



Summer 2018 California Wildfires

HELPING HANDBOOK

A Resource for Individuals, Families, and Small Businesses

HELPING HANDBOOK

FOR INDIVIDUALS AND SMALL BUSINESSES AFFECTED BY THE SUMMER 2018 FIRES IN NORTHERN CALIFORNIA

This handbook provides an overview of some issues that individuals, families, and small businesses may face as a result of the fires that broke out in Northern California in the summer of 2018. While fires raged throughout the state, *this handbook focuses particularly on Lake and Shasta Counties because, as of the time of this publication, these were the only counties for which the federal government has issued a Major Disaster Declaration, triggering certain assistance to individuals.*

Please note, unless otherwise indicated, this handbook is only current through August 17, 2018. By the time you read this material, the federal, state, and county governments may have enacted additional measures to assist victims of the fire that may affect some of the information we present.

This handbook will not answer all of your questions. It is designed to set out some of the issues you may have to consider, to help you understand the basics about each issue, and to point you in the right direction for help. Much of the information in this handbook is general, and you may have to contact federal, state, city, or county officials, or local aid organizations, to obtain more specific information about issues in your particular area.

You may feel overwhelmed when considering the legal issues you face, and you may find it helpful or even necessary to obtain an attorney's assistance. These feelings are normal. Legal issues are often complicated, and it is prudent and recommended to seek advice from an attorney about your questions and the specifics of your situation before acting precipitously. If you do not have an attorney, legal advice and referrals are available to those in need, some at no charge. To help you get started, this handbook includes a list of lawyer referral agencies and several legal aid providers. See the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

Morrison & Foerster LLP has made the contents of this handbook available for general information purposes only. Although we hope it will be helpful by providing background material, we do not warrant that it is accurate or complete, particularly since ***circumstances may change after this handbook is posted on the web or published.*** The handbook is general in nature and may not apply to particular factual or legal circumstances. In any event, the handbook does not constitute legal advice and should not be relied on as legal advice. Morrison & Foerster LLP renders legal advice only after compliance with certain procedures and when it is legally and ethically permissible to do so. Readers acting on any information contained in this handbook are urged to seek tailored advice from their own legal counsel; if a reader cannot afford counsel, referrals to pro bono counsel may be obtained from the organizations listed in the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

There is no cost for using or copying these resources. They were compiled to help the people and organizations affected by the wildfires. Reproduction or distribution of these materials for commercial purposes without prior written permission is strictly prohibited. This handbook can be viewed online or printed at www.mofo.com/summer2018-disasters.

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HOUSING

TEMPORARY HOUSING

My primary residence (house, condominium, or apartment) was destroyed by the disasters. Although I have been able to stay in shelters or with friends and family, I need temporary housing of my own. Can anyone help me find temporary housing or help pay for it?

One or more of several different programs or entities should be able to help you in these circumstances. First, various charitable organizations such as the American Red Cross may be able to provide assistance. Contact information for the Red Cross is available at <https://www.redcross.org/get-help.html>. Second, if you have homeowners' or renters' insurance, temporary housing may be covered by your policy. Contact your insurance agent. Third, as discussed below, the Federal Emergency Management Authority (FEMA) has several programs that may be able to assist you.

Transitional Shelter Assistance (TSA) Program

FEMA's TSA Program provides short-term lodging assistance for federally declared disaster area evacuees with a continuing need for shelter because they are unable to return to their homes for an extended period of time after the original shelters have closed. Under the TSA Program, you may be eligible to stay in a hotel or motel for a limited amount of time and have the cost of the room and taxes covered by FEMA. FEMA does not cover the cost of incidental room charges or amenities such as telephone use, room service, and food.

For those who are eligible, FEMA will authorize and fund the use of participating hotels and motels (through direct payments to the hotel or motel) as transitional shelters. The initial period of assistance will be five to 14 days from the date of TSA implementation. If needed, FEMA, in conjunction with the state, may extend the period of assistance. If you are interested in this program, register with FEMA. You can determine eligibility online at <https://www.disasterassistance.gov/> or by calling (800) 621-3362. You can search for eligible hotels at <http://www.femaevachotels.com/> or visit <https://www.disasterassistance.gov/> and click on the "Transitional Sheltering Assistance Hotel Locator."

Rental Assistance Through Individuals & Households Program (IHP)

IHP provides tax-free grants (Rental Assistance) to households displaced from their primary residence by a federally declared disaster such as the Lake and Shasta County federally declared wildfire disasters. These need-based grants enable homeowners and renters to secure temporary housing while repairs are made to their pre-disaster primary residence or while transitioning to new permanent housing. Rental Assistance may be used to rent a house, apartment, manufactured home, recreational vehicle, or other readily-fabricated dwelling. To be eligible for Rental Assistance, the following conditions must be met:

- you have losses in a presidentially declared disaster area;
- you have no insurance or your insurance claim has been denied, or your insurance settlement does not cover all of your losses;
- you or someone who lives with you is a U.S. citizen, a non-citizen national, or a "qualified alien" (see the **Immigration** chapter of this handbook);
- the affected home is where you usually live and where you were living at the time of the disaster; and
- you are not able to live in your home now, you cannot get to your home, or your home requires repairs because of disaster damage.

Only one application will be accepted from each household (generally, all people living in one apartment or house). (See additional information about IHP resources for rebuilding your residence below in the **Repair and Rebuilding** section of this chapter.) Apply for assistance at <https://www.disasterassistance.gov/> or call the FEMA helpline at (800) 621-3362.

Government-Provided Temporary Housing

If FEMA determines there is no rental housing available in the local community due to the federally declared disasters, it may provide Government-Provided Temporary Housing (e.g., modular or mobile homes) to disaster victims. As of August 20, 2018, we have not been able to confirm whether FEMA will be providing this type of housing in response to the disasters in Lake and Shasta Counties.

Separate from FEMA assistance, the Department of Housing and Urban Development (HUD) may offer Section 8 rental assistance and relocation plans for tenants in subsidized public housing. Aid also may be provided through California's State Supplemental Grant Program (SSGP). See the **Social Security, Unemployment, CalFresh, and Other Regular and Special Government Program Benefit Payments** chapter of this handbook for more information.

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If you were living in a Rural Development-financed apartment and have been displaced, you may be eligible for additional assistance from the USDA Rural Development Agency. For further information about this benefit, call (800) 414-1226.

My primary residence was damaged during the disasters. If I move out while repairs are being made, can I get any assistance in finding and paying for temporary housing?

Depending on the amount of damage, you may be eligible for assistance. Potential sources include charitable organizations, your insurance, and FEMA's IHP, as discussed above.

During the disasters, I was ordered to evacuate my primary residence. Instead of going to one of the local shelters, I rented a room in a motel. Can I obtain reimbursement for the money I spent on the motel room? What if my primary residence was neither damaged nor destroyed as a result of the disasters?

You may be eligible for assistance from charitable organizations, your insurance, or FEMA. FEMA may provide lodging expense reimbursement for hotels, motels, or other short-term lodging while an applicant is displaced from his or her primary residence. You should save your receipts and document your expenses in case you are able to file for reimbursement. (The same disaster assistance process described above will apply to determine your eligibility relative to FEMA's potential reimbursement.)

HOUSING PAYMENTS

My primary residence, which I own, was destroyed by the disasters. Am I obligated to continue paying my mortgage, homeowners' association fees, insurance, etc., on that residence? Does it make a difference if my residence was only damaged, rather than destroyed?

Unless you obtain a forbearance agreement from your lender, you should continue to pay your mortgage regardless of whether your residence was destroyed or damaged. You should contact your mortgage servicer (the company where you send your monthly payments) to discuss possible mortgage relief options. If you are having trouble contacting your mortgage servicer, contact the Homeowner's HOPE Hotline at (888) 995-4673 for assistance.

If your loan is owned by Fannie Mae or Freddie Mac, you may be eligible to temporarily stop making your monthly mortgage payments for three-month intervals for up to 12 months. You can check to see if Fannie Mae owns your loan at <https://www.knowyouroptions.com/loanlookup> or by calling (800) 232-6643; you can check to see if Freddie Mac owns your loan at <https://www3.freddie.mac.com/loanlookup/> or by calling (800) 373-3343 and selecting option #2. Do not stop making payments until Fannie Mae or Freddie Mac confirms your eligibility to do so.

If (i) your residence has suffered substantial uncompensated disaster damage (40% or more of the original property value), (ii) you intend to repair the damage or rebuild, and (iii) you do not have sufficient credit available elsewhere to cover your mortgage payments, the U.S. Small Business Administration (SBA) may be able to refinance all or part of your outstanding mortgage, which could result in a reduced monthly mortgage payment. See the **SBA Loan Assistance** chapter of this handbook for more information.

If your home loan is through the United States Department of Veterans Affairs (VA), you might be able to have it adjusted. Call the VA regional office where the property is located. The proper regional office should be identified on the loan papers. If the papers are not available, call the VA at (877) 827-3702 for the number of the correct regional office. You can also use this phone number to speak with a VA loan specialist about your options.

With regard to homeowners' association fees or insurance premiums, you should review the language of your association's bylaws and the insurance policy. It is likely in your best interest to pay the amounts owed unless you obtain written confirmation that you do not have to pay or may defer payment for a specific time.

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RENTERS

The following is general information for tenants regarding premises damaged by the disasters. Individual circumstances will vary. For many of these questions, you may want to contact an attorney. If you do not have an attorney, consult the Lawyer Referral Services & Legal Aid chapter of this handbook.

If my rental unit has been damaged or destroyed, what issues should I consider?

- Do you have a written lease?
- How badly is the rental unit damaged?
- Do you want to keep possession of the apartment, move out temporarily while the landlord makes repairs, or move out permanently?
- Is the unit rent-controlled or subsidized?

What if I have a written lease?

Your rights will be determined by the lease's provisions to the extent they are not superseded by California law. Although "form" leases are commonly used, the provisions covering disasters vary significantly even for different leases in the same building. You should ask a lawyer to check the provisions of your lease to answer these questions for you.

How do I assess the damage to my rental unit?

Under California law, landlords must maintain rental units in habitable condition. A residential tenant cannot be forced to waive his or her right to habitable premises. Unless you have a unique lease that you negotiated with your landlord, this information about habitability most likely applies to your rental unit. To be considered habitable, the rental units must substantially satisfy *all* of the following conditions:

- roof and exterior walls must be waterproof;
- windows and doors must be unbroken;
- plumbing and gas systems must be in good working order;
- hot and cold running water must be provided;
- sewage disposal systems must be operational;
- heating equipment must be in good working order;
- electrical lighting and wiring must be maintained in good working order; and
- floors, stairways, and railings must be kept in good repair.

If my rental unit is damaged, what can I do if I have a month-to-month rental agreement and want to move permanently?

You can give one-month's notice to your landlord and then move. If the unit is substantially damaged (damaged to the extent the premises can no longer be used as a residence), you may not need to pay all or some of the last month's rent. If that is the case, see the guidelines below.

If my rental unit is damaged, do I have to pay rent if I have a one-year lease and I want to move out permanently?

Under California law, you may terminate your tenancy and not pay further rent if the unit is substantially damaged. If you want to terminate your tenancy, you should:

- check your lease for applicable provisions;
- make a list of the unit's impaired and damaged conditions;
- obtain FEMA or other inspection reports;
- request a local city building inspection and obtain a certified copy of the inspection report;
- photograph the damage and record the date the picture was taken, who took the picture, and the subject of the picture; and
- have the unit and building viewed by reliable witnesses and record their names and addresses, the date of the viewing, and what the witnesses saw.

Assuming that your unit is likely to be considered substantially damaged, write a letter to your landlord, enclose copies of the documentation listed above, state that the rental unit is not habitable, and state that you consider the lease terminated. Sign and date the letter and keep a copy for your records. You then will be in a position to proceed as if the unit had been destroyed. If your landlord disputes your position and you have not done so already, you should promptly consult an attorney or seek the services of a legal aid organization.

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Can I terminate my lease if my rental unit is materially damaged?

You must first notify the landlord about the needed repairs and give the landlord a reasonable amount of time to make the repairs. If the landlord does not make the repairs within a reasonable time, then you may be able to abate some or all of your rent or even terminate the lease. The landlord may dispute whether the repairs are necessary and whether he or she had a reasonable time to make the repairs, in which case you may need to contact an attorney or seek the services of a legal aid organization.

REPLACEMENT OF POSSESSIONS

When the disasters destroyed my residence, I lost almost all of my personal possessions. Can anyone help me obtain replacement clothes and necessities? What about replacing my television, computer, etc.?

You may be able to replace personal property that was destroyed with insurance proceeds and/or with grants or loans from several federal or state programs.

First, if you have homeowners' insurance or renters' insurance, the policies typically include provisions for the replacement of personal property, subject to various conditions, deductibles, and policy limitations. If you were renting your primary residence, you should find out if your landlord named you as an additional insured on the landlord's policy, in which event it may provide benefits for you. See the **Insurance** chapter of this handbook for additional information about insurance coverage.

Second, the SBA may provide a Home and Personal Property Loan for possessions (up to \$40,000) to both homeowners and renters. The amount of an SBA loan depends on the actual cost of repairing or replacing the damaged items less insurance recovery, grants, etc. The loan can be used to repair or replace personal property such as clothes, furniture, automobiles, and consumer electronics, but an SBA loan cannot be used to replace luxury or extraordinarily expensive items, such as personal pleasure boats, airplanes, RVs, and fur coats, or to pay for upgrades or make additions to the home unless required by building codes. Property such as antiques or collections of rare goods that may have market values in excess of their functional value are covered only for the amount of their functional value. (For example, reimbursement for a collection of four rare quarters would be \$1.00, not the potential price at a coin show.) See the **SBA Loan Assistance** chapter of this handbook for more information.

Third, to the extent your personal property losses exceed the amount of your insurance coverage and SBA loans, and assuming other conditions are met, FEMA will sometimes provide disaster victims in federally declared disaster areas with assistance in replacing furniture lost when their primary residence was destroyed. If needed, you should specifically request assistance for furniture costs from FEMA and demonstrate your need. See the **FEMA** chapter of this handbook for further information.

DEMOLITION AND CLEAN UP

Do I need a permit to demolish a partially destroyed residence or to clean up debris caused by the disasters?

Homeowners are advised **not** to conduct their own demolition of partially burned structures or perform debris or ash removal. These activities may present serious health risks due to the presence of asbestos, lead, and other hazardous materials. Homeowners may be eligible for programs sponsored by CalRecycle or other agencies to complete demolition and debris removal at no cost. If you move or spread the debris, you may lose your eligibility or become liable to others. We recommend that you wait until state assistance is in place and sign up for these programs. You will then be required to sign a "Right of Entry" form granting permission to the responsible agency to access and clean up the property.

Additionally, if you have homeowners' insurance that covers debris removal, you should inform the agency in charge of the cleanup and you likely will be required to pass that specific portion of the insurance proceeds through to state or federal agencies. Contact your county to determine the appropriate process or visit <http://wildfirerecovery.org/debris-removal/> for updates.

If you nevertheless undertake demolition, note that, in general, demolition permits are required from the city or (for unincorporated areas) county government before removing major structures. These permitting requirements may be relaxed or expedited for structures affected by the disasters. Check with your local permitting jurisdiction for requirements before conducting any structural demolition work.

Also, if you undertake debris removal yourself (which is not recommended), be sure to wear appropriate protective clothing, including face masks, gloves, and eye protection. You may be required to submit plans and obtain a permit from your local permitting jurisdiction for removal and disposal of building debris and ash, and soil sampling may be required to test for hazardous substances. You should check with the California Department of Toxic Substances Control (DTSC) for

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more information and advice regarding your specific situation. You can find more information on DTSC's website, <https://www.dtsc.ca.gov/ContactDTSC/index.cfm>, or call DTSC at (916) 255-6504.

Am I required to send any debris I clean up to a special collection facility?

The debris likely includes materials that must be properly disposed of to avoid soil or water contamination. Solid waste landfill operators may be granted special emergency waivers to accept debris they would not otherwise be allowed to accept. To the extent hazardous materials cannot be separated from other burned materials (as is likely in a burned residential structure), depending on whether DTSC grants a special disaster-related exemption, the materials may or may not be accepted along with other debris at municipal landfills. Household hazardous materials (e.g., paints, fertilizers, automotive fluids, batteries, and electronic waste) that can be separated from other burned materials should be taken to a local household hazardous waste collector. The following website contains a list of household hazardous waste collection facilities: <http://www.dtsc.ca.gov/HazardousWaste/UniversalWaste/HHW.cfm>.

REPAIR AND REBUILDING

My primary residence, which I own, was destroyed by the disasters. Who can help me have it rebuilt? If my residence was not insured, or the insurance is insufficient, are there any programs that might help me rebuild?

As with other types of assistance, you should first look to insurance proceeds and charitable donations to cover the costs of rebuilding and repair. To the extent you were uninsured or underinsured, the SBA, FEMA, or the state may be able to help. For more information, see the **SBA Loan Assistance**, **FEMA**, and **Social Security, Unemployment, CalFresh, and Other Regular and Special Government Program Benefit Payments** chapters of this handbook.

My primary residence, which I own, was destroyed by the disasters. Will I need a permit to rebuild it?

As a general rule, a building permit is required whenever structural work is involved or when the basic living area of a home is to be changed. This could include separate permits for roofing, electrical, heating, and plumbing. Typically, the contractor overseeing the rebuilding or repair will obtain the necessary building permits from the city or county building or planning department. (See rebuilding and repair contact information for disaster-affected areas below.) In addition to building permits, depending on the zoning requirements in place for your residence, you may need to obtain zoning approval as well.

Following natural disasters, various cities and counties may contemplate special treatment for building permit and zoning applications submitted by disaster victims (for instance, providing plan review and issuing building permits on an expedited basis and at no cost for anyone whose home has been destroyed by a natural disaster). Make sure to ask or have your contractor ask about any special building permit programs available for natural disaster victims.

See the following contacts for rebuilding/repair information for the disaster-affected areas:

Lake County

Community Development: (707) 263-2382,
http://www.co.lake.ca.us/Government/Directory/Community_Development.htm

Shasta County

Resource Management, Building Division: (530) 225-5761,
https://www.co.shasta.ca.us/index/drm_index/bldg_index.aspx

What happens if I do not get a building permit?

If the authorities learn you have undertaken repairs or rebuilding without obtaining a necessary permit, you will generally pay a fine and may be ordered to tear down any construction that was done without authorization. The amount of the fine varies by jurisdiction. If you sell your property, you are required by law to disclose work that has been done without the required permits, and that could lower the sale price or jeopardize the sale of your property altogether.

My house was built before the current building codes were in place. When rebuilding, do I have to conform to the new building codes?

Houses must generally be constructed according to the codes in effect at the time the reconstruction permit is issued. Some cities and counties may not require conformance to new building codes for repairs that are considered "minor." You should check your insurance policy or call your insurance carrier to determine whether your homeowner's policy provides for upgrades to the current building code. (Some policies do not pay for building code upgrades.)

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If the local government's zoning requirements have changed for your property since the house was built, you will generally be required to conform to the new zoning rules. This could affect the size or design of the house and, in some cases, it may affect the allowable uses of the property. Be sure to check with your local planning department.

Is it a good idea to be my own general contractor?

Unless you are very experienced in the construction business, no. As an owner/builder, you assume responsibility for the overall job, which may include responsibility for state and federal taxes, workers' compensation insurance for the workers you hire, and other requirements and liabilities.

If I'm not my own contractor, how will I know which contractor to hire?

If possible, use only contractors referred to you by someone you know and trust. Unscrupulous contractors may try to solicit work from you, offering to repair or rebuild your home for a low price. Remember, if something seems "too good to be true," it probably is. Although you may be anxious to get things back to normal, avoid acting too quickly. Take time to determine exactly what you want done and make sure the contractor is licensed and reputable and can address all of your concerns. If possible, get at least three competitive bids based on the same set of specifications before making your decision. Beware of door-to-door offers of repair services and never provide the contractor with a cash deposit on a handshake. You should always get a written contract that details every aspect of the work to be done and a performance and payment schedule. Before signing a contract with a contractor, be sure to check his or her license status and references, and read the information in the **Consumer Tips & Fraud Prevention** chapter of this handbook.

Must a contractor be licensed?

State law requires that contractors working on any job requiring \$500 or more of work be licensed by the California Contractors State License Board (CSLB). Ask to see the contractor's license (called a "pocket license") that has the CSLB's license number on it (state contractors' licenses are solely numeric; no alphabetic characters are included in them), as well as an additional form of identification for verification (the contractor's license should be in the contractor's own name). You can verify a contractor's license status at the CSLB website, <http://www.cslb.ca.gov/>, or by calling CSLB's toll-free automated telephone system (800) 321-2752. The CSLB has a hotline for disaster victims, (800) 962-1125 (weekdays only).

Do I need a written contract?

State law requires that home improvement contracts for \$500 or more in labor or materials must be in writing. Anything you sign, no matter what the form, can be considered a contract or otherwise used by a contractor as authorization to go forward with a project, so do not sign anything until you completely understand what it is.

Can I change my mind after I sign the contract?

If your residence is within a federally, state, or locally declared emergency area, California law allows you to cancel a contract for repair of a residence damaged by the disaster within seven business days of signing the contract. For other contracts, you may cancel within three business days of signing, provided the contract was solicited some place other than the contractor's place of business (such as in your own home). By law, the contractor must give you written notice of this right to cancel.

How much can a contractor require as a down payment?

California law limits the amount of the down payment for any home improvement contract (including debris removal) to the lesser of \$1,000 or 10% of the contract price, excluding finance charges. Except for this down payment, California law prohibits a contractor from collecting payment for work that has not been performed or materials that have not been delivered. As a general rule, you should not make cash payments to contractors.

How can I make sure the work progresses as scheduled in the contract?

The contract should provide a description of the work to be done, the time period within which it is to be done (including the date on which "substantial commencement of work" should occur), the materials to be used, and the equipment to be used or installed. Contractors often ask for progress payments as the work progresses. California law requires that the contract must specify all of the work that is to be completed before a progress payment is due and that the progress payment cannot exceed the value of the work performed and materials purchased up to that point. It is customary to make the last payment a "retention" payment, ordinarily 10%, which you retain until the job is completed and the city and county have approved all work.

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What happens when the contractor uses subcontractors or suppliers?

As explained in this section, you should protect yourself from liens against your property in the event the contractor does not pay the subcontractors or suppliers. California's Mechanics' Lien Law allows those who furnish labor or materials to your home to record a lien against your property if they are not paid even if you have paid your general contractor in accordance with the contract. At its most extreme, a lien may result in the forced sale of your property if you are unable to pay the amount of the lien. At the very least, a lien will make your property more difficult to finance or sell.

California law requires the contractor to provide you with a "Mechanics' Lien Warning." That warning suggests measures you can take to prevent liens against your home, such as:

- getting a list from your contractor of all subcontractors and material suppliers and monitoring when they start work or deliver materials;
- paying close attention to any "Preliminary Notice" received from a subcontractor, which provides notice that the person has a right to record a lien if not paid; and
- if permitted by your contract with the general contractor, paying with a joint check, payable to both the contractor and the subcontractor or material supplier.

The law provides that contractors, on request, must furnish an unconditional release of potential mechanics' lien claims once you have made payment to the subcontractor for that specific work or materials. Note that the general contractor can also place a lien on your house if you fail to pay for his or her services.

What if my contractor doesn't perform the work I contracted for or does a poor job?

If you have a dispute with a contractor that you are not able to resolve on your own, in addition to considering consulting with an attorney, you may contact CSLB to file a complaint against the contractor. You can find more information at <http://www.cslb.ca.gov/> or by calling (800) 321-2752. Depending on the nature and severity of the complaint, and whether the contractor is licensed or unlicensed, CSLB may direct the parties to a dispute resolution program, investigate potential violations of law, or pursue legal action against the contractor.

My contract has an arbitration clause. What does that mean?

By agreeing to arbitrate, you agree that a dispute with your contractor will be decided by a neutral third party (known as an arbitrator) rather than by a judge or jury (unless the arbitration is non-binding). Some consumers prefer arbitration to court proceedings because arbitration is usually less expensive and usually faster than a lawsuit. If your contract requires binding arbitration, it means you have waived almost all grounds for seeking judicial review of the arbitrator's decision; in almost all such circumstances, the arbitrator's decision will be the final decision, even if you think the arbitrator made a mistake of fact or law.

What is the effect of a clause allowing the contractor to recover attorney's fees and costs from me if there is a dispute?

In California, in a legal dispute about a contract, each side pays its own attorney's fees and costs unless their written contract provides otherwise. An attorney's fees' clause written for the contractor means that, if the contractor prevails in a dispute in arbitration or in court, you will have to pay the contractor's attorney's fees and costs (as well as your own if you had an attorney represent you in the proceedings). California law provides a reciprocal benefit with regard to attorney's fee clauses—meaning that if you are the prevailing party and the contractor had an attorney's fee clause in their contract, you may recover your attorney's fees and costs from the contractor even if the clause does not specifically provide that you are entitled to do so.

A man who said he was a contractor offered to clean up my property, assess the damage to it for the purpose of obtaining grants and loans, and rebuild my house for \$50,000, with just \$5,000 down. Fortunately, I have the money available. Should I hire him?

You should pause and proceed only with the utmost caution. Before hiring anyone as a contractor or other service provider in connection with damage to or destruction of your property, you should be sure you are an "aware consumer." As discussed above, if a person represents himself as a contractor, you should ask for references from prior jobs and obtain his contractor's license number and check that it is valid, including checking for valid photo identification. Most entities and programs that will provide property owners with funds to rebuild or replace damaged property have their own inspection and assessment programs. As a result, unless the funding entity instructs you otherwise, you need not hire a private person or firm to perform an inspection of your property as part of the application process.

HOUSING

Although my primary residence, which I own, was not destroyed during the disasters, it was damaged and is no longer habitable. Can I get any assistance to repair my house or mobile home?

Yes. In addition to charitable grants, loans, or insurance proceeds, if you reside in a federally declared disaster area, FEMA and the SBA may be able to help you with repairs.

FEMA, through its IHP, provides grants to homeowners to repair damage from the disaster that is not covered by insurance. The goal is to repair the home so it is in a safe and sanitary condition, which may not return a home to its condition before the disaster. These grants are available only when a disaster has been declared for the area by the president and individual assistance has been authorized. As of August 17, 2018, the maximum assistance available to an individual or household under the IHP is \$34,000.

If you apply for IHP, FEMA will inspect your home and base the amount of its grant on the reasonable cost of repairs to the damaged property. Repairs covered by IHP include:

- structural parts of a home (foundation, outside walls, and roof);
- windows, doors, floors, walls, ceilings, and cabinetry;
- septic or sewage system;
- well or other water system;
- heating, ventilating, and air-conditioning systems;
- utilities (electrical, plumbing, and gas systems); and
- home entrances and exits, including privately owned access roads.

If you own a mobile home and it is your primary residence, IHP will cover repair costs related to blocking, leveling, and anchoring the mobile home.

If your home needs more extensive repairs than FEMA will fund, the SBA may be able to help with a Home and Personal Property Loan. For more information, see the **SBA Loan Assistance** and **FEMA** chapters of this handbook.

PURCHASE AND SALE OF DAMAGED PROPERTY

Before the disasters, I had agreed to purchase a house that was subsequently destroyed by the disasters. Must I complete the purchase?

It depends on the terms of the purchase agreement and whether title to, or possession of, the property passed to you before it was destroyed. If title to the property had already passed and you were the owner at the time of destruction, you may be eligible for assistance from your insurer or from the various sources of aid identified in this handbook. Otherwise, barring contrary language in your purchase and sale agreement, the Uniform Vendor and Purchaser Risk Act, Civil Code section 1662, allows a purchaser to back out of an agreement for the sale of real property if “all or a material part” of the property was destroyed before the transfer of title or possession. If you face this situation, you should obtain the advice of a real estate attorney.

PROPERTY TAXES

My property was damaged in the disasters. Can I obtain a reduction in my property tax assessment?

Depending on your county, if the damage to your property exceeds \$10,000, you may obtain a reduced tax assessment as of the date of the disaster, but unless you qualify for the tax payment deferral described below, you must continue to pay your taxes as billed and obtain a refund after the property has been reassessed to reflect the damage. To qualify, you must file an application for an assessment reduction within 12 months after your property experienced the damage (unless extended by the county). A list of County Assessors’ offices appears below. (Note: Upon restoration, your property will be taxed using its original Proposition 13 base year value as adjusted for time and improvements that expand the size or improve the quality of the damaged property.)

If I choose not to rebuild, can I purchase or construct another replacement property and continue to enjoy my original Proposition 13 base year value?

Possibly. You may purchase or construct another replacement property in your same county if your original property suffered a decline in value of more than 50% to either the improvements or the land. The replacement property must be similar in size and function, and it must be purchased within five years of date of damage. If the value of the replacement property is 120% or less of the value of original property before it was damaged, you will continue to be taxed based on the Proposition 13 base year value of the original property. To the extent the value of the replacement property exceeds 120% of the value of the original property, the excess will be added to your original base year value.

HOUSING

Do I have to continue to pay my property taxes before receiving a reduced assessment reflecting the damage caused by the disaster?

If your damage exceeds \$10,000 and you have not yet paid your 2017–2018 property taxes, you may file a claim for tax deferment with your County Assessor to request a deferral of those taxes until 30 days after you receive a corrected bill. You should confirm this with your County Assessor's office when you file for the deferment. Otherwise, you must continue to pay your property taxes as billed. (Note: Property taxes that are impounded and paid pursuant to an agreement with your lender do not qualify for deferment.)

Do these provisions also apply to manufactured (mobile) homes?

In general, these provisions apply only to locally assessed manufactured homes, but, for manufactured homes that are replacements for manufactured homes that have been *completely destroyed*, owners who pay a state license fee in lieu of local property taxes may be transferred to a local property assessment with a value that does not increase the taxes currently paid.

Applications for assessment reduction and deferment of taxes, as well as additional information, may be obtained by contacting your County Assessor:

Lake County (<http://www.co.lake.ca.us/>)

Assessor: (707) 263-2302, <http://www.co.lake.ca.us/Government/Directory/Assessor-Recorder.htm>

Shasta County (<https://www.co.shasta.ca.us/index.aspx>)

Assessor: (530) 225-3600, https://www.co.shasta.ca.us/index/assessor_index.aspx

EMPLOYMENT AND RELATED BENEFITS

The answers to the following questions are based on the assumption that the affected employees are not covered by collective bargaining agreements and do not have employment contracts with their employers. If there is a collective bargaining agreement or an employment contract, the employee should consult the terms of those agreements and contracts. And if the employer has established employment policies, the employee should review those policies to see whether they provide additional benefits or rights.

Because these answers address general situations, you should consider obtaining further advice from human resource professionals or attorneys when dealing with specific situations, particularly if difficulties are anticipated or arise.

GETTING PAID

If my employer's payroll records were destroyed, when should I expect to receive my paycheck?

The State of California requires timely payment of wages pursuant to applicable wage-and-hour laws. If records of working hours are not available, employees should work with their employers to create a good faith reconstruction of the hours worked during the applicable pay period; when that is done, employers should promptly pay the amounts due.

Does my employer have to pay me for the days the business was closed as a result of the fire?

The answer depends in part on whether you are considered an **"exempt"** employee (typically, salaried employees) or a **"non-exempt"** employee (typically, employees paid by the hour) for purposes of federal and state wage-and-hour laws, and whether you performed work for your employer during the pay period in question. In general, an employer is not required to pay its non-exempt employees for any days or hours they did not work because the business was closed due to the fire. On the other hand, exempt employees should receive their full salaries for any workweek in which they performed any work without regard to the number of days or hours worked. Please note, however, that under California law, employers can require exempt employees to use accrued paid time off for partial-day absences when the business closes down, as long as the employer has had that policy in place for at least 90 days.

TIME OFF AND THE RIGHT TO RETURN

Can my employer compel me to use my accrued vacation, PTO, or sick leave to cover my absence from work due to the fire?

If you are unable to report to work as a result of the fire, your employer may require you to use your accrued vacation or PTO and may allow you to use sick leave to cover your absences, provided this is consistent with the employer's leave policies. However, you can ask your employer if it is offering any other leave or assistance during this time. You should also consult your employer if you believe your absence may qualify as leave under the federal Family Medical Leave Act (FMLA) or its California counterpart, the California Family Rights Act (CFRA), or as pregnancy disability leave under the California Fair Employment and Housing Act (FEHA). The FMLA and CFRA apply to only those employers with 50 or more employees for each working day in each of 20 or more calendar workweeks in the current or preceding calendar year. These types of leaves are discussed in further detail below.

Does my employer have to provide either paid or unpaid leave under the FMLA, CFRA, or FEHA if I am unable to work as a result of an injury suffered during the fire?

An employer may be required to provide unpaid leave (1) under the FMLA or CFRA if you or a member of your immediate family is suffering from a serious health condition, (2) under the FEHA for pregnancy, childbirth, or related medical conditions, or (3) under the Americans with Disabilities Act (ADA) or the FEHA if you are disabled and if a leave would serve as a reasonable accommodation to your disability.

Leave Under the FMLA and CFRA. The FMLA and CFRA permit covered employees to take a total of 12 weeks of unpaid leave during any 12-month period for certain qualifying reasons. While the employee is on leave, the employer must maintain the employee's health benefits and must guarantee that the employee will be reinstated to the same or an equivalent position. FMLA and CFRA leave is unpaid unless the employer has elected to pay employees during such leave or requires or permits employees to use vacation, PTO, or sick leave. As described below, you may also be eligible for disability benefits under the California State Disability Insurance (SDI) program during a qualifying FMLA or CFRA leave.

An employee is entitled to FMLA or CFRA leave if the employee (1) has been with the employer for at least 12 months, (2) has logged at least 1,250 hours of service during the 12-month period immediately preceding the start of the leave, and (3) is employed at a worksite where 50 or more employees are employed by the employer or within 75 miles of that worksite. FMLA or CFRA leave may be taken to care for the employee's spouse, registered domestic partner, child, or

EMPLOYMENT AND RELATED BENEFITS

parent, or the employee's spouse's or registered domestic partner's child or parent with a serious health condition, or because the employee's serious health condition renders the employee unable to perform the functions of the employee's position. For more information regarding compliance with the FMLA, see <https://www.dol.gov/whd/fmla/APPENDIXF.htm>. For more information regarding compliance with the CFRA, see <https://www.dfeh.ca.gov/resources/frequently-asked-questions/employment-faqs/pregnancy-disability-leave-faqs/pdl-cfra-fmla-guide/>.

Pregnancy-Related Leave Under FEHA. Under FEHA, employers with five or more employees must allow female employees to take up to four months of leave for periods of disability due to pregnancy, childbirth, or related medical conditions. The employee may choose to use accrued vacation leave and may be required to substitute sick leave or any other accrued leave made available by the employer to temporarily disabled employees. Pregnancy-related leave under the FEHA is unpaid unless the employer has elected to pay employees during such leave. The employer must continue to provide the same benefits or privileges of employment granted by that employer to other employees. For more information regarding the FEHA, check the following website: <https://www.dfeh.ca.gov/legal-records-and-reports/laws-and-regulations/>.

Leave Under the ADA and FEHA. Under certain circumstances, an employer may be required to provide an employee with leave under the ADA or FEHA. The ADA and FEHA require employers, in certain circumstances, to provide reasonable accommodations to disabled employees. A "reasonable accommodation" may include providing an unpaid or paid leave of absence.

FEHA generally provides broader protections than its federal counterpart, the ADA. Though the ADA applies only to those employers that employ 15 or more employees for each working day in each of 20 or more calendar workweeks in the current or preceding calendar year, FEHA applies to employers with five or more employees. Under the ADA, an employee is "disabled" if the employee has a physical or mental impairment that *substantially* limits a "major life activity," including walking, seeing, hearing, speaking, breathing, learning, working, sitting, standing, lifting, or reaching. Under FEHA, an employee is "disabled" if he or she has a physical or mental impairment that limits a "major life activity." Generally, temporary impairments are not considered protected disabilities.

Am I entitled to either paid or unpaid leave so I can care for children or family members injured in the fire?

As described above, you may be entitled to FMLA or CFRA leave, which you can use to care for children or family members injured in the fire. If you are entitled to FMLA or CFRA leave as described above, then your employer must allow you to take FMLA or CFRA leave. This leave is unpaid unless your employer has elected to pay employees during such leave or requires or permits you to use vacation, PTO, or sick leave. You may also be eligible to receive benefits under the California Paid Family Leave (CPFL) program during a qualifying FMLA or CFRA leave if your leave is taken to care for a seriously ill family member. If your employer has a policy providing for leave under such circumstances, the employer will be required to comply with its policy. For more information regarding the CPFL program, see http://www.edd.ca.gov/Disability/Paid_Family_Leave.htm.

Am I entitled to either paid or unpaid leave if I am too afraid or emotionally traumatized to return to work?

If you are suffering from post-traumatic stress or some other mental condition, your employer may be required to provide you with unpaid leave under the FMLA or CFRA or as an accommodation under the ADA or FEHA, but you will have to meet the requirements of these laws as discussed above. You may be required to give your employer medical certification of your need for leave. The leave will be unpaid, although you should be able to use any accrued vacation, PTO, or sick leave for the absence. As described below, you may also be eligible to receive disability benefits under the California SDI program.

If I become ill or am injured because of the disasters and cannot return to work, what benefits can I apply for?

You should first check with your employer to determine whether it provides any benefits, including any short-term or long-term disability insurance coverage. You may be eligible for disability benefits under the SDI program, a partial wage-replacement insurance plan funded through employee payroll deductions. Most California workers are covered under SDI, but some are exempt, including railroad employees, some employees of non-profit agencies, employees who claim religious exemptions, and most government employees. Covered workers who are unable to work can receive approximately 55% of their lost wages for up to one year.

Alternatively, you may be eligible for unemployment insurance benefits or Disaster Unemployment Assistance, although you may not be eligible for SDI benefits if you are claiming or receiving unemployment insurance benefits or Disaster Unemployment Assistance. See the **Unemployment** section of this chapter for more information.

EMPLOYMENT AND RELATED BENEFITS

Am I eligible for SDI benefits?

SDI benefits can be paid only if you meet all of these requirements:

- you are unable to do your regular or customary work for at least eight days;
- you were employed or actively looking for work at the time you became disabled;
- you have lost wages because of your disability and you earned at least \$300 during your base period, from which SDI deductions were withheld;
- you are under the care and treatment of a licensed physician/practitioner or accredited religious practitioner during the first eight days of your disability (and must remain under care and treatment to continue receiving benefits); and
- your physician/practitioner completes the medical certification of your disability.

For further information, see http://www.edd.ca.gov/Disability/Am_I_Eligible_for_DI_Benefits.htm.

How do I file a claim for SDI benefits?

You must submit a claim online or complete and mail a claim form within 49 days of the date you became disabled, or you may lose benefits. Filing a disability insurance claim online at http://www.edd.ca.gov/Disability/SDI_Online.htm is the preferred method. Otherwise, a claim form may be obtained from the California Employment Development Department (EDD) at the website http://www.edd.ca.gov/Disability/How_to_File_a_DI_Claim_by_Mail.htm or by calling (800) 480-3287 (English), (866) 658-8846 (Spanish), or (800) 563-2441 (TTY). A completed claim form, including a doctor's certification of your disability, should be mailed to the following address:

State of California
Employment Development Department
P.O. Box 989777
West Sacramento, CA 95798

HEALTH BENEFITS

I was injured or became ill as a result of the fire and cannot return to work. Can I continue my health insurance?

Most California employers are required to offer employees the ability to continue their medical coverage at their own cost, for a set amount of time if they cannot return to work. This coverage is generally referred to as Consolidated Omnibus Budget Reconciliation Act (COBRA) coverage. Normally, you must make an election to continue the coverage within 60 days after the date your coverage terminates as a result of the termination of your employment.

What rights do I have to health coverage under COBRA?

Employers with 20 or more employees who offer health plans are required by federal law to offer continuing medical coverage to qualified beneficiaries (participating employees and their dependents) who lose health coverage due to a "qualifying event," such as the death of the covered employee, termination of employment, or a reduction of the employee's hours sufficient to cause the loss of medical coverage. Employees must pay for this medical coverage themselves.

Smaller employers (with two to 19 employees) that maintain health plans but are not covered by COBRA are required by California's Continuation Benefits Replacement Act (Cal-COBRA) law to provide COBRA-like coverage to their eligible employees. Like COBRA, Cal-COBRA requires employees to pay for this medical coverage themselves.

More detail about these programs can be found on the California Department of Managed HealthCare website, [http://www.dmhc.ca.gov/healthcareincalifornia/typesofplans/keepyourhealthcoverage\(cobra\).aspx](http://www.dmhc.ca.gov/healthcareincalifornia/typesofplans/keepyourhealthcoverage(cobra).aspx).

Can my family members keep their health insurance coverage?

Your dependents can elect COBRA coverage at their own cost if they were previously covered by your health plan during your employment. Their maximum coverage period is 36 months.

What can my employer do to help me recover psychologically from the trauma of the fire? Are there any counseling services available to people affected by the fire?

Your employer's health plan may offer counseling to you and your dependents. Some employers may provide assistance under employee assistance programs (EAPs). If you want counseling, you should ask your employer about the availability of counseling both for yourself and your family. If you are a veteran, you may seek assistance from the Department of Veterans Affairs at www.veteranscrisisline.net or by calling the Veterans Crisis Line (800) 273-8255

EMPLOYMENT AND RELATED BENEFITS

(press 1). You may also seek help from a mental health agency in the county in which you live, either permanently or temporarily.

The National Disaster Distress Helpline, staffed by trained mental health counselors, is available to help those coping with the emotional consequences of the disasters. The toll-free Helpline is available 24 hours a day, seven days a week, at (800) 985-5990 or by texting “talkwithus” (or, for Spanish, “hablanos”) to 66746.

OTHER BENEFITS

Am I entitled to other benefits if I was injured or became ill as a result of the fire and I was working at the time I was injured or became ill?

You may be eligible to receive workers’ compensation benefits to provide you with the medical treatment you need to recover from your work-related injury or illness and replace lost wages if you were working at the time you were injured or became ill. You should file a workers’ compensation claim with your employer. You should contact your employer immediately if you believe you have sustained a fire-related workplace injury or illness.

I’m not eligible for workers’ compensation. Are there other benefits available?

If you are employed but were not at work at the time you were injured or became ill, you may be entitled to short-term or long-term disability insurance payments. Check with your employer and personal insurance agent to find out what coverage is available to you. Your employer may also provide benefits for specific injuries such as loss of a limb under an accidental death or dismemberment policy. If you have been injured, you should inquire about this coverage as well.

Emergency loans against the cash value of some life insurance policies may also be available. Contact your agent, employer, or insurance company to learn more.

LOSING YOUR JOB

I lost my job due to the fire. Is unemployment insurance or disaster insurance available?

If you become unemployed due to a disaster or emergency, you may be eligible for unemployment insurance (UI) benefits, which are administered by California’s Employee Development Department (EDD). For more information about filing a claim, see http://www.edd.ca.gov/unemployment/Filing_a_Claim.htm. And because certain counties have been federally declared disaster areas (Lake and Shasta Counties, as of August 20, 2018), you may be eligible to receive Disaster Unemployment Assistance (DUA) benefits if you become unemployed due to a disaster and do not qualify for regular UI benefits (for example, because you are self-employed or you are an agricultural worker who does not meet the UI earnings requirement). Applicants for DUA must be federally authorized to work. For more information, refer to the EDD’s fact sheet on DUA benefits, http://www.edd.ca.gov/pdf_pub_ctr/de8714y.pdf. The National Employment Law Project also published a helpful summary of DUA eligibility and benefits, <https://www.nelp.org/publication/disaster-unemployment-assistance-workers-can-access-program-2018-california-wildfires/>. For additional information on both UI and DUA, read the **Unemployment Benefits** section of this chapter.

Does my employer have to provide its employees with any prior notice of termination if the employer determines it is necessary to lay off employees?

Probably not; advance notice requirements generally do not apply in the event of natural disasters.

Does my employer have to provide severance pay if I am laid off?

No law requires severance pay, but if your employer has an established severance pay practice or plan, you may be eligible for severance pay.

Can I be reimbursed by my employer for the destruction or loss of any of my personal items, such as personal computers or cars that I may have used for business purposes?

Generally speaking, your employer is not responsible for your loss of personal property. You should consult your employer and your own insurance company to determine whether your loss is covered by any applicable insurance policy.

Because my employer’s offices were destroyed, I will be working from home. Is there any information I should know?

You should assume the same laws, requirements, and rights apply at your temporary work location as apply at your usual work location. If you are paid by the hour, you should keep track of the hours you work. You should also keep track of any business expenses you incur in the event you are eligible for reimbursement from your employer.

EMPLOYMENT AND RELATED BENEFITS

UNEMPLOYMENT BENEFITS

I lost my job or cannot work because of the fire. Am I eligible for unemployment benefits?

You may be eligible for either (i) unemployment insurance benefits or (ii) Disaster Unemployment Assistance.

What are unemployment insurance benefits?

Unemployment insurance provides temporary income for workers who are unable to work through no fault of their own. Unemployment insurance benefits are paid weekly, in an amount generally based on a worker's earnings in the prior calendar year. To be eligible, you must be able to work, be seeking work, be willing to accept a suitable job, and be federally authorized to work, in addition to meeting other criteria.

How do I file a claim for unemployment insurance?

Unemployment insurance claims are filed with the California EDD. Claims may be filed by calling (800) 300-5616 (English), (800) 326-8937 (Spanish), (800) 547-3506 (Cantonese), (866) 303-0706 (Mandarin), (800) 547-2058 (Vietnamese), or (800) 815-9387 (TTY), Monday – Friday, 8:00 a.m. – noon, except holidays. Claims may be filed online at <https://eapply4ui.edd.ca.gov/>.

You will need the following information to file a claim:

- your Social Security number, mailing and residence addresses (if different), and telephone number;
- the last date you worked for any employer (if you are working part-time be sure to state that you are still working and provide the number of hours you work each week);
- the reason you are no longer working for your last employer (e.g., you were laid off or terminated due to the closing of a business as a result of the fire or you were terminated because you had to move out of the area as a result of the fire);
- the name, mailing address, physical location, and telephone number of your last employer (note that an incorrect address may delay benefit payments);
- information on all employers you worked for during the 18 months before filing your claim, including each employer's name, your period of employment, wages earned, and how you were paid;
- the name of the employer you worked for the longest within the last year and a half and the number of years you worked for that employer (this may or may not be the same as your last employer);
- your driver's license or ID card number, if you have either;
- whether you are receiving, or expect to receive, any payments from a former employer (severance pay is not deducted from unemployment insurance benefits and does not affect your eligibility to receive benefits but must be reported);
- whether you are able to work and are available to accept work; and
- whether you have a legal right to work in the United States, which may include providing your alien registration number.

What Is Disaster Unemployment Assistance?

Disaster Unemployment Assistance is a federal program providing financial assistance to workers, including the self-employed and certain agricultural workers, who become unemployed as a direct result of a major, federally declared natural disaster. Eligible persons will receive weekly payments calculated in the same manner as unemployment insurance benefits (described above). The minimum weekly benefit amount is half of the average benefit amount in California.

EMPLOYMENT AND RELATED BENEFITS

Am I eligible to receive Disaster Unemployment Assistance?

You generally will be eligible to receive Disaster Unemployment Assistance if (1) you are an unemployed worker or self-employed individual, (2) you are federally authorized to work, (3) you lived, worked, or were scheduled to work in the federally declared disaster area (currently Lake and Shasta Counties, as of August 20, 2018), and (4) as a direct result of the disaster, you:

- are not eligible for unemployment insurance benefits (described above) **AND**:
- no longer have a job or a place to work;
- cannot reach your place of work;
- cannot work due to damage to your place of work;
- cannot work because of an injury caused by the fire (including mental stress, if documented by a doctor); or
- have become the breadwinner or major support for a household after the head of the household died as a result of the fire.

For how long can I receive Disaster Unemployment Assistance?

Disaster Unemployment Assistance benefits are payable for up to 26 weeks beginning on the first day of the week following the date of the disaster and ending 26 weeks after the date the disaster was declared. You may receive assistance for as long as you remain unemployed during this period. You must accept any suitable jobs offered and must conduct a job search while receiving assistance.

How do I file a claim for Disaster Unemployment Assistance?

Claims for Disaster Unemployment Assistance can be filed by telephone or online. Contact the EDD at (800) 300-5616 (English), (800) 326-8937 (Spanish), (800) 547-3506 (Cantonese), (866) 303-0706 (Mandarin), (800) 547-2058 (Vietnamese), or (800) 815-9387 (TTY), Monday – Friday, 8:00 a.m. – noon, except holidays. Claims can be filed online at https://www.edd.ca.gov/Unemployment/UI_Online.htm. You must file your claim for Disaster Unemployment Assistance within 30 days of the announcement of the federal disaster declaration. Please consult the following website for additional information: https://www.edd.ca.gov/About_EDD/Disaster_Related_Services.htm. Late applications are accepted only in certain limited circumstances. See the EDD's website at http://www.edd.ca.gov/About_EDD/Disaster_Related_Services.htm for more information on how to file a claim for Disaster Unemployment Assistance and for other important deadlines related to unemployment benefits.

FINDING WORK

I lost my job because of the fire and need help finding a job. Who should I contact?

For information on job search assistance, online job listings, workshops, and other employment and training services, contact your local EDD America's Job Center of California. The following is a list of some EDD America's Job Center of California locations in Lake County and Shasta County.

Lake County

CareerPoint Lake

55 First Street, Suite 114

Lakeport, CA 95453

Phone: (707) 263-0630

Hours: Monday – Friday, 8:00 a.m. – 5:00 p.m. (closed noon – 1:00 p.m.)

<http://careerpointnorthbay.org/venue/careerpoint-lake/>

CareerPoint Lake – Clearlake

15880 Dam Road Extension, Building 602

Clearlake, CA 95422

Phone: (707) 998-8591

Hours: Tuesday – Thursday, 9:00 a.m. – 4:00 p.m. (closed noon – 1:00 p.m.)

<https://support.lakecochamber.com/list/member/careerpoint-lake-clearlake-5144>

EMPLOYMENT AND RELATED BENEFITS

Shasta County

Smart Business Resource Center

1201 Placer Street

Redding, CA 96001

Phone: (530) 246-7911

Hours: Monday, Tuesday, Thursday, and Friday, 8:00 a.m. – noon, 1:00 – 5:00 p.m., Wednesday 9:00 a.m. – noon, 1:00 p.m. – 5:00 p.m.

<https://thesmartcenter.biz/>

EDD State of California — Redding

1325 Pine Street

Redding, CA 96001

Phone: 530-225-2185

Hours: Monday – Friday, 8:00 a.m. – noon, 1:00 p.m. – 5:00 p.m.

www.caljobs.ca.gov

Shasta County Health and Human Services Agency – Employment Services

https://www.co.shasta.ca.us/index/hhsa_index/Employ_services.aspx

Additional information is available at <https://edd.ca.gov/OfficeLocator/>.

INSURANCE

UNDERSTANDING YOUR INSURANCE COVERAGE

My real or personal property was damaged or destroyed during the disaster. What insurance policies might provide coverage for my loss?

If your home, personal property, or vehicle has been damaged or destroyed as a result of a disaster, several different types of insurance policies—homeowners, renters, condominium, vehicle, and fire policies—could all provide some coverage.

Typical homeowners, renters, and condominium insurance policies cover losses to real and personal property resulting from fire, smoke, wind, theft, riots, vandalism, and water (excluding flood damage). “Comprehensive” vehicle insurance policies typically cover damage not caused by collision, including damage caused by fire, theft, vandalism, and windstorm. Fire insurance, not surprisingly, specifically covers losses from fire.

Earth movement (landslides and mudslides) is typically excluded from standard homeowners insurance policies. This is a complicated issue, and you will likely want to consult your insurance agent or an attorney or other expert. United Policyholders, a nonprofit organization serving insurance consumers, provides additional information on coverage of losses from mudslides and mudflows at www.uphelp.org.

What type of property does my policy cover?

Coverage depends on the type of insurance policy you hold:

- **Homeowners insurance** typically covers damage to personal property (e.g., furniture, clothes, and appliances), dwellings (your house and other buildings on your premises), and landscaping (on a limited basis), as well as additional necessary living expenses (including food and temporary housing) incurred as the result of a covered loss.
- **Renters insurance** usually covers the loss of personal property and the loss of use of the rented property. It may also include liability and medical payments coverage.
- **Condominium insurance** usually covers personal property and improvements made to the condominium unit you own. Condominium associations typically purchase insurance for the building structure and common areas, while a condominium owner’s individual condominium insurance policy typically covers the interior contents of the condominium unit.
- **Comprehensive vehicle insurance** ordinarily covers physical damage to the insured vehicle (either the cost of repairs or the fair market value of the vehicle) not caused by collision.
- **Fire insurance** covers the listed real property (dwelling and other buildings on the property) and personal property common to such occupancy. Some policies also often provide coverage for debris removal, landscaping, and additional living expenses.

A summary of the coverage types and limits can be found on the declarations page of each policy, and the detailed disclosure regarding the limitations on coverage can be found in the underlying policy documents. Exclusions will be listed in your insurance policy. It is important to carefully review your policy to learn which claims are excluded from a particular policy and to understand each policy’s deductibles and coverage limits. It may be advisable to consult with an attorney about your policy’s terms and conditions. If you cannot afford an attorney, please refer to the Lawyer Referral Services & Legal Aid chapter of this handbook.

I own a small business that was damaged or destroyed during the disasters. Does my insurance policy provide coverage for my loss?

If your business has suffered property damage or destruction, including collateral damage or economic loss (such as loss of business income, extra expenses, computers, valuable records, and data-processing material) as a result of the disaster, the evacuations, or other governmental actions related to the disaster, you may be able to file claims based on a variety of insurance policies typically held by small businesses. (Earth movement, such as landslides and mudslides, is typically excluded from standard business insurance.) Typical policies include:

- all risk/all perils policies;
- specific peril policies covering fire damage;
- business owner property policies;
- computer policies;
- commercial loss policies;
- commercial general liability policies;
- homeowners and renters policies;
- valuable papers and records policies;

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- building and personal property policies; and
- umbrella and excess coverage policies.

Damage to vehicles such as automobiles, recreational vehicles, mobile homes, or boats may be covered under business or personal automobile policies, motor carrier policies, mobile equipment policies, garage coverage policies, and marine policies. If you or your employees were injured, you or they may be covered by your workers' compensation policy, your or their health insurance policy, or short- or long-term disability policies.

Does my insurance policy cover the removal of debris from my property?

Your homeowners policy may provide coverage for at least some of the costs associated with debris removal due to the wildfires. To determine if it does, review the declarations page and the underlying policy documents. Before deciding whether to clear the debris, review the **Housing** chapter of this handbook. Be sure to carefully document (videotape or photograph) and itemize recognizable items because your insurance company may request evidence to validate claims of loss.

My property was not damaged by the disaster, but I had to evacuate. Does my insurance policy provide coverage for temporary living expenses?

Even if your property did not suffer direct damage from the disaster, your homeowners, condominium, or renters insurance policy's additional living expense coverage may provide full or partial reimbursement of food, temporary housing, pet boarding, and other similar expenses if you had to evacuate as a result of the disaster. Carefully review your policy to determine if it provides such coverage (and whether it distinguishes between mandatory and voluntary evacuations), and be sure to document costs (keep copies of receipts and credit card statements) incurred as a result of the evacuation.

NOTIFYING YOUR CARRIER AND NAVIGATING THE CLAIMS PROCESS

How do I make an insurance claim?

If you have not done so already, you should contact your insurance agent or insurance company *as soon as possible* to start the claims process. All insurance policies require policyholders to provide timely notice of a claim, and many have a one year statute of limitations, starting from the date of loss; some policies have even shorter limits for filing claims. Most insurance carriers provide toll-free telephone numbers to facilitate the claims-filing process. A list of these numbers can be found at the end of this chapter.

When dealing with your insurance company, it is important to carefully document every conversation. Be sure to write down the name of the person you speak to and the date and the substance of your conversation, including the nature and scope of the information you provide to the insurance company's agent. Confirm all conversations and agreements in writing (an email to the insurance company representative or a letter), and, if appropriate, note on your correspondence that the listed losses represent only a partial list of your losses and that you will forward additional claims when discovered. Keep a written inventory of all losses. This can help in future dealings with the insurance company.

What should I do if my insurance policy is lost or destroyed?

If your insurance documents were destroyed in the disasters, or if you cannot locate your insurance documents for any other reason, do not panic. Call your insurance agent or insurance company. They should have copies of your policies on file and must provide a copy to you. If you do not know the name of your insurance company or insurance agent, check with your mortgage lender, your bank, or your auto dealer, as applicable. They may have records of your insurance information. If those options are unavailable, call the California Department of Insurance at (800) 927-4357 (TTY: (800) 482-4833).

Are there specific documents I need to prove my loss?

The insurance company or insurance adjuster (a person professionally trained to assess the damage to your property) will ask to examine any evidence you may have to validate claims of loss. Examples of such evidence may include:

- pictures (videotapes or photographs) taken before and after the property loss;
- an inventory of all property damaged, along with an estimate of its actual cash or replacement cost value;
- records and receipts for all living expenses incurred due to the property loss (including all food, hotel, and staples bought to maintain a normal standard of living); and
- repair estimates obtained from third parties (e.g., contractors and auto mechanics) or receipts for any repairs already completed.

For more information on documenting and proving your losses, see <http://uphelp.org/pubs/scoop-%E2%80%9Cscope%E2%80%9D-loss> and <http://uphelp.org/pubs/samples-damage-and-proof-loss-documentation>.

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My house is uninhabitable. How do I get money now to pay for living expenses, extra transportation costs to and from work or school, storage costs, etc.?

While assistance may be available from family, friends, and government agencies (please see the FEMA chapter of this handbook), some living expense coverage is often a standard part of homeowners, condominium, and renters insurance policies and can provide coverage for hotel or temporary rental fees, food and meal expenses, pet boarding costs, and other similar expenses incurred as a result of a covered event, such as a fire. Review your policy to determine whether it provides any living expense coverage and, if need be, ask your insurance company for an advance on your insurance proceeds. Funds disbursed in the form of an advance will be deducted from the final settlement.

For homeowners insurance, what is the difference between “replacement cost value” and “actual cash value” policies?

“Replacement cost” coverage provides you with money to repair damaged items or replace destroyed items with new items of a similar type. Your policy should pay enough to purchase the new items, but it may or may not contain an overall limit. “Actual cash value” coverage provides an amount necessary to replace the damaged or destroyed item with a similar item. You will likely receive less money from an actual cash value policy than a replacement cost policy because the actual cash value policy takes depreciation (e.g., age and wear and tear) into account.

Under either form of policy, you will probably still have an applicable deductible unless that requirement is waived by the insurance company and you may also be subject to an overall limit or cap.

If I did not have renters insurance, am I covered under my landlord’s policy?

You are probably not covered unless your landlord named you in his or her policy as a “named” or “additional” insured. It is worth asking your landlord to check if you are included in the policy.

My insurance company denied coverage; what can I do?

Insurance companies are required to acknowledge receipt of claims, communicate their decisions on claims, and pay claims in a timely manner. In general, insurance companies should acknowledge receipt of your claim within 15 days and should communicate a decision on the claim within 40 days of receipt of your claim (although it can take longer). Payouts should occur within 30 days of your acceptance of the insurance company’s offer.

If coverage is denied, in whole or in part, promptly ask the insurance company to provide you with its reasons in writing and for the details of its appeals process (if it has one). If you believe your claim has been wrongfully denied, contact the Department of Insurance at (800) 927-4357 (TTY: (800) 482-4833).

Consider whether you want to seek help from an attorney or public adjuster—but be aware that their fees will often reduce your total recovery. Before engaging an attorney or public adjuster to assist with your claim (and before signing an engagement letter or any form of contract), collect references and compare multiple service providers. United Policyholders provides guidance on hiring professional help for an insurance claim at <http://uphelp.org/pubs/hiring-professional-help-insurance-claim>.

ACCESSING RESOURCES AND KEY CONTACTS

Are insurance companies taking special measures to respond to those affected by the disasters?

The California Insurance Commissioner has issued a notice to insurance companies asking them to expedite claims-handling procedures for claims arising from the disaster to help victims more rapidly. These expedited claims-handling procedures include standard additional living expense advance payments of at least four months for a total loss and an agreement by the insurance companies to accept reduced itemization of contents in wildfire total losses (e.g., allowing a listing of “100 DVDs” instead of requiring a list of specific DVD titles). Further information regarding these expedited claims-handling procedures can be found at www.insurance.ca.gov.

Are insurance companies permitted to use insurance adjusters from outside California?

On August 1, 2018, the California Insurance Commissioner declared an emergency situation in connection with the wildfires, and authorized insurance companies to use out-of-state, non-California licensed claims adjusters to adjust claims in the fire areas. Non-California adjusters must register with the Commissioner and their work must be performed under the active direction, control, charge, or management of a licensed adjuster or an insurer authorized to do business in California. See www.insurance.ca.gov/0400-news/0100-press-releases/2018/upload/nr086-2018CALaw.pdf. If you have questions, you can contact Risa Salat-Kolm, an attorney at the California Department of Insurance, at (415) 538-4127 or Risa.Salat-Kolm@insurance.ca.gov.

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How can I contact the Department of Insurance?

The California Department of Insurance (CDI) can be reached at (800) 927-4357 (TTY: (800) 482-4833) for assistance with insurance-related questions. The CDI maintains a website at www.insurance.ca.gov, and has established a dedicated page to provide information regarding its response to the wildfires at <https://www.insurance.ca.gov/01-consumers/140-catastrophes/WildfireResources.cfm>. CDI staff members are also available at certain Local Assistance Centers (LAC) and Disaster Recovery Centers (DRC). The locations of these centers can be found at <https://www.insurance.ca.gov/01-consumers/140-catastrophes/LACs.cfm>.

What is the phone number for my insurance carrier?

Toll-free phone numbers for many of the insurance companies operating in California are as follows:

21st Century	(888) 244-6163
Allied	(800) 282-1446
Allstate	(877) 810-2920
American Modern	(800) 375-2075
Arrowhead	(800) 333-5553
Auto Club of Northern California (AAA)	(800) 922-8228
California Casualty	(800) 800-9410
Century National	(844) 980-4827
Chubb Group	(800) 252-4670
Commerce West (MAPFRE)	(800) 244-1545
	(800) 627-3731
CSE Insurance Group	(888) 236-5584
Farmers Insurance	(800) 435-7764
FIC/Unitrin	(888) 253-7834
Fireman's Fund	(888) 347-3428
First American Property & Casualty	(888) 922-5343
First American Specialty	(800) 632-1642
Foremost	(800) 527-3907
Golden Eagle Insurance	(800) 461-9224
Hartford	(800) 624-5578
Liberty Mutual	(888) 398-8924
	(800) 225-2467
Mercury Insurance	(800) 503-3724
MetLife Auto & Home	(844) 569-3607
	(844) 577-4579
Nationwide	(877) 669-6877
Oregon Mutual.....	(800) 934-3809
Progressive	(800) 776-4737
Safeco	(800) 332-3226
State Farm	(800) 782-8332
Travelers	(800) 252-4633
	(800) 238-6225
USAA	(800) 531-8722
Wawanesa Mutual Insurance Co.	(877) 929-2637

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OVERVIEW

What is FEMA?

FEMA, the Federal Emergency Management Agency, steps in to manage and coordinate many government assistance programs when the president declares a federal disaster area.

President Trump issued a major disaster declaration for Shasta County on August 4, 2018, as a result of the Carr wildfire that began in mid-July. This declaration was amended on August 17, 2018, to include Lake County, as a result of the Mendocino Complex wildfires. For updated information, see <https://www.fema.gov/disaster/4382>.

What does FEMA do?

FEMA is the starting point for obtaining federal financial assistance in the wake of a presidentially-designated disaster. FEMA coordinates federal resources, including the Disaster Housing Assistance and Home Repair Assistance Programs, special loans from the Small Business Administration and the Farm Service Agency, special grants from the Cora Brown Fund, and assistance from many other government-run organizations, including those under the umbrella of the Other Needs Assistance (ONA) Program.

FEMA sponsors crisis counseling, disaster legal services, income tax assistance for filing casualty losses, advisory assistance for veterans' benefits and Social Security matters, and Disaster Unemployment Assistance. At FEMA's local assistance and disaster recovery centers, you can talk directly to representatives of state and volunteer agencies and get help with insurance questions.

What types of disaster assistance does FEMA help administer and coordinate?

The Individuals and Households Program (IHP) is a FEMA program providing a range of services to persons in a declared disaster area. The IHP provides money (up to \$34,000) and services to disaster-affected persons whose property has been damaged or destroyed and whose losses are not covered by insurance.

There are several different types of assistance, including various forms of housing assistance:

- **Rental Assistance:** Eligible applicants can receive money to rent a temporary place to live while repairs are made to a primary residence or while transitioning to permanent housing. Rental Assistance may be used to rent a house, apartment, manufactured home, or recreational vehicle.
- **Direct Housing Assistance:** When applicants are unable to use Rental Assistance because sufficient rental properties are unavailable, FEMA may provide housing services if requested by the affected state or locality.
- **Home Repair:** Eligible homeowner applicants can receive money to help repair damage to their primary residence caused by the disaster if it is not covered by insurance. The goal is to make the damaged home safe, sanitary, and functional.
- **Home Replacement:** Eligible homeowner applicants can receive money to help replace their primary residences destroyed in the disaster if they are not covered by insurance. The goal is to help the homeowner with the cost of replacing the destroyed primary residence.
- **Other Needs Assistance (ONA):** Eligible applicants can receive money to cover necessary expenses and serious needs that cannot be met through other forms of disaster assistance. This assistance may cover the cost of replacing personal property items, including clothing, household items, and educational materials, as well as transportation, medical, dental, and funeral costs, and expenses incurred by disaster victims.
- **Cora Brown Fund:** This fund provides financial support (covering costs and expenses) for disaster victims who have exhausted all other avenues of assistance but still have unmet needs.

For more information regarding housing assistance, see <https://www.disasterassistance.gov/information/moving-forward/your-home> and the Housing chapter of this handbook.

Do I have to repay FEMA for any disaster assistance?

IHP grants (including assistance from the ONA Program and the Cora Brown Fund) do not need to be repaid, but SBA loans (discussed in the SBA Loan Assistance chapter of this handbook) must be repaid.

What is the State Supplemental Grant Program (SSGP)?

The SSGP is a state program that, like IHP, provides financial assistance to victims of declared disasters such as the disasters in Lake County and Shasta County. To be eligible for an SSGP grant, you must have applied for and received the maximum IHP grant of \$34,000, completed a disaster loan application with the SBA, made claims for disaster damages against all applicable insurance policies, and accepted any available financial assistance offered from other sources such as private and public organizations. SSGP is a supplemental program of last resort. SSGP grants, typically

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ranging from \$200 to \$2,000, are awarded only for acute needs and necessary expenses directly caused by the disasters. SSGP funds must be spent on the items for which the money is awarded, such as rental assistance and medical, dental, and other specified expenses. SSGP funds may not be spent on items such as business losses, property improvements, landscaping, recreational property, debts, luxury items, cosmetic damages, pets, replacing cash, or food. For an additional description of the SSGP program, please visit <http://www.cdss.ca.gov/cdssweb/entres/forms/English/SSGP45.pdf>.

ELIGIBILITY & APPLICATION QUESTIONS

Am I eligible for assistance from FEMA?

If you experienced a loss in Lake County or Shasta County as a result of the wildfires, you may be eligible for assistance from FEMA. **You should register with FEMA as quickly as possible.** The various programs coordinated by FEMA have different eligibility criteria and you can usually receive assistance under only one program at a time. After you register, FEMA will determine your eligibility for the various programs.

To be eligible for Housing Assistance, all of the following must be true:

- you have losses in an area declared a disaster area by the president;
- you have filed for insurance benefits (if you have applicable insurance), and the damage to your property may not be covered by your insurance or your insurance settlement may be insufficient to meet your losses;
- you or someone who lives with you at your primary residence 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; and
- you do not have other adequate, rent-free housing you can use (for example, a vacation home or unused rental property).

To be eligible for Other Needs Assistance, all of the following must be true:

- you have losses in an area that has been declared a disaster area by the president;
- you have filed for insurance benefits (if you have applicable insurance), and the damage to your property may not be covered by your insurance or your insurance settlement may be insufficient to meet your losses;
- you or someone who lives with you at your primary residence is a citizen of the United States, a non-citizen national, or a “qualified alien”;
- you have necessary expenses or serious needs because of the disaster; and
- you have accepted assistance from all other sources for which you are eligible, such as insurance proceeds or Small Business Administration disaster loans.

To receive federal money for repairs or help with housing needs, do I first need to file a claim under any insurance policy I may have?

Yes. To receive federal money or help with housing needs when you have insurance, you must have filed for insurance benefits and the damage to your property must not be covered by insurance. To obtain assistance, you must provide FEMA with a copy of your insurance company’s decision letter, but if a decision on your insurance settlement has been delayed longer than 30 days from the time you filed the claim, you may be eligible for an insurance advancement from FEMA. (These funds are considered a loan and must be repaid to FEMA once you receive your settlement from your insurance company.)

How do I register with FEMA?

The easiest way to register with FEMA is to call (800) 621-FEMA / (800) 621-3362 (TTY: (800) 462-7585). The toll-free telephone numbers are available from 4:00 a.m. – 8:00 p.m., Monday – Sunday, until further notice. Be prepared to give the FEMA representative the following information:

- 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 (if you want to have disaster assistance funds transferred directly into your bank account; you may be able to find your bank routing number online at <https://routingnumber.aba.com/default1.aspx>); and

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- a description of your losses that were caused by the disaster.

A complete “Application Checklist” is available at <https://www.disasterassistance.gov/get-assistance/application-checklist>.

You can also register online at www.disasterassistance.gov / www.disasterassistance.gov/es (Spanish) or in-person at one of the local assistance centers or disaster recovery centers. For information on locations of these centers, see the **Disaster Help Centers** chapter of this handbook or see <https://www.fema.gov/disaster-recovery-centers>. Information about local assistance centers can be found at <http://www.oesnews.com/?s=local+assistance+center>.

How will FEMA process my request for help?

At the time of registration, you will be given a **FEMA Application Number**. This number is very important, so you must keep it handy. It is also a good idea to keep the name of the person who registered you in case any problem with your paperwork arises.

FEMA may refer you to the U.S. Small Business Administration (SBA), which offers special loans to disaster victims. (Note that some SBA disaster loan programs are **not** limited to small businesses or business owners.) If you are referred to the SBA, you must complete and send in your SBA loan application even if you think you may not qualify for a loan. The SBA serves as a gatekeeper to other government-run programs, so this is an important step. Unless you send in your SBA application and the SBA determines that you do not qualify for an SBA loan (or a loan large enough to meet your needs), FEMA will not pass your application on to the ONA Programs and you may not be eligible for additional assistance from other programs.

If you request FEMA help because of disaster-related damage to your home, FEMA will send an inspector to your home to look at the damage. The FEMA inspection is free. Do not let anyone charge you for an “inspection service.” Ask the inspector for appropriate identification and ask for and obtain a copy of his or her inspection report. Be prepared to meet with the inspector on short notice. If you cannot be present, you may designate someone (over the age of 18) to meet the inspector on your behalf. You may be asked to sign a form authorizing this individual to meet the inspector or, better yet, provide such written authorization in advance. (If you or your representative is not available for the inspection, your application may be withdrawn.)

To the extent possible, be prepared to provide the inspector with several pieces of information:

- valid identification;
- proof of home ownership or primary residence in the damaged home;
- proof of damage to your primary residence;
- receipts for expenses you have incurred because of the disasters; and
- photos of your property before and after the disasters.

Proof of home ownership can include the following documents:

- **deed or official record**, which may be the original deed or deed of trust to the property listing you as the legal owner;
- **tax receipts or a property tax bill** showing the damaged dwelling and listing you as the responsible party for the assessments;
- **mortgage payment book or other mortgage documents** (e.g., late payment notice or foreclosure notice), where your name is listed along with the damaged dwelling address; or
- **real property insurance** for the damaged primary residence, with your name or the name of a person living with you at the residence listed as the insured.

Ownership documentation can be researched by the inspector or applicant on public websites (such as a county property tax website) and/or with your mortgage lender or property insurance company.

Proof of tenancy can include the following documents:

- **current driver’s license** showing the address of the damaged dwelling;
- **utility bill** sent to the address of the damaged dwelling in the applicant’s name (or the name of a co-applicant); or
- **first-class government mail** sent to you within the last three months at that address.

You will have to sign the disaster application and a declaration that you or someone who lives with you at your primary residence is a citizen, a national, a resident alien, or otherwise lawfully present in the United States. (See the **Immigration** chapter of this handbook for further discussion of these issues.)

The FEMA inspector will complete a report and transmit it to FEMA’s National Processing Servicing Center (NPSC). The NPSC will review the information and decide whether you qualify for assistance. (In the interim, the NPSC may ask you for additional records, such as insurance papers, a copy of title, pay stubs, or repair estimates.) FEMA will mail you a notice of its decision.

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Are there application deadlines I should know about?

Yes. **October 3, 2018**, is the current deadline to register for federal disaster assistance. **To avoid any issues, you should apply as soon as possible.** For updates regarding deadlines, see <https://www.fema.gov/disaster/4382/updates-blog-and-news>.

For information about Disaster Unemployment Assistance, including that separate deadline, see the **Employment and Related Benefits** chapter of this handbook.

Can FEMA extend the registration deadline?

Yes. FEMA is authorized to accept late registrations for up to an additional 60 days after the standard registration deadline, but you should not assume this will be done. FEMA rules require an applicant to provide suitable documentation of the reasons for the delay.

How long does it take to get help from FEMA?

If you have damage to your home or its contents and you are uninsured, or you have suffered damage that is not covered by insurance, a FEMA inspector should contact you within 14 days after you apply to set up an appointment to assess your damage.

Typically, within about 10 days after the inspection, if FEMA determines that you qualify for immediate help, you will receive a direct deposit to your bank account or a check in the mail. If FEMA denies your application, you will receive a letter explaining why you were turned down and will be given a chance to appeal the decision. If you were referred to the SBA, you will receive an SBA application, which you must complete and return to be considered for an SBA loan and for other types of assistance. If it approves your application, the SBA will contact you. If it finds you cannot afford a loan, the SBA will automatically refer you to FEMA's IHP for help and FEMA will contact you.

If FEMA denies assistance, how long do I have to appeal that decision?

Appeals from FEMA's decisions regarding the Rental Assistance and Home Repair Assistance Programs are due within 60 days of the date on FEMA's notice of decision.

If I have questions about my application or need to change some of the information provided, what should I do?

Call the FEMA Disaster Helpline at (800) 621-FEMA / (800) 621-3362 (TTY: (800) 462-7585).

What should I do if I have not heard from FEMA more than 12 days after the FEMA inspector's visit?

Call the FEMA Disaster Helpline at (800) 621-FEMA / (800) 621-3362 (TTY: (800) 462-7585) to ask about your application. You may also inquire at a Disaster Recovery Center about your application.

Where can I find more information about FEMA's programs for disaster victims?

If you have questions about FEMA's programs for victims of the disasters, you may contact FEMA at (800) 621-FEMA / (800) 621-3362 (TTY: (800) 462-7585). If you have Internet access, you can review FEMA's website at www.fema.gov; its page dedicated to the disasters in Lake County and Shasta County is <https://www.fema.gov/disaster/4382>. The California Governor's Office of Emergency Services' website has helpful information on its Statewide Wildfire Recovery Resources page, <http://wildfirerecovery.org/financial/>.

STATE SUPPLEMENTAL GRANT PROGRAM INFORMATION

What is the amount of an SSGP grant? Do I have to repay any grant I may receive?

The maximum SSGP grant is \$10,000, but the average grant is between \$200 and \$2,000. Because it is a grant, and not a loan, you will not have to repay any SSGP grant you may receive. As mentioned above, SSGP is a state program that provides last resort financial assistance to victims of declared disasters.

Am I eligible for an SSGP grant?

Because SSGP is a program of last resort, to be eligible for SSGP assistance you must have:

- applied for and received the maximum IHP grant of \$34,000;
- completed a disaster loan application with the SBA;
- made claims for disaster damages against all applicable insurance policies; and
- accepted any available financial assistance offered from other sources such as private and public organizations (e.g., the American Red Cross).

Additional information about SSGP grants can be found on the following website:
<http://www.cdss.ca.gov/cdssweb/entres/forms/English/SSGP45.pdf>.

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How do I apply for an SSGP grant?

There is no separate application process for SSGP grants. FEMA will transmit your application to SSGP once you have used the maximum amount available under IHP. If you have any questions, you should call the California Department of Social Services at (800) 759-6807. Hearing and speech impaired individuals should call (800) 952-8349.

SBA LOAN ASSISTANCE

OVERVIEW

What is the SBA?

Despite its name, when it comes to federally declared disaster areas, the U.S. Small Business Administration (SBA) is one of the key federal agencies that assists homeowners and renters, businesses of all sizes, and private non-profit organizations, in each case, by providing low-interest, long-term loans to (1) repair or replace real estate, personal property, machinery, equipment, and inventory and business assets that are damaged or destroyed by a declared disaster; or (2) offset economic injuries.

SBA loans are made for uninsured or otherwise uncompensated disaster losses. The SBA does not duplicate benefits that have already been received from other governmental agencies or private insurance companies (with the possible exception of insurance proceeds that are required to be applied against outstanding mortgages). Applying for an SBA loan does not preclude you from applying for and receiving assistance from other federal disaster assistance programs for which you may be eligible (e.g., FEMA assistance program(s)). See the **FEMA** chapter of this handbook for further information on its programs.

SBA loans are made on a non-discriminatory basis and without regard to an applicant's age. For more information, see <https://www.sba.gov/> and <https://disasterloan.sba.gov/ela/Declarations/DeclarationDetails?declNumber=4217973> (SBA Fact Sheet on California Wildfires and High Winds (Disaster # CA-00288)).

What kinds of loans does the SBA provide?

The SBA provides three types of disaster loans:

1. **Home and Personal Property Loans** (HPPL): These loans are available for homeowners, renters, and owners of personal property to repair or replace uninsured damage or loss of property for primary residences and personal property (including automobiles) owned by the victims of a declared disaster. Unless extended by the government following publication of this handbook, **the deadline for applying for an HPPL is October 3, 2018.**
2. **Business Physical Disaster Loans** (BPDL): These loans are available to businesses (regardless of size) and non-profit organizations to repair or replace disaster damage or loss of property, including real estate, machinery, equipment, fixtures, inventory, supplies, and leasehold improvements as a result of a declared disaster. Unless extended by the government following publication of this handbook, **the deadline for applying for a BPDL is October 3, 2018.**
3. **Economic Injury Disaster Loans** (EIDL): These loans provide working capital to eligible small businesses, small agricultural cooperatives, small businesses engaged in aquaculture, and private non-profit organizations to assist them through the disaster recovery period. The loans can be used to cover financial obligations and operating expenses (as opposed to physical damage) that the small business would have paid if the disaster had not occurred. The loan amount is determined based on financial need and actual economic injury regardless of whether the business suffered any property damage. Unless extended by the government following publication of this handbook, **the deadline for applying for an EIDL is May 6, 2019.**

What does the SBA look for when considering a disaster loan applicant?

The SBA looks at two principal factors when determining disaster loan eligibility: first, there must be a reasonable basis for believing the applicant can repay the loan, which basis is confirmed by the SBA's analysis of your credit or your personal or business cash flow; and second, the applicant must pass a character test. The SBA will reject an application if repayment of such loan depends on the sale of collateral through foreclosure or any other disposition of assets. The SBA is prohibited by statute from making a loan to an applicant if they are engaged in the production or distribution of any product or service that is considered illegal by the federal government or that has been determined to be obscene by a court. If an applicant did not comply with the terms of a prior SBA loan, they will likely be ineligible for another SBA loan. For example, this includes borrowers who did not maintain flood and/or hazard insurance as required by a previous SBA loan.

Are there restrictions on how disaster loans can be used?

You may use SBA disaster loans only to restore or replace a primary residence (including a mobile home used as a primary residence) and personal or business property, in each case, to their pre-disaster condition and, within certain limits, to protect damaged or destroyed real property from future similar disasters. The loan may only be made for specific

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and designated purposes. The SBA requires that you obtain receipts and maintain good records of all loan expenditures as you restore your damaged property and that you keep these receipts and records for three years. (*Note: If SBA loan proceeds are misused, you must immediately repay 1.5 times the proceeds disbursed to you under the loan. You may also face criminal prosecution or civil or administrative action.*)

Does the SBA charge any fees for obtaining a disaster loan?

The SBA does not charge fees (whether as points or as closing or servicing fees) for any disaster loan, but you will be responsible for the payment of any closing costs owed to third parties with regard to these loans, such as recording fees and title insurance premiums. If your loan is made in participation with a financial institution, the SBA will charge a guarantee fee to the financial institution, which may then recover that fee from you.

Is insurance required to get a loan?

Typically, yes. If you receive a loan from the SBA, they will require you to obtain and maintain appropriate insurance. By law, SBA borrowers whose damaged or collateral property is located in a special flood hazard area must purchase and maintain flood insurance. The SBA requires that flood insurance coverage be the lesser of (1) the total of the disaster loan, (2) the insurable value of the property, or (3) the maximum insurance available.

Should I wait for my insurance settlement before I apply to the SBA?

No. While you must **file** a claim with your private insurance company **before** applying for federal assistance, you should apply for federal assistance immediately after your private insurance company claim has been filed. The deadline for SBA assistance is fast approaching for HPPLs and BPDs (October 3, 2018). **Do not miss the SBA filing deadline by waiting for an insurance settlement to arrive.** Final insurance information can be added to the SBA application after an insurance settlement payment is received. The SBA can approve a loan for the total replacement cost up to the SBA's lending limits (described below for each type of loan). Once your insurance settles and makes a payment, if there is a duplication of benefits, the SBA will apply those funds as a prepayment to the outstanding balance of your disaster loan.

What do I need to do before I apply for an SBA loan?

If you are an individual homeowner, renter, or owner of personal property applying for an HPPL, you must first register with FEMA and obtain a nine-digit FEMA registration number. To register with FEMA, you or another member of your household (adult or minor) must have a Social Security number and be a U.S. citizen, non-citizen national, or "qualified alien." You can obtain a FEMA registration number by calling FEMA toll free at (800) 621-FEMA / (800) 621-3362 (TTY: (800) 462-7585), seven days a week from 4:00 a.m. – 8:00 p.m., or by registering online at www.DisasterAssistance.gov, which is the quickest way to register with FEMA. Once you have received a FEMA registration number, you can apply for an HPPL.

All other SBA disaster assistance loans may be applied for directly with the SBA.

How do I apply for an SBA loan?

There are three ways to apply for an SBA disaster assistance loan:

1. **Online:** You can apply online for all three types of SBA disaster assistance loans. This is the fastest way to receive a decision about loan eligibility. The online application can be found at the SBA's secure website at <https://disasterloan.sba.gov/ela>.
2. **By mail:** You can submit a paper application by mail. The paper forms can be found at <https://disasterloan.sba.gov/ela/Information/PaperForms>. All required forms listed on the website must be signed and dated and returned to U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Rd., Ft. Worth, TX 76155-2243.
3. **In person:** You can apply in person at any open FEMA Disaster Recovery Center, where you can receive personal, one-on-one help from an SBA representative. See the **Disaster Help Centers** chapter of this Handbook for locations.

Regardless of whether you submit your application online, by mail, or in person, you must submit a signed and dated IRS Form 4506-T to give permission to the IRS to provide the SBA with your tax return information. The IRS Form 4506-T must be completed and submitted with each SBA disaster loan application even if you are not required to file a federal income tax return. This form can be found at <https://disasterloan.sba.gov/ela/Information/PaperForms>.

If you need assistance in completing the SBA loan application, you may call the SBA toll free at (800) 659-2955 (TTY: (800) 877-8339), Monday – Friday, 5:00 a.m. – 6:00 p.m., email the SBA at disastercustomerservice@sba.gov, or

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seek the assistance of SBA loan officers at FEMA Disaster Recovery Centers or Local Assistance Centers, <https://disasterloan.sba.gov/ela/Declarations/DeclarationDetails?declNumber=4217973&members=false>.

Will the SBA conduct a property inspection?

Yes, for HPPLs and BPDs, after the SBA has reviewed your credit history, it will send an inspector to your property to verify your losses. The SBA inspector will estimate the total physical loss to your disaster-damaged property.

How soon will I know if I qualify for a loan?

The SBA's goal is to decide each application within four weeks from the date the SBA receives a complete application (**warning: missing information is a major cause of delay**). To make a loan, the SBA must finalize the estimate of the cost of repairing the damage, be satisfied that the business or individual can repay the loan, and put in place reasonable safeguards to help ensure that the loan is repaid.

What happens if my loan application is denied?

If the SBA denies your loan application, the SBA will notify you in writing and set forth the specific reasons for the denial. Within six months of the date of notice of the denial, you may request reconsideration of your application. After six months, a new loan application is required. (Please note that, under all circumstances, if you wish to apply for an SBA loan related to physical damage due to the recent disaster, the application deadline is currently October 3, 2018.) If the SBA denies your application a second time, you have the right to appeal in writing to the director of the Disaster Assistance Processing and Disbursement Center (DAPDC). All appeals must be received by the processing center within 30 days after the second application has been denied. Generally, decisions by the director of the DAPDC are final.

Denied SBA loan applicants will be referred to FEMA for disaster assistance.

What happens if I miss the filing deadline?

It is very important not to miss the SBA's filing deadline. Applications received after the filing deadline may be accepted only if the SBA determines that the late filing resulted from substantial causes beyond the applicant's control, such as the applicant's serious illness, serious illness or death of an immediate family member, late receipt of an application due to disaster-related reasons (e.g., frequent moves, remote location, or lack of normal mail service), the applicant was out of the country during a substantial portion of the filing period, damages were hidden and not discovered before the deadline, or other issues during the filing period prevented the applicant from making a timely filing. When submitting an application after the deadline, you should include a letter explaining the reasons why you did not file during the filing period (or the grace period, if applicable). If the reason is deemed by the SBA to be beyond your control, your application may be accepted for processing.

What are the consequences of defaulting on an SBA loan?

Defaulting on an SBA loan has similar consequences to a default on any other personal or business loan, including negative repercussions on your credit score. You should carefully read all loan disclosure statements and documents provided by the SBA before signing your loan papers.

Where can I get more information about SBA loans?

The SBA releases disaster-specific fact sheets containing information about applicable loan interest rates, deadlines, and other program information specific to that disaster and region. Press releases are issued and posted by the SBA to provide information on available disaster assistance in the disaster-affected areas. These fact sheets and press releases are available at the SBA website under "Current Disaster Declaration Information" at <https://disasterloan.sba.gov/ela/Declarations/Index>.

HOME AND PERSONAL PROPERTY LOANS

Is there a deadline for filing for an HPPL?

The deadline to file an HPPL application is currently **October 3, 2018**.

Am I eligible to apply for a Home and Personal Property Loan?

You may be eligible for an SBA loan if (1) you are a homeowner, renter, or owner of personal property and have incurred damage to your primary residence or tangible personal property (including automobiles) during a declared disaster; (2) you have satisfactory credit and character; and (3) the SBA determines you will be able to repay the loan. Generally, loans over \$25,000 must be secured by some collateral. The SBA will not decline a loan if you lack a particular amount of

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collateral if it is reasonably certain you can repay your loan. But if you refuse to pledge available collateral when requested by the SBA, the SBA may decline or cancel your loan. A first or second mortgage on damaged real estate is commonly used as collateral for an SBA disaster loan.

What are the amounts of HPPLs?

Loans to repair or replace personal property, such as clothing, furniture, cars, and appliances, are available up to \$40,000; real property loans to repair your primary residence are available up to \$200,000. Loan amounts cannot exceed the verified uninsured or otherwise uncompensated disaster loss. The amount of each loan depends on individual facts and circumstances, including the applicant's ability to repay the loan and the applicant's past history with the SBA. For example, if an applicant did not comply with the terms of a prior SBA loan, he or she likely will not be eligible for another SBA loan. This includes borrowers who did not maintain flood and/or hazard insurance on previous SBA loans.

What interest rate will I pay on my HPPL? What are the repayment terms?

For the 2018 California Wildfires and High Winds (Disaster # CA-00288), if you can obtain credit elsewhere, your interest rate will be 3.875%. If you cannot obtain credit elsewhere, your interest rate will be 1.938%. "Credit elsewhere" means, based on the SBA's assessment, that you can obtain financing from non-federal sources on reasonable terms. Interest rates are fixed for the term of the loan.

The term of the loan will be determined by the SBA based on your needs and your ability to repay the loan. The maximum term is 30 years. The SBA will determine your installment payment amounts based on your ability to repay. Generally, you will pay equal monthly installments of principal and interest, beginning five months from the date of the loan. The SBA will consider other payment terms if you have seasonal or fluctuating income, and it may allow installment payments of varying amounts over the first two years of the loan. There is no penalty for prepayment of home disaster loans.

Are there any limitations on the use of an HPPL?

Yes. An HPPL is intended to help you return your property to the same condition it was in before the disaster. The loans may not be used to upgrade homes or make additions unless required by a local building authority or code. Your loan authorization from the SBA will specify the permitted uses of the loan proceeds, and you will be required to maintain records of all HPPL expenditures for three years.

Exclusions: The following types of property are ineligible for an HPPL: second homes, personal pleasure boats, airplanes, recreational vehicles, and similar property (unless used for business purposes, in which case you may be eligible for a BPD or EIDL as described further below). Property such as antiques and collections are eligible only to the extent of their functional value. Amounts for landscaping, swimming pools, etc. are limited.

Is there help with funding mitigation improvements?

Your HPPL may be eligible for an additional loan amount of up to 20% of the total amount of physical damage to real property (including leasehold improvements) and personal property, as verified by the SBA to a maximum of \$200,000, to make improvements that will protect the property against future damage (e.g., retaining walls, seawalls, sump pumps, etc.). It is not necessary for the description of improvements and cost estimates to be submitted with the application, but SBA approval of the mitigating measures will be required before any loan increase.

I already have a mortgage on my home. I cannot afford to pay off a disaster loan in addition to my current mortgage payment. Can the SBA refinance my mortgage?

In certain cases, yes. The SBA can refinance all or part of prior mortgages, as evidenced by a recorded lien, provided you: (1) do not have credit available elsewhere; (2) have suffered substantial disaster damage not covered by insurance (40% or more of the value of the property or 50% or more of the value of the structure); and (3) intend to repair the damage. Home owners may be eligible for refinancing of existing mortgages or liens on homes up to the amount of the loan for the real estate repair or replacement. An SBA disaster loan officer can provide more detailed information on your specific situation.

If my home is completely destroyed, can the SBA lend me money to relocate somewhere else?

You may use your SBA disaster loan to relocate. The amount of the relocation loan depends on whether you relocate voluntarily or involuntarily. If you are interested in relocation, an SBA representative can provide you with more details on your specific situation.

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I am a farmer and my barns, fences, and some crops were damaged, as well as my home. Can I apply to the SBA for assistance?

You may apply for an HPPL to cover only the damage to your home and its contents. The SBA cannot cover agricultural losses. Contact the U.S. Department of Agriculture for recovery assistance for your farm at www.usda.gov.

What information should I include with my HPPL application?

The necessary information is specified in the Disaster Home Loan Application (SBA Form 5c) and includes (among other things) your contact information, Social Security number, FEMA registration number, deed or lease information, insurance information, and financial information (e.g., income, account balances, and monthly expenses). In addition to the loan application, you must complete and sign the Tax Information Authorization Form (IRS Form 4506-T) to give permission to the IRS to give your federal tax information directly to the SBA, including information from your last three federal income tax returns. See the **How do I apply for an SBA loan?** section of this chapter.

BUSINESS PHYSICAL DISASTER LOANS

What is the deadline for applying for a BPD?

The deadline to file an application for a BPD is currently **October 3, 2018**.

Is my business or non-profit organization eligible for a BPD?

Almost all businesses and charitable or other non-profit entities located in a declared disaster area that have incurred damage to real or tangible personal property (e.g., real estate, equipment, inventory, machinery, fixtures, and leasehold improvements) as a result of the disaster may apply for an SBA loan to help repair or replace the damaged property. Your business may be a sole proprietorship, partnership, corporation, limited liability company, or other legal entity recognized under California law. The size of your business (average annual receipts or number of employees) will not be taken into consideration in determining your eligibility for a BPD. Private, non-critical, non-profit organizations such as charities, churches, private universities, food banks, homeless shelters, museums, libraries, community centers etc., are also eligible for BPDs. Private non-profit organizations that provide critical services are referred to FEMA. "Critical services" include power, water, sewer services, wastewater treatment, communications, education, emergency medical care, fire department services, emergency rescue, and nursing homes.

BPDs in excess of \$25,000 require that you pledge collateral (including real estate) to the extent it is available. In addition, personal guarantees by the principals of a business are required for all BPDs. The SBA generally will not decline a loan for lack of collateral, but you must pledge collateral that is available.

What are the amounts of BPDs?

BPDs are generally capped at \$2 million, and loan amounts cannot exceed the verified uninsured or otherwise uncompensated disaster loss. Although you may receive both a BPD and an EIDL, the combined assistance is capped at \$2 million for the business and its affiliates for each disaster. The SBA can waive this cap in certain circumstances (for example, if the business is a major source of employment).

What interest rate will I pay on my BPD? What are the repayment terms?

For the 2018 California Wildfires and High Winds (Disaster # CA-00288), if your business, together with its affiliates and principal owners, has credit elsewhere, your interest rate will be 7.220%. If your business does not have credit elsewhere, your interest rate will not exceed 3.610%. If your business is a non-profit organization, regardless of whether it does or does not have credit elsewhere, your interest rate will be 2.500%. "Credit elsewhere" means, based on the SBA's assessment, that you can obtain financing from non-federal sources on reasonable terms.

The interest rates are fixed. The term of the loan will be determined by the SBA based on your needs and your ability to repay the loan, but it cannot exceed seven years if you can receive credit elsewhere. Otherwise, the repayment term may be up to 30 years.

Generally, you must pay equal monthly installments that include both principal and interest, beginning five months from the date of the loan as shown on the loan note. The SBA will consider other payment terms if you have seasonal or fluctuating income, and the SBA may allow installment payments of varying amounts over the first two years of the loan. There is no penalty for prepayment of disaster loans.

Are there any limitations on the use of a BPD?

Yes. Physical disaster loans are to be used to repair or replace real and personal property damaged to pre-disaster conditions and, under certain conditions, to protect structures from future disasters. Proceeds from the loan can be used

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to cover items such as real property, machinery, equipment, fixtures, inventory, supplies and leasehold improvements. BPDLS to repair or replace real property or leasehold improvements may be increased by as much as 20% to protect the damaged property against possible future disasters of the same type.

A BPDL will be made for specific and designated purposes, and you will be required to keep records of all BPDL expenditures for three years.

Exclusions: Second homes, personal pleasure boats, airplanes, recreational vehicles, and similar property are **not** eligible for a BPDL unless you can demonstrate that they were used for business purposes. SBA funds cannot be used to expand or upgrade a business unless city or county building authorities and codes require such upgrades.

I already have a mortgage on my business, and I can't afford to pay off a disaster loan and my current mortgage at the same time. Can the SBA refinance my mortgage?

In certain cases, yes. The SBA can refinance all or part of prior mortgages, evidenced by a recorded lien, if you (1) do not have credit available elsewhere; (2) have suffered substantial uncompensated disaster damage (40% or more of the value of the property or 50% or more of the value of the structure); and (3) intend to repair the damage. Business owners may be eligible for refinancing of mortgages or liens on real estate, machinery, and equipment up to the amount of the loan for the repair or replacement of such real estate, machinery, and equipment.

If my business is completely destroyed, will the SBA lend me money for relocation?

Yes. In certain circumstances, limited relocation costs can be included in the loan amount and depend on whether you relocate voluntarily or involuntarily. Whenever relocation is involved, you should contact the SBA Disaster Office before making any commitments.

What information should I include with my BPDL application?

The BPDL application form asks for the same information about your business and its principal owners and managers as is generally required for a bank loan. The required information is specified in the loan application and includes (i) Business Loan Application (SBA Form 5); (ii) IRS Form 4506-T signed by the business, each principal owning 20% or more of the applicant business, each general partner or managing member, and any owner who has more than a 50% ownership in an affiliate business (affiliates include parents, subsidiaries, and/or businesses with common ownership or management); (iii) a complete copy of the business's recent federal income tax returns (including all schedules); and (iv) a schedule of liabilities listing all fixed debts (SBA Form 2202 may be used). The SBA may also request (a) a complete copy of the most recent federal income tax returns (including all schedules) of each principal owning 20% or more of the business, each general partner or managing partner and each affiliate when the owner has more than 50% ownership; (b) if the most recent federal income tax return has not been filed, a year-end profit and loss statement and balance sheet for the tax year; (c) a current year-to-date profit and loss statement; and (d) additional filing requirements (SBA Form 1368) providing monthly sales figures.

Am I required to submit a personal financial statement with my BPDL application?

Yes. The SBA must review your financial statements and the financial statements for each partner, officer, director, and stockholder with 20% or more ownership. The SBA requires the principals of the business to personally guarantee repayment of the loan and, in some instances, to secure the loan by pledging additional collateral.

ECONOMIC INJURY DISASTER LOANS FOR SMALL BUSINESSES

What is the deadline for applying for an EIDL?

The deadline to file an application for an EIDL is currently **May 6, 2019**.

Is my business eligible for an EIDL?

Your business may be eligible for an EIDL if the following conditions are met:

1. Your business is a small business, small agricultural cooperative, small business engaged in aquaculture, or a private non-profit organization of any size (under most circumstances);
2. Your business has suffered "substantial economic injury" as a result of the disasters, regardless of physical damage;
3. Your business is located in a declared disaster area (or in a jurisdiction located next to a disaster area); and

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4. The business and its principals do not have credit available elsewhere.

The SBA defines a “**small business**” either in terms of the average number of employees over the past 12 months or average annual receipts over the past three years. In addition, the SBA defines a small business as a concern that:

- (i) is organized for profit;
- (ii) has a place of business in the United States;
- (iii) operates primarily within the United States or makes a significant contribution to the U.S. economy through payment of taxes or use of American products, materials, or labor;
- (iv) is independently owned and operated; and
- (v) is not dominant in its field on a national basis.

The business may be a sole proprietorship, partnership, corporation, or any other legal form. In determining what constitutes a small business, the definition varies to reflect industry differences, such as size standards. For industry size guidelines, see <https://www.sba.gov/contracting/getting-started-contractor/make-sure-you-meet-sba-size-standards>.

Certain categories of businesses are **not** eligible for an EIDL. These include some non-profits, religious organizations, businesses that derive one-third of their annual income from legal gambling, and agricultural enterprises (other than small nurseries and small agricultural cooperatives). Individuals are **not** eligible for EIDLs.

The SBA defines “substantial economic injury” as the inability of a business to meet its obligations as they come due or to pay its ordinary and necessary operating expenses due to the disaster. Loss of anticipated profits or a drop in sales is not sufficient to establish substantial economic injury. Indicators of economic injury might be a larger than normal volume of receivables, a lower sales volume, or the development of delinquencies in debt payments.

Your business must be located in a declared disaster area or certain counties or other political subdivisions that are contiguous to a declared disaster area.

EIDL working capital loans are meant to help eligible businesses meet their ordinary and necessary financial obligations that cannot be met as a direct result of the disaster and are intended to assist through the disaster recovery period. If the amount of the EIDL loan is over \$25,000, you will be required to pledge collateral (including real estate) to the extent it is available. The SBA generally will not decline a loan for lack of collateral, but you may be required to pledge available collateral and provide personal guarantees by principals of the business for repayment of the loan.

If I can borrow from a bank, am I still eligible for an EIDL?

Private credit sources must be used as much as possible to overcome the economic injury. The SBA can provide EIDL assistance only to the extent the business (and its principals) cannot recover by using its own resources and normal lending channels.

What are the amounts of EIDLs?

EIDLs are generally capped at \$2 million, and loan amounts cannot exceed the verified uninsured or otherwise uncompensated disaster loss. Although you may receive both a BPDFL and an EIDL, the combined assistance is capped at \$2 million for the business and its affiliates for each disaster. The SBA can waive this cap in certain circumstances (for example, if the business is a major source of employment).

You may request an EIDL for the amount of economic injury and operating needs, but not in excess of what your business could have paid had the disaster not occurred. In determining the eligible amount, the SBA will look at (1) the total of your debt obligations; (2) operating expenses that mature during the period affected by the disaster, plus the amount you need to maintain a reasonable working capital position during that period; and (3) expenses you could have met and a working capital position you could have maintained had the disaster not occurred.

The amount of your economic injury does not automatically represent the dollar amount of your loan eligibility; the actual amount of each loan is limited to the economic injury determined by the SBA less business interruption insurance and other recoveries up to the administrative lending limit.

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What interest rate will apply to my EIDL? What are the repayment terms?

The interest rates are fixed for the term of the loan. For the 2018 California Wildfires and High Winds (Disaster # CA-00288), the annual interest rate for EIDLs for businesses is 3.385%. If your business is an eligible non-profit organization, the annual interest for EIDLs is 2.500%. The maximum term of an EIDL is 30 years. The actual term will be determined by the SBA based on your business needs and your ability to repay the loan.

Are there any limitations on the use of an EIDL?

Yes. An EIDL is intended to help you maintain a secure financial condition until your business is back to normal by, for example, providing operating funds until your business recovers. You may use an EIDL to make payments on short-term notes, accounts payable, and installment payments on long-term notes to the extent you could have made these payments had the disaster not occurred. Your loan will be made for specific and designated purposes, and you will be required to keep records of all BPDFL expenditures for three years.

You may *not* use EIDL funds to (1) pay cash dividends or other disbursements to owners, partners, officers, or shareholders not directly related to the performance of services for the business; (2) refinance long-term debts or provide working capital that was needed by the business prior to the disaster; (3) make payments on loans owed to another federal agency or Small Business Investment Company (as defined by the Small Business Investment Act); (4) pay any obligations resulting from a federal, state, or local tax penalty (resulting from negligence or fraud) or any non-tax criminal fine, civil fine, or penalty for non-compliance with a law or regulation; or (5) repair physical damage.

What documents should I use to show my losses when applying for an EIDL?

To enable the SBA to compare your financial condition and operating results before the disasters with those during and after the disasters, you must furnish balance sheets and operating statements for both pre-disaster and post-disaster periods of time. The specific requirements are contained in the EIDL application form and include (i) Business Loan Application (SBA Form 5); (ii) IRS Form 4506-T signed by the business, each principal owning 20% or more of the applicant business, each general partner or managing member, and each affiliate when any owner has more than a 50% ownership in the affiliate business (affiliates include parents, subsidiaries, and/or businesses with common ownership or management); (iii) a complete copy of the business's recent Federal income tax returns (including all schedules); and (iv) a schedule of liabilities listing all fixed debts (SB Form 2202 may be used). The SBA may also request (a) a complete copy of the most recent federal income tax returns (including all schedules) of each principal owning 20% or more of the business, each general partner or managing partner, and each affiliate when the owner has more than 50% ownership; (b) if the most recent federal income tax return has not been filed, a year-end profit and loss statement and balance sheet for the tax year; (c) a current year-to-date profit and loss statement; and (d) additional filing requirements (SBA Form 1368) providing monthly sales figures.

Am I required to submit a personal financial statement with my loan application?

Yes. The SBA must review your financial statement and the financial statements of each partner, officer, director, and stockholder with 20% or more ownership in your business. The SBA requires the principals of the business to personally guarantee repayment of the loan and, in some instances, to secure the loan by pledging additional collateral.

BUSINESS INTERRUPTION

As you read below, you will see that many of the answers to the questions addressed are fact dependent: in other words, the answer is “it depends.” That is not because there is no answer but rather because, to reach the answer, you will need to apply the law to your specific and individual facts—what happened to you. When legal questions arise, we strongly recommend that you seek the advice of an attorney before deciding what to do. If you do not have an attorney, consult the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

CONTRACTS

Performance Excused

Sometimes, if performance of a contract becomes impossible or impracticable, you are legally excused from performing. If you think that you may need to breach a contract by not performing, your best course is to contact an attorney first. If you do not have an attorney, consult the **Lawyer Referral Services & Legal Aid** chapter of this handbook. The below questions and answers are not legal advice but are intended to identify issues that you may want to consider.

If my business was physically destroyed or damaged by the fires, must I still perform my contracts for goods and services?

It depends. A party will generally be relieved from its obligation to supply goods or perform services if, without the party's fault, performance of the contract has become impossible, but the impossibility must be “objective” in the sense that no one can perform the contract. For example, a contract to clean houses that have burned to the ground would be impossible to perform. If a reasonable alternative means for performance of the contract is available, the impossibility doctrine probably will not apply, although other legal doctrines may provide relief.

My business is in the affected area and has not been physically affected by the fires, but my business has substantially deteriorated since the fires. Must I still perform my contracts for goods and services?

Yes, in most cases. Typically, impossibility excuses a party's performance only when the destruction of the subject matter of the contract or the means of performance renders performance impossible. Although a party may be excused from performing contractual obligations if performance is impracticable, if it is not legally impracticable (even if performance is more burdensome or more expensive) performance is required or a breach may be declared.

If my business has been taken over by police, fire, or another state agency for relief work, are contracts for future performance excused?

Generally, yes. When the government, through its sovereign power, intervenes for the benefit of the public or makes performance of a contract impossible, the contracting parties are generally relieved of further performance obligations. But the fact that new laws or regulations render performance more difficult or expensive does not mean performance is impossible and does not excuse performance. Government intervention may provide for only a delay in performance, not a permanent excuse.

Does a “force majeure” clause in a business contract automatically relieve the other party of its liability under the contract?

Not automatically, as this depends on the terms of the force majeure clause and how broadly it is drafted. A “force majeure” clause is a contractual provision excusing a party from performing because of the occurrence of an event beyond the party's control. A force majeure clause may be drafted broadly (to include commonly known “acts of God,” such as natural disasters or “other events beyond its control” or “unavoidable causes”) or more narrowly (listing only specific events). A party may excuse itself from liability under a force majeure clause only by showing that the event preventing its performance is covered by that clause.

Even if the contract does not contain a force majeure clause, or if the clause is not broad enough to include the events surrounding the fires, it is possible that a contract will not be enforced due to impossibility and impracticability, as discussed above.

BUSINESS INTERRUPTION

If a business owner or key employee is deceased (or incapacitated), must the business still perform contracts for personal service?

This depends on the circumstances and individuals involved. If the act to be performed under the contract can be performed only by the particular individual named in the contract (e.g., delivery of a painting by a particular artist), then the contract will not be enforced due to impossibility. But if the contract is to provide “personal services” that could reasonably be provided by others (e.g., tailors, lawn care, barbers), performance is not impossible and thus is not excused.

What happens to advances received from third parties (or given to third parties) where the performance of the contract is excused?

Generally, if goods or services are not supplied, advances must be returned to the third party.

In a situation where I can no longer deliver or accept goods under my contracts, can someone else perform on my behalf?

Absent a provision in the contract prohibiting assignment or a bargain for performance by specific persons, a party may be able to delegate or assign its duties or rights under a contract to someone else. Generally, the rights of the buyer or seller may be assigned unless the assignment would significantly change the duty of the other party, increase the burden or risk imposed on the other party by the contract, or significantly impair the chance of obtaining return performance. Parties delegating or assigning duties will still be liable under the original contract if there is a failure of performance by the assignee. Many commercial contracts provide that duties of the buyer and seller cannot be delegated or assigned without the prior written consent of the other party.

Liability for Damaged Property

What if goods that were paid for by the buyer were destroyed before they could be delivered?

It depends on whether title to the property and thus the risk of the loss had already passed to the buyer at the time of the destruction. If the seller and the buyer have expressly agreed in their contract on the time at which the risk of loss shifts to the buyer, the term of the contract controls. In the absence of a specific provision, risk of loss generally passes from the seller to the buyer according to these rules: (1) if a contract requires physical delivery of identified goods to a specific destination, risk of loss passes on tender of the goods at that destination; (2) if the contract does not specify a place of delivery but the goods are to be shipped to the buyer, the risk of loss passes at the time and place the goods are delivered to the carrier, or if delivery is to be made without moving the goods, risk of loss passes at the time and place documents of title are delivered; and (3) in all other cases, risk of loss passes, if the seller is a merchant, only when the buyer actually receives the goods or, if the seller is not a merchant, on tender of delivery. Special rules apply when the seller was already in breach of the specific contract at the time of destruction. The availability of insurance coverage for the destroyed goods may alter these rules.

If I have equipment that was either leased or purchased on credit and is now destroyed or damaged, am I obligated to continue making payments on the equipment?

The answer usually depends on the terms of the specific contract, lease, or credit agreement. The loss of equipment could be covered by insurance; if not, it is most likely that the lease or loan must be paid in full. You should contact your lender or lessor to discuss your options.

Is my business liable for damage to a customer’s property caused by the fires? For instance, is my dry cleaning or laundry business liable for damage to customers’ clothing that was in the store? Or is my jewelry or television or watch repair store liable for damages to customers’ property that was in the store for repair or maintenance?

It depends. When the owner of personal property (a bailor) delivers the property to another (a bailee) for a particular purpose, with the understanding that the property must be returned, a contract is formed. In each of the situations above, a relationship exists for the benefit of both parties because the bailee receives compensation and the bailor receives a service. In that case, the bailee (the service provider) would be liable to the bailor (the property’s owner) only for property damaged through the bailee’s negligence, not by a natural disaster, such as a wildfire. But note that this is an issue that may be resolved by insurance.

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Lost Checks or Correspondence

Has a contract been formed if, in response to my offer, the offeree sent an acceptance by mail but I never received it because it was lost or destroyed?

Possibly. Assuming the offer did not provide otherwise, acceptance of an offer becomes effective when the letter is dropped in the mailbox, not upon receipt. (It is for this reason that many pre-printed offer forms provide that a contract is not formed until the acceptance of the offer is received by the person making the offer.)

If my insurance payment premium was due on July 28 and the payment was sent on July 25, would the policy cover damages that occurred on July 27 even if the payment was not received on the actual due date or was destroyed in the mail?

Unless there is language to the contrary in the policy or the bill for the payment, this is another example of a time the acceptance is effective as of the date it is mailed.

Business Licenses

My business was destroyed by the fires. Is my business license still in effect, and what must I do if it needs to be replaced?

For any issues related to business licenses, contact the state or local authority that issued your license.

REAL ESTATE

This section is designed to provide general information for small businesses that rent their space from a landlord and for landlords who rent space to small businesses. (For questions about landlord-tenant issues for a residence, please refer to the **Housing** chapter of this handbook.) In dealing with specific situations, it is advisable to consult with the business's attorney or a legal aid organization.

Generally, the rights of both the commercial tenant and the landlord will be determined by the provisions of their lease. Leases vary substantially, even for spaces in the same building. This handbook offers only general advice for commercial tenants and landlords regarding property that is damaged or unusable as a result of accidental destruction related to the fires, advice that is based on general principles of California law and some of the form leases commonly used in California. For specific questions, you should consult an attorney.

Commercial Leases

What happens if the building or property that is leased is destroyed? Does the lease automatically terminate? Does the tenant have to continue to pay rent?

Where there is a lease covering this issue. Check your lease to see if there are any specific provisions about what happens if the leased premises are destroyed or damaged. Most commercial leases have something to say about this situation, with definitions distinguishing mere damage from total destruction and provisions about the rights and obligations of the lessor and tenant in both situations. If your lease contains these provisions, the lease will answer these questions.

Where the lease is silent on this subject or you do not have a written lease. These questions will be answered based on general principles of California law. For example, under California law, unless a lease provides otherwise, the lease automatically terminates when the leased premises are entirely destroyed. Whether the leased premises have been entirely destroyed is a factual determination made on a case-by-case basis.

If the leased premises are not entirely destroyed, but are "substantially damaged," then the tenant has the option to terminate the lease with appropriate notice to the landlord. The leased premises are "substantially damaged" when they are no longer fit for the use for which they were originally leased. This is a factual determination made on a case-by-case basis. The greater the damage, the more likely it will be considered "substantial."

If the landlord can repair the damage to the leased premises in a reasonable period of time, then the leased premises are less likely to be considered substantially damaged and, while there may be a basis for abatement of rent for some period of time, the tenant may not be able to terminate the lease on the basis of that damage. A further factor in determining whether the leased premises were substantially damaged is an understanding of the use for which they were originally leased. For example, if the leased premises are a retail store, damage that results in the leased premises being inaccessible to the public may render the leased premises substantially damaged even if the extent of damage is not that great.

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If the lease is terminated, the tenant is relieved of its obligation to pay rent but the tenant is not entitled to a refund of any prepaid rent. If the lease is not terminated, depending on whether there is a basis for abatement, the tenant must continue to pay rent.

What degree of damage to the leased premises constitutes “partially damaged” or “entirely destroyed” or “substantially damaged”?

The answer depends on specific factual circumstances. To be considered “entirely destroyed” or “substantially damaged,” the leased premises must generally cease to be fit for the use for which they were leased. While major fire damage will likely result in the leased premises being entirely destroyed or substantially damaged, limited fire damage and damage from smoke and water may only result in the leased premises being considered “partially damaged.” It is important to consider what constitutes the “leased premises.” For example, in the case of a ground lease in which the tenant leases the underlying land and is responsible for all improvements upon the land, the leased premises are the land itself not the improvements constructed on the land. In that event, the destruction or damage to the improvements will generally not be considered destruction or damage to the leased premises, and the tenant will not have a right to terminate the lease. If the leased space is a suite within a building or a storefront within a shopping center, then the extent of damage will be determined based on the direct and indirect damage to the specific space and not the damage to the entire building or shopping center.

Is the landlord obligated to rebuild the building?

If there is a lease and it provides for this possibility, the lease controls. Absent an express provision in the lease, while the lease may be terminated or subject to termination, the landlord is not obligated to rebuild the building or leased premises.

If the landlord terminates the lease, is the tenant entitled to a refund of its security deposit?

Yes, unless the express terms of the lease make it non-refundable. According to California law, the landlord must refund the security deposit (less any lawful deductions) within 30 days after the tenant vacates the leased premises.

Is the landlord required to repair and restore the tenant’s furniture and equipment?

Generally, the landlord is not required to repair any damage to the tenant’s furniture or furnishings or any equipment, improvements, or appurtenances that are removable. This damage may be covered by the tenant’s insurance company.

Is the tenant obligated to pay rent during the time the landlord makes repairs on the building?

If the lease is terminated because the premises have been entirely destroyed or substantially damaged, the tenant is relieved of its obligation to pay rent after termination. Under California law, rent reductions for partial damage will be governed by the terms of the lease or, if the lease is silent, on a negotiated resolution with the landlord or through litigation.

Once the landlord completes the restoration of the leased premises, the tenant may still have work to do to repair equipment, phones, office equipment, etc. The tenant will be obligated to pay rent during this period but may be able to cover the cost of that rent from proceeds of the tenant’s business interruption insurance policy.

How long can the landlord take to repair the leased premises?

If the landlord elects or is required to repair the premises under the terms of the lease, the landlord must do so in a reasonably expeditious manner, subject to delays due to the adjustment of insurance claims, labor troubles, and causes beyond the landlord’s control.

Can the tenant withhold rent if the landlord has failed to timely repair the leased premises after the disaster?

Generally, unless the lease provides otherwise, a tenant remains obligated to pay rent if the leased premises are not entirely destroyed or substantially damaged and remain usable. The requirement to pay rent if the premises remain usable is not generally dependent on whether the landlord makes timely repairs unless the lease permits the tenant to terminate the lease on this basis and the tenant affirmatively does so. Commercial leases usually have specific provisions regarding repairs and those lease provisions will dictate the rights of the landlord and tenant. Refer to your lease for more information.

If the landlord elects to terminate the lease, is the landlord obligated to help the tenant find alternative space or reimburse the tenant for related costs?

No, unless the lease contains a specific provision that creates this obligation.

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Can the landlord rent the leased premises to someone else while the tenant is gone?

No, unless the lease expressly provides otherwise, a landlord cannot rent the leased premises to another party unless the lease has been terminated or the tenant has stopped paying rent or has agreed to a sublet or assignment. The landlord has an obligation to make the leased premises available to the tenant while the lease is in effect. The landlord cannot impair the tenant's right to use property unless there has been a default by the tenant and the lease has been terminated.

Condemned Buildings

Can the building be condemned?

Yes. Governmental agencies with jurisdiction over a building may condemn it if the building is not suitable for safe occupancy or for other public purpose reasons. Generally, FEMA, public health and safety agencies, or a local building inspection department have jurisdiction to determine that a building cannot safely be occupied.

If the building is condemned, will the property owner be paid for the loss?

When the government condemns property based on a finding that it is no longer habitable or safe for occupancy, the government is not responsible for paying for the loss of the property. Generally, the government is required to pay for condemned property only when the property is taken by the government for public use. Condemnation of property as unsafe is generally not a "taking" for public use. To the extent the owner cannot recover the lost value of the condemned property, the property owner might be able to recover all or part of the value of the property from the owner's insurance (depending on the terms of that insurance) or obtain financial assistance from FEMA or other relief agencies.

TAX RELIEF

I own a building that was damaged. Is there any relief from my obligation to pay property taxes?

Taxpayers with taxable business property damaged or destroyed by the fires may be eligible for property tax relief. Applications for reduced assessments must be filed with the County Assessor. Taxpayers should contact their local County Assessor for more information. Contact information for County Assessors and additional tax-related information is provided in the **Housing** chapter of this handbook.

Can I get an extension to file returns and pay my business taxes?

For California taxpayers impacted by the fires in Lake and Shasta Counties, the California Franchise Tax Board (FTB) has granted an extension to file 2018 California personal and corporate income tax returns and an extension to make certain payments until November 30, 2018. This follows the extended deadlines made available to taxpayers in these counties by the Internal Revenue Service. See <https://www.ftb.ca.gov/individuals/disaster.shtml> for additional information on California tax relief. See <https://www.irs.gov/newsroom/tax-relief-for-victims-of-wildfires-and-high-winds-in-northern-california> for additional information on federal tax relief.

The California Department of Tax and Fee Administration (CDTFA) has granted an extension of up to three months for affected businesses in Lake and Shasta Counties to file and pay taxes or fees for the following CDTFA-administered programs: California tire fee; childhood lead poisoning prevention fee; cigarette and tobacco products tax; covered electronic waste recycling fee; diesel fuel tax; emergency telephone users surcharge; energy resources surcharge; hazardous waste fees (including hazardous waste disposal fee, hazardous waste environmental fee, hazardous waste facility fee, and hazardous waste generator fee); integrated waste management fee; interstate user diesel fuel tax; jet fuel tax; lumber products assessment fee; marine invasive species fee; motor vehicle fuel tax; natural gas surcharge; occupational lead poisoning prevention fee; oil spill response, prevention, and administration fee; prepaid mobile telephony services (MTS) surcharge; sales and use tax; timber yield tax; underground storage tank maintenance fee; use fuel tax; water rights fee; cannabis cultivation tax; and cannabis excise tax.

For more information on requesting relief from the CDTFA, visit <https://www.cdtfa.ca.gov/services/state-of-emergency-tax-relief.htm> or call CDTFA's Customer Service Center toll-free at (800) 400-7115.

Do I have to pay interest and penalties if I am late filing and paying various business taxes?

Taxpayers that have been impacted by the fires in Lake and Shasta Counties and that are unable to file their returns and pay taxes and fees in a timely manner may receive relief from interest and penalties that normally would be due. In the case of personal and corporate income taxes, the FTB will cancel interest and any late filing or late payment penalties that would otherwise apply for the length of any postponement periods. The CDTFA offers relief from interest and penalties for the late filing and payment of the types of tax or fee administered by the CDTFA listed above. For more information on

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requesting relief from interest and penalties from the CDTFA, visit <https://www.cdtfa.ca.gov/services/state-of-emergency-tax-relief.htm> or call CDTFA's Customer Service Center toll-free at (800) 400-7115.

Can I get copies of Franchise Tax Board tax returns and California Department of Tax and Fee Administration tax records lost in the fires?

Taxpayers may obtain copies of California tax returns filed with the FTB at no charge to replace lost or damaged tax returns. To obtain a copy, complete Form FTB 3516, Request for Copy of Tax Return (<https://www.ftb.ca.gov/Archive/Forms/2003/3516.pdf>), and print the name of the specific fire or other disaster, your county, and the year of the incident (e.g., "Carr Fire, Shasta County, 2018") in red ink at the top of the form. You can download the form at the link above or request one by calling (800) 852-5711.

Business owners and fee payers may obtain replacements of CDTFA tax records lost in the fires free of charge. To obtain copies of such records, including prior tax returns filed with the CDTFA, audits, and permit application forms, call (800) 400-7115.

EMPLOYMENT/TREATMENT OF EMPLOYEES

This section is based on the assumption that the affected employees are not covered by collective bargaining agreements and do not have employment contracts with their employer. In the event the affected employees are covered by a collective bargaining agreement or an employment contract, the employer should consult the terms and conditions of those agreements and contracts. Similarly, if the employer has established employment policies, the employer should consult and comply with those policies.

The information in this section addresses general situations; for specific questions, consult a qualified lawyer or legal aid organization. Please see the **Lawyer Referral Services & Legal Aid** chapter for a listing of available legal resources.

Salary and Leave

Does an employer have to pay its employees for the days the business was closed as a result of the fires?

The answer to this question depends on whether the employee is an "exempt" employee (generally, a salaried employee) or a "non-exempt" employee (generally, someone paid by the hour) for purposes of federal and state wage-and-hour laws, and whether the employee performed work for the employer during the pay period in question. Exempt employees are not entitled to premium pay for overtime hours worked, but non-exempt employees are entitled to premium pay for overtime hours worked. In general, an employer is not required to pay its non-exempt employees for any days or hours the employees did not work because the business was closed during the fires. On the other hand, exempt employees should receive their full salary for any workweek in which they performed any work without regard to the number of days or hours worked. Thus, if an exempt employee worked on Sunday, July 22, 2018, but worked no other days during the week of July 22, 2018, the employer should pay the exempt employee's full salary for the week of July 22, 2018.

To the extent employees perform work for the employer during the fires, the employer should continue to pay such employees for their work at least twice each calendar month, whether or not the employer's offices are closed due to the fires. However, under California law, employers can potentially require exempt employees to use accrued paid time off for partial-day absences when the business closes down as long as the employer has had that policy in place for at least 90 days.

Once an employer reopens its business, does the employer have to pay its employees for the days on which a transportation problem or some other obstacle prevented them from reporting to work?

This depends on whether the employee is exempt or non-exempt. The employer is not required to pay a non-exempt employee for any days or hours the employee was absent from work due to a transportation problem or some other obstacle that prevented him or her from reporting to work, but an exempt employee should receive his or her full salary for any workweek in which he or she performed any work.

Can an employer require its employees to use their accrued vacation or sick leave to cover their absences from work due to the fires?

Once the employer reopens its business, if employees are unable to report to work due to the fires, the employer may require those employees to use their accrued vacation or may allow them to use sick leave to cover their absences, provided that this is consistent with the employer's leave policies. However, the employee may ask the employer if it is offering any other leave or assistance during this time.

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However, please note that if an employee's absence qualifies as a leave under the federal Family Medical Leave Act (FMLA) or its California counterpart, the California Family Rights Act (CFRA), or pregnancy disability leave under the California Fair Employment and Housing Act (FEHA), employer-mandated substitution of vacation or sick leave may not be permitted.

Generally, the FMLA and CFRA apply only to employers with 50 or more employees (for each working day in each of 20 or more calendar workweeks in the current or preceding calendar year). An employee is entitled to FMLA or CFRA leave if the employee (1) has been with the employer for at least 12 months, (2) logged at least 1,250 hours of service during the 12-month period immediately preceding the start of the leave, and (3) is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite. FMLA or CFRA leave may be taken to care for the employee's spouse (or spouse's child), child, or parent with a serious health condition, or because of the employee's own serious health condition that renders the employee unable to perform the functions of the employee's position. Additionally, under CFRA (but not FMLA), leave may be taken to care for the employee's domestic partner or registered domestic partner (or partner's child) with a serious health condition.

Does an employer have to provide an employee with either paid or unpaid leave if the employee is unable to work as a result of an injury suffered during the fires?

Employers may be required to provide employees with unpaid leave (1) under the FMLA or CFRA if the employee or a member of his or her immediate family (as defined above) is suffering from a serious health condition, (2) under the FEHA for pregnancy, childbirth, or related medical conditions, or (3) under the Americans with Disabilities Act (ADA) or the FEHA if the employee is disabled and if the leave would serve as a reasonable accommodation for the employee's disability.

In addition, under California's Healthy Workplaces, Healthy Families Act of 2014 (HWHFA), employers must provide all employees with specified amounts of paid sick leave benefits for diagnosis, care, or treatment of an existing medical condition of the employee or the employee's family member (defined as a child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling). For more information regarding compliance with the HWHFA, consult the following website: <https://www.dir.ca.gov/DLSE/ab1522.html>. Some cities in California also provide paid sick leave to employees for similar reasons.

Leave Under the FMLA and CFRA. The FMLA and CFRA permit covered employees to take up to 12 weeks of unpaid leave during any 12-month period for qualifying reasons. During the leave period, the employer must maintain the employee's health benefits and must guarantee that the employee will be reinstated to the same or an equivalent position. FMLA and CFRA leave is unpaid unless the employer has elected to pay employees during such leave or requires or permits the employee to use vacation, PTO, or sick leave. For more information regarding compliance with the FMLA, see <https://www.dol.gov/whd/fmla/APPENDIXF.htm>. For more information regarding compliance with the CFRA, check <https://www.dfeh.ca.gov/resources/frequently-asked-questions/employment-faqs/pregnancy-disability-leave-faqs/pdl-cfra-fmla-guide/>. Employees may also be eligible for disability benefits under the California State Disability Insurance (SDI) program during a qualifying FMLA or CFRA leave.

Leave Under the ADA and FEHA. Under certain circumstances, an employer may be required to provide an employee with leave under the ADA and FEHA. In certain circumstances, the ADA and FEHA require employers to provide reasonable accommodations to employees with a disability. A reasonable accommodation may include providing an employee with an unpaid or paid leave of absence.

FEHA generally provides broader protections than its federal counterpart, the ADA. Though the ADA applies to only those employers with 15 or more employees (for each working day in each of 20 or more calendar workweeks in the current or preceding calendar year), the FEHA applies to employers with five or more employees. Under the ADA, an employee is "disabled" if the employee has a physical or mental impairment that *substantially* limits a "major life activity" of an individual, including activities such as walking, seeing, hearing, speaking, breathing, learning, working, sitting, standing, lifting, or reaching. Under the FEHA, an employee is "disabled" if he or she has a physical or mental impairment that limits a "major life activity." Generally, temporary impairments are not considered protected disabilities.

Are employees entitled to paid or unpaid leave to enable them to care for children or family members injured by the fires?

As described above, employees may be entitled to FMLA or CFRA leave to care for children or family members injured in the fires. If employees are entitled to this FMLA or CFRA leave, the employer must allow them to take it. This leave is unpaid, unless the employer has elected to pay employees during such leave or permits employees to use their accrued vacation, PTO, or sick leave for the absence. Employees may also be eligible to receive benefits under the California Paid Family Leave (CPFL) program during a qualifying FMLA or CFRA leave if the leave is taken to care for a seriously ill family member (defined as child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner). If the employer has a policy providing for leave under such circumstances, the employer will be required to comply with its policy.

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For more information regarding the California Paid Family Leave program, see www.edd.ca.gov/Disability/About_PFL.htm.

To the extent employees request leave to care for a seriously ill family member, employers are required to provide these employees with a pamphlet describing the California Paid Family Leave program, which can be found at http://www.edd.ca.gov/pdf_pub_ctr/de2511.pdf.

Is an employee entitled to paid or unpaid leave if, as a result of the fires, the employee is too afraid or emotionally traumatized to return to work?

If an employee is suffering from post-traumatic stress or some other mental condition, the employer may be required to provide the employee with unpaid leave under the FMLA or CFRA or as an accommodation under the ADA or FEHA—but the employee will have to meet the applicable requirements of the FMLA, the CFRA, the ADA, or the FEHA as set forth above. The leave will be unpaid, although the employee should be able to use any accrued vacation, PTO, or sick time for the leave. The employee may be required to give the employer a medical certification of his or her need for leave.

Where can an employer get more information about complying with the FMLA, CFRA, ADA, and FEHA?

The United States Department of Labor's website, <https://www.dol.gov/whd/fmla/APPENDIXF.htm>, has detailed information about the FMLA, including a fact sheet, a compliance guide, the text of the statute and accompanying regulations, and relevant forms. For more information about compliance with the CFRA, see <https://www.dfeh.ca.gov/resources/frequently-asked-questions/employment-faqs/pregnancy-disability-leave-faqs/pdl-cfra-fmla-guide/>.

The Department of Justice has online information about the ADA at <https://www.ada.gov/>. The California Department of Fair Employment and Housing provides online information regarding the FEHA at <https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2017/06/CAamendedFEHAreqsEmployers20160401Final.pdf>.

What can employers do to help their employees recover psychologically from the trauma of the fires and their aftermath?

An employer's health plan may experience an increase in mental health claims, as well as more requests for assistance under employee assistance programs (EAPs). Employers should advise their employees of both the availability and the importance of counseling for themselves and their families. If an employer does not offer an EAP, counseling and other related services are available on a fee-paying basis. If employees are veterans, assistance may be available from the Department of Veterans Affairs at <https://www.veteranscrisisline.net/> or by calling the Veterans Crisis Line (800) 273-8255 (press 1).

Employers should consider telling their employees about the free National Disaster Distress Hotline staffed by trained mental health counselors. It is available to help those coping with the emotional consequences of the fires. The hotline is available 24 hours a day, seven days a week, at (800) 985-5990 or by texting "talkwithus" (or, for Spanish, "hablanos") to 66746.

What should be done for terminated employees in terms of Consolidated Omnibus Budget Reconciliation Act (COBRA) coverage?

Employers with 20 or more employees who maintain health plans are required to offer continuation coverage under the federal COBRA law to qualified beneficiaries (participating employees and their dependents) who lose health coverage due to a "qualifying event" (such as the death of the covered employee, termination of employment, or reduction of hours sufficient to cause the loss of medical coverage). Smaller employers (with two to 19 employees) with health plans are required by California's Continuation Benefits Replacement Act (Cal-COBRA) to provide COBRA-like coverage to their eligible employees. Under both COBRA and Cal-COBRA, employees must pay for this medical coverage themselves.

Once an affected employee experiences a qualifying event, the employer must take action to notify its plan administrator within the prescribed time period. Qualified beneficiaries must be informed of their right to continued health insurance coverage under COBRA within 44 days (the employer must notify the plan administrator within 30 days, and the plan administrator must then notify eligible dependents within 14 days) of a qualifying event. All required notices regarding COBRA should be timely and carefully documented. Generally, the qualified beneficiary has 60 days, from the later of (a) the date of termination of coverage or (b) his or her receipt of a COBRA notice, to elect to continue coverage. COBRA coverage can continue for up to 36 months under applicable California and federal law.

Employers may extend certain non-mandated COBRA benefits in the wake of the fires (such as offering to pay for COBRA premiums for a certain length of time). Employers with an established severance pay practice or plan providing for payment for COBRA premiums should follow the terms of that plan or practice.

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Damage to Office and Records

If an employer's records were destroyed as a result of the fires and their aftermath, what basic payroll records should the employer try to recreate?

Under applicable federal law, every employer must establish, maintain, and preserve employee records, including the following information for each employee:

- employee's full name, as used for Social Security purposes, and, on the same record, the employee's identifying symbol or number if it is used in place of a name on any time, work, or payroll records;
- address, including zip code;
- birth date, if younger than 19;
- sex and occupation;
- time and day of week when employee's workweek begins;
- hours worked each day and total hours worked each workweek;
- basis on which employee's wages are paid (e.g., "\$15 per hour," "\$600 a week," "piecework");
- regular hourly pay rate;
- total daily or weekly straight-time earnings;
- total overtime earnings for the workweek;
- all additions to or deductions from the employee's wages;
- total wages paid each pay period, including money paid in cash; and
- date of payment and the pay period covered by the payment.

Under California law, payroll and personnel records must be maintained by the employer, and the employer must make certain records available to the employee upon request. An employer's failure to have these records in its possession may subject the employer to liability in the form of penalties under the California Labor Code and possible civil liability.

But if the records have been destroyed by the fires, these and other circumstances suggesting impossibility of performance may help to relieve the employer of this obligation. In any event, the employer should attempt to recreate as many of the records as possible within a reasonable period of time.

When must an employer pay its workers if the employer's payroll records were destroyed?

California requires timely payment of wages according to a regularly set schedule established by the employer, in compliance with the requirements of the California Labor Code. In most cases, employees must be paid at least twice per calendar month, with payment for wages earned between the 1st and the 15th of the month paid no later than the 26th day of the month during which the labor was performed, and payment for wages earned between the 16th and last day of the month paid no later than the 10th day of the following month. Other payroll periods such as weekly, biweekly (every two weeks), or semimonthly (twice per month), when the earning period is something other than between the 1st and 15th and between the 16th and last day of the month, must be paid within seven calendar days of the end of the payroll period within which the wages were earned. If records are not available because of the fires, the employer should make a reasonable effort to determine the hours worked by the employees and make payment accordingly as promptly as possible.

If an employer has employees working from home because the employer's offices were destroyed, what does the employer need to know and how does the employer get the needed information?

Generally speaking, the same rules apply when employees work from a remote location as when they work in the employer's place of business. For example, workers paid by the hour should be required to keep track of all of the hours worked for payroll and overtime purposes. Employees who incur work-related expenses in the course and scope of performing their work for their employer should keep records of their expenditures and must be reimbursed.

Does an employer have to reimburse its employees for the destruction or loss of any of their personal items, such as personal computers or cars they may have used for business purposes?

You should consult your insurance provider to determine whether the loss of employees' personal property is covered by any insurance policy. Ordinarily, employers need not reimburse employees for loss or damage to the personal property an employee brings to the worksite.

Are employers able to obtain extensions for filing payroll taxes due to the fires?

Employers may request an extension to file their state payroll taxes and deposit state payroll taxes with the California Employment Development Department (EDD) without penalty or interest where the employer's delay can be attributed to the fires. A written request for an extension must be received by the EDD within 60 days after the original due date of the

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payment or return. For this purpose, state payroll taxes include unemployment insurance, employment training tax, state disability insurance, and California personal income tax. For the most updated information regarding extensions, employers should contact the EDD by visiting the EDD's website at www.edd.ca.gov or by calling the EDD Taxpayer Assistance Center at (888) 745-3886.

Layoffs and Closing the Business

If an employer determines it is necessary to lay off employees, does the employer have to provide its employees with any prior notice of the layoff?

Employers with established policies requiring prior notice before layoffs generally are required to comply with their policies—but due to the emergency circumstances of the fires, an employer may be relieved of its notice obligations. Employers without an established policy requiring prior notice likely will not be required to provide any notice before layoffs due to the emergency circumstances of the fires. Large employers covered by the state and federal WARN Acts (Worker Adjusting and Retraining Notification Acts) typically are required to give notice before mass layoffs, but the federal WARN Act has an exception from the notice requirement if the layoff or shutdown is the result of a natural disaster, and the Cal-WARN Act has an exception from the notice requirement in the event of a physical calamity.

Does an employer have to provide its employees with severance pay if the employer decides to lay off employees?

No, provided the employer does not have a plan, policy, or practice providing for the payment of severance benefits. Neither California nor federal law requires employers to provide severance pay to departing employees.

Is a self-employed small business owner eligible to receive unemployment insurance benefits?

No. Self-employed small business owners (sole proprietorships and members of a partnership or limited liability company) as well as independent contractors are not eligible for unemployment insurance benefits—but persons denied unemployment insurance benefits may be eligible for Disaster Unemployment Assistance (DUA). For more information about DUA, see http://www.edd.ca.gov/pdf_pub_ctr/de8714y.pdf and see the **Unemployment Benefits** section of the **Employment and Related Benefits** chapter of this handbook.

Is an employer personally liable for its employees' wages if the failing business is unable to make payroll?

It can be. Under California law, employers are liable for various wage and hour violations, and an employer is defined to include a natural person who is an owner, director, officer, or managing agent of the employer entity. In addition, under the federal Fair Labor Standards Act (FLSA), an employer is broadly defined as "any person acting directly or indirectly in the interest of an employer in relation to an employee." If these circumstances present themselves, the employer should seek the advice of a qualified attorney. If the employer cannot afford an attorney, it should contact a legal aid provider through the resources outlined in the **Lawyer Referral Services & Legal Aid** chapter of the handbook.

PERSONAL FINANCES & TAXES

What should I do first to address my personal finances?

If you have not already done so, one of the first things to do is to register for assistance. Registering online at www.DisasterAssistance.gov is the quickest way to register for FEMA assistance. Beginning in August 2018, each time you log in to your account, you will get a prompt to request a secure access code. This is an automatically generated code that adds an extra level of security to your account. You can request to receive the code by email or text. If you are unable to access the Internet, you can call (800) 621-3362. The website provides a lot of helpful information on mortgages for rebuilding, how to replace paper savings bonds, and many other valuable references. As noted elsewhere in this handbook, you must register with FEMA no later than **October 3, 2018**.

Also, one thing to be doing as soon as possible, is to be sure to save all receipts for expenses incurred due to the disaster. This is important for insurance, taxes, and assistance programs.

DEALING WITH CREDITORS, BANKS, AND CASH NEEDS

What should I do if I am not able to pay some or all of my bills on time, including my mortgage or other loan payments?

You should immediately contact creditors, financial institutions, and any other parties to whom you owe or will owe money in the short term to alert them that you have been affected by the disaster, discuss your specific circumstances with them, and request that payments be reduced or delayed while you try to recover and get back on your feet. Many banks and lenders already have a hardship or natural disaster plan in place that they can apply to your account to allow you to delay payment for a few months without affecting your credit report. Some credit card companies may have similar mechanisms and may agree to provide increases to your credit limits to help your recovery efforts. In both cases, consider whether you need to update your contact information so that your creditors and financial institutions can reach you. Each financial institution will have different policies, so take detailed notes about the name of the person with whom you are talking and what you are told, and follow up any conversation with a letter or email confirming the substance of your conversation and any agreements reached during the conversation.

If you do not have your mortgage lender's contact information, your monthly mortgage statement, or your coupon book with you, you can search the Mortgage Electronic Registration Systems (MERS) (www.mers-servicerid.org/sis/) or call toll-free (888) 679-6377 to find the company that services your mortgage. Deed and mortgage records are maintained by the Clerk-Recorder's Office for the county where the property is located. If the deed or mortgage was recorded, it will be accessible there. (For contact information for County Recorder's Offices, see the **Document & Record Replacement** chapter of this handbook.)

Depending on the type of loan you have, your lender may be willing to temporarily reduce or suspend your payments (called forbearance). You may contact your lenders to see whether forbearance relief has been or will be granted as a result of the disaster. If you have an FHA mortgage, you can contact the U.S. Department of Housing and Urban Development (HUD) at https://www.hud.gov/program_offices/housing/sfh/fhahsourcectr.

If you have a California Department of Veterans Affairs (CalVet) loan and have suffered damage caused by the disasters, contact CalVet at (800) 626-1613 or www.calvet.ca.gov. CalVet homeowner insurance provides for temporary living expenses for evacuations.

If you have student loans, ask your student loan servicer if you qualify for a temporary forbearance. Federal student loan borrowers may be eligible for up to three months of forbearance.

You can also contact the National Foundation for Credit Counseling at (800) 388-2227 or online at www.nfcc.org to obtain credit counseling services.

My credit card, ATM card, checks, and related statements were destroyed in the disasters. What should I do?

If you don't have an ATM card or your bank information, checks, or cards have been destroyed, the first step should be to contact a branch of your bank. Most banks and credit card companies have toll-free numbers to report lost or stolen cards. If you need replacement checks or bank statements but have no identification, you should go to the branch where you opened the account. For your bank's contact information or information on how to gain access to your funds, or to obtain additional information, you can call the Federal Deposit Insurance Corporation (FDIC) on its toll-free hotline from 8:00 a.m. – 8:00 p.m. ET, Monday – Friday, or from 9:00 a.m. – 5:00 p.m. ET, Saturday and Sunday, at (877) ASK-FDIC or (877) 275-3342, or visit its website at www.fdic.gov.

PERSONAL FINANCES & TAXES

If your personal documents and credit cards are unaccounted for, you should be particularly on guard against identity theft. Please see the **Consumer Tips & Fraud Prevention** chapter of this handbook. In addition, you may want to add a free fraud alert to your credit report. To do this, contact TransUnion: (800) 680-7289 (www.transunion.com/fraud-victim-resource/place-fraud-alert), Experian: (888) 397-3742 (www.experian.com/fraud/center.htm), and Equifax: (888) 766-0008 (www.alerts.equifax.com).

What happens if my bank has lost my records?

Banks must have extensive contingency plans for all types of disruptions to operations, including natural disasters, and should therefore have backup systems of records and other built-in duplications housed in safe locations so financial records can be reconstructed and restored.

The local banks (or banks where I do not have an account) will not cash my checks or let me withdraw money from teller stations; what can I do?

If you do not have a prior relationship with a bank, it may be concerned about whether there are sufficient funds in your account at your bank. Ask the local bank to call your bank to verify your account balance. You can also establish a new account with the local bank and then contact your existing bank and wire funds from your existing account to the new account. If you do not have the documents traditionally required to open a new account, such as a driver's license, you can ask a local bank if it has instituted any special programs for victims of the disaster or you can call the FDIC hotline for more information at (877) 275-3342 (TDD line: (800) 925-4618) or visit its website at www.fdic.gov.

How can I deposit or cash any insurance checks I receive?

If you receive checks, such as insurance payments, your bank should be able to receive the check or cash the check for you even if your bank or its local branches have been affected by the disaster. If your bank or its local branches are still not ready to receive checks, arrangements likely will be made with neighboring banks to help you. Alternatively, you can contact another bank and ask about establishing a new account so you can deposit or cash your checks through that new account.

If my local bank was destroyed, is my money still insured?

Yes, your money is still insured by the FDIC. Deposits with an FDIC-insured bank or savings institution will continue to be protected up to \$250,000 per account.

What about the contents of my safe deposit box? Does FDIC insurance cover safe deposit boxes?

Deposit insurance does not cover safe deposit boxes, but you should check your homeowner's insurance policy to see if it might. Also, most safe deposit boxes are held in the banks' vaults, which are fireproof and waterproof. If possible, contact the branch or office where your box was located to find out the condition of your box.

My regular direct deposit is not showing up in my account, and I need money. How can I clear this up with the bank?

Sometimes there are delays in the processing of transactions, including direct deposits, as banks activate backup plans. The banks will process the transactions once these backup plans are implemented and your direct deposit may be among the transactions waiting to be processed. You should contact your bank to ask about your pending direct deposit. You can also contact the individual or entity that is making the deposit to ask whether it has any information or can provide you with an alternative payment.

If my ATM card does not work, what should I do?

If your ATM card will not work, it may be because your bank's verification system is not working, so check with your bank to determine if that is the case or whether the bank can otherwise assist you. You can consider other options such as cashing a check in the area where you are located or, if need be, using a credit card. You can also contact one of the emergency service organizations, such as FEMA or the Red Cross, to request assistance.

I need cash immediately and my ATM card is lost or stolen or destroyed. Will the bank let me get cash?

You should call your financial institution to ask how you can access your account without an ATM card. Your bank may be able to wire transfer money to another financial institution that is convenient for you and can arrange to send you a replacement ATM card (if you have an address to receive a new card).

I have access to my bank account through an ATM, but the amount of money I can withdraw each day is limited. How can I withdraw more than the daily limit?

Call or go to your bank, let them know you have been affected by the disaster, and ask a manager about increasing your daily ATM withdrawal limit.

I have my bills set up to automatically deduct payments from my account. I do not have enough money to cover those deductions. How do I go about stopping these payments?

By law, you must call or write your bank requesting a stop on an automated debit at least three business days before the scheduled payment is to be issued. If you make an oral request, the bank may require you to confirm it in writing within 14 days of your call, and you should do so more quickly if you can and even if it is not a requirement. Because of the disaster, your bank may be willing to waive the three-business-day notification period or waive overdraft fees. Notify your bank about any errors within 60 days of the statement showing the error.

Should I continue to pay utilities and similar expenses if my house is damaged or destroyed?

If your home is temporarily uninhabitable or totally destroyed, you should notify the utility company and other service companies, such as phone, water, garbage, cable, and Internet service providers, so they can stop providing service and associated billing immediately. You should continue to address prior bills and make insurance, mortgage, and other payments.

What should I do if I need general financial assistance because I don't have enough money to pay for necessities?

Please see the **Social Security, Unemployment, CalFresh, and Other Regular and Special Government Program Benefit Payments** chapter of this handbook.

What should I do if I don't receive my Social Security payment?

Please see the **Social Security, Unemployment, CalFresh, and Other Regular and Special Government Program Benefit Payments** chapter of this handbook.

What can I do if I can't afford a down payment to replace a home lost in the disasters in Southern California?

If you lost your home due to the disaster, you may be able to use an insured mortgage to finance the purchase or reconstruction of a single-family home that will be your principal residence.

The Federal Housing Administration (FHA) Section 203(h) program offers features that make recovery from a disaster easier for some homeowners (see https://www.hud.gov/program_offices/housing/sfh/ins/203h-dft for more information):

- No down payment is required. You must pay closing costs and prepaid expenses in cash or through premium pricing. Or the seller can pay them, subject to a 6% seller concessions limit.
- FHA mortgage insurance is not free. Lenders collect an up-front insurance premium from the borrowers (which may be financed) at the time of purchase, as well as monthly premiums that are not financed but are added to the regular mortgage payment.
- The Department of Housing and Urban Development (HUD) limits the amount that may be insured and the dollar value of the mortgage to make sure that its programs serve low- and moderate-income people. You can view the current FHA mortgage limits at <https://entp.hud.gov/idapp/html/hicostlook.cfm>. These figures vary over time and by place, depending on the cost of living and other factors (higher limits exist for two to four family properties).

In addition, see the **Housing** chapter of this handbook.

Who do I contact if I have questions related to VA benefits?

If you need information regarding VA death benefits, pensions, insurance settlements, or other information related to the VA, contact the Federal Department of Veterans Affairs (VA) at (800) 827-1000, or visit its Inquiry Routing and Information System (IRIS) website at <https://iris.custhelp.com/app/home>.

OTHER CONSIDERATIONS

I do not have a permanent address at this time. Can I still receive replacement documents or monthly account statements?

If you are no longer at your home, you can have replacement documents sent to you if you have a fixed address. To file a forwarding request, go to Quick Tools on the U.S. Postal Service website, www.usps.com, visit any post office, or call (800) 275-8777 (TDD/TTY: call (800) 877-8339 and ask for (800) 275-8777). In Quick Tools, you have the option to place your mail delivery on hold. To find out whether your post office is open and whether you will receive mail delivery, see <https://www.usps.com/>.

Can I file for bankruptcy as a result of the wildfires?

The disaster has not changed the requirements for filing for bankruptcy, so the answer really depends on the circumstances of your personal situation. Bankruptcy generally allows you to get rid of most of your debts, but it also requires you to use almost all of your assets (bank accounts, cars, stocks, etc.) to pay off as many of (and as much of) your debts as possible. Other options currently include keeping your assets but rescheduling your debts to pay them off over time. Although a bankruptcy filing can provide certain benefits, it is not without its costs; a bankruptcy filing will affect your credit score, may make it more difficult to get a mortgage or other loans, and usually does not wipe out fines, certain taxes, and most student loan obligations.

Bankruptcy is a serious decision that should be made only after careful consideration, preferably with the help of a lawyer qualified to give advice concerning bankruptcy issues. If you want to contact an attorney about bankruptcy and are unsure about who to contact, State Bar-certified lawyer referral services are listed in the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

Am I entitled to a modification/reduction of my child support obligations because of my losses due to the disasters in Southern California?

Possibly. An uninsured catastrophic loss may be a basis for requesting a reduction in the child support you pay or for requesting an increase in the child support you receive. The change in your child support is not automatic. You must file a motion to request it. If you have an attorney for your child support case, you should contact him or her immediately. If you do not have an attorney, you may obtain assistance through the Office of the Family Law Facilitator, which can be reached with the following location information:

Lake: Lake County Superior Court Self-Help Center and Family Law Facilitator's office is located at 7000-A South Center Drive, Clearlake, CA 95422, (707) 994-6598, Option #3. The website is: <https://www.lake.courts.ca.gov/sh/>.

Shasta: The Shasta County Superior Court Family Law Facilitator's Office/Self Help Center is located at 1500 Court Street, Room 115, Redding, CA 96001, (530) 245-6900. The website is: <http://www.shastacourts.com/Self-Help/self-help.shtml>.

If you need to contact County Child Support Services, call the state-wide phone number, (866) 901-3212.

What if I need legal services and can't afford them?

Disaster Legal Services (DLS), part of FEMA, provides legal assistance to low-income individuals who before, or as a result of the disaster, are unable to secure legal services adequate to meet their disaster-related needs. Legal advice is limited to cases that will not produce a fee (cases where attorneys are paid part of the settlement, which is awarded by the court). The limitations on conditions related to this service can be found on a Disaster Legal Services Fact Sheet at www.fema.gov/media-library/assets/documents/24413. Other cases, including those that may generate a fee, are turned over to the local lawyer referral service.

The assistance that local lawyers provide typically includes, among other things:

- help with insurance claims for doctor and hospital bills, loss of property, loss of life, etc.;
- preparing new wills, powers of attorney, and other legal documents lost in the disaster;
- help with home repair contracts and contractors; and
- advice on problems with landlords.

If you do not have a lawyer or cannot afford one, see the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

TAXES

The following discussion addresses the tax relief available for presidentially declared disasters, as well as California

PERSONAL FINANCES & TAXES

governor-declared disasters. In general, federal tax relief from the Internal Revenue Service (IRS) is only available for presidentially declared disasters. Governor-declared disasters are eligible for California state tax relief from the California Franchise Tax Board (FTB), but will not be eligible for federal tax relief unless they are also declared to be a disaster by the president.

The president has declared that a major disaster exists in Lake County and Shasta County. As a result, individuals who reside in or have businesses in those counties may qualify for tax relief from the IRS. (See <https://www.irs.gov/newsroom/tax-relief-for-victims-of-wildfires-and-high-winds-in-north-california> for more details.) As of the time of the publication of this handbook, the president has not yet declared major disasters in other counties affected by the 2018 wildfires in Northern California, although it is possible he will do so at a later date. If he does, the discussion of relief available below would also apply to residents of those counties.

Since June 2018 and the publication of this handbook, the California governor has declared disasters in Lake, Mariposa, Mendocino, Napa, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Shasta, Siskiyou, and Tuolumne counties. As a result, individuals who reside in or have businesses in those counties may qualify for California state tax relief from the FTB, as discussed in more detail below. For a complete list of all disasters declared by the California governor, see the “Qualified Disasters” chart on FTB’s Disaster Loss web page at <https://www.ftb.ca.gov/individuals/disaster.shtml>.

Can I defer filing my tax returns and paying taxes as a result of a disaster?

In some cases, yes. The answer will depend on whether the relevant tax return and payment obligation are with the IRS or the FTB, as well as the relief offered by that specific authority. This handbook cannot provide legal or tax advice. You should consult with a licensed tax professional or attorney to determine your options. The following information is just an overview of some potentially applicable tax provisions.

The president has declared that a major disaster exists in Lake County and Shasta County. As a result, individuals who reside in or have businesses in those counties may be entitled to extended federal tax filing and payment deadlines. This relief generally applies to taxpayers with filing or payment deadlines falling on or after July 23, 2018 and before November 30, 2018, including taxpayers who had a valid extension to file their 2017 return due to run out on October 15, 2018. See <https://www.irs.gov/newsroom/tax-relief-for-victims-of-wildfires-and-high-winds-in-north-california> for more details. You may also obtain updated information on the availability of extended federal tax filing and payment deadlines by consulting your accountant or other tax advisor, checking the IRS website at www.irs.gov, or calling the IRS at (800) 829-1040 (Monday – Friday, 7:00 a.m. – 7:00 p.m., local time).

For California taxes, the FTB automatically follows federal postponement periods for tax filings for any presidentially declared disasters and will cancel interest and any late filing or late payment penalties that would otherwise apply. This relief may also be available for residents or business owners in counties where a disaster has been declared by the California governor, but not by the president. For more information, go to www.ftb.ca.gov.

My property was damaged. Does this reduce how much federal income tax I will owe?

Again, this handbook cannot provide legal or tax advice, but you may be able to lower your federal income tax liabilities by taking “casualty loss” deductions for property damaged or destroyed due to the disasters in Lake County and Shasta County (and any other presidentially declared disaster areas). The amount of your deduction depends on your adjusted gross income, the nature of your property (personal-use versus business-use), your basis in the property, and, in the case of business-use property, whether the property is completely destroyed. Because the rules are complicated, you should consult your accountant or tax advisor if you can; you can also contact the IRS at (800) 829-1040 (Monday – Friday, 7:00 a.m. – 7:00 p.m., local time) or the FTB at (800) 852-5711 (Monday – Friday, 7:00 a.m. – 5:00 p.m.) for assistance.

If your property is covered by insurance (regardless of whether it is personal-use or business-use property), you should file a timely insurance claim for reimbursement of the loss. Otherwise, you will not be able to deduct the amount of the loss for which you failed to claim coverage. (This does not apply to any portion of the loss not covered by insurance.)

According to the IRS website, <https://www.irs.gov/newsroom/tax-relief-for-victims-of-wildfires-and-high-winds-in-north-california>, you may claim disaster-related casualty losses on your federal income tax return for either the year in which the event occurred or the prior year. Claiming such casualty losses on an amended return for the previous year may qualify you for a refund sooner, but waiting to claim the losses on your current year tax return could result in a greater tax saving, depending on other income factors. Affected taxpayers claiming the disaster loss on an amended 2017 return should put the Disaster Designation “California, Wildfires and High Winds” at the top of the form so that the IRS can expedite the processing of the refund.

For more information on casualty losses, please refer to IRS Publication 2194, “Disaster Resource Guide for Individuals and Businesses.” This publication contains information about IRS tax services, forms, and publications to assist you with your loss. In addition, you may also need the following forms and publications:

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- Form 1040X, “Amended U.S. Individual Income Tax Return”
- Form 1120X, “Amended U.S. Corporation Income Tax Return”
- Form 4684, “Casualties and Thefts”
- Topic 507, “Casualty and Theft Losses”
- Topic 515, “Casualty, Disaster, and Theft Losses”
- Publication 536, “Net Operating Losses (NOLs) for Individuals, Estates, and Trusts”
- Publication 547, “Casualties, Disasters, and Thefts”
- Publication 584, “Casualty, Disaster, and Theft Loss Workbook (Personal-Use Property)”
- Publication 584B, “Business Casualty, Disaster, and Theft Loss Workbook”

You may download and print IRS forms and publications from the IRS website at www.irs.gov. You are again encouraged to consult an accountant, tax lawyer, or other tax advisor, as the rules governing casualty loss deductions are complex and may be affected by recent tax legislation commonly referred to as the Tax Cuts and Jobs Act.

*Note: With regard to property taxes on real property damaged or destroyed in the disasters in Lake County and Shasta County (and any other presidentially declared disaster areas) see the **Housing** chapter of this handbook. With regard to California state income taxes, see the next question immediately below. To determine whether insurance proceeds are taxable, see the second question below (“Will I be taxed on my insurance proceeds?”).*

Can I take a deduction on my California state income taxes for my personal property that has been lost, damaged, or destroyed?

Taxpayers may claim a deduction on their California state income tax returns for a disaster loss sustained in an area proclaimed by the governor to be in a state of emergency. For a complete list of all disasters declared by the governor, see the “Qualified Disasters” chart on FTB’s Disaster Loss web page at <https://www.ftb.ca.gov/individuals/disaster.shtml>. Additional information and instructions are available in FTB Pub. 1034 at <https://www.ftb.ca.gov/forms/misc/1034.pdf>, “How to Claim a State Tax Deduction for Your Disaster Loss.” You should contact a licensed tax professional or attorney to determine the best course for your particular circumstances.

California disaster-loss rules apply to victims in governor-declared or presidentially declared disaster areas. Taxpayers may claim a disaster loss in one of two ways: (1) they may claim the disaster loss in the tax year the disaster occurred or (2) they may claim the loss in the tax year before the disaster occurred by filing an amended tax return. The advantage of claiming the disaster loss in the prior tax year is that the FTB can more quickly issue a refund, but waiting to claim the losses on your current year tax return could result in a greater tax saving, depending on other income factors. To expedite your refund, you should print “Disaster,” the name of the disaster in the governor’s state of emergency proclamation, and the year the loss occurred (for example, “Disaster – Carr Fire – 2018”) in red ink at the top of side one of the return. If you e-file your tax return, you should follow the software instructions to enter the information above when prompted.

Taxpayers whose losses exceed their income *may* qualify for 100% carryover of any excess casualty loss to future taxable years. However, this will first require the California Legislature to enact legislation adding the disasters in Northern California to the list of disasters eligible for such treatment, which has not been done as of August 10, 2018. For the latest information, please check the California Franchise Tax Board’s website at www.ftb.ca.gov or call (800) 852-5711.

Will I be taxed on my insurance proceeds?

It depends. You may be able to offset proceeds from insurance relating to property damage against the adjusted basis of the damaged property (generally your basis will equal the price you paid for the property minus any depreciation deductions). In that case, you would be taxed only to the extent your insurance proceeds exceed your basis, and you may be able to defer recognition of that income (*i.e.*, defer paying taxes on it) if you use the proceeds to purchase similar property within a specified time period. If you receive insurance proceeds for a loss for which you have already claimed a casualty loss deduction, the insurance proceeds will generally be taxable in the year of receipt. Additional rules apply if the amount received exceeds the amount of the claimed deduction. Because the rules relating to insurance recoveries are complicated, you should consult a tax advisor when filing tax returns for periods during which you received insurance proceeds or for which you are electing to defer gain.

Is a grant from a federal or state program, charitable organization, or employer to cover medical, transportation, or temporary housing expenses taxable?

Generally no, but other types of relief payments may be taxable (see the following question). If you are in a presidentially declared disaster area, you generally do not have to include any of the following receipts in your federal gross income, unless the same expenses are also reimbursed to you through insurance or otherwise:

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- grants for reasonable and necessary personal, family, living, or funeral expenses incurred as a result of the disaster;
- grants for reasonable and necessary expenses incurred for the repair or rehabilitation of a personal residence, or for the repair or replacement of its contents, to the extent attributable to the disaster; and
- payments made by a federal, state, or local government in connection with the disaster.

Are other relief payments taxable?

Generally, yes. You generally do have to include in gross income the following relief payments:

- grants or other relief payments for expenses for which you are also reimbursed by insurance or otherwise; and
- payments in the nature of income replacement, for example, payments to individuals of lost wages, unemployment compensation, and business income replacement.

Where can I get more tax-related information?

- The IRS: www.irs.gov or (800) 829-1040 (individuals), (800) 829-4933 (businesses), (800) 829-4059 (TTY/TDD)
- The State of California Franchise Tax Board: www.ftb.ca.gov or (800) 338-0505 or (800) 852-5711.
- The State of California Board of Equalization: www.boe.ca.gov or (800) 400-7115, and see https://www.boe.ca.gov/info/disaster_relief_faq.htm for FAQs on Disaster Relief.

Note that although the information provided in this handbook is based on the general tax provisions applicable to presidentially declared disasters such as the disasters in Lake County and Shasta County, it is possible that more specific administrative or legislative guidance will be released in the future that alters these tax provisions. You are strongly urged to obtain updated information by consulting your accountant or other tax advisor, checking the IRS website at www.irs.gov, or calling the IRS at (800) 829-1040 (individuals) or (800) 829-4933 (businesses) (Monday – Friday, 7:00 a.m. – 7:00 p.m. local time).

SOCIAL SECURITY, UNEMPLOYMENT, CALFRESH, AND OTHER REGULAR AND SPECIAL GOVERNMENT PROGRAM BENEFIT PAYMENTS

SOCIAL SECURITY

For direct deposit: If your Social Security check is automatically deposited into your bank account, your Social Security payment will be deposited into your account as usual. If you experience any difficulty getting your payment, you can go to any open Social Security office to request an immediate payment. For more information on the nearest open Social Security office, call (800) 772-1213 (TTY: (800) 325-0778) or visit <https://secure.ssa.gov/ICON/main.jsp>. To see office closures visit <https://www.ssa.gov/agency/emergency/>.

If you have moved to a new area and want to open a new account with a local bank to receive your Social Security payment, contact the Social Security Administration with the routing information for your new account. The staff at the bank where you open the new account should be able to help you make this change.

If you receive your check by mail: If you have temporarily relocated to a fixed address, you should contact the U.S. Postal Service at www.usps.com/ or call its toll-free 24-hour hotline to file a forwarding address: (800) ASK-USPS. If your change of address will be long term, you should report it to the Social Security Administration.

UNEMPLOYMENT

The State of California provides special assistance when people affected by disasters are unemployed or lose their jobs. For more information about Unemployment Insurance and Disaster Unemployment Assistance, see the **Employment and Related Benefits** chapter of this handbook. For information, you can also call (800) 300-5616 (English), (800) 326-8937 (Spanish), (800) 547-3506 (Cantonese), (866) 303-0706 (Mandarin), (800) 547-2058 (Vietnamese), or (800) 815-9387 (TTY) or visit <http://www.edd.ca.gov/unemployment/>.

ELECTRONIC BENEFITS TRANSFER (EBT) CARDS

For help in obtaining a replacement EBT card, call (877) 328-9677. For additional information, see the FAQs on the following website: <http://www.ebtproject.ca.gov/clientinformation/clientFaq.shtml>.

FOOD STAMP (CALFRESH) RECIPIENTS

If you need food, even if you are not currently receiving CalFresh benefits, you may qualify for Disaster CalFresh (also known as D-CalFresh). If you are not already a CalFresh recipient but were impacted by the disasters, you may qualify for a temporary month of benefits if the income you received during this period is below certain limits. You may apply in person at your local county social services agency. Please see the phone numbers and websites below. Please also see the following website for additional information: <https://www.fns.usda.gov/disaster/california-disaster-nutrition-assistance>. You may qualify for "expedited service" and receive CalFresh benefits within three days if you are homeless or have less than \$150 in monthly income and less than \$100 in liquid resources.

If you are already a recipient of CalFresh (federally known as the Supplemental Nutrition Assistance Program (SNAP)), you may be eligible for benefits to replace food lost due to fire, loss of electricity, flooding, etc. In certain counties, the government approved a waiver of the usual requirement to report, within 10 days, a loss of food purchased with SNAP benefits and submit an associated request for replacement benefits. If you live in the counties listed below and are already a SNAP/CalFresh recipient, you can contact the following county social services departments for additional information:

- Lake County: (707) 995-4200 (http://www.lakecountyca.gov/Government/Directory/Social_Services.htm)
- Mariposa County: (800) 549-6741 (<http://www.mariposacounty.org/index.aspx?nid=78>)
- Mendocino County: (707) 463-7700 (<https://www.mendocinocounty.org/government/health-and-human-services-agency>)
- Riverside County: (800) 274-2050 (<http://dpss.co.riverside.ca.us/>)
- Shasta County: (877) 652-0731 (https://www.co.shasta.ca.us/index/hhsa_index.aspx)
- Siskiyou County: (530) 841-2700 (<https://www.co.siskiyou.ca.us/content/social-services-division>)
- Trinity County: (800) 851-5658 (<http://www.trinitycounty.org/index.aspx?page=66>)

On August 16, 2018, the federal government also approved California's request to allow SNAP recipients in certain counties (including Lake and Shasta) to purchase hot foods at SNAP authorized retailers. Affected SNAP households in

SOCIAL SECURITY, UNEMPLOYMENT, CALFRESH AND OTHER REGULAR AND SPECIAL GOVERNMENT PROGRAM BENEFIT PAYMENTS

these counties are able to buy hot foods and hot food products with their SNAP benefits through at least September 16, 2018.

Additional information on automatic supplementation, deadlines, locations, and disaster supplementation can be found on the Disaster CalFresh website at <http://www.cdss.ca.gov/inforesources/CalFresh/Disaster-CalFresh> and at <https://www.fns.usda.gov/disaster/california-disaster-nutrition-assistance>.

CALWORKS RECIPIENTS

If your family currently receives assistance from CalWORKs and you were impacted by the fires, you may be eligible for additional assistance, including a one-time, non-recurring special needs assistance payment of up to \$600. To qualify for this special payment, you must have an emergency need due to sudden and unusual circumstances beyond your control and \$100 or less in liquid resources. If you qualify for a special needs assistance payment, the money can be used to repair or replace clothing or household items, provide assistance for damage to your home, including moving or storage payments due to such damage, or pay for interim shelter if your home is destroyed or made uninhabitable or inaccessible. You should contact your case worker for additional information.

If you are homeless, you may apply for temporary and permanent housing assistance. Applicant families who have received homeless assistance in the last 12 months and who have been impacted by the fires may be entitled to an exception to the once every 12 months limit. You may be eligible for an immediate needs payment of up to \$200 if you have \$100 or less in liquid resources (for example, cash). Please note that CalWORKs regulations exclude counting of federal disaster and emergency assistance for eligibility determination purposes; thus, Federal Emergency Management Agency (FEMA) relief, American Red Cross relief, and D-CalFresh will not impact your eligibility for CalWORKs.

If you do not wish to receive CalWORKs on an ongoing basis, consider applying for CalWORKs Diversion payments, which are short-term, non-recurring benefits designed to deal with a specific crisis situation or item of need and may be appropriate for some displaced families.

For additional information regarding CalWORKs benefits, contact your county's social services agency. A list of their telephone numbers and websites is provided above. For a complete list of CalWORKs offices, visit <http://www.cdss.ca.gov/County-Offices>.

VETERANS' BENEFITS

If you currently receive benefit payments from the U.S. Department of Veterans Affairs (VA) via electronic funds transfer, payment will be made to your account as usual. For information, call (800) 827-1000 or visit the nearest VA benefits office:

- Oakland Regional Benefit Office
 - Located at 1301 Clay Street, North Tower, Oakland, CA 94612
 - Open Monday – Friday, 9:00 a.m. – 4:00 p.m.

Information about your benefits can also be obtained at <http://www.vba.va.gov>.

IMMIGRATION

This chapter provides some general answers to basic immigration questions and related issues. Individuals with specific immigration-related questions are strongly encouraged to consult an attorney because this is a complicated area of law and it is changing frequently. For legal services available in your area, please see the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

ELIGIBILITY FOR RELIEF

Do I have to be a U.S. citizen or a lawfully present immigrant to apply for disaster relief?

FEMA non-emergency monetary disaster assistance and unemployment assistance programs are available only to U.S. citizens, non-citizen nationals, and “qualified aliens” (people with lawful permanent resident status with a Permanent Resident Card, referred to as a Green Card, as well as certain other immigrants). The **FEMA** chapter of this handbook describes these programs in detail. If any member of the household is eligible, including a minor child, the household may be eligible. As of August 13, 2018, FEMA’s website indicates that no information regarding the status of household members, other than the eligible member, will be requested or collected.

All individuals affected by the disasters, regardless of their immigration status, may qualify for certain short-term non-monetary emergency assistance from FEMA when necessary to prevent injury or death, including evacuation, emergency medical care, emergency shelter, search and rescue, and emergency food, water, and medicine.

Given that people fleeing a disaster may not have their paperwork with them, agencies should be flexible about what they are willing to accept from disaster survivors. Under California law (Gov. Code § 8596 (b)), state employees are required to provide assistance to survivors of a disaster without asking for information or documents that are not strictly necessary to determine eligibility under state or federal law. Private and non-profit organizations, such as the American Red Cross, should provide services to all survivors regardless of immigration status. If you have questions, contact the Red Cross at <http://www.redcross.org/get-help> or one of the legal services organizations in the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

On August 6, 2018, the Department of Homeland Security released a statement that U.S. Immigration and Customs Enforcement (ICE) “will continue to suspend routine immigration enforcement operations in the areas affected by the fires in Northern California, except in the event of a serious criminal presenting a public safety threat. Likewise, immigration enforcement will not be conducted at evacuation sites, or assistance centers such as shelters or food banks.” (See https://www.ice.gov/news/releases/dhs-statement-regarding-safety-and-enforcement-during-northern-california-wildfires?utm_source=dlvr.it&utm_medium=twitter.)

I am undocumented, but my child was born in the United States. Is my child eligible to receive disaster relief?

If you have a minor child who is a U.S. citizen or a “qualified alien” residing with you, you can apply for FEMA assistance on your child’s behalf. As of August 13, 2018, FEMA’s website indicates that no information regarding your status will be requested or gathered as part of the application process for your child, but you will be asked to sign a declaration that your child is eligible as a U.S. citizen, non-citizen national, or “qualified alien.” You may be required to provide your child’s Social Security number.

LOST DOCUMENTATION

My Green Card was damaged or destroyed by the wildfires. How can I replace it?

If your Green Card was damaged or destroyed, you must replace it as soon as possible by completing a USCIS Form I-90. To fill out this form, you must use your complete name, Alien Registration Number (also known as an A-number), and date of admission into the United States. If you do not have this information, you can make an appointment to see a U.S. Citizenship and Immigration Services (USCIS, formerly known as INS) officer at <https://my.uscis.gov/appointment> using USCIS’s INFOPASS system.

Once you have this information, you can fill out Form I-90. All paper I-90 forms must be mailed to **one** of these addresses (based on which carrier you choose): (A) for the United States Postal Service — USCIS, P.O. Box 21262, Phoenix, AZ 85036; and (B) for FedEx, UPS, and DHL — USCIS, Attention I-90, 1820 E. Skyharbor, Circle S, Floor 1, Suite 100, Phoenix, AZ 85034. You may file the Form I-90 electronically if you have a credit card in your name or your spouse’s name. Form I-90 is available at <https://www.uscis.gov/i-90> or you may call the USCIS forms request line at (800) 870-3676. You may also pick up the form in person at a district office near you (at the addresses provided below).

The filing fee for the I-90 is \$540, which includes an \$85 biometric (fingerprint) fee. Checks and money orders should be made payable to the U.S. Department of Homeland Security. Alternatively, you may file a Form I-912 fee waiver (available at <https://www.uscis.gov/i-912>) if you are eligible for a complete or partial fee waiver based on annual income or

IMMIGRATION

receipt of means-tested benefits (e.g., SNAP/CalFresh, TANF/CalWORKs, or SSI), and can demonstrate financial hardship. Form I-90 must be filed by mail if accompanied by a Form I-912 fee waiver.

Once a paper Form I-90 has been received by USCIS via mail (see (A) and (B), above), a receipt will be mailed to you within one to two months. If you file Form I-90 electronically, the receipt will be generated immediately. Typically, a biometric appointment will be scheduled for you within two months of submitting Form I-90 (by mail or electronically). When you go to this biometric appointment, be sure to bring an identity document such as a driver's license, passport, or a copy of another document containing your name, date of birth, photograph, and signature. The total processing time for the Form I-90 is approximately 12 months.

How can I obtain temporary proof that I am a lawful permanent resident while my Form I-90 is being processed?

Once you have the Form I-90 filing receipt, you may request "an I-551 stamp," which is legal proof of your lawful permanent residency status and valid for both travel and employment purposes. **Please note that an I-551 stamp is required for travel outside the United States.** To request this stamp, make an INFOPASS appointment at <https://my.uscis.gov/appointment>. Bring your passport to your appointment so the USCIS officer can place the stamp on your passport. If you don't have a valid passport at the time of your appointment, bring two passport photos taken within 30 days of your appointment. The USCIS officer will create an I-94 document with the I-551 stamp, which will serve as temporary proof of lawful permanent residency status for a period of one year from issuance. You will not be charged a fee for the I-551 stamp.

My Naturalization Certificate was destroyed by the wildfires. How do I replace it?

If your Naturalization Certificate or Citizenship Certificate (Citizenship Paper) was destroyed, you must replace it as soon as possible by filing a USCIS Form N-565 by mail or electronically at the USCIS website. Form N-565 is available online at <https://www.uscis.gov/n-565> or through the USCIS form request phone number at (800) 870-3676. Use your full name, A-number, and Certificate Number to fill out the N-565 form. If you do not have this information, make an appointment with a USCIS officer at <https://my.uscis.gov/appointment> using the INFOPASS system.

Mail the completed Form N-565 to USCIS, Nebraska Service Center, P.O. Box 87565, Lincoln, NE 68501-7565. Two passport-size photos taken within 30 days of filing must be included with your form. The filing fee for Form N-565 is \$555. Checks and money orders should be made payable to the U.S. Department of Homeland Security. You may file a Form I-912 fee waiver with your Form N-565 if you are eligible for a complete or partial fee waiver based on annual income, receipt of means-tested benefits (e.g., SNAP, TANF, or SSI), and can demonstrate financial hardship.

A receipt will be mailed to you within one to two months of receipt of your Form N-565 by USCIS. The total processing time for Form N-565 is usually about six months but can be expedited in emergency situations if required. If you have an emergency, please speak to a USCIS officer about this procedure and make sure to bring the Form N-565 filing receipt.

How do I replace a lost work permit?

To replace a lost work permit, complete and submit Form I-765 by mail. The form is available online at <https://www.uscis.gov/i-765> or by calling the USCIS at (800) 870-3676. With the completed form, include a photocopy of any applications or documents that entitle you to obtain a work permit such as an application for asylum, suspension of deportation, or adjustment of status. Please check the USCIS website (<https://www.uscis.gov>) to determine the proper mailing address for your particular immigration status. For further information regarding the replacement of your lost work permit, contact USCIS at <https://www.uscis.gov> or call (800) 375-5283 (TDD line: (800) 767-1833). Form I-765 can be expedited in emergency situations if required. If you have an emergency, please speak to a USCIS officer about this procedure and make sure to bring the Form I-765 filing receipt and any papers you have from your employer.

Depending on your status, you may also have to pay a \$410 filing fee (and an additional \$85 fee for biometric services may apply in certain circumstances), or, alternatively, you may file a Form I-912 fee waiver if you are eligible for a complete or partial fee waiver based on annual income or receipt of means-tested benefits (e.g., SNAP, TANF, or SSI), and can demonstrate financial hardship.

INTERACTION WITH USCIS

Do I need to inform USCIS that I have moved as a result of the disaster?

All non-U.S. citizens are required to promptly notify the USCIS of any change of address by filing a Form AR-11, which is available at <https://www.uscis.gov/ar-11> or by calling the USCIS at (800) 870-3676. Form AR-11 may be filed by mail or electronically at <https://egov.uscis.gov/coa/displayCOAForm.do>. If you complete a paper Form AR-11, the completed form must be mailed to U.S. Department of Homeland Security, Citizenship and Immigration Services, Attn: Change of Address, 1344 Pleasants Dr., Harrisonburg, VA 22801. In most cases, filing this form will update the information for any

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case you have pending, but you should check the USCIS website for confirmation. There is no fee for filing a Form AR-11.

If you have pending immigration court proceedings, file Form EOIR-33/IC (Alien's Change of Address Form/Immigration Court), available at <https://www.justice.gov/eoir/list-downloadable-eoir-forms>. If you do not have a permanent address as a result of a natural disaster, provide the address of a trusted family member or friend.

Where is my local USCIS office?

There is one field office covering Shasta County.

Sacramento Field Office
650 Capital Mall
Sacramento, CA 95814

<https://www.uscis.gov/about-us/find-uscis-office/field-offices/california-sacramento-field-office>

The field office serving Lake County is in San Francisco.

San Francisco Field Office
444 Washington St.
San Francisco, CA 94111

Mailing address:
San Francisco Field Office
630 Sansome St.
San Francisco, CA 94111

<https://www.uscis.gov/about-us/find-uscis-office/field-offices/california-san-francisco-field-office>

Field offices require appointments, which can be made through the website on INFOPASS (<https://my.uscis.gov/appointment>) or by calling (800) 375-5283.

I missed my USCIS appointment due to the disaster. What do I do?

If you missed your USCIS appointment, you or your attorney should contact USCIS right away. You can typically reschedule an appointment online or go to the office where your appointment was originally scheduled with the appointment notice. Please ensure that you contact the appropriate office to reschedule your appointment and check the USCIS website for any updates related to the disaster.

DOCUMENT & RECORD REPLACEMENT

A number of my personal records and identification cards were destroyed as a result of the wildfire. What should I do?

Social Security Card

You should apply to the Social Security Administration for a replacement Social Security card by submitting the following documents by mail or by bringing them to your local Social Security office:

- Completed Form SS-5, available at your local Social Security office, online at <https://www.ssa.gov/forms/>, or it can be mailed to you upon request by calling (800) 772-1213;
- One document to establish your identity, such as your U.S. driver's license, U.S. state-issued non-driver identity card, U.S. passport, U.S. military identity card, Certificate of Naturalization, employee identity card, certified copy of medical records (uncertified may be okay for young children), health insurance card, Medicaid card, school identity card or school record, or final adoption decree; and
- If you were born outside the United States, evidence of your U.S. citizenship or current lawful immigration status, such as a U.S. passport, Certificate of Citizenship, Certificate of Naturalization, or unexpired document issued to you by the Department of Homeland Security showing your current immigration status, such as Form I-551, I-94, or I-766.

The documents presented as evidence of your identify must be either originals or certified copies (the documents can be certified by the issuing agency). Uncertified or notarized photocopies will not be accepted. Requests usually take two weeks to process. If you cannot provide the necessary documents, call (800) 772-1213 (TTY (800) 325-0778), for assistance. There is no charge for requesting a replacement for your Social Security card.

To find your local Social Security office, visit <https://secure.ssa.gov/ICON/main.jsp> or call (800) 772-1213.

Medicare Card

If your Medicare card was lost or destroyed, you should also apply to the Social Security Administration for a replacement card. There is no charge for this service. A replacement card can be requested at your local Social Security office, online at <https://faq.ssa.gov/en-us/Topic/article/KA-01735>, or by telephone at (800) 772-1213 (TTY: (800) 325-0778). Requests usually take 30 days to process. If you need proof right away that you have Medicare, contact your local Social Security office or call the toll-free number noted above, and the office can provide you with proof of coverage for use until you receive your replacement Medicare card.

Federal Income Tax Returns

Copies of your federal income tax returns may be obtained from your tax preparer or the IRS. Alternatively, transcripts of your federal income tax returns may also be obtained from the IRS. (Transcripts are computer-created records of returns that include most of the line items as filed with the IRS, including any accompanying forms and schedules.)

To apply for a copy of a tax return from the IRS, complete Form 4506, Request for Copy of Tax Form (<https://www.irs.gov/pub/irs-pdf/f4506.pdf>), write "California Wildfires and High Winds (DR-4382)" in red ink at the top of the form and send it to the address indicated in the instructions on the form. To apply for a transcript of a tax return from the IRS, complete Form 4506-T, Request for Transcript of Tax Return (<https://www.irs.gov/pub/irs-pdf/f4506t.pdf>), write "California Wildfires and High Winds (DR-4382)" in red ink at the top of the form and send it to the address indicated on the instructions to the form. Both forms may be obtained online at the links listed above or by calling (866) 562-5227 (Monday – Friday, 7:00 a.m. – 10:00 p.m. local time). Copies and transcripts of tax returns from the IRS are free and expedited for affected taxpayers.

State Income Tax Returns

To get a free copy of your lost or damaged California state returns, complete Form FTB 3516, Request for Copy of Tax Return (<https://www.ftb.ca.gov/forms/misc/3516.pdf>). Write the name of the specific disaster, your county, and the year of the incident in red ink at the top of the request (e.g., "Carr Fire, Shasta County, 2018"). You may download the form at the link listed above or order one by calling (800) 852-5711.

DOCUMENT & RECORD REPLACEMENT

Passport

Information and forms for replacing lost U.S. passports are available at <https://travel.state.gov/content/travel/en/passports/after/lost-stolen.html> or through the U.S. Passport Information Center at (877) 487-2778 (TDD/TTY: (888) 874-7793). You must file a statement regarding the lost or stolen passport with Form DS-64, <https://eforms.state.gov/Forms/ds64.pdf>, as well as file for a new passport with Form DS-11, <https://eforms.state.gov/Forms/ds11.pdf>. If you have your passport but it is damaged, you must submit a signed statement explaining the damaged or mutilated condition of the passport, and the damaged passport should be submitted with Form DS-11. If your passport was issued by a country other than the United States, you should contact that country's consulate and file an application for a replacement passport.

Immigration Documents

For information on how to replace your Green Card or certain other immigration documents, please see the **Immigration** chapter of this handbook.

California Driver's License/ID Card/Vehicle Documents

For a limited time, you may be able to replace at no cost the following items if lost or damaged due to the disaster: driver's licenses, identification cards, vehicle registrations and titles, and disabled person parking placards. In addition, you can acquire substitute license plates and stickers, vehicle disposal paperwork, and driver record printouts, as well as process a change of address. You can receive help at local DMV field offices by calling DMV customer service at (800) 777-0133 (TTY (800) 368-4327) or by visiting www.dmv.ca.gov and identifying yourself as a disaster victim.

To replace your California driver's license or identification card, make an appointment to visit any local DMV office either online at <https://www.dmv.ca.gov/portal/dmv/detail/portal/foa/welcome> or by calling (800) 777-0133 (TTY: (800) 368-4327). You must submit application Form DL 44 (available at your local DMV, or order by phone at (800) 777-0133 (TTY: (800) 368-4327), or available at <https://www.dmv.ca.gov/portal/dmv/detail/forms/dl/dl44>), give a thumb print, have your picture taken, and, unless waived due to the disaster, pay the application fee (\$28.00 for license, \$30.00 for ID card, or free for a senior citizen ID card). You will be issued an interim license or receipt for your ID card until you receive your new card in the mail.

When getting a replacement driver's license, the DMV is giving most applicants the option of choosing a REAL ID card. (Those with an AB 60 driver's license are not eligible for a REAL ID driver's license.) Existing California driver's license/ID cards will be accepted by TSA to board a domestic flight and by federal agents to enter secure federal facilities until October 1, 2020. After that date, individuals will need a REAL ID card, or other federally approved identification, for these purposes. You do not need to obtain a REAL ID card at this time, but if you choose to do so, you will be required to present additional documentation, in person, at your local DMV. Information about REAL IDs and their requirements can be found on the DMV website: <https://www.dmv.ca.gov/portal/dmv/detail/realid/realidfaq>.

Certificate of Title (Cars, Boats, and Vessels)

For a limited time, you may replace vehicle registration and title documents at no cost. You can receive support at local DMV field offices by calling DMV customer service at (800) 777-0133 (TTY: (800) 368-4327) during business hours or by visiting www.dmv.ca.gov and identifying yourself as a disaster victim.

To obtain a replacement certificate of title, you must complete an Application for Duplicate or Paperless Title REG 227 (https://www.dmv.ca.gov/portal/dmv/?1dmy&urile=wcm:path:/dmv_content_en/dmv/forms/req/reg227), attach the damaged title if mutilated, and, unless waived due to the disaster, pay the duplicate title fee of \$20.00 (\$15.00 for boats and vessels). REG 227 may be obtained online at the link listed above or at your local DMV office. You may submit the application either in person at your local DMV office or mail it to:

Department of Motor Vehicles
Registration Operations
P.O. Box 942869 Mail Station E-254
Sacramento, CA 94269-0001

Instructions are available at <http://www.dmv.ca.gov>.

Birth Certificates, Marriage Certificates, Death Certificates, and Divorce Decrees

Certified copies of birth, marriage, and death certificates can be obtained from the County Recorder's office in the county where the birth, marriage, or death occurred. You must fill out an application with information such as the full name of the person, date, and place of event. Unless waived due to the disaster, a fee of \$25.00 to \$30.00 for a birth certificate, \$15.00 to \$17.00 for a marriage certificate, and \$21.00 to \$23.00 for a death certificate is required. If you need the documents quickly, you should go directly to the Recorder's office to apply for the certificate. A list of County Recorders' offices is provided at the end of this chapter.

DOCUMENT & RECORD REPLACEMENT

Certified copies of birth, marriage, and death certificates can also be obtained from the Office of Vital Records by mailing your request to:

California Department of Public Health
Vital Records – MS 5103
P.O. Box 997410
Sacramento, CA 95899-7410

Instructions and forms for requesting such certified copies are available at <https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records.aspx>.

To replace a divorce decree or judgment, contact the clerk of the court in the county where the judgment was issued. Procedures vary from court to court. To find the location, phone number, and website of the superior court, visit <http://www.courts.ca.gov/find-my-court.htm>.

Military Service Records

Instructions for requesting military service records can be found at <https://www.archives.gov/veterans/military-service-records>.

For priority service to replace a Separation Document (usually DD Form 214 or equivalent), write “California Wildfires and High Winds (DR-4382)” in the “Comments” section of eVetRecs or in the “Purpose” section of Form SF-180, Request Pertaining to Military Records. Fax your request to customer service at (314) 801-0927.

Immunization Records

Immunization records for yourself or your child may be obtained from the California Immunization Registry (CAIR). Go to <http://cairweb.org/wheres-my-immunization-record/> for information. To request a record, fill out this form: <http://cairweb.org/docs/CAIR2AuthorizationToRelease.pdf>. For fastest service, fax the request to (888) 436-8320 or email to CAIRHelpDesk@cdph.ca.gov. The request may also be mailed to:

California Dept. of Public Health, Immunization Branch
850 Marina Bay Parkway
Building P, 2nd Fl.
Richmond, CA 94804-6403

If your immunization records are not found in CAIR, look for copies kept by the physician or medical group that administered the immunizations, at your local health department, or at your child’s school.

As a result of the disaster, records related to real property I own (such as the deed to my house) were destroyed. What should I do?

Certified copies of deeds to real property may be obtained from the County Recorder’s office in the county where the property is located. To apply, you will need the name of the owner of the property as it appears on the deed, property address, and, if possible, the recorded year of the deed and the title of the document (or document number). Unless waived due to the disasters, copy fees vary from \$2.00 to \$6.00 for the first page and from \$0.05 to \$3.00 for each page thereafter. A list of County Recorders’ offices is provided at the end of this chapter.

As a result of the disaster, my will or family trust document was destroyed. What should I do?

If the will or family trust was prepared by an attorney, you may be able to obtain a copy of the document by contacting the attorney who drafted it. If you do not have the attorney’s current address, search for it at <http://members.calbar.ca.gov/fal/membersearch/quicksearch> or contact the State Bar of California at (415) 538-2000. If the attorney does not have a copy of the document, you should consider whether the document may have been recorded and check with the appropriate County Recorder’s office by using the contact information provided below. Otherwise, you should have a new will, trust, or other document drafted. If you do not have an attorney, you may want to consult the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

As a result of the disaster, my insurance policy, premium notice, or other insurance-related document was destroyed. What should I do?

If insurance documents are destroyed, contact your insurance agent or insurance company to obtain a copy of the policy.

DOCUMENT & RECORD REPLACEMENT

Lake County Assessor-Recorder

<http://www.co.lake.ca.us/Government/Directory/Assessor-Recorder.htm>

Lake County Courthouse
255 North Forbes Street
Lakeport, CA 95453
(707) 263-2293 (Recorder); (707) 263-2302 (Assessor)

Shasta County Recorder

https://www.co.shasta.ca.us/index/recorder_index.aspx

1450 Court Street, Suite 208
Redding, CA 96001
(530) 225-5671

CONSUMER TIPS & FRAUD PREVENTION

Could I become a victim of fraud?

Unfortunately, after a disaster, some people try to take advantage of victims by engaging in financial scams and frauds. In some cases, these individuals and companies claim to be offering help by engaging in what appear to be or may be legal acts, but, in reality, their “assistance” results in additional financial hardship to those already suffering. In the aftermath of the recent disasters, you should be on the lookout for potential financial scams and con artists.

What should I do to prevent fraud or a financial scam?

The old saying applies: *Things that sound too good to be true usually are.* In light of the recent disasters, you may need to hire services from contractors or others as part of the repair and rebuilding process. In general, when hiring or contracting with anyone, you should (1) verify that the company or person is licensed with the appropriate regulatory agencies if the industry is subject to state or local licensing; (2) obtain several estimates of the cost of the service to be performed from different sources so you know you are getting a fair price; (3) obtain all estimates in writing; (4) ask for references so you can speak directly with prior customers to determine whether they were satisfied; (5) when individuals show up at your home, ask for identification to verify that they are who they say they are; (6) read and be sure you thoroughly understand all contracts and service agreements before signing; and (7) file complaints with the appropriate regulatory agencies if confronted with potential fraud or abuse.

Whenever you have telephone calls with any person at a company or agency, keep a log of the calls for your records. You should note the name of the person you spoke with, the date and time of the call, their telephone number, and the subject matter of the call. Just jot down a few notes to help you remember the call.

If you believe someone is attempting to defraud you, contact the California Department of Consumer Affairs at (800) 952-5210 or file a complaint online at <https://www.dca.ca.gov/consumers/complaints/consumer.shtml>.

What if someone asks me to sign something?

You should not be pressured to immediately sign a contract and should think twice about working with anyone who is in a hurry to have you sign a document or contract. A red flag should go up if someone tells you that you must sign right away to get a low price, a special deal, or even an early start date. A person or company that is trying to assist victims or provide legitimate services will not make such demands and will appreciate your need to read and understand what you are signing. Most importantly, read everything before you sign it and make sure you understand what you are signing. Do not be afraid to ask questions about the meaning of the contract. Consider getting the assistance of an attorney (if you do not have your own attorney, see the **Lawyer Referral Services & Legal Aid** chapter of this handbook). You should ask for copies of the documents you are being asked to review before you sign them (and take some time to look them over). And be sure to get and keep complete copies of everything you sign at the time of signing. Contracts and agreements should be signed by both you and the service provider.

Be careful about signing a contract containing language you are unable to read or understand. Do not sign a contract in a language you do not understand unless you have a trusted individual who is fluent in that language (such as a friend, adult family member, or attorney) to translate the contract for you. If you have already signed a contract in a language you do not understand, consider consulting an attorney. (See the **Lawyer Referral Services & Legal Aid** chapter of this handbook.) California law requires that an accurate translation of a contract be given to the consumer by a person in a trade or business who negotiates primarily in the Spanish, Chinese, Tagalog, Vietnamese, or Korean languages. This protection does not apply if the consumer has an interpreter (a fluent adult, not provided by the seller) assist in the negotiation, and it does not apply to home improvement contracts or contracts involving a seller who is not engaged in a trade or business. You can read more about these protections at https://www.dca.ca.gov/publications/legal_guides/k_4.shtml, but if you find yourself in a situation where you have signed a contract you do not understand, you should consult an attorney.

What is a public insurance adjuster and what should I look for if I decide to hire one?

A public insurance adjuster is someone who evaluates property loss on behalf of policyholders and helps them file insurance claims in exchange for a fee or a percentage of your claim. Many public insurance adjusters will claim they can maximize your insurance benefits by finding damage that an insurance company adjuster may not find, but you should understand that your insurance company may provide an independent insurance adjuster to you at no charge. If you use the insurance company’s adjuster and then are not confident in his or her findings, you still have the right to hire a public adjuster to help you. Before you hire a public adjuster, be sure you understand the fee to be charged and how it will be calculated. It is always a good idea to rely on referrals to determine which public adjusters are legitimate. If you hire a public adjuster, make sure he or she is licensed. Call the California Department of Insurance (CDI) at (800) 967-9331 or visit the CDI’s website at <https://www.insurance.ca.gov/>. Click on “Consumers” and then “Check License Status” for licensing verification and other information regarding public adjusters.

CONSUMER TIPS & FRAUD PREVENTION

What do I need to consider if I am offered a home loan?

Before you get a loan to rebuild your house, speak with several lenders to determine which one offers the best interest rates and the lowest fees. Before getting a loan from a private lender, check to see if you qualify for any government assistance programs such as FEMA, SBA, and HUD programs, or assistance from the State of California. (For further information on these government programs, please see the **Housing** chapter of this handbook.) Be on the lookout for “guaranteed loans” (where a person contacts you and guarantees you an “offer” of a loan regardless of your credit situation in exchange for an upfront fee). Legitimate lenders do not guarantee that you will qualify for a loan before you complete an application and the lender runs a credit check. Legitimate lenders may charge a small application fee, but they do not promise that you will get the loan until they complete their review. Make sure that you are dealing with a licensed lender. The California Department of Business Oversight licenses most lenders and you should check with that Department to determine whether the lender is legitimate; the Department can be reached at (866) 275-2677 or online at <https://docqnet.dbo.ca.gov/licensesearch/>.

What should I look for when hiring contractors to do repair work on my house?

Problems with home repair contractors, such as abandonment and shoddy work, are common, especially after disasters. Watch out for door-to-door offers of repair services and never provide a contractor with a cash deposit based on a handshake. You should get a written contract detailing every aspect of the work to be done and the cost to completion, as well as a performance and payment schedule. Before signing a contract, consider whether you should consult an attorney and be sure to check the contractor’s license status and references. You can easily check licenses online on the California Contractor State License Board (CSLB) website at <https://www2.cslb.ca.gov/onlineservices/CheckLicense/checklicense.aspx>. You can file complaints online at http://www.cslb.ca.gov/Consumers/Filing_A_Complaint/. The CSLB has a hotline where disaster victims can obtain more information: (800) 962-1125 (Monday – Friday, 8:30 a.m. – 5:00 p.m.).

The Federal Trade Commission website also has a helpful article outlining the steps for finding and hiring a contractor and spotting scams: <https://www.consumer.ftc.gov/articles/0242-hiring-contractor>.

Is loan consolidation a good idea?

Although the decision whether to consolidate loans or transfer loans to a new finance company depends on your particular situation and the terms offered, you should be aware that some financial companies may try to take advantage of your situation in the wake of a disaster. Because of the disaster, you may not be able to pay your creditors on time, and finance companies may contact you promising to consolidate your home mortgage, credit card debt, car loans, and repair loans, claiming consolidation will lower your monthly payments and give you more time to pay the debt. It is a good idea to check with your existing lenders or financial institutions about accommodating your situation due to the fires. If you decide to deal with a new lender or refinancing company, beware that these companies may pressure you to sign loan agreements without giving you a chance to review the documents or consult with another person or an attorney. In many instances, these refinancings result in high fees and interest rates and payments to bogus creditors, and they can cost you significantly more over time and damage your credit rating. You should carefully review the terms of any refinancing, verify that the company you are dealing with is legitimate and licensed, and check referrals from previous customers. If you can, have an attorney review the documents and provide advice.

Can I do anything about being hassled by a collection agency?

Creditors are not required to let you know that they are referring your account to a collection agency but you have certain legal rights to protect you from harassment by a collection agency. For example, debt collectors may call only between 8:00 a.m. – 9:00 p.m. (They can, however, contact your employer for certain information, as well as contact you at your work.) Debt collectors cannot use obscene or profane language or make threats to harm you or your property. There is no law limiting the number of calls that an agency can make, but repeated calls over a short period of time are prohibited if they would constitute harassment.

You can obtain more information about your rights with regard to collection agencies by consulting the California Attorney General’s website at <http://oag.ca.gov>. Click on the “Consumer Information” link, then “Consumer Topics,” and then “Debt Collectors.” You can also file a complaint with the Federal Trade Commission online at <https://www.ftccomplaintassistant.gov/#crmt&panel1-1> or by telephone at (877) FTC-HELP/(877) 382-4357 (TTY: (866) 653-4261).

CONSUMER TIPS & FRAUD PREVENTION

What if I am the victim of identity theft?

Identity thieves steal personal information and use it to obtain credit cards, loans, or bank accounts in other peoples' names. When the bills are not paid, the victims may or may not be held responsible for some or all of the charges.

Identity theft can happen anytime, including after a disaster, because people are often required to evacuate in a hurry (leaving their homes and information exposed) or exercise less care in giving out information amidst the confusion and concern caused by the disaster. In trying to reestablish their lives, those affected by disasters can make their personal information vulnerable, especially when it gets communicated over the Internet. Identity thieves may pose as authority figures to try to steal personal information, and they may even impersonate disaster victims to try to obtain checks or other emergency services. FEMA has reported that in the wake of previous natural disasters, scam artists posed as FEMA inspectors asking for personal information or trying to charge for services such as damage inspections or contractor repairs.

You should never give your complete Social Security number, bank account number, or credit card information to anyone unless you are certain the person is actually a representative of a legitimate organization. If you have any doubt, check with the organization and do not rely on the person's word. Federal and state workers do not ask for or accept money. FEMA staff do not charge applicants for disaster assistance, home inspections, or help filling out applications. All FEMA representatives carry laminated photo IDs.

If you believe that you are a victim of identity theft, you should (1) contact the fraud department of one of the three major credit reporting companies to request a free (and renewable) 90-day fraud alert; you can call Experian at (888) 397-3742, Equifax at (866) 349-5191, or TransUnion at (800) 680-7289; once you ask one of three credit reporting companies for a fraud alert, they must tell the other two companies; (2) contact your local police and report the identity theft; be sure to obtain a copy of the police report and forms to use to request account information from creditors; (3) fill out an identity-theft report at www.identitytheft.gov; and (4) contact your creditors to request information about the fraudulent accounts; close accounts that have been used fraudulently, and have the creditor report to the credit bureaus that they have been "closed at consumer's request." You can use the police report and identity theft report to help prove that you were the victim of identity theft. For more information, visit the California Attorney General's website at www.oag.ca.gov/idtheft and FEMA's website at <https://www.fema.gov/>.

In the wake of other recent disasters, some individuals have applied for FEMA help using identities that are not their own. If you learn someone has used your identity to apply for FEMA assistance, a FEMA representative can help you file a new application and will provide information for you to file a complaint. (If you decide not to file an application, the representative will confirm you do not want to access FEMA benefits.) You should also contact the DHS Office of the Inspector General (OIG) at (800) 323-8603 (TTY (844) 889-4357). You can file a complaint online at <http://www.oig.dhs.gov/>, fax a complaint to (202) 254-4297, or mail a complaint to DHS Office of Inspector General/Mail Stop 0305, Attention: Hotline, 245 Murray Dr. SW, Washington, D.C. 20528-0305. In addition, those with information related to this type of fraud can call FEMA's Office of the Chief Security Officer (OCSC) tip line at (866) 223-0814 or email FEMA-OCSC-Tipline@fema.dhs.gov. If you suspect suspicious activity or fraud, contact the National Center for Disaster Fraud Hotline by phone at (866) 720-5721, fax at (225) 334-4707, or email at disaster@leo.gov.

What should I look for when hiring a moving company?

When hiring an unfamiliar moving company, you should (1) ask for references; (2) make sure the mover is licensed, insured, and in good standing with the California Public Utilities Commission; (3) get an estimate in writing of the cost of the move (after inspection of the goods to be moved) and how long it will take (a written cost estimate is binding, but oral or Internet estimates are not); (4) know that the moving company must provide a "not to exceed" price for all household moves in an agreement for moving services; and (5) make sure you understand the moving company's insurance limits and consider whether you should purchase additional insurance.

More information, including an updated list of licensed movers, maximum rates, information about how to file a claim for loss or damages, and several consumer-protection resources, is available online at <http://www.cpuc.ca.gov/movers/>. You can also call (800) 877-8867 to check if a mover is licensed. You can file a complaint against a moving company by following the instructions at <http://consumers.cpuc.ca.gov/movercomplaint/> or by calling (800) 366-4782. Loss or damages claims must be filed in writing within nine months after your goods have been delivered.

What should I look for when hiring a storage company?

Before you turn your belongings over to anyone for storage, make sure that (1) the storage company is legitimate and reputable by talking with people who have used their services; (2) you have a written agreement with the storage company listing what will be provided, the cost to you, and the property you are turning over for storage; and (3) you have considered whether and how to insure the contents of your storage unit (your homeowners or renters insurance may or may not already cover some of the items).

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What should I look for when hiring an attorney?

If you can, get a referral from a trusted source. If you do not have a trusted friend or family member who can refer you to an attorney, you can talk to a local lawyer referral service certified by the State Bar of California. (Such certified referral services for Lake and Shasta Counties are listed in the **Lawyer Referral Services & Legal Aid** chapter of this handbook.) To obtain a listing of State Bar-certified referral services in other counties, you can call the State Bar lawyer referral services at (866) 442-2529 (in California) or (415) 538-2250 (outside California) or look them up on the Internet at www.calbar.ca.gov/lrs. You may want to review the State Bar's consumer legal guides, "Finding the Right Lawyer" and "Problem with a Lawyer," located online at www.calbar.ca.gov. Click the "Public" link, then the "Free Legal Information" link, and then the "Legal Guides" link.

To file a complaint against an attorney, contact the State Bar of California at (800) 843-9053 or visit its website at www.calbar.ca.gov and click on the "How to file an attorney misconduct complaint" link.

After a disaster can a seller of products radically increase its prices to make a quick buck?

After the government declares a state of emergency, it is illegal for businesses to increase the cost of certain goods by more than 10% unless they can prove the increase was based on an increase in their suppliers' price or directly attributable to additional costs for labor or materials to provide the services. The prohibition on price gouging applies to food, emergency and medical supplies, gasoline, repairs, housing (including hotel rooms), transportation, and reconstruction. The prohibition extends for 30 days after a declaration of emergency, although for reconstruction services and emergency cleanup services, the ban is extended for 180 days. Please see California Penal Code Section 396 for more information.

At the time of this writing, the president and governor have declared a state of emergency in certain California counties as a result of the disasters. (Lake and Shasta Counties have been declared state and federal disaster areas.) These declarations have activated the prohibition against price gouging.

If you suspect price gouging, contact your local district attorney or the California Attorney General's Office at (800) 952-5225, or report it online at <https://oag.ca.gov/report>. You can also refer to the FAQs about price gouging during disasters on the California Attorney General's website at <https://oag.ca.gov/consumers/pricegougingduringdisasters>.

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PROPERTY TRANSFERS; WILLS AND PROBATE

The rules regarding property transfers at death vary among the states. In general, the relevant rules will be those of the state in which the person who died (the decedent) usually resided at the time of death even if he or she died in another state, but in some cases, the rules of other states in which the decedent owned assets may also be relevant. This section provides a general description *based on California law*, but there may be some variations in the rules involving other states. In addition, special rules not discussed below may apply in certain circumstances such as where spouses pass away at nearly the same time or where a missing person is presumed dead. The following is an outline of some provisions of California law and is not legal advice for any particular matter or facts. Accordingly, it is advisable to consult an attorney or seek assistance from a legal aid organization.

Who will get ownership of my deceased loved one's assets?

Certain types of assets will pass automatically by contract or law regardless of the existence or content of a will. For example, jointly owned (joint tenancy) assets pass on the death of one of the owners to the surviving joint owner(s). Certain other assets (such as life insurance proceeds and retirement plan benefits) pass by their terms to designated beneficiaries. Assets held in a revocable trust are disposed of in accordance with the trust instrument following the death of the person who established the trust.

The assets described above are usually not part of a decedent's estate and are not subject to probate court proceedings unless the decedent's estate itself has been designated as a beneficiary. Other assets owned by a decedent at the time of death will make up that person's "estate" and will pass to that person's successors. Generally, succession depends on whether the decedent left a will. A person who died without a will is said to have died "intestate."

If a person dies with a valid will, his or her estate will be distributed according to the will, subject to any overriding state laws such as community property (California is a community property state) and forced heirship statutes. If a person died intestate (without a will), the decedent's estate will be distributed according to the intestacy laws of the state in which the decedent resided or possibly the state in which the assets are situated if the assets are located in a state other than the decedent's state of residence.

Generally, an intestate decedent's spouse, children, parents, or siblings will receive the assets, but every state has different rules governing intestate succession.

My loved one left a will. What do I need to do?

A will usually names an executor. If not, an executor (the person responsible for administering the estate) will be appointed by the probate court. The executor's job is to collect the decedent's assets, pay the decedent's debts (such as taxes, bills, loans, and expenses of administering the estate), and distribute any remaining assets according to the provisions of the will and relevant state statutes.

The executor typically files a petition for probate with the appropriate state court, along with the original will and death certificate, and obtains letters testamentary (documents issued by the probate court to authorize the executor to take control of the estate). The petition for probate must contain pertinent information about the decedent and his or her family, debts, and assets. This filing usually must be done in the court in the county where the decedent resided (even if he or she died in a different county), and it must be filed promptly (generally within 30 days) after the executor becomes aware of the death. The petition required for California courts is at <http://www.courts.ca.gov/documents/de111.pdf>. Because a petition for probate is a proceeding involving the court system, the executor typically engages a lawyer or contacts a legal aid organization to assist with the filing of the petition and the administration of the decedent's estate.

In California, in addition to an executor, any person who was given custody of the decedent's original will while the decedent was living is technically required, within 30 days of becoming aware of the decedent's death, to deliver the will to the court of the county in which the decedent resided and mail a copy of the will to the named executor (or to a named beneficiary if the executor's whereabouts are not known), unless a petition for probate has already been filed as described above. Other states may impose a similar requirement.

Once the letters testamentary have been granted by the court, the executor may begin to pay the decedent's debts and distribute the remaining assets to the beneficiaries of the decedent's estate.

For self-help resources regarding probate court in California, including "Steps to Take if the Case Belongs in Probate Court," visit <http://www.courts.ca.gov/8865.htm> and websites for the Superior Court in the relevant county:

- Lake: <https://www.lake.courts.ca.gov/index.htm>
- Shasta: <http://www.shastacourts.com/>

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What if I know that my loved one left a will but I cannot find it?

There are several places to check for a decedent's will. First, if you know the lawyer who prepared the will, you can ask the lawyer whether he or she kept the original or at least a copy. You can check with the local probate court, just in case the will was filed with the local court. Another place to check is the County Recorder's office because some people record their wills in the public record. A list of County Recorders' offices can be found in the **Document & Record Replacement** chapter of this handbook.

In certain cases, a copy of a will can be probated if the original cannot be found. If the will is lost, you may be able to prove the contents of the will in probate court depending on the requirements of state law regarding lost wills.

My loved one did not leave a will or none can be found. What do I need to do?

If there is no will or no will can be found, an administrator of the decedent's estate has to be appointed by the probate court to pay the decedent's debts and distribute the remaining assets to the beneficiaries based on the rules of intestate succession. The appointed administrator will generally be selected in the following order (assuming the potential administrator is competent and is at least 18 years old):

- the decedent's spouse;
- one or more of the decedent's children;
- one or more of the decedent's grandchildren;
- either or both of the decedent's parents;
- one or more of the decedent's brothers and sisters;
- any other distributee (heir); or
- one or more creditors of the estate.

The proposed administrator must file a petition for letters of administration in the appropriate state court along with a death certificate. Similar to the petition for probate, this petition lists pertinent information about the decedent and his or her family and assets. Once letters of administration have been granted by the probate court, the administrator may begin paying the decedent's debts and making the proper distributions to the beneficiaries of the estate in accordance with the laws of intestacy.

GUARDIANSHIPS OF MINORS AND INCOMPETENT ADULTS

I know a child who lost his or her only parent or both parents in the disaster. Under the parent's will, I am supposed to become the caretaker of the child. What steps do I need to take to become the child's legal guardian?

A guardian is a non-parent to whom the court gives authority to take responsibility for the care of a child. If the parent's will specified you as the child's guardian, you must complete guardianship proceedings in the appropriate California county. For more information, see the Guardianship Pamphlet for the Guardianships of Children in the Probate Court at <http://www.courts.ca.gov/documents/gc205.pdf>. The petition for appointment of a guardian is available at <http://www.courts.ca.gov/documents/gc210p.pdf> and <http://www.courts.ca.gov/documents/gc210.pdf>. The other documents required when filing a guardianship are usually listed on the court's website, under the Probate Division, including any local court forms that may be required. The proper venue for beginning a guardianship proceeding is either the county where the child lives or such county as may be in the best interests of the child. The parent's will must be admitted to probate.

The deceased parent did not specify another person to care for his or her child. What do I do if I want to become the child's legal guardian?

If you have the ability and want to take responsibility for a child, you can petition the court to be appointed as the guardian of the child and the child's property. A guardianship appointment may be permanent or temporary and generally expires when the child reaches the age of 18.

A petition for guardianship is filed in the state court in the county where the child resides or such county as may be in the best interests of the child. The court clerk will provide the necessary legal forms (see the list of county courts above). If the court appoints you as guardian, you will receive letters of guardianship, which you will need to enroll the child in school, for hospital emergencies, and similar matters. Letters of guardianship are only valid in the state where they are issued.

Because guardianship involves a court assignment of responsibilities, you should consult an attorney or legal aid organization before proceeding to petition for it. Other potential alternatives to guardianship, not covered here, are adoptions and custody arrangements.

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What if the child of deceased parents inherits a sum of money or receives funds from an organization?

Funds received by a child through inheritance or award will be administered by a guardian of the child's property. The child's assets or income must be invested as directed by the court for the child's benefit. The court may require the guardian to post a bond to ensure compliance with rules of the court and laws regarding the investment of a child's assets. If there are assets, the best scenario may be for the guardian of the child to be appointed the guardian of the assets. Usually, the funds are turned over to the child on the child's 18th birthday, at which time the guardianship is typically ended. For more information, see the Judicial Branch of California's resource page on guardianship, which is available at <http://www.courts.ca.gov/1212.htm>.

What if I am responsible for the care of a child who has received funds and I need to spend money on the child's behalf?

With the permission of the court, as guardian of the child's property, you may pay certain expenses on behalf of the child using funds held by you on the child's behalf. The court will decide each request based on the best interests of the child. You must petition the court for approval of each expense in advance, or, if the court deems it appropriate, you may be able to obtain a monthly stipend for regular expenses. While courts approve spending on a case-by-case basis, typically approved expenses include education, medical, and other support costs.

What if I now have to take care of an adult who is incompetent? Is a guardianship appropriate in that circumstance?

A similar protective proceeding—known as a conservatorship—may be appropriate for an incompetent adult or an adult who is unable to care for his or her personal needs or property. You can file a petition to become a conservator of an adult and his or her property in the court in the county where the incompetent adult resides. Again, because this involves judicial proceedings, you should consult with an attorney or legal aid organization before proceeding.

TAXES FOR MISSING OR DECEASED FAMILY MEMBERS

Should federal income tax returns be filed on behalf of my missing relatives?

If your missing relative has not been officially declared dead, you should consult a professional tax advisor about filing his or her returns. If a death certificate has not been issued, filing regular tax returns may be required on the missing person's behalf. You can also call the IRS for assistance: (800) 829-1040.

Should federal and California income tax returns be filed on behalf of my deceased relatives? If so, when?

Final returns (IRS Form 1040 and FTB Form 540) should be filed for the year of death and for any prior years for which required returns were not filed before death. If not filing a joint return, a final federal and California income tax return should be filed by the court-appointed executor, the "personal representative," or another administrator of the estate of the decedent, appointed by the court. The word "**DECEASED**," the name of the deceased, and the date of death should be written across the top of the return. If it is a joint return, the name and address of the decedent and the surviving spouse should be written in the name and address space. If it is not a joint return, the name of the decedent should be written in the name space and the name and address of the estate administrator or another person filing the return should be written in the remaining space. Generally, the final income tax return for a decedent who was a calendar-year taxpayer is due on the April 15 following his or her death. Income tax returns may also be required on behalf of the estate of the decedent. It is advisable to consult an accountant, tax lawyer, or other tax advisor with regard to these issues.

Can I file a joint tax return with my missing or deceased spouse?

Yes, unless you remarry before the end of the year of your spouse's death. If filing a joint return with your missing or deceased spouse, you should indicate at the top of the return that you are doing so. Consult an accountant, tax lawyer, or other tax advisor for additional information.

Should a federal or California estate tax return be filed? If so, when and by whom?

Most relatively simple estates (e.g., consisting of cash, publicly-traded securities, small amounts of other easily valued assets, and no special deductions or elections or jointly held property) with a total value of approximately \$11,200,000 or less and a date of death in 2018 do not require the filing of a federal estate tax return. (For this purpose, the value of lifetime taxable gifts made by a decedent during or after 1977 is treated as part of the estate.)

The determination whether a federal estate tax return must be filed can nevertheless be complicated and you should consult a professional tax advisor regarding the need for this return. If a federal estate tax return must be filed, in general, the return (Form 706) must be filed within nine months after the date of death. Extensions for filing can be

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sought, but any expected taxes due should be paid on time to avoid interest and penalty charges. Federal estate tax returns should generally be filed by the person administering the decedent's estate.

There is no requirement to file a California estate tax return for deceased individuals with a date of death in 2018.

Are life insurance proceeds taxable?

Generally, life insurance proceeds are not subject to California or federal income tax but they may be subject to estate tax in certain instances. The taxation of life insurance proceeds is complex and consulting a professional tax advisor regarding this matter is encouraged.

HEALTHCARE

Written By Alicia Kauk, National Health Law Program

This information is not a substitute for medical care. If you are experiencing a medical emergency or other acute health-related condition, you should immediately seek medical care.

For non-emergency medical needs, if you do not already know if you have health insurance, you should check with your employer or former employer, the [county human services agency](#), or Covered California (<https://www.coveredca.com>). You can also check with the Social Security Administration at (800) 772-1213 to see if you have Medicare coverage.

Medi-Cal offers free or low-cost health coverage for individuals with limited income. Generally, individuals with income up to 138% of the federal poverty level (FPL) (<https://www.coveredca.com/PDFs/FPL-chart.pdf>) and who meet other eligibility criteria (and children with income up to 266% of the FPL) qualify for Medi-Cal. Individuals with disabilities who are working may qualify for Medi-Cal at a higher income.

Some free local assistance may be available for people struggling to get or keep health coverage or to access medical care. The Health Consumer Alliance offers free assistance online, over the phone, or in person at independent, community-based offices throughout California and can be contacted at (888) 804-3536 or <https://healthconsumer.org>.

Medi-Cal

How do I enroll in Medi-Cal?

You can apply for Medi-Cal year round by contacting your county human services agency (<http://www.dhcs.ca.gov/services/medi-cal/Pages/CountyOffices.aspx>) or by applying online at www.coveredca.com/apply/. If you are unable to provide necessary verifications due to unusual circumstances like a fire, flood, or other natural disaster, you can provide a signed and dated affidavit in place of the requested documentation. The county can advise you about coverage options available to pregnant women who do not otherwise qualify for Medi-Cal, such as pregnancy-related Medi-Cal, the Medi-Cal Access Program, and Medi-Cal's program for former foster youth.

What do I do if I need immediate medical assistance?

If you are applying for Medi-Cal and have an immediate medical need, the county will expedite your eligibility determination whenever possible. You may be able to apply for up to 60 days of immediate, temporary, no-cost Medi-Cal coverage at some local hospitals.

If you have questions about your coverage after you are enrolled in Medi-Cal, contact your county human services agency. If you need help obtaining non-hospital-based medical assistance, contact your doctor, your pharmacy, or your Medi-Cal managed care plan.

How do I access care through my Medi-Cal managed care plan?

If you are enrolled in a Medi-Cal managed care plan, contact your plan directly to access care. The customer service phone number for your plan should be on the back of your benefits card. If you have been displaced due to a natural disaster and are currently residing in a different California county, contact your county human services agency or the Office of the Ombudsman at (888) 452-8609 to help you determine whether you should switch managed care plans.

If you lost your Medi-Cal Benefits Identification Card (BIC), contact your county human services agency to request a replacement card.

Covered California

How do I enroll in coverage through Covered California?

Covered California's open enrollment is October 15, 2018 through January 15, 2019. See Covered California's Shop and Compare tool, <https://apply.coveredca.com/lw-shopandcompare/>, to review your coverage options and determine whether the doctor you want to see is in a plan's network.

You can enroll in coverage outside the regular Covered California open enrollment period if you experience a "qualifying life event." Examples of qualifying life events include loss of health insurance, a permanent move to or within California, having a baby or adopting a child, getting married, or becoming a citizen or permanent legal resident. If you need help enrolling or have questions about whether your situation constitutes a qualifying life event, call Covered California's

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Service Center Monday – Friday, 8:00 a.m. – 6:00 p.m. at (800) 300-1506 (TTY: (888) 889-4500). You can enroll online at www.coveredca.com or contact a Certified Insurance Agent or Certified Enrollment Counselor for enrollment assistance.

Do I qualify for financial assistance?

You may qualify for financial help to receive health insurance through Covered California. Eligible consumers may receive two forms of financial assistance, Advanced Premium Tax Credits (APTCs) and Cost-Sharing Reduction payments (CSRs). APTCs reduce your monthly premium costs, and CSRs reduce out-of-pocket costs (such as copays, coinsurance, and deductibles). You may still qualify for premium assistance even if you have other health coverage (such as COBRA, student health insurance, Medicare Part A that requires you to pay a premium, or veteran's coverage).

What do I do if I need additional assistance?

If you need medical assistance, contact your doctor, your pharmacy, or your health insurance company. If you have questions about your premium or payment due dates, contact your health insurance company. For a list of phone numbers for Covered California health insurance plans, see www.coveredca.com/find-help/health-plans/.

If you lost your membership ID card, call your health insurance company directly to request a replacement ID card.

PETS & ANIMALS

I had to leave my pets when I was evacuated. Are there resources to help me find them?

Check with your local shelters frequently—see the numbers listed below for your county. If your pet doesn't have an ID tag or may have lost it, it is also important to visit the shelters—pets can be difficult to describe and identify over the phone.

The following are lost animal resources:

Anderson Police Department Animal Services

(530) 378-6600

- *Night & weekend services, when Haven Humane Society is closed.*

Haven Humane Society (Shasta County)

(530) 241-2550

Lake County Animal Care & Control

(707) 263-0278

Tehama County Animal Care Center

(530) 527-3439

Owners can also check the following websites to help locate a lost pet:

The Center for Lost Pets

<http://www.thecenterforlostpets.com>

FidoFinder

<https://www.fidofinder.com/>

Haven Humane Society (Shasta County)

<http://www.havenhumane.org/programs-services/found-stray>

Lake County Animal Care & Control

http://www.lakecountyca.gov/Government/Directory/Animal_Care_And_Control/Search.htm

Lost Pet U.S.A.

<http://www.lostpetusa.net/home>

Pet Harbor

<http://petharbor.com>

Petfinder

<https://www.petfinder.com/>

Facebook

- Carr Fire Animals – <https://www.facebook.com/groups/1615209265275449/>
- Carr Fire Animals Lost and Found – <https://www.facebook.com/groups/538327179954765/>
- Carr Fire Lost and Found Animals – <https://www.facebook.com/groups/855513824572241/>
- Carr Fire Lost Found Pets & Foster Info – <https://www.facebook.com/groups/234872253818282/>
- Carr Fire Missing People & Pets – <https://www.facebook.com/groups/1340765546026780/>
- Carr Fire Pet Rescue and Reunification – <https://www.facebook.com/groups/444959929320339/>
- Lost Pet - Found Pet - Lake County, California – <https://www.facebook.com/groups/lostpetlake/>

Twitter

@CALFIRESHU <https://twitter.com/calfireshu?lang=en>

@HavenHumaneSoc <https://twitter.com/havenhumanesoc?lang=en>

@LakeCoSheriffCA <https://twitter.com/LakeCoSheriffCA>

Popular hashtags for Northern California wildfires: #CarrFire, #MendocinoComplex, #RanchFire, #RiverFire

PETS & ANIMALS

Our house was destroyed by the disaster, including the barns and stables we used to shelter our larger animals. Although we were able to evacuate the animals, we now must find some place to keep them. Can anyone help?

Many shelters in the affected areas are continuing to care for animals displaced by the disasters in Northern California, sometimes at no charge. If possible, pet guardians are urged to bring their own supplies such as food and leashes. For a list of animal shelters in your area, visit the following websites: www.petfinder.com/animal-shelters-and-rescues or www.rescuers.com/shelters.htm.

Additional shelter information is below. If you are planning to seek shelter at one of these sites, please verify that it is open and accepting animals.

Lake County	
<p>Cole Creek Equestrian Center 4965 Steelhead Dr. Kelseyville, CA 95451 (707) 279-0915</p> <ul style="list-style-type: none"> • <i>Accepting horses and large livestock.</i> 	<p>Lake County Animal Care & Control (707) 263-0278</p> <ul style="list-style-type: none"> • <i>For information about current shelters.</i>
<p>Lake Evacuation & Animal Protection (LEAP) http://www.lakecountyca.gov/Government/Directory/Animal_Care_And_Control/LEAP.htm (707) 263-0278 After-hours emergencies: (707) 263-2690</p> <ul style="list-style-type: none"> • <i>Help removing or sheltering in place horses and livestock in evacuation zones.</i> 	<p>Owen Ranch 18585 Guenoc Lane Middletown, CA 95461 Contact Helen Owen: (707) 355-0121</p> <ul style="list-style-type: none"> • <i>Accepting horses, small farm animals, dogs, and cats.</i>
<p>SPCA of Lake County 8025 Highway 29 Kelseyville, CA 95451 (707) 279-1400</p>	

Shasta County	
<p>Haven Humane Society 7449 Eastside Rd. Anderson, CA 96007 (530) 241-2550 http://www.havenhumane.org/</p> <ul style="list-style-type: none"> • <i>Accepting animals including dogs, cats, birds, reptiles, and livestock.</i> • <i>Able to monitor horses and livestock where they live.</i> 	<p>Inter Mountain Fair 44218 A Street McArthur, CA 96056 Contact Michelle Titus: (650) 868-0302</p> <ul style="list-style-type: none"> • <i>Accepting horses and cattle.</i>

PETS & ANIMALS

Nearby Shelters	
<p>Animal Care 298 Plant Road Ukiah, CA 95482 (707) 463-4427</p> <ul style="list-style-type: none"> • <i>Accepting small animals.</i> 	<p>Gibson Ranch 8556 Gibson Ranch Rd. Elverta, CA 95626 Contact Jeannie: (916) 926-8156</p> <ul style="list-style-type: none"> • <i>Accepting horses, donkeys, and mules.</i>
<p>Tehama District Fairgrounds Call Shasta County Sheriff's Office Animal Regulations for questions: (520) 245-6065 650 Antelope Blvd. Red Bluff, CA 96080</p> <ul style="list-style-type: none"> • <i>Accepting horses and livestock.</i> 	<p>VCA Valley Oak Veterinary Center 2480 Dr. Martin Luther King Jr. Pkwy Chico, CA 95928 (530) 342-7387</p> <ul style="list-style-type: none"> • <i>Accepting small animals including cats, dogs, birds, and pocket pets.</i>

I need a house, apartment, or hotel that allows pets. How can I find one?

Individuals seeking pet-friendly lodging can visit:

www.bringfido.com
www.dogfriendly.com

www.petswelcome.com
www.tripswithpets.com

My pet was injured in the disasters. Can I obtain financial assistance to care for my pet?

Animals that have been injured, orphaned, or otherwise affected by the disasters may be eligible to receive aid through RedRover (P.O. Box 188890, Sacramento, CA 95818; (916) 429-2457; info@redrover.org). RedRover can provide financial assistance grants for emergency veterinary care. Visit its website online at <https://redrover.org/relief>.

LAWYER REFERRAL SERVICES & LEGAL AID

Who can help me understand all these legal issues?

It is strongly advisable to consult with a qualified attorney about a number of the issues you may face as a result of the wildfires, including, but not limited to, obtaining benefits from your insurance policies. If you already have a personal, family, or business attorney, you may want to reach out to him or her for advice and/or a referral.

For those without a prior relationship with an attorney, Northern California has a number of legal referral services and legal services organizations. The referral services listed below have been certified by the State Bar of California. Check out the State Bar's lawyer referral web page, <http://www.calbar.ca.gov/Public/Need-Legal-Help/Lawyer-Referral-Service>, to get a complete listing of certified lawyer referral services in all California counties, or call (866) 442-2529 (toll free in California) or (415) 538-2250 (from outside California). The State Bar of California also publishes a consumer pamphlet, "How Can I Find and Hire the Right Lawyer?" which can be obtained online at http://www.calbar.ca.gov/Portals/0/documents/publications/Find-Lawyer_English.pdf?ver=2017-05-19-134005-260 or by calling (888) 875-5297 or (415) 538-2280.

The legal services organizations listed below work in the affected areas and primarily serve low-income individuals. A full list of California's legal aid and self-help resources can be found at <https://www.lawhelpca.org/>.

Help Line Numbers and Regional Referrals

Legal Help Line for Victims of Fire

(800) 822-9687

Monday – Friday, 9:00 a.m. – 5:00 p.m.

(This legal hotline is made available through Legal Services of Northern California, the California State Bar, the American Bar Association Young Lawyers Division, and the Federal Emergency Management Agency.)

National Disaster Legal Aid

This website contains information and resources for people affected by the fires:

<https://www.disasterlegalaids.org/cafireswinds>.

California Indian Legal Services 117 J St., Suite 300 Sacramento, CA 95814 (800) 829-0284 http://www.calindian.org	California Rural Legal Assistance, Inc. (CRLA) Contact: Jeffrey Hoffman, (707) 528-9941 or Ilene J. Jacobs, (530) 742-7235 http://www.crla.org Resource for farmworkers.
United Policy Holders (415) 393-9990 http://www.uphelp.org Non-profit organization that works with consumers of all types of insurance.	Disability Rights California 1831 K Street Sacramento, CA 95811 (800) 504-5800 https://www.disabilityrightsca.org/contact/who-we-help

LAWYER REFERRAL SERVICES & LEGAL AID

County-Specific Organizations

Lake County	
<p>Legal Services of Northern California 421 North Oak Street Ukiah, CA 95482 (707) 462-1471 (877) 529-7700 (toll free) https://lsnc.net/office/ukiah</p>	<p>Lake County Court Self-Help Center 7000-A South Center Drive Clearlake, CA 95422 (707) 994-6598, Option #3 https://www.lake.courts.ca.gov/sh/index.htm</p> <p>Mondays and Tuesdays, 8:30 a.m. – 4:00 p.m. (closed from noon – 1:00 p.m.) Wednesdays, 8:30 a.m. – noon Walk-ins only on Mondays from 8:30 a.m. – 4:00 p.m.</p>
Shasta County	
<p>Legal Services of Northern California 1370 West Street Redding, CA 96001 (530) 241-3565 https://lsnc.net/office/redding</p>	<p>Shasta County Self-Help Family Law Facilitator Superior Court of California, Shasta County 1500 Court Street Room 115 Redding, CA 96001 (530) 245-6900 (recorded information/limited assistance) http://www.shastacourts.com/Self-Help/self-help.shtml Email: famlawfac@shasta.courts.ca.gov</p> <p>Mondays and Thursdays, 8:00 a.m. to noon and 1:00 p.m. to 4:00 p.m. Wednesdays, 8:00 a.m. to noon and 1:00 p.m. to 3:00 p.m.</p>
<p>California Indian Legal Services – Eureka 324 F Street Eureka, CA 95501 (707) 443-8397 http://calindian.org</p>	

DISASTER HELP CENTERS

DISASTER RECOVERY CENTERS

What is a FEMA Disaster Recovery Center?

A FEMA Disaster Recovery Center (DRC) is a facility where those affected by the recent disasters may go for information about FEMA programs or other disaster assistance programs and to ask questions related to their situation.

Representatives from the Governor's Office of Homeland Security and Emergency Preparedness, FEMA, U.S. Small Business Administration (SBA), volunteer groups, and other agencies are at DRCs to answer questions about disaster assistance and low-interest disaster loans for homeowners, renters, and businesses. They can also help survivors apply for federal disaster assistance.

An SBA Business Recovery Center (BRC) provides a range of assistance to businesses impacted by a disaster, including offering information on how to get help from the SBA.

As of August 21, 2018, two DRCs and one BRC have been established in Northern California to help victims of the most recent disasters. This information may change, so disaster victims should check the FEMA website

<https://egateway.fema.gov/ESF6/DRCLocator> and the SBA website

<https://disasterloan.sba.gov/ela/Declarations/DeclarationDetails?declNumber=4217973&members=false> for up-to-date information.

Disaster Recovery Centers

Lake County

Habematolel Pomo of Upper Lake

Tribal Community Center

9460 Main Street

Upper Lake, CA 95485

Hours: Monday – Sunday, 9:00 a.m. – 7:00 p.m.

Shasta County

Old Kmart Building

2685 Hilltop Dr.

Redding, CA 96002

Hours: Monday – Sunday, 9:00 a.m. – 7:00 p.m.

Business Recovery Center

Superior California Economic Development Center

350 Hartnell Ave., Suite A

Redding, CA 96002

Hours: Monday – Friday, 8:00 a.m. – 5:00 p.m.

LOCAL ASSISTANCE CENTERS

What are Local Assistance Centers?

Local Assistance Centers (LACs) often serve those impacted by disasters. LACs are staffed by representatives from the Employment Development Department and other local, state, and federal agencies, as well as non-profits and other volunteer organizations. Volunteers assist individuals with applying for, and getting information about, disaster assistance programs and services, including unemployment benefits and payroll tax extensions for employers. The locations and hours of LACs are subject to change. To stay informed of the LACs open in your area, please visit the California Wildfire Statewide Recovery Resources website here: <http://wildfirerecovery.org/local-assistance/local-assistance-centers/>. As of August 21, 2018, there were no LACs open in Shasta or Lake Counties.

STATE/FEDERAL AGENCY QUICK PHONE LIST

FEMA	(800) 621-3362
TTY line	(800) 462-7585
www.fema.gov	
California Attorney General's Office.....	(800) 952-5225
TTY – English.....	(800) 735-2929
TTY – Spanish	(800) 855-3000
www.oag.ca.gov	
California Contractors State License Board (disaster hotline)	(800) 962-1125
www.cslb.ca.gov	
California Dept. of Business Oversight (lender licensing).....	(866) 275-2677
Alternative number	(916) 327-7585
TTY line	(800) 735-2922
www.dbo.ca.gov	
California Dept. of Insurance	(800) 927-4357
TTY line	(800) 482-4833
www.insurance.ca.gov	
California Dept. of Insurance (licensing issues).....	(800) 967-9331
www.insurance.ca.gov	
California Dept. of Motor Vehicles (DMV)	(800) 777-0133
TTY line	(800) 735-2929
www.dmv.ca.gov	
California Dept. of Social Services.....	(800) 952-5253
Alternative number	(916) 651-8848
TTY line	(800) 952-8349
www.cdss.ca.gov	
California Dept. of Toxic Substances Control	(800) 728-6942
Alternative number	(916) 324-2439
TTY line	(800) 855-7100
www.dtsc.ca.gov	
California Employment Development Office	(800) 300-5616
SDI benefits.....	(800) 480-3287
TTY line	(800) 563-2441
www.edd.ca.gov	
California Franchise Tax Board	(800) 338-0505
Alternative number	(800) 852-5711
TTY line	(800) 822-6268
www.ftb.ca.gov	
California Office of Emergency Services	(916) 845-8510
(disaster assistance division)	
Alternative number	(916) 845-8149
www.caloes.ca.gov	
Small Business Administration (SBA)	(800) 488-5323
https://www.sba.gov/	
State Bar of California (attorney contact information).....	(415) 538-2000
www.calbar.ca.gov	
State Bar of California (lawyer referral service)	(866) 442-2529
www.calbar.ca.gov	
United States Citizenship & Immigration Services.....	(800) 375-5283
TTY line	(800) 877-8339
www.uscis.gov	
United States Internal Revenue Service	(800) 829-1040
www.irs.gov	

STATE/FEDERAL AGENCY QUICK PHONE LIST

United States Social Security Administration..... (800) 772-1213
TTY line (800) 325-0778
www.ssa.gov

OTHER RESOURCES

CALIFORNIA STATE

California Governor's Office of Emergency Services

<http://www.caloes.ca.gov/>

CALIFORNIA COUNTIES

Is assistance with my disaster-related concerns available in my local county?

Many county agencies and other organizations may be able to offer assistance directly, or by referral, to other appropriate agencies. Contact information, organized by county, is set forth below.

Lake County: <http://www.co.lake.ca.us/>

Lake County Recovers: <http://recovery.lakecountyca.gov/>

Agriculture: (707) 263-0217, <http://www.co.lake.ca.us/Government/Directory/Ag.htm>

Animal Care & Control: (707) 263-0278, http://www.co.lake.ca.us/Government/Directory/Animal_Care_And_Control.htm

Assessor: (707) 263-2302, <http://www.co.lake.ca.us/Government/Directory/Assessor-Recorder.htm>

Community Development: (707) 263-2221 (building and safety; permits; disaster assistance),

http://www.co.lake.ca.us/Government/Directory/Community_Development.htm

County Clerk: (707) 263-2311, <http://www.lakecountyca.gov/Government/Directory/CountyClerk.htm>

Environmental Health: (707) 263-1164 (ash and debris clean-up; other fire refuse),

http://www.co.lake.ca.us/Government/Directory/Environmental_Health.htm

Housing Programs: (707) 995-3744,

http://www.co.lake.ca.us/Government/Directory/Social_Services/Programs/Housing.htm

Lake County Economic Development Corporation: (707) 279-1540 Ext. 101 (assistance for business owners),

<http://recovery.lakecountyca.gov/News/Business081718.htm>

Office of Emergency Services: (707) 262-4090, <http://www.lakesheriff.com/About/OES.htm>

Public Health: (707) 263-1090, <http://health.co.lake.ca.us/>

Public Works: (707) 263-2341, http://www.co.lake.ca.us/Government/Directory/Public_Works.htm

Recorder: (707) 263-2293, <http://www.lakecountyca.gov/Government/Directory/Assessor-Recorder.htm>

Sheriff's Office: (707) 262-4200, <http://www.lakesheriff.com/>

Social Services: (707) 995-4200, http://www.co.lake.ca.us/Government/Directory/Social_Services.htm

Tax Collector: (707) 263-2234, <http://www.co.lake.ca.us/Government/Directory/tax.htm>

Facebook (Office of Emergency Services): <https://www.facebook.com/LakeCountyOES>

Twitter (Office of Emergency Services): <https://twitter.com/LAKECOUNTYOES>

Nixle Alerts & Advisories (Sheriff's Office): <http://www.lakesheriff.com/Services/nixle.htm>

Shasta County: <https://www.co.shasta.ca.us/index.aspx>

General: shastareddingrecovers.org; <https://stories.opengov.com/reddingca/published/bDZJVvdJK>

2-1-1 Norcal Disaster Recovery: <http://211norcal.org/shasta/>

Agriculture: (530) 224-4949, https://www.co.shasta.ca.us/index/ag_index.aspx; also Farm Advisor: (530) 224-4900,

https://www.co.shasta.ca.us/index/fa_index.aspx

Animal Control: (530) 245-6025, https://www.co.shasta.ca.us/index/sheriff_index/divisions/animal_regs.aspx (Shasta Sheriff's Office page has list of local animal control agencies)

Assessor/Recorder: (530) 225-3600 or (800) 479-8009, https://www.co.shasta.ca.us/index/assessor_index.aspx

County Clerk: (530) 225-5730, https://www.co.shasta.ca.us/index/clerk_index.aspx

Environmental Health: (530) 225-5789, within Shasta County: (800) 528-2850,

https://www.co.shasta.ca.us/index/drm_index/eh_index.aspx

Health & Human Services: (530) 229-8400, (800) 479-8009, https://www.co.shasta.ca.us/index/hhsa_index.aspx

Health & Human Services – Food, Financial Help and Housing: (877) 652-0731,

https://www.co.shasta.ca.us/index/hhsa_index/food_and_financial_help.aspx

Housing & Community Action Programs (Shasta County): (530) 225-5160,

https://www.co.shasta.ca.us/index/housing_index.aspx

Housing & Community Development (Redding): (530) 225-4048,

<https://www.cityofredding.org/departments/housing-division/housing-community-development>

Mental Health (24 hr.): <http://shasta.networkofcare.org/mh/>; Emergency: (530) 225-5252 or (888) 385-5201,

<http://shasta.networkofcare.org/mh/emergency-services.aspx>

OTHER RESOURCES

Public Health: (530) 225-5591, (800) 971-1999, https://www.co.shasta.ca.us/index/hhsa_index/Public_health.aspx
Public Works: (530) 225-5661, https://www.co.shasta.ca.us/index/pw_index.aspx (includes [Guidelines for Disposal of Wildland Fire-Generated Waste](#))
Resource Management: (530) 225-5789, (800) 528-2850 (within Shasta County), https://www.co.shasta.ca.us/index/drm_index.asp
Sheriff's Office: (530) 245-6025, https://www.co.shasta.ca.us/index/sheriff_index.aspx
Includes Office of Emergency Services: https://www.co.shasta.ca.us/index/sheriff_index/divisions/oes.aspx
Facebook: <https://www.facebook.com/Shasta-County-Sheriffs-Office-1527637610823075/>
Twitter: <https://twitter.com/shastasheriff>
Tax Collector: (530) 225-5511, https://www.co.shasta.ca.us/index/tc_index.aspx
Treasurer: (530) 225-5511, https://www.co.shasta.ca.us/index/tr_index.aspx
Nixle Alerts & Advisories: <https://local.nixle.com/county/ca/shasta/>

AGRICULTURE

U.S. Department of Agriculture Rural Development: <https://eligibility.sc.egov.usda.gov/eligibility/welcomeAction.do?pageAction=RBSmenu&NavKey=property@13>
U.S. Department of Agriculture, Farm Service Agency, Disaster Assistance Programs: <https://www.fsa.usda.gov/programs-and-services/disaster-assistance-program/index>
U.S. Department of Agriculture, Farm Service Agency, State Offices, California: <https://www.fsa.usda.gov/state-offices/California/index>
USDA Fire Recovery Assistance for California:
Contact the U.S. Department of Agriculture for recovery assistance for your farm: <https://www.rd.usda.gov/files/CA-DisasterResourcesStatewide.pdf>

INSURANCE

United Policy Holders, a non-profit organization that works with consumers of all types of insurance:
(415) 393-9990, <https://www.uphelp.org/>

MENTAL HEALTH AND HEALTHCARE

Health Consumer Alliance: Free assistance is available if you are struggling to get or maintain health coverage or to access medical care. The Health Consumer Alliance offers free assistance online, over-the-phone, or in-person at independent, community-based offices throughout the state. Contact the Health Consumer Alliance at (888) 804-3536 or at <https://healthconsumer.org>.

Disaster Distress Helpline: (800) 985-5990 is a 24/7, 365-day-a-year, national hotline dedicated to providing immediate crisis counseling for people who are experiencing emotional distress related to any natural or human-caused disaster. This toll-free, multilingual, and confidential crisis support service is available to all residents in the United States and its territories. Stress, anxiety, and other depression-like symptoms are common reactions after a disaster. Call **(800) 985-5990** or text **TalkWithUs to 66746** to connect with a trained crisis counselor. For assistance in Spanish, call **(800) 985-5990 and press 2**, or text **Hablanos to 66746**.
<https://www.samhsa.gov/find-help/disaster-distress-helpline>

National Suicide Prevention Lifeline: (800) 273-8255

The Lifeline provides 24/7, free, and confidential support for people in distress, prevention and crisis resources for you or your loved ones, and best practices for professionals.
<https://suicidepreventionlifeline.org/>

Red Cross Collection of Resources for Coping with a Disaster:

<http://www.redcross.org/get-help/disaster-relief-and-recovery-services>

Find Your Words: Kaiser Permanente's publicly available website established to provide resources on depression.
<https://ataglance.kaiserpermanente.org/find-your-words/>



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