



**LEGAL SERVICES ALABAMA**  
**DISASTER MANUAL**

Check [www.AlabamaLegalHelp.org](http://www.AlabamaLegalHelp.org) for the most recent version of this material

This manual was prepared in response to the April 2011 disaster which struck Alabama. The information contained in the manual is subject to review and is compiled from sources in the public domain. LSA acknowledges the contribution of the Legal Aid Society of Middle Tennessee and the Cumberlands for assistance on the Tax Section of the Manual. Any suggestions for revisions should be sent to [eharris@alsp.org](mailto:eharris@alsp.org).

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## Section 1

### ALABAMA DISASTER AREA

On April 27 the National Weather Service estimates that 52 tornadoes devastated Alabama resulting in damage to many counties, and forever changing the lives of so many who call Alabama home. (Alabama Emergency Agency at [www.ema.alabama.gov](http://www.ema.alabama.gov)).

#### **1. What Alabama counties have been designated for disaster assistance as a result of the April 27, 2011 disaster?**

As of May 7, 2011, the following counties were designated for disaster assistance:

Autauga	Lamar
Bibb	Lauderdale
Blount	Lawrence
Calhoun	Limestone
Chambers	Madison
Cherokee	Marengo
Chilton	Marion
Choctaw	Marshall
Clark	Monroe
Colbert	Morgan
Coosa	Perry
Cullman	Pickens
DeKalb	Shelby
Elmore	Sumter
Etowah	St. Clair
Fayette	Talladega
Franklin	Tallapoosa
Greene	Tuscaloosa
Hale	Washington
Jackson	Walker
Jefferson	Winston

#### **2. How do I apply for Disaster Assistance?**

Affected survivors and business owners in all designated counties should apply for assistance by calling FEMA's toll-free registration number, **800-621-FEMA (3362)**.

The hearing or speech impaired can use the TTY line at **800-462-7585**. The registration lines are available from 7 a.m. to 10 p.m., local time. An application may also be completed online by going to [www.disasterassistance.gov](http://www.disasterassistance.gov).

### **3. What is a Disaster Recovery Center and what services do they provide?**

A Disaster Recovery Center (DRC) is a readily accessible facility or mobile office where applicants may go for information about FEMA or other disaster assistance programs, or for questions related to your case.

NOTE: You can register for assistance at a DRC or call 1-800-621-FEMA (3362) (hearing/speech impaired ONLY-Call TTY: 1-800-462-7585).

Some of the services that a DRC may provide are:

- Guidance regarding disaster recovery
- Clarification of any written correspondence received
- Housing Assistance and Rental Resource information
- Answers to questions, resolution to problems and referrals to agencies that may provide further assistance
- Status of applications being processed by FEMA.
- Small Business Administration (SBA) program information if there is a SBA Representative at the Disaster Recovery Center site.

## Section 2     DISASTER RELIEF (FEMA)

### 1. How can I find out what disaster assistance is available following a disaster?

You can visit the Federal Emergency Management and Administration website at [www.fema.gov](http://www.fema.gov).

### 2. What is Disaster Assistance?

- Disaster assistance is money or direct assistance to individuals, families and businesses in an area whose property has been damaged or destroyed and whose losses are not covered by insurance. This is meant to help you with critical expenses that cannot be covered in other ways. This assistance is not intended to restore your damaged property to its condition before the disaster.
- While some housing assistance funds are available through Individuals and Households Program, most disaster assistance from the Federal government is in the form of loans administered by the Small Business Administration.

### 3. What kind of benefits does FEMA provide?

- Housing Assistance gives money for homeowners to repair or replace homes. It also pays rent for people unable to use their homes. Where people can't rent a place to live, it gives them a mobile home to use.
- Financial Assistance to Address Other Needs ("Other Needs") can pay for many other needs. These include medical, dental, transportation, moving and storage costs.

### 4. What kind of "Housing Assistance" does FEMA provide?

- **Temporary Housing** (a place to live for a limited period of time): Money is available to rent a different place to live, or a government provided housing unit when rental properties are not available.
- **Repair**: Money is available to homeowners to repair damage from the disaster to their primary residence that is not covered by insurance. The goal is to make the damaged home safe, sanitary, and functional.
- **Replacement**: Money is available to homeowners to replace their home destroyed in the disaster that is not covered by insurance. The goal is to help the homeowner with the cost of replacing their destroyed home.
- **Permanent Housing Construction**: Direct assistance or money for the construction of a home. This type of help occurs only in insular areas or remote locations specified by FEMA, where no other type of housing assistance is possible.

## **5. How do I apply?**

- You can apply online at [www.fema.gov](http://www.fema.gov). Click “apply for assistance” and "register." Due to high call volume, FEMA urges victims to register online.
- You can call FEMA at 1-800-621-3362. The phones should be open 24 hours a day, 7 days a week.
- You can go to a FEMA Disaster Recovery Center and get help filing by phone or online.
- If you are hearing-impaired, you can call 1-800-462-7585.
- If you have commercial property, FEMA asks you to wait a few days to call.
- If you are a homeowner with minor losses, FEMA asks you to wait a few days to call.
- Be ready to give your Social Security number, describe your losses, give financial information and give directions to the damaged property.

## **6. Am I eligible for Housing Assistance?**

- You must be a U.S. citizen or a "qualified alien."
- You must show that the disaster destroyed your home or made it unlivable, or that you cannot get to your home because of the disaster.
- You must own no other house in which you could live.
- If you have insurance, you must show that you have unsuccessfully tried to get insurance benefits, or that you don't have enough insurance to cover your damages.
- You must also agree to repay FEMA to the extent that you later get insurance benefits.

## **7. What Specific Items are Covered by "Housing Needs" Assistance?**

"Housing Needs" assistance is assistance from FEMA that may be used to repair any of the following:

- Structural parts of your home (foundation, outside walls, roof).
- Windows, doors, floors, walls, ceilings, cabinetry.
- Septic or sewage system.
- Well or other water system.
- Heating, ventilating, and air conditioning system.
- Utilities (electrical, plumbing, and gas systems).
- Entrance and exit ways from your home, including privately owned access roads.
- Blocking, leveling, and anchoring of a mobile home and reconnecting or resetting its sewer, water, electrical, fuel lines, and tanks.

## 8. Do I Qualify for "Housing Needs" Assistance from FEMA?

To receive money or help for "Housing Needs" that are the result of a disaster, all of the following must be true:

- You have losses in an area that has been declared a disaster by the president.
- You have filed for insurance benefits and the damage to your property is not covered by your insurance or your insurance settlement is insufficient to meet your losses.
- You or someone who lives with you is a citizen of the United States, a non-citizen national, or a qualified alien.
- The home in the disaster area is where you usually live and where you were living at the time of the disaster.
- You are not able to live in your home now, you cannot get to your home due to the disaster, or your home requires repairs because of damage from the disaster.

### **You may not be eligible for "Housing Needs" assistance if:**

- You have other, adequate rent-free housing that you can use (for example, rental property that is not occupied).
- Your home that was damaged is your secondary or vacation residence.
- Your expenses resulted only from leaving your home as a precaution and you were able to return to your home immediately after the incident.
- You have refused assistance from your insurance provider(s).
- Your only losses are business losses (including farm business other than the farmhouse and self-employment) or items not covered by this program.
- The damaged home where you live is located in a designated flood hazard area and your community is not participating in the National Flood Insurance Program. In this case, the flood damage to your home would not be covered, but you may qualify for rental assistance or items not covered by flood insurance, such as water wells, septic systems, medical, dental, or funeral expenses.

## 9. What Information do I Need to Apply?

Whether applying online OR over the phone, you should have a pen and paper and the following information ready:

- Your Social Security number.
- Current and pre-disaster address.
- A telephone number where you can be contacted.
- Insurance information.
- Total household annual income
- A routing and account number from your bank (only necessary if you want to have disaster assistance funds transferred directly into your bank account)
- A description of your losses that were caused by the disaster.

After you've completed your application for assistance, you will receive a FEMA application number. **Write down this number and keep it for future reference.**

## **10. What Can I Spend the Money On?**

Money received from FEMA for "Housing Needs" and "Other than Housing Needs" must be used for eligible expenses only.

- If you do not use the money as explained by FEMA, you may not be eligible for any additional help and may have to give the money back.
- Is usually limited to up to 18 months from the date the President declares the disaster.
- Does not have to be repaid.
- Is tax-free.
- Is not counted as income or a resource in determining eligibility for welfare, income assistance, or income-tested benefit programs funded by the Federal government.
- Is exempt from garnishment, seizure, encumbrance, levy, execution, pledge, attachment, release, or waiver.
- May not be reassigned or transferred to another person.
- You must keep receipts or bills for 3 years to demonstrate how all of the money was used in meeting your disaster-related need.

Before you begin any repairs, check with your local building department to find out what local permits or inspections are required.

## **11. How much help can I get?**

- For home repairs to let you live in your house safely, you can get up to \$30,200.
- You can get a Small Business Administration (SBA) disaster loan for more repairs.

## **12. If I get a mobile home from FEMA, can they take it away?**

- Yes. After 18 months, you lose the mobile home unless FEMA extends the time period.
- If other adequate housing becomes available, FEMA can make you leave the mobile home.
- If FEMA finds you lied or committed fraud, it can take away your mobile home.
- You can also lose the mobile home if you don't show FEMA that you are working on a plan for permanent housing.

## **13. Do I have a right to fight the loss of the mobile home?**

- FEMA has to give you 15 days notice.
- The notice has to give its reason for wanting you out.
- The notice has to explain the appeal process.

**14. What if I had left my husband, but he filed for Housing Assistance including me?**

- FEMA lets one person tell what people lived in the home before the disaster.
- It usually gives one temporary housing residence for all those people.
- You should tell FEMA that your husband lied, and that you and your children are a separate household. Then, you should get your own temporary housing.
- If FEMA does not do this, you can point out that a single household can get a second temporary housing residence if the nature of the household requires it. Protection from domestic violence should require it.

**15. Will I be reimbursed for a generator that I purchased following the disaster?**

- FEMA reviews requests for reimbursement of the cost of a generator on a case-by-case basis and determines if a generator was purchased to overcome a disaster-related hardship, injury, or adverse condition. You should register and submit your receipts to see if the cost is covered.

**16. Am I eligible for Financial Assistance to Address Other Needs?**

- You must have disaster-related necessary expenses or serious needs.
- You cannot have adequate assistance from other sources, such as insurance and disaster loans.
- You have to apply for a Small Business Administration (SBA) disaster loan. You can get help for Other Needs if SBA denies you, or if it doesn't lend you enough money.
- When you apply for an SBA loan, be careful not to overstate your ability to pay. You do not want to end up burdened by a loan you can't afford. You usually get more help from FEMA if you can't get a loan.

**17. What kind of help can I get under the Other than Housing Needs program?**

- Other than Housing Needs can cover the following kinds of serious needs for essential items or services:
  - Medical and dental expenses relating to the disaster;
  - Clothing, household items, furnishings;
  - Appliances, tools and equipment required as a condition of employment;
  - Computers, school books, uniforms and other educational materials;
  - Replacement or repair of your car;
  - Public transportation;
  - Moving and storage;
  - Cleaning or sanitizing personal property;
  - Funeral expenses.

**18. Will Other than Housing Needs benefits affect my eligibility for Medicaid, Food Stamps or other public benefits?**

- No. Other Needs benefits do not count either as income or resources for any income-tested programs supported by the federal government.

**19. If I owe a creditor money, can the creditor take my Other than Housing Needs benefits?**

- No. Other Needs benefits are totally exempt under federal law from garnishment.

**20. Do I have to be a U.S. citizen to get Other than Housing Needs benefits?**

- No. Most legal residents, refugees, asylees, parolees and Cuban or Haitian entrants can get Other Needs money.

**21. How much can I get for Other than Housing Needs?**

- It depends on how much you got in Housing Assistance.
- The total of all the help your household can get from FEMA cannot be more than \$30,200. This includes Housing Assistance and Other Needs.

**22. Am I eligible for Small Business Administration (SBA) loans?**

- To qualify for a loan from SBA, you must show that the tornado or disaster damaged your home or business.
- You must also show that you have the ability to repay the loan.

**23. What kind of help can I get from the SBA loan program?**

- SBA provides low interest loans for repairs.

**24. How can I get in touch with SBA for disaster help?**

**By Mail:**

US Small Business Administration  
409 3rd St, SW  
Washington DC 20416

**By Phone:**

- SBA Answer Desk: 800-827-5722 (TTY: 704-344-6640)
- Disaster Loans: 800-659-2955

**By Email:**

- SBA Answer Desk: [answerdesk@sba.gov](mailto:answerdesk@sba.gov)
- Disaster Loans: [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov)

You can also go to [SBA Disaster Recovery - Alabama](#) for a current fact sheet for Alabama.

**25. Can I get additional disaster relief information from FEMA?**

You can go to FEMA's website at <http://www.fema.gov/assistance/process/guide.shtm> to view and/or download "Help After a Disaster Applicant's Guide to the Individuals & Households Program"

## Section 3 PROVING YOUR IDENTITY

### 1. I lost my driver's license and other photo ID. How can I prove who I am?

- Many agencies will accept your word when you apply for disaster relief.
- Others will help you get the proof you need.
- You should also take steps to get a replacement driver's license.

### 2. How can I get a replacement driver's license or ID card in Alabama?

- You can get a replacement Driver License (DL) or Identification Card (ID) by filling in the application form for Alabama.
- You can pick up a form at any driver's license office.

The Alabama Department of Public Safety asks that you contact a Driver License Examining Office. The offices can be found at

<http://www.dps.state.al.us/Home/wfContentTableDB.aspx?ID=30&PLH1=DLOFFICES>

### 3. How much do I have to pay for my replacement license or ID?

- The fee currently is \$18.50.

### 4. Where can I get more information about proving my identity?

- **Alabama Department of Public Safety Driver License Division:**  
Toll-Free: **1-866-283-2838**  
Internet: <http://www.dps.state.al.us/public/driverlicense/>

### 5. What should I do if I lost my Social Security card?

- You need to visit a Social Security office or complete the Form SS-5 “Application For A *Social Security Card*”
- Social Security will want evidence of your identity.
- If you were born outside of the United States, you must show proof of your U.S. Citizenship or current lawful immigration status.

### 6. How can I provide “evidence of identity?”

- You can show a US driver’s license;
- U.S. State-issued non-driver identity card; or
- U.S. Passport

**If you do not have one of these documents and cannot get a replacement within 10 work days, Social Security may accept other documents that show your legal name and biographical information, such as:**

- Military ID Card,
- Certificate of Naturalization,
- Employee identity card,
- Certified copy of medical record (clinic, doctor or hospital),
- Health insurance card,
- Medicaid card, or
- School identity card/record.

**For young children, Social Security may accept medical records maintained by a medical provider. Social Security may also accept a final adoption decree, or school identity card or other school record maintained by the school.**

- **If you are not a US citizen, Social Security must see your current US immigration document(s) and your foreign passport with biographical information or photograph.**

#### **7. How can I locate a Social Security office where I live?**

- Visit the Social Security Administration web site at <https://secure.ssa.gov/apps6z/FOLO/fo001.jsp>

## Section 4     **HOUSING**

### **1. I owned a home that was damaged due to a disaster (such as a hurricane or tornado). Can I get help from FEMA to repair or replace it?**

- You must show that the disaster destroyed your home or made it unlivable, or that you cannot get to your home because of the disaster.
- You must own no other house where you could live.
- If you have insurance, you must show that you have unsuccessfully tried to get insurance benefits, or that you don't have enough insurance to cover your damages.
- You must also agree to repay FEMA to the extent that you later get insurance benefits.

### **2. How can I get this help?**

- You can apply online at [www.fema.gov](http://www.fema.gov). FEMA urges victims to register online. Many people are applying, so you may have trouble applying online.
- You can call **1-800-621-3362**. The phones are open 24 hours a day, 7 days a week. They stay busy. your best chance to get through is in the early morning or late at night.
- You can go to a FEMA Disaster Recovery Center and get help to file by phone or online.
- If you are hearing-impaired, you can call **1-800-462-7585**.
- Be ready to give your Social Security number, describe your losses, give financial information and give directions to the damaged property.

### **3. How much help can I get to repair my home?**

- For home repairs to let you live in your house safely, you can get up to \$30,200.
- You can get a Small Business Administration (SBA) disaster loan for more repairs.

### **4. What if my home can't be repaired?**

- If damages to your home were more than \$30,200, you can get up to \$30,200 toward replacing your home.
- You may also be eligible to get 100% financing through HUD mortgage insurance.
- Call FEMA at **1-800-621-3362**.

### **5. If I owe money to a creditor, can the creditor take my FEMA money?**

- No. The money is totally exempt from garnishment.
- You should make sure your bank knows the money is from FEMA.

### **6. What if FEMA denies me?**

- You have the right to appeal. Your denial notice tells you how to appeal.

## **7. What if I don't like what FEMA offers me?**

- FEMA expects you to accept the first housing assistance it offers.
- If you have a good reason to turn FEMA down, explain the reason fully.
- If you turn down FEMA's offer without a good reason, you can end up with nothing.
- You have the right to appeal.

## **8. How can I help make sure I get the help I need from FEMA?**

- Keep a hurricane/tornado notebook. Write down your FEMA application control number. List all your calls with the date you called, the phone number you called, the name of the person you spoke to and what they told you.
- Whenever you call FEMA, have your FEMA number handy.
- If you haven't heard from FEMA, call them. Do not submit a new second application. This will only cause problems later.
- Save all papers, including rent receipts, leases and all copies of letters to and from FEMA, SBA, Individual and Family Grant (IFG) and any other agency.
- If you can, take pictures of the damage. Get double prints.
- If the FEMA inspector comes to your home, try to be there. Show or explain to him or her all of your damage. Ask the inspector to write everything down, since a good inspection is very important to support your need for help.

## **9. Can I get other kinds of help from FEMA?**

- FEMA can also help you find a place to live while you repair your home.

## **10. How can I get a place to live now?**

- Your first step is to apply for disaster relief with the Federal Emergency Management Agency (FEMA).
- FEMA can give you money to pay rent. If there is no place you can rent, FEMA can let you live rent-free in a mobile home or other federal property.
- You can apply online at [www.fema.gov](http://www.fema.gov). FEMA urges you to register online. Many people are applying, which may give you trouble applying online.
- You also can call **1-800-621-3362**. The phones are open 24 hours a day, 7 days a week. They stay busy. Your best chance to get through is in the early morning or late at night.
- You can go to a FEMA Disaster Recovery Center and get help with filing by phone or online. If you are hearing-impaired, you can call **1-800-462-7585**.
- Be ready to give your Social Security number, describe your losses, give financial information and give directions to the damaged property.

## **11. How much help can FEMA give me?**

- FEMA figures your monthly rent assistance.
- You can go back to FEMA to re-certify. You may then get rent assistance for up to a total of 18 months.
- No one can garnish your rental assistance money.
- If you can't find a place to rent, FEMA can give you a mobile home.

**12. What if FEMA denies me?**

- You have the right to appeal. Your denial notice tells you how to appeal.

**13. What if I had left my husband, but he filed for Housing Assistance including me?**

- FEMA lets one person tell what people lived in the home before the disaster.
- It usually gives one temporary housing residence for all those people.
- You should tell FEMA that your husband lied, and that you and your children are a separate household. Then, you should get your own temporary housing.
- If FEMA doesn't do this, you can point out that a single household can get a second temporary housing residence if the nature of the household requires it. Protection from domestic violence should require it. Call Legal Services Alabama if you need help at 1-866-456-4995.

**14. My house was damaged, and I cannot live in it. If my home is damaged and I can no longer live in it, do I still have to pay my mortgage?**

- Yes. You must pay your mortgage even if damage keeps you from living in it.
- However, check with your lender. Many companies offer a grace period after a disaster.
- Note that your lender will probably keep adding interest.

**15. What if I cannot pay my mortgage?**

- If you are buying from Rural Housing, you may be able to get a moratorium for six months.
- You need to show the disaster made you lose a job or caused severe damage to your home. See [Current Disaster Declarations: Rural Development Disaster Assistance](#). Note that many people still call Rural Housing Service by its old name of Farmers Home.
- Rural Housing buyers may be also be able to get their loans re-done.
- If you have any kind of FHA or HUD mortgage, you automatically get a 90-day moratorium.
- If you have any kind of FHA or HUD mortgage, you may be able to get late charges waived.
- If you got a written foreclosure notice due to financial hardship tied to a disaster, you may be able to get Federal Emergency Management Agency (FEMA) payments to help you with your mortgage payments.

**16. What if I fell behind, but I now have income?**

- If you have income and you want to keep your house, filing a chapter 13 bankruptcy may help.
- In this type of bankruptcy, the homeowner makes regular mortgage payments and also pays money into court each month toward the mortgage arrears and other back expenses.
- If you think you may want to file a Chapter 13 bankruptcy, call a lawyer.

**17. What if I live in a condominium?**

- If you live in a condominium or pay any type of homeowner association for maintenance, you must pay your maintenance fees.

**18. What if the homeowner association is not fixing common areas or making good repairs?**

- You still have to pay. Otherwise, you could lose your house to foreclosure.
- You should attend the homeowner association meetings to voice your concerns.
- You should also talk with other homeowners and members of the board about your complaints.
- A group of you may want to seek legal advice.

**19. I have homeowner's insurance, but I was told it will take months for an adjuster to look at my house and longer for a check to be issued. My house needs lots of expensive repairs. I'm not even sure I can live there until it's fixed. Can I get help to fix it? Can I get help to live somewhere else until it's fixed?**

- Call your insurance company. If you have homeowner's insurance, you will most likely be eligible for money for living expenses while you cannot live in your house.
- Your company may give you an advance payment to cover a part of your loss.

**20. What if I don't have homeowner's insurance?**

- You may be able to get help under the Individual and Family Grant (IFG) program to pay for necessary repairs to essential parts of your home.
- IFG may also be able to pay for flood damage, which is not covered by regular homeowner's insurance.
- You may apply for IFG by calling 1-800-621-3362.

**21. The apartment I live in is in really bad shape from the disaster (e.g., tornado, hurricane) but the landlord told me that if I want to stay I must pay full rent. What should I do?**

- Ask your landlord to reduce your rent until the apartment is livable or in better condition.
- You can also ask your landlord to let you move to another unit.

**22. What if my landlord won't negotiate?**

- You cannot force your landlord to reduce the rent.
- If your apartment is so badly damaged you cannot live there, you can break your lease. Send your landlord a letter within 2 weeks of the destruction.
- Legal Services Alabama can give you information about breaking your lease. You can go to its website [www.alsp.org](http://www.alsp.org). Or you can call our toll-free number: 1-866-456-4995.

**23. My apartment is so bad I cannot live in it. I am going to move. I want my security deposit returned. What are my rights?**

- If you live in a Rural Housing assisted apartment, you have the right to apply to move into another assisted apartment. You will get priority.
- If you have a written lease, read your lease to see what it says.
- If your landlord does not give you back your security deposit, you can sue for twice the amount of the security deposit.
- Realize that if you sue your landlord, your landlord may counterclaim for rent.

**24. All my stuff was destroyed when the roof fell in on the place I rent. What help can I get?**

- If you had renter's insurance when the disaster hit, call your insurance company.
- If your situation is desperate, let your insurance company know.
- Your company may give you an advance payment to cover a part of your loss.
- Read the information in the insurance section of this handout about how to prepare for the adjuster's visit and how to handle your insurance claim.

**25. What if I do not have any insurance on my property?**

- If you did not have renter's insurance, see if your landlord's insurance covered your belongings. It usually will **not**.
- If your losses are not covered by any insurance policy, you may be able to get IFG money for replacement of necessary items of personal property.
- You may apply for these benefits through FEMA at 1-800-621-3362.

**26. My landlord told me to move out the next day because he wants the apartment for his daughter who lost her house due to a disaster. He told me if I wasn't out, he'd change the locks. Do I have to move?**

- Alabama law does not let a landlord just lock you out.
- A landlord cannot turn off utilities or use any other "self help" means to get you to leave.
- Instead, the landlord must file an eviction action in court.
- Your landlord must first give you a written notice to move.
- Find out more about evictions at the Legal Services website, [www.alsp.org](http://www.alsp.org).
- If you get any eviction court papers, you can call Legal Services Alabama.
- If your landlord locks you out, you can call a lawyer about suing your landlord for your damages.

**27. Where can I get more information?**

- You can go to HUD's website at <http://www.hud.gov>

## **Section 5      INSURANCE**

### **1. How can I make sure I get my insurance company to pay?**

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

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

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

### **3. What if I live in a condominium?**

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

### **4. How do I get an insurance adjuster out to my home to assess the damage?**

- Ask the insurance company to send an adjuster to look at your property.
- To protect your rights, you should do this in writing.
- If necessary, you can call the insurance department for the state where your property is.
- The number for the Alabama Department of Insurance is 334-269-3550.

### **5. What can I do to prepare for the insurance adjuster?**

- Try to make a list of all property damaged or destroyed. Make your list as complete as you can. For each item, include a description, the date of purchase or approximate age, the cost at time of purchase and what you estimate it will cost to replace the item. Make a copy of the list so you can give your agent one and keep one.
- Take pictures of the damaged areas.
- Write down the names, addresses and telephone numbers of witnesses. It is extra important to get information about anyone who saw damage caused by wind, rather than by flooding or storm surge.
- Obtain repair estimates.
- Try to locate original bills, canceled checks and receipts for lost items. Submit copies of these with your claim.
- Keep a record of your expenses. This includes what you pay for other housing.

## **6. What if I cannot wait for the insurance adjuster?**

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

## **7. What if the insurance company offers to pay me some money now?**

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

## **8. How much should my insurance company pay me?**

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

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

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

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

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

## Section 6     **AVOIDING RIPOFFS**

### **1. What if someone says he is from the Department of Insurance or my insurance company and offers to speed up my claim if I pay him some money?**

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

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

- Call the Alabama Department of Insurance about this kind of person, too.
- Consult a lawyer before signing any contract.

### **3. How can I keep from paying too much for repairs?**

- The Attorney General recognizes that home repair fraud is a serious problem in Alabama and is a particular threat during times of natural disaster. He has made most of the following suggestions:
  - Find out as much as you can about the workers.
  - It is especially important to find out about people who come without you calling.
  - It is also important to check out people who come from out-of-town after a natural disaster.
  - Ask if the worker is bonded or insured. Ask to see proof.
  - Ask if the worker is licensed.
  - Regulations vary, but plumbers and electricians must be licensed by the state.
  - Contractors may need local licenses if they do major work.
  - To do home repairs costing over \$10,000, contractors must be licensed by the Home Builders Licensing Board will need a home builder's license. You can go to the Home Builders Licensing Board website, <http://www.hblb.state.al.us/>, to see if a contractor is licensed.
  - Contractors who do small odd jobs may not have to be licensed.
  - Ask if your job requires a permit.
  - Most construction and major home repairs need a permit from the county or city.
  - Do not let someone talk you into applying for the permit in your name. If they do not want to be known to local officials, they may be hiding from a bad reputation.
  - Get a written estimate, detailing the work to be done and setting a completion date.
  - Ask for references. Get names and addresses. Call the references. Consider going to see some of the work the contractor has done.
  - Avoid paying too much money up-front.
  - You should pay only a minimal amount, perhaps as much as one-fourth, to indicate good faith and ability to pay. If they tell you more money is needed in advance, be wary. They should have sound financial standing to pay for supplies or have good credit to make necessary purchases until you compensate them afterward.
  - Make sure you can contact the contractor. Be wary if they can only give you a beeper number or a post office box address. Businesses with established addresses are usually safer.
  - A state law signed September 13, 2004, prohibits "unconscionable pricing" of items for sale or rent whenever the Governor has declared an official state of emergency.

- Businesses are prohibited from increasing the price of items for sale or rent by 25% or more above the average price charged in the same area within the last 30 days.
- Ask questions to find out if the price is in line with pre-disaster prices.

#### 4. How can I find a good contractor?

- First, beware of builders or contractors who go door-to-door selling their services.
- Be extra careful of someone not known in your community. Sometimes, someone will offer you a low price, saying he just did some work near you and has materials left over. Get the names of the people who hired him. Call the people who hired the builder or contractor and ask them if they were happy with the work done.
- Deal only with licensed and insured contractors. Look into the work of any roofer, builder or contractor you are thinking of hiring. Get a list of recent pleased customers. Call them.
- Ask friends, relatives, neighbors, co-workers, insurance agents or claims adjusters for recommendations. Also, call your Better Business Bureau to see if the contractor has any complaints filed against him.

#### 5. What should I know before I sign a contract?

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

#### 6. What is the best way to pay the contractor?

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

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

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

#### 8. What if I need a loan to pay the contractor?

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

## 9. What if I think a contractor has cheated me?

- Call the consumer division of your state Attorney General's office. The Alabama Attorney General's consumer hotline is **1-800-392-5658**.
- If you suspect fraud, waste, or abuse involving Federal Emergency Management Agency (FEMA) disaster assistance programs, you can make a confidential report to FEMA's Inspector General's Office. Call **1-800-323-8603**.
- You also can file a complaint with the Federal Trade Commission (FTC). Although the FTC cannot resolve individual problems for consumers, it can act against a company if it sees a pattern of possible law violations. Here are possible ways to contact the FTC:
  1. FTC Consumer Response Center toll-free line: **1-877-FTC-HELP (1-877-382-4357)**
  2. Internet (online complaint form) at [www.ftc.gov](http://www.ftc.gov).
  3. Mailing address:

Consumer Response Center, Federal Trade Commission  
600 Pennsylvania Ave. NW  
Washington, DC 20580
  4. The FTC publishes free brochures on many consumer issues. For a complete list of publications, write for "Best Sellers" to:

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

## 10. Where can I get more information?

- You can go to the website for the Alabama Department of Insurance at [www.aldoi.gov](http://www.aldoi.gov).
- Information is available for those impacted by the recent tornadoes at <http://www.aldoi.gov/PDF/Legal/2011-01-ExtensionofGracePeriod.pdf>
- You can go to the website for FEMA at [www.fema.gov](http://www.fema.gov).
- The Alabama Home Builders Licensure Board has information for disaster victims on their website at [www.hblb.alabama.gov](http://www.hblb.alabama.gov)

## 11. Where can I report problems?

- You can report any problems of alleged fraud or illegal price gouging by calling 1-800-392-5658 or through the Attorney General's main web page at [www.ago.state.al.us](http://www.ago.state.al.us).

## Section 7     **BANKRUPTCY**

### **1. I lost everything because of a disaster. Will it help me to file bankruptcy?**

- Bankruptcy can help when you have property to protect and a lot of debt that is past-due.
- Before filing bankruptcy, look hard at other ways to solve your problems. Call your creditors to see if they are giving extra time to people affected by the disaster. Look into consumer credit counseling. You may be able to work out a repayment agreement or file a claim of exemption. Read more about bankruptcy at [www.alsp.org](http://www.alsp.org).
- Try to wait until you have income coming in before filing bankruptcy.
- If you have enough new income, you can take advantage of the fresh start bankruptcy gives you. If you don't have enough new income, bankruptcy may make your financial situation worse.
- You may need to file bankruptcy if you have to stop a lawsuit, garnishment, foreclosure eviction or revocation of a driver's license.

## Section 8 IMMIGRATION

### 1. Do I need to be a U.S. resident or citizen to apply for emergency disaster relief?

- You can qualify for non-cash FEMA disaster programs even without legal immigration status.
- Getting other benefits depends on your immigration status.

### 2. Will I be considered a public charge and denied residency if I apply for Emergency Disaster Relief?

- No. INS will not count acceptance of Emergency Disaster Relief public cash assistance that could prevent you from becoming a resident.
- You will not be classified as a public charge solely because you accept emergency disaster assistance.

### 3. If I lost my "green card" in the disaster, how can I get a replacement?

- You need to fill out a **form I-90**. You can e-file at <http://uscis.gov>.
- You can get the immigration form I-90 from INS by calling the **National Customer Service Center (NCSC): 1-800-375-5283 or 1-800-767-1833 (TDD for the hearing impaired)** or by going to <http://www.uscis.gov/forms> and selecting the form I-90.
- Along with the I-90 you must submit two recent photographs (2"x2", color with a white background - "passport" style).
- You have to include \$365.00, plus an \$85.00 fee for biometrics. (Total filing fee is \$450.00). These fees may change.
- Bank drafts, cashier's checks, certified checks, personal checks, and money orders must be drawn on U.S. financial institutions and payable in U.S. funds. Make the check or money order payable to U.S. Department of Homeland Security (not "USDHS" or "DHS").
- If you can't afford the fee, you may be able to convince INS to waive it.

### 4. If I lost my work permit in the disaster, how can I get a replacement?

- You need to fill out immigration form I-765, Application for Employment Verification.
- You can get the immigration form I-765 from INS by calling 1-800-870-3676 or by going to <http://www.uscis.gov/forms> and select the form I-765.
- If you have a photocopy of your lost work permit, attach it to the I-765. Also include a photocopy of any papers that entitle you to a work permit, such as application of asylum, suspension of deportation or adjustment of status.
- You have to include a \$380.00 fee.
- Bank drafts, cashier's checks, certified checks, personal checks, and money orders must be drawn on U.S. financial institutions and payable in U.S. funds. Make the check or money order payable to U.S. Department of Homeland Security (not "USDHS" or "DHS").
- You can also e-file at <http://uscis.gov/graphics/formsfee/forms/i-765.htm>.

### 5. Can I work while waiting for a replacement?

- Yes. The Department of Homeland Security has told employers that they can hire people who have lost their work papers and even their proof of identity.

## **6. Where can I get more information?**

- For more resources for immigrants, visit the National Immigration Law Center:  
[http://www.nilc.org/disaster\\_assistance/index.htm](http://www.nilc.org/disaster_assistance/index.htm)

## **Section 9     DOMESTIC VIOLENCE & DIVORCE**

### **1. How can I file to get a protection order?**

- You can fill out a form petition for protection from abuse.

### **2. Where can I get the form?**

- Every Circuit Court Clerk in each Alabama county has the form.
- Every local domestic violence shelter program has the form. Find one by looking at the map at: <http://www.acadv.org/sheltermap.html> OR by looking at the list at: <http://www.acadv.org/shelterlist.html>
- You can get one online at [www.alacourt.gov](http://www.alacourt.gov) by clicking on "Court System" and then clicking on "EForms."

### **3. What if I am not an Alabama resident?**

- You do not have to be an Alabama resident to file for a Protection Order in an Alabama Court.

### **4. How much do I have to pay to file?**

- Nothing. There is no filing fee to file for a protection order in an Alabama Court or to subpoena witnesses.

### **5. What if I already have a protection order from another state?**

- It is good in Alabama. If you have a copy of it, Alabama police and sheriff officers should enforce it just as if it were issued by an Alabama judge.
- You do not have to register your protection order with a Circuit Court Clerk to make it valid.

### **6. What if I want to register the protection order?**

- You can file it without paying any charge or fee.
- You can find a form affidavit you can use to register a foreign protection order in Alabama at [AlabamaLegalHelp.org](http://AlabamaLegalHelp.org).
- A form affidavit that you can use to register a foreign protection order in Alabama is available from your local Legal Services Alabama office.

### **7. What if I don't have a copy of the protection order?**

- You can call the court where it was issued and ask for a copy.

### **8. How can I get child support that has already been ordered?**

- You can have the child support sent to you by calling your child support enforcement agency.
- If the order is from Alabama, you can call toll free **1-800-951-1274** or send an email to: [childsupportstorm@dhr.state.al.us](mailto:childsupportstorm@dhr.state.al.us)

## **Section 10    EDUCATION/SCHOOLS**

Children who have lost housing or meet any other definition of "homeless" have rights under federal law.

### **1. Does my child count as homeless?**

- Yes, if you lost housing and are now staying with friends or with relatives.
- Yes, if you are living:
  - in an emergency shelter
  - in a transitional shelter
  - in a motel
  - in a domestic violence shelter
  - in a campground
  - in an inadequate trailer park
  - in a car
  - on the street
  - in public or abandoned buildings

### **2. I'm homeless. Where can my children go to school?**

- You have a choice.
- If it is open, you can send your children back to the last school they attended.
- Or, you can choose instead to have your children go to the local school where you are now staying.

### **3. What if I don't have all my children's papers?**

- You can enroll them right away.
- They have a right to attend school while you help the school get proof of shots and any school records.

### **4. Can my children ride the bus to school?**

- Yes. Your children have the same right to transportation as any other children.

### **5. What if my children need special help in school?**

- Your children have the right to any services they need for them to learn in school.

### **6. Can they make my children go to a school or classroom for homeless children?**

- No. Your children have the right to go to school with children who are not homeless.
- They have the right to be in classes that are not just for homeless children.

### **7. What about my preschool child?**

- Your preschool child has the same right to attend preschool as other children where you stay.

## 8. If the school will not take my child, who can I call?

- Call Beth Thompson in Montgomery at **334-242-8199**. She is with the State Department of Education.

## 9. Where can I get more information?

- **In Alabama, the Alabama Department of Education has storm related information at <http://www.alsde.edu/home/Default.aspx>**
- Michael A. O'Connor at the Association of Consultants to Non-Profits put together a long list of sources of information.

National Coalition for the Homeless  
<http://www.nationalhomeless.org/>

Education for Homeless Children and Youth Program - Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the No Child Left Behind Act of 2001 Non-Regulatory Guidance, July 2004  
<http://www.ed.gov/programs/homeless/guidance.pdf>

National Association for Education of Homeless Children & Youth  
<http://www.naehcy.org/>

National Center for Homeless Education (U.S. Department of Education funded)  
<http://www.serve.org/nche/>

State Coordinators for Homeless Education  
[http://www.serve.org/nche/states/state\\_resources.php](http://www.serve.org/nche/states/state_resources.php)

## **Section 11    OTHER FAMILY ISSUES**

### **1. Will my child be able to get emergency medical care if I cannot be reached by telephone?**

- Yes. A licensed doctor may provide emergency medical care or treatment to any minor who has been injured in an accident or who is suffering from an acute illness, disease, or condition if delay in providing the care will endanger the health or physical wellbeing of the minor.

### **2. How can I get counseling for myself or my family?**

- Mental Health Agencies and others provide counseling services on an ongoing basis.
- After a natural disaster, additional providers will be available.
- Information on disaster counseling is usually made available through public information announcements after the disaster.
- You should also check with hospitals and other mental health agencies in your community.

### **3. How can I find out about Mental Health resources in my area?**

- The Alabama Department of Mental Health has many resources regarding disaster relief, psychological first aid and assistance on its website at [www.mh.alabama.gov](http://www.mh.alabama.gov).

## Section 12 UNEMPLOYMENT COMPENSATION

### 1. I'm unemployed. How can I get Unemployment Compensation?

#### **You can qualify if:**

- You are able to work and available for work.
- You worked enough before the disaster.
- You apply and register for work at a local Employment Services Office.
- You serve a one-week waiting period.

### 2. What could keep me from getting Unemployment Compensation?

**You could be partially disqualified** if you lost your job because of simple misconduct.

#### **You could be totally disqualified if:**

- You quit your job without good cause;
- You lost your job for misconduct after being warned;
- You lost your job for failing a drug test;
- You lost your job for doing something dishonest; or
- You refused employment without good cause.

**IMPORTANT: If you are disqualified, you will not get benefits. You may also lose the chance for future benefits.**

### 3. How can I get Disaster Unemployment Assistance?

- You may be eligible if, as a direct result of the disaster:
  - You lost a job; or
  - The job you were going to start does not exist; or
  - You cannot reach your workplace; or
  - You became the major support of your family because the head of the household died; or
  - You cannot work because of an injury incurred during the disaster.

### 4. How do I apply for Unemployment Compensation or Disaster Unemployment Assistance?

- For Unemployment Compensation, call **1-866-234-5382**.
- For Disaster Unemployment Assistance, first call FEMA at **1-800-462-9029** to get a registration number. Then call **1-866-234-5382** to complete your application.

## 5. What are the deadlines for filing for Disaster Unemployment Assistance?

- The deadline for Monroe County is **June 7, 2011**.
- For Chambers County is **June 3, 2011**.
- For Lamar and Lauderdale Counties, the deadline is **June 2, 2011**.
- For Chilton, Coosa, Pickens, Shelby, and Talladega counties, it is **June 1, 2011**.
- For Autauga, Bibb, Blount, Calhoun, Cherokee, Choctaw, Colbert, Elmore, Etowah, Fayette, Greene, Hale, Jackson, Limestone, Madison, Marengo, Marion, Morgan, St. Clair, Sumter, Tallapoosa, Washington and Winston counties, the deadline is **May 31, 2011**.
- For Cullman, DeKalb, Franklin, Jefferson, Lawrence, Marshall, Tuscaloosa and Walker counties, the deadline is **May 30, 2011**.
- If you miss the deadline, you may be able to file late. You would have to show a good reason. Don't take that chance.
- If you can't get through when you call, keep trying. It is usually easier to get through on a Wednesday or Thursday.

## 6. How long does it take before I get my check?

- You may have to wait as long as four weeks before your first check is sent to you.

## 7. How long can I get benefits?

- You can get benefits for up to 26 weeks. This is true for both regular and disaster benefits.

## 8. What if the Department says I can't get any kind of Unemployment benefits?

- You have the right to appeal the decision. You have 15 days from the date on your notice.
- At the hearing, you will have a chance to explain your case to a hearing examiner.
- Be sure to bring witnesses and papers to the hearing to help you prove your case.
- The hearing will be held by telephone. Be sure to have a telephone number where you can be reached.

## 9. How can I get more information about Unemployment Compensation or Disaster Unemployment Assistance?

- Look at the Website for the Department of Industrial Relations: [www.dir.alabama.gov](http://www.dir.alabama.gov).
- Look at the Website for Legal Services Alabama: [www.alsp.org](http://www.alsp.org). Go to "Public Benefits" and find more about Unemployment Compensation.
- For more about Disaster Unemployment Assistance, go to [www.nelp.org](http://www.nelp.org).
- You can also call **1-800-361-4524** and talk to someone at the Department of Industrial Relations. If you are hearing-impaired, call **1-800-499-2035**.

## 10. How can I find out about jobs in Alabama?

- Go to <http://www.dir.alabama.gov> and click on " **FAQ - Regular Unemployment and Disaster Assistance**

## Section 13 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) [formerly called "FOOD STAMPS"]

### 1. I lost my EBT card. How can I get a new one?

- You can make a toll-free call.
- The Alabama EBT number is **1-800-997-8888**.

### 2. What if I lost food when my power was out because of the disaster?

- The Alabama Department of Human Resources (DHR) does give replacement food stamps in disasters.
- Contact your local DHR office.
- If you asked for replacement food stamps and were denied, you can appeal. To appeal, write to the food stamp office where you applied.

### 3. Can I get disaster food stamps?

- Visit the Alabama Department of Human Resources website at <http://www.dhr.alabama.gov/> and view the "news" items on the right side of the page to read which disaster-designated counties are eligible for the Disaster Supplemental Nutrition Assistance Program (D-SNAP).
- D-SNAP is designed to provide disaster food benefits to people who might not ordinarily qualify for the Food Assistance Program.
- If you applied and got denied, you can appeal. To appeal, write to the food stamp office where you applied.
- You have to show that the disaster damaged your home or you had other losses from the disaster.

### 4. What must I do to qualify for the benefits?

- To qualify for the benefits,
  - Residents must apply in person or have an authorized representative apply for them.
  - Applicants must have disaster damage to their homes, loss of food, expenses related to protecting their homes, or lost income as a result of the disaster and meet income limits composed of net household income plus available liquid resources (cash or money in the bank).
  - Individuals who submit incorrect information to get benefits fraudulently will have to repay any benefits received and may be disqualified from the food assistance program, fined, or imprisoned.

### 5. What is the difference between "expedited" food stamps and "emergency" food stamps?

- Usually, "expedited" food stamps are regular food stamps very needy people get a week after applying.
- Disaster or "emergency" food stamps are short-term disaster benefits offered in select areas to people not eligible under normal rules. These food stamps go to people who need food assistance because they have lost income and other financial resources because of the disaster.
  - Not everyone with disaster related food losses can get disaster food stamps.
  - To get disaster food stamps, you must meet federal eligibility requirements.
- Emergency food stamp benefits can also give extra help to people who get regular food stamps.

**6. How can I learn what the federal eligibility requirements are for D-SNAP?**

- Yes. You review the income eligibility guidelines at [http://www.fns.usda.gov/disasters/response/D-SNAP\\_Handbook/FY2011-income\\_standards.pdf](http://www.fns.usda.gov/disasters/response/D-SNAP_Handbook/FY2011-income_standards.pdf)

**7. Where can I get more information?**

- You can go to the FNS website at <http://www.fns.usda.gov/disasters/disaster.htm>.

## **Section 14    SOCIAL SECURITY**

### **1. What if I did not get my latest Social Security or SSI benefits?**

- If you live in a disaster area, ask your local post office if it has your check.
- If your check is lost, call 1-800-772-1213 or go to your local Social Security District Office.
- You may also be able to talk with someone from Social Security at a disaster center.

### **2. What should I do if I lost my Social Security card?**

- You need to visit a Social Security office or complete the Form SS-5 “Application For A Social Security Card”
- Social Security will want evidence of your identity.
- If you were born outside of the United States, you must show proof of your U.S. Citizenship or current lawful immigration status.

### **3. How can I locate a Social Security office where I live?**

- Visit the Social Security Administration web site at <https://secure.ssa.gov/apps6z/FOLO/fo001.jsp>

**Section 15    2011 Tax Guide for Alabama Severe Storms, Tornadoes, Straight-line Winds, and Flooding Victims**

This guide is for Alabama residents who live in counties which have been declared Federal Disaster Areas in 2011. If you live in one of the counties below, you are eligible for special tax rules. If you do not live in one of these counties, this guide does not apply to you.

**The following counties were designated as Federal Disaster Areas:**

Autauga	Bibb	Blount	Calhoun	Chambers	Cherokee
Chilton	Choctaw	Clarke	Colbert	Coosa	Cullman
DeKalb	Elmore	Etowah	Fayette	Franklin	Greene
Hale	Jackson	Jefferson	Lamar	Lauderdale	Lawrence
Limestone	Madison	Marengo	Marion	Marshall	Monroe
Morgan	Perry	Pickens	Shelby	St. Clair	Sumter
Talladega	Tallapoosa	Tuscaloosa	Washington	Walker	Winston

Here is a summary of the rules that affect residents of the above counties.

1. **Filing Date Delayed.** You have until June 30, 2011 to file your federal income tax return for 2010.
2. **Claim the loss in 2010 or 2011.** You can claim a casualty loss for losses due to the storm or tornadoes. Importantly, you can claim the 2011 loss from the storm/tornado on either your 2010 or 2011 income tax return. If you have already filed your 2010 income tax return, you can amend the 2010 income tax return.
3. **Mark Your Returns.** Taxpayers claiming losses on their 2010 return should print at the top of the first page **“Alabama/Severe Storms, Tornadoes, Flooding, Straight-Line Winds”** on the top of the form.
4. **No Fees for Copies of Lost Returns.** You can request copies of lost income tax returns. The IRS will waive fees for residents of the above counties.

## Issue 1 - Ask For Lost Tax Records Now

Special tax rules apply to everyone living in the 42 Alabama counties designated as federal disaster areas. This is true even if you didn't have storm or flood damage. Don't live in one of these counties? Then you may want to talk to a tax expert or go to the IRS web site at [www.irs.gov](http://www.irs.gov). If you reside or have a business located outside the covered disaster area, you must call the IRS disaster hotline at **1-866-562-5227** to request this tax relief.

Here are 2 things you can do now:

### 1. Ask the IRS for your lost tax records

Lost your tax records? Even if it wasn't in the flood, you need to get copies. This will be important later if you claim a casualty loss on your income tax return. Fill out **IRS Form 4506, Request for Copy of Tax Return**. Ask for your 2006, 2007, 2008, 2009, and 2010 returns. You can ask for all these years on the same form.

**Good news!** If you live in one of the disaster counties, the IRS won't charge fees. The IRS usually charges \$57 for each return. But you can get them for **FREE**. To get free copies, you must write **"Alabama/Severe Storms, Tornadoes, Straight-Line Winds and Flooding"** on the top of the form. You must write it in **red** ink.

Did you file these tax returns while you lived in Alabama? Then fill out and mail to:

**RAIVS Team  
Stop 6716 AUSC  
Austin, TX 73301**

### 2. Ask for Transcripts of Account

A transcript of account explains your tax history for a single year. It shows your income, the tax due, any tax payments and what you still owe. Are you claiming a loss that will be carried back to earlier years? Then transcripts of account for those years are very important. Fill out **IRS Form 4506-T, Request for Transcript of Tax Return**. Ask for the years 2006 through 2009. To get free copies, you must write **"Alabama/Severe Storms, Tornadoes, Straight-Line Winds and Flooding"** on the top of the paper. You must write it in **red** ink.

Did you file these tax returns while you lived in Alabama? Then fill out and mail to:

**Internal Revenue Service  
RAIVS Team  
Stop 6716 AUSC  
Austin, TX 73301**

**Need the forms?** They are on the internet at [www.AlabamaLegalHelp.org](http://www.AlabamaLegalHelp.org). We already put **"Alabama/Severe Storms, Tornadoes, Straight-Line Winds and Flooding"** on the top in **red**. Don't have a color printer? Then print and use a pink high-lighter to mark those words at the top. **OR** draw a red box around the words. You can also get these at the IRS web site ([www.irs.gov](http://www.irs.gov)). For some forms you will need to add the sentence in red.

IRS Form 4506, Request for Copy of Tax Return

IRS Form 4506-T, Request for Transcript of Tax Return

## Issue 2 - Change of Address

### Tell the IRS if your address has changed

Have you moved because of the floods or storms? Fill out **IRS Form 8822, Change of Address**. This is important because:

- The IRS may be sending your refunds from an earlier year.
- The IRS may be sending letters to your old address. These letters may ask for information. Or they may be about your rights to go to court.
- The IRS may be sending bills to your old address. If you don't answer IRS letters, they may charge you a penalty fee. Or they may do other things to collect what you owe.

To tell the IRS you moved, fill out **IRS Form 8822, Change of Address**.

**Need the form?** It is right here on the same web page. **OR** get a copy on the IRS web site at [www.irs.gov](http://www.irs.gov). If you live in Alabama, mail it to:

**Internal Revenue Service Center  
Austin, TX 73301-0023**

## Issue 3 - File All Insurance and FEMA Claims

### 1. Did the storms and/or floods destroy or damage things you own?

- You may be able to show this as a casualty loss on your income tax.

### 2. What losses can you claim?

You can claim casualty losses on your:

- Home
- Property
- Cars or trucks
- Appliances
- TVs, stereos and other entertainment equipment
- Computers and printers
- Tools
- Household goods like dishes, towels, sheets, etc.
- Clothes

### 3. File Your Insurance Claims First

File your insurance claims and see how much they will pay. **Don't have insurance? Or did insurance refuse to pay?**

- You will need to prove this to the IRS. Keep any letters you get from your insurance company.

### 4. What if you don't give the IRS proof?

- They won't OK your tax claim.

**5. Need to call your insurance company?** Here are some insurance company phone numbers. Don't see your company? Check your insurance papers, the internet or the phone book.

- State Farm, 1-800-732-5246
- ALFA Insurance, 1-800-964-2532
- Allstate Insurance Co., 1-800-255-7828
- Nationwide Insurance Co., 1-800-421-3535
- Traveler's Insurance Co., 1-800-252-4633
- Farmers Insurance Group 1-800-435-7764
- USAA (United Services Auto Association), 1-800-531-8111
- Foremost Insurance Co., 1-800-527-3907

### Next, apply with FEMA

One of the things FEMA will ask is if insurance paid you. That is why you should file with insurance first. What your insurance paid is subtracted from what FEMA will pay.

FEMA gives money for:

- Short-time housing because of the flood
- Home repairs
- Low-cost loans to cover uninsured property
- Unemployment if it is because of the flood
- Medical and dental costs caused by the flood
- Funeral and burial costs caused by the flood
- Clothing
- Furniture, refrigerator, stove, microwave, washing machine, clothes dryers, etc.
- Tools like special or protective clothing and equipment for your job
- Computers, school books, supplies
- Clean-up items like wet/dry vacuum, dehumidifier
- Cars or trucks ruined by the flood
- Moving and storage expenses
- Other costs or serious needs OK'd by FEMA

### 3 ways to apply for FEMA help

- Go to **www.DisasterAssistance.gov** on the internet. You can apply on line.
- **Or** call **1-800-621-3362** (1-800-462-7585 for TTY). The calls are free. Right now they are open 7 AM to 10 PM every day.
- **Or** go to one of the FEMA centers. To find the one near you, go to **www.fema.gov**. Click on “Disaster Recovery Center” in the red “Disaster Assistance” box.

### 6. What will FEMA ask you?

- Your name and Social Security number
- Address of the damaged property
- Your current address and phone number
- Your insurance company and if they paid anything
- How much yearly income everyone in your household gets
- Bank routing and account number for direct deposit. Take your checkbook with you. This is on the bottom of each check.
- What you lost in the flood

Take as much of this information to FEMA as you can. It will make things go faster.

After you know what insurance and FEMA will pay, you can file a tax claim. What insurance and FEMA paid are subtracted from what you lost.

## Issue 4 - You Have Longer to File your 2010 Federal and State Tax Return

### 1. You have until June 30, 2011 to file your 2010 Income Tax Return

- Need to know about other papers? Go to the IRS web site at [www.irs.gov](http://www.irs.gov).

### 2. Can't file by June 30, 2011?

- File IRS Form 4868. Then you will have **until October 15, 2011**.

### 3. Filing your 2010 income tax return after April 18, 2011? Or using IRS Form 4868 to ask for more time (extension)?

- You must have **“Alabama/Severe Storms, Tornadoes, Straight-Line Winds and Flooding”** on the top of the form. Either write it in **red** ink or use a form that already has the words in red on it.
- This makes sure you don't have to pay a fee for late filing.

#### **4. Alabama Department of Revenue – State Taxpayers**

On May 4, 2011, the Alabama Department of Revenue issued an order granting extensions.

The extension order allows affected taxpayers to have until June 30, 2011, to file any Alabama tax return and state-administered local tax return that would have been due on or after April 15, 2011, and on or before June 30, 2011, without being subject to penalties and discount loss. Alabama’s tax laws have no provision for the waiver of interest; however, late payment penalties will be waived for the affected taxpayers.

Taxpayers seeking this Alabama tax relief should write “**April Storms 2011**” in red ink on any paper return/report that relies on this filing extension relief. For electronically-filed returns/reports, affected taxpayers should contact the Alabama Department of Revenue for filing guidance.

### **Issue 5 - You Won’t Have To Pay Some Late Fees**

#### **1. If you get charged a late fee (penalty)**

You have until June 30, 2011 to file tax returns. If you file by then, you should not have to pay late fees.

#### **2. What if the IRS says you owe a fee (penalty) for filing late?**

- Call the phone number in the IRS letter. Tell them you live in a federal disaster area county. Ask them to take off the late fee and the interest.

#### **3. The IRS will take off the fee if:**

- You live in one of the 42 federally declared disaster counties in Alabama;
- You filed your return or a request for extension by June 30, 2011; **AND**
- You paid any taxes you owe before June 30, 2011.



Legal Services Alabama is a state-wide nonprofit dedicated to providing access to justice and quality civil legal assistance to educate and empower Alabama's low-income community.

**Legal Services Alabama receives funding from the following:**

Alabama Access to Justice Commission  
Alabama Civil Justice Foundation  
Alabama Department of Economic and Community Affairs  
Alabama Law Foundation  
Central Alabama Aging Consortium  
City of Huntsville  
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East Alabama Regional Planning Commission  
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