40 U.S.C. 501–611 and 1301–1315.

Blanket Purchase Agreement

In addition, GSA has established a Blanket Purchase Agreement (BPA) with Corporate Lodging Consultants, Inc. (CLC) to assist Federal agencies in connection with identifying and contracting with emergency lodging accommodations. Available services include identification of property location and availability, reservation support, on-site lodging coordination, and rate negotiation, among other services. GSA's participation in this agreement is authorized by 40 U.S.C. 501–611 and 1301–1315.

Federal Surplus Personal Property Donation Program

GSA also has the authority to transfer surplus property to state and local governments. Entities that meet specified criteria may obtain surplus property (with the exception of land or other real property), which may be useful when responding to disasters. GSA may have the flexibility to provide surplus assets without screening for other Federal donation requests, allowing the expeditious distribution of goods in disaster areas. This program is authorized by 40 U.S.C. 549, and the regulations that GSA uses to implement these activities may be found in 41 CFR 102-37.

Department of the Treasury/Internal Revenue Service (IRS)

There are provisions set forth in the Internal Revenue Code that may enable disaster victims to recover financially from the effects of disasters. The IRS may grant additional time to file returns and pay taxes. In addition, in the aftermath of disasters, the IRS can permit the claim of additional exemptions for homeowners or renters who provide housing to disaster victims. Finally, Federal income tax laws allow for a number of credits that are designed to provide long-term financial incentives to increase the supply of low-income housing.

Federal National Mortgage Association (Fannie Mae) and Federal Home Loan Mortgage Corporation (Freddie Mac)

Fannie Mae and Freddie Mac can offer assistance in the aftermath of disasters by offering mortgage payment relief to affected homeowners. Freddie Mac may engage in additional forms of housing assistance, including freezing foreclosure actions in disaster areas. Freddie Mac may also donate single-family homes and apartment buildings through its real estate-owned properties.

Federal Home Loan Bank of San Francisco (FHLBSF)

The Federal Home Loan Bank of San Francisco helps meet the borrowing needs of communities by providing wholesale credit products and services to member financial institutions. The bank is privately owned by its members, which may include Federally insured depositories—commercial banks, credit unions, industrial loan companies, and savings institutions—as well as insurance companies and community development financial institutions such as privately insured, state-chartered credit unions.

The FHLBSF makes credit available so local financial institutions can make home mortgage, commercial real estate, small business, and other loans. The FHLBSF also supports affordable housing and economic development through partnerships with local communities. As part of this effort, it contributes 10 percent of its income to the Affordable Housing Program, which provides grants to create affordable housing for low-income households.

Corporation for National and Community Service (CNCS)

CNCS is an independent agency of the United States government. It delivers several programs that are designed to help communities address poverty, the environment, education, and other unmet needs. Its programs are authorized by the National and Community Service Act of 1990, 42 U.S.C. 12651 et seq.

CNCS programs include AmeriCorps, which is split into three main divisions, including AmeriCorps State and National, Volunteers in Service to America (VISTA), and National Civilian Community Corps (NCCC). AmeriCorps National provides grants to national public and service programs. AmeriCorps State works with governor-appointed State Service Commissions to provide grants to public and nonprofit organizations, which sponsor service programs around the country. AmeriCorps NCCC is a full-time residential program for men and women, ages 18–24. AmeriCorps VISTA provides members who create and expand programs to bring low-income individuals out of poverty.

Administration on Aging

Disaster Relief Reimbursements

The Administration on Aging, an agency within HHS, is authorized to provide disaster relief funds to assist State Agencies on Aging and Tribal Organizations in providing a variety of support services for the elderly and their caregivers following disasters. The program is authorized by the Older Americans Act of 1965, 42 U.S.C. 3001 et seq., and the implementing regulations may be found in 45 CFR 1321 et seq.

American Red Cross

Disaster Service Program

The American Red Cross provides housing assistance in three main functions: mass care, short-term rental assistance, and emergency housing repair. Mass care assists sheltering

partners in identifying and managing emergency shelters for disaster victims. Rental assistance helps disaster victims address their short-term housing needs. Emergency housing repair provides funding to disaster victims for emergency home repairs.

National Voluntary Organizations Active in Disasters (NVOAD)

NVOAD is a forum through which voluntary organizations share information and resources to help people recover from the impact of disasters. Each member of NVOAD has its own area of expertise; together, they foster more effective and coordinated service to disaster victims.

National VOAD Member Contributions

Members of NVOAD provide critical services to disaster victims, including a range of skilled and unskilled volunteer labor to clean up, repair, and rebuild homes. Members may also provide funding for utilities or rental assistance.

Applicable Nondiscrimination and other Related Authorities

The Architectural Barriers Act (ABA)

The ABA requires that buildings and facilities that have been designed, constructed, or altered through the use of Federal funds, or leased by a Federal agency, comply with Federal standards for physical accessibility. These requirements are limited to architectural standards in new and altered buildings and in newly leased facilities. When Federal funds are used to provide shelter or interim or permanent housing after a disaster, facilities must comply with ABA requirements. Guidelines for meeting ABA requirements are provided through Uniform Federal Accessibility Standards (UFAS).

Uniform Federal Accessibility Standards (UFAS)

UFAS establishes requirements for the design, construction, and alteration of buildings to ensure that individuals with disabilities will have ready access to and use of them. For example, UFAS describes requirements for elevators, entrances, and common areas. UFAS represents an agreement to minimize the differences among Federal building standard-setting agencies. The standards were jointly developed by GSA, HUD, the Department of Defense (DoD), and the United States Postal Service (USPS) in 1984. However, HUD is the only agency that continues to use UFAS for the design and construction of buildings subject to the ABA. Each of the other standard-setting agencies has incorporated the U.S. Access Board's most recent accessibility guidelines, which were published in 2004, as their ABA-compliant standards. UFAS also attempts to minimize differences in standards for facilities that are not Federally funded or constructed. UFAS is authorized under the Architectural Barriers Act of 1968, as amended, P.L. 90-480, 42 U.S.C. 4151-4157.

The Americans with Disabilities Act (ADA)

The ADA prohibits discrimination on the basis of a disability in four of its titles: Employment, State and Local Government Activities/Public Transportation, Public Accommodations, and Telecommunications Relay Services. The ADA defines a person with a disability as an individual who has a physical or mental impairment that substantially limits one or more major life activities, has a history or record of such impairment, or is regarded as having such impairment. All programs that receive Federal funds must be ADA-compliant, and Congress must comply with the ADA. Many of the facilities covered by the ABA are also required to comply with the ADA Accessibility Guidelines (ADAAG), which provide a greater level of accessibility than UFAS affords.

Section 504 of the Rehabilitation Act of 1973

Section 504 prohibits discrimination on the basis of disability in any program or activity that receives Federal financial assistance, including federally subsidized housing programs. Housing providers covered by Section 504 must bear the costs of making all properties accessible to and usable by people with disabilities.

The Fair Housing Amendments Act of 1988 (FHAA)

The FHAA extends protection against housing discrimination to people with disabilities. It requires housing providers to permit, at the expense of the individual with a disability, reasonable modifications of existing premises to be made upon request. It also requires housing providers to make reasonable accommodations (adjustments to rules, policies, practices, or procedures) upon request by individuals with disabilities. FHAA covers almost all housing activities or transactions in the public or private sector, including the discriminatory application of zoning, land use, and health and safety regulations.

The Developmental Disabilities Assistance and Bill of Rights Act of 2000

The Developmental Disabilities (DD) Act requires the Administration on Developmental Disabilities (ADD) to ensure that people with developmental disabilities and their families receive the services and support they need and allows them to also participate in the planning and design of those services. The DD Act established eight areas of emphasis for ADD programs, one of which is housing.

Executive Order 13347

This executive order was issued in 2004 to “strengthen emergency preparedness with respect to individuals with disabilities.” It became a policy of the Federal government to ensure that the support needed by individuals with disabilities is integrated into the development and implementation of emergency preparedness plans by Federal, state, Tribal, and local governments and private organizations.

Civil Rights Act of 1964, Title VI

This title prohibits discrimination on the basis of race, color, and national origin by recipients of Federal financial assistance.

Age Discrimination Act of 1975

This act prohibits discrimination on the basis of age in programs and activities receiving Federal financial assistance.

Pets Evacuation and Transportation Standards Act of 2006

This act amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that state and local emergency preparedness operational plans address and accommodate the disaster-related needs of individuals with household pets and service animals.

State

The State of California expands and builds upon the regulations managed at the Federal level. As such, these authorities and regulations begin to reflect the unique characteristics and environment that the State must address when constructing buildings or responding to disasters.

Disaster Authorities

California Emergency Services Act

California Government Code Section 8550 et seq. and Section 8654 authorize the Governor (after the Governor has declared a State emergency and the President has declared a major disaster) to work with the United States government to provide temporary housing and to accept financial assistance from the Federal government that can be used to meet disaster-related needs of disaster victims.

California Disaster Assistance Act

California Government Code, Section 8680 et seq., authorizes financial assistance for recovery efforts after a State disaster has been declared. The implementing regulations can be found in 19 California Code of Regulations 2910 et seq.

California Health and Safety Code, Sections 33330–33354.6

These sections mandate that each redevelopment agency in the State prepare a redevelopment plan for post-disaster recovery. However, while redevelopment agencies no longer exist, local jurisdictions could still use existing redevelopment plans to enhance their own plans, as appropriate.

California Government Code, Section 8877.1–8877.6

The Disaster Recovery Reconstruction Act of 1986 authorizes each city, county, or other local subdivision of the State to prepare plans and ordinances that will be useful in responding to earthquakes.

California Penal Code, Section 396

Under this statute, it is unlawful for anyone to increase the cost of commodities by more than 10 percent above the price charged before the disaster for the 30-day period following a disaster.

Article 34, California Constitution

Article 34 of the California Constitution mandates that no low-rent housing project shall be financed, developed, or constructed by any public body in the State until a majority of the qualified electors in the city, town, or county first approve of the project or financing. Most jurisdictions have regular ballot measures authorizing the number of housing units that can be built; these measures typically provide for several years of authority. If there is no current authority in a jurisdiction, that may need to be addressed if HUD funds will be used to repair or rebuild damaged multi-family housing.

California Government Code, Section 8607(a)

This section requires the development of a Standardized Emergency Management System (SEMS) for use by all emergency response agencies in California. The regulations relating to SEMS can be found in 19 California Code of Regulations 2401, et seq.

California Housing Authorities

California Civil Code

California Civil Code, Section 1689.14

This section authorizes disaster victims who have entered into contracts to repair disaster-related damages to their homes to void the contract within seven days of executing it. The purpose of this section is to reduce the risk of fraudulent contracting.

California Government Code

California Government Code, Section 8684.2

This section authorizes the State to guarantee interim low-interest loans by lending institutions in an effort to enable small businesses that are adversely affected by disasters to restart their business operations in the aftermath of disasters.

California Government Code, Section 8878.15, et seq.

The California Earthquake Safety and Housing Rehabilitation Bond Act of 1988 authorizes the issuance of bonds, with funds to be deposited into the Housing Rehabilitation Loan Fund. The Fund may be used by the Department of Housing and Community Development to make deferred-payment loans for upgrading unreinforced masonry on multi-family residential buildings and to increase the buildings' ability to withstand earthquakes.

California Health and Safety Code

California Health and Safety Code, Section 34000

The Community Redevelopment Disaster Project Law authorizes the creation of redevelopment agencies that can become involved in the preparation of redevelopment plans after disasters. However, since redevelopment agencies, as previously constituted, are no longer in existence as of 2012, this section of the law may no longer be useful.

California Health and Safety Code, Sections 50517.5–50518

The Joe Serna, Jr. Farmworker Housing Grant Program authorizes grants or loans to local public entities and nonprofit corporations for the construction or rehabilitation of housing for agricultural employees and their families or for the acquisition of manufactured housing.

California Health and Safety Code, Section 50517.7

This section authorizes grants to local public entities, nonprofit corporations, and certain housing owners to be used for housing rehabilitation or acquisition.

California Health and Safety Code, Section 50660

This section authorizes deferred payment rehabilitation loans to facilitate the rehabilitation of existing housing. The implementing regulations can be found in 25 California Code of Regulations 8040 et seq.

California Health and Safety Code, Section 50660.5

This section authorizes local governments to enact ordinances to expedite the permitting process for rebuilding after disasters.

California Health and Safety Code, Section 50661.5

This section authorizes the creation in the State Treasury of the California Disaster Housing Repair Fund for the deposit of funds appropriated by the California legislature. Money in the fund can be used to fund housing repair loans.

California Health and Safety Code, Section 50662.7

This section authorizes the provision of financial assistance to disaster victims to repair owner-occupied dwellings and rental dwellings containing up to four units. The implementing regulations may be found in 25 California Code of Regulations 8040 et seq.

California Health and Safety Code, Section 50671.5

This section authorizes financial assistance to disaster victims to repair or refinance rental housing developments that are damaged or destroyed by natural disasters. The implementing regulations may be found in 25 California Code of Regulations 8040 et seq.

California Health and Safety Code, Section 50671.6

This section authorizes financial assistance to preserve or expand the supply of rental housing for low- and very low-income tenants.

California Health and Safety Code, Sections 53540–53558

The Housing and Emergency Shelter Trust Fund Act of 2002 authorizes financial assistance to be used to construct and rehabilitate affordable rental housing and emergency shelters and transitional housing for homeless families and individuals.

California Health and Safety Code, Sections 55000–55009

Division 32 of the California Health and Safety Code authorizes the development of local loan programs to encourage owners of structurally inadequate buildings to rehabilitate their buildings using long-term, low-interest loans.

California Insurance Code

California Insurance Code, Sections 1063.50–1063.68

Under this authority, the California Insurance Guarantee Association is authorized to pay and discharge certain claims of insolvent insurers through the collection of premiums from its members.

Nondiscrimination Statute

Unruh Civil Rights Act, as amended (California Civil Code Section 51)

The Unruh Civil Rights Act, as amended, is a State law that prohibits discrimination based on sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, or sexual orientation.

Regulations

California State Emergency Plan

In accordance with the California Emergency Services Act, this plan describes the methods for carrying out emergency operations, the implementation of mutual aid agreements, and the process to ensure continuity of government operations during disasters.

California Disaster and Civil Defense Master Mutual Aid Agreement

This is the title of the emergency management assistance compact between the State and local governments within California.

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CONCLUSION

Each response and recovery effort requires active participation and engagement by the affected population, government agencies, private sector, and non-profit organizations. This cooperative approach, which starts at the local level, will be pivotal to the success of the disaster-housing mission.

By engaging stakeholders in the response and recovery dialogue before disaster strikes and discussing known issues that relate to disaster housing based on precedents from past disasters and everyday operations (including regulatory requirements such as building permitting and inspections), jurisdictions can proactively identify solutions and mitigation tasks that will serve their community's residential recovery and reconstruction efforts.

LEGISLATIVE AND REGULATORY RESOURCES AND BARRIERS REPORT
REGIONAL DISASTER HOUSING PLANNING PROJECT

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