



**LEGAL AID**  
OF NORTH CAROLINA

# Disaster Relief Resources

To access these resources digitally, visit:  
[www.legalaidnc.org/helene](http://www.legalaidnc.org/helene)



# A LETTER FROM THE CEO

---

Dear Friends and Neighbors,

In the wake of Hurricane Helene, we want to extend our deepest sympathies to everyone affected by this disaster. We recognize the challenges you are facing, and we want you to know that Legal Aid of North Carolina is here for you. Our hearts are with our community during this difficult time, and we are committed to providing the support and assistance you need to begin the journey toward recovery.

Our staff is ready to help those impacted by the storm. We have local offices in Asheville, Boone, Morganton, and Sylva, where our team is prepared to assist you with your legal needs along with Pisgah Legal Services and the North Carolina Bar Foundation. As soon as it is safe to travel, we will deploy our Disaster Relief Project staff to the communities affected by the storm. Your well-being is our priority, and we are committed to being there for you when you need it the most.

If you are experiencing legal issues related to the disaster, call our helpline at **866-219-5262**. Our team is here to assist you with various matters, including:

- **FEMA Applications and Appeals:** We will partner with community agencies to help you apply for FEMA disaster benefits. Navigating the legal processes can be challenging, but our team will stand by your side throughout the process, including appeals if necessary.
- **Long-Term Support for Homeowners and Renters:** We will provide ongoing legal support for homeowners facing property damage or loss and renters dealing with displacement as our communities work to rebuild and recover.
- **Fraud Support:** Unfortunately, crises often bring out those who seek to exploit vulnerable individuals. We will help you navigate these challenges and take action against dishonest practices, ensuring that you are protected during this time of need.

Together, we can rise from this disaster and rebuild our communities. Please remember, you are not alone in this journey. **We stand united with you, and we are here to help.**

With compassion and solidarity,

*Ashley Campbell*



# TABLE OF CONTENTS

<u>Tropical Storm Helene Disaster Assistance</u> .....	4
<u>Helene Recovery Resources</u> .....	5
<u>Disaster Unemployment Assistance</u> .....	6
<u>Insurance Claims and Appeals</u> .....	7
<u>Navigating FEMA</u> .....	8-10
<u>Avoiding Scams and Frauds</u> .....	11-12
<u>Pet Care and Disasters</u> .....	13-14
<u>Tenants' Rights - Evictions and Repairs</u> .....	15

*The information contained in this packet is provided solely as information and does not constitute legal advice nor create an attorney-client relationship. LANC cannot guarantee that the information contained in this flyer reflects current legal developments. Please speak to an attorney or call Legal Aid of North Carolina for legal advice about your specific situation.*



## Tropical Storm Helene

# DISASTER ASSISTANCE

### ASSISTANCE NOW

We can help immediately after the storm.

- Provide survivors with information about their rights
- Answer questions about insurance and claims
- Advocate for people when they are applying for recovery fund assistance and appealing decisions

### Benefits Appeals/ FEMA

- Access assistance
- Appeal decisions
- Recoupment

Find  
More  
Online



### LONG-TERM SUPPORT

#### Housing

**Homeowners:** Assistance with insurance policies, recovery appeals, proving property ownership, avoiding foreclosure and mortgage issues, providing information on rights, and more.

**Renters:** Recovery appeals, evictions, lease terminations, landlord/tenant disputes, understanding renters rights and insurance policies, providing additional legal help during disaster recovery, and more.

#### Assist Long-Term Recovery Groups

- 501(c)(3) non-profit incorporation
- Provide general guidance to groups navigating the disaster relief ecosystem

#### Support Victims of Fraud

- Resources and assistance to avoid fraud
- Help fraud victims file a claim

#### Self-Help Resource Library

Check out the resource library on Legal Aid's website at [legalaidnc.org/disaster](http://legalaidnc.org/disaster) that includes 50+ videos with information on a range of disaster topics including replacing lost documents, Disaster Unemployment Assistance, property taxes, and more.

Call the LANC Helpline: (866) 219-5262

Visit the Disaster Relief Project homepage: [www.legalaidnc.org/disaster](http://www.legalaidnc.org/disaster)

# HELENE RECOVERY RESOURCES

## Apply for FEMA Benefits

- Call [1-800-621-3362](tel:1-800-621-3362)
- Visit [www.DisasterAssistance.gov](http://www.DisasterAssistance.gov)
- Download the FEMA app
- The deadline to apply is **November 27th, 2024**

## Apply for Disaster Unemployment Assistance

- [www.des.nc.gov](http://www.des.nc.gov)
- Call [919-629-3857](tel:919-629-3857) (English) and [919-276-5698](tel:919-276-5698) (Spanish)
- The deadline to apply is **December 2, 2024**

## Request Crisis Cleanup Assistance

- [844-965-1386](tel:844-965-1386)
- Crisis Cleanup assists with issues like downed trees, debris, tarps, and mucking out

## Find Shelters

- American Red Cross: [1-800-733-2767](tel:1-800-733-2767)
- Visit [www.readync.gov/stay-informed/open-shelters](http://www.readync.gov/stay-informed/open-shelters)

## View Road Conditions

- [www.drivenc.gov](http://www.drivenc.gov)

## View and Report Power Outage Info

- [www.readync.gov/stay-informed/power-outages](http://www.readync.gov/stay-informed/power-outages)

## Identify Open Pharmacies

- By county: [www.ncpharmacyfinder.com](http://www.ncpharmacyfinder.com)
- Emergency Operating Pharmacies Helene: [www.ncbop.org/emergencyoperatingpharmacieshelene.html](http://www.ncbop.org/emergencyoperatingpharmacieshelene.html)

## Locate Loved Ones

- Call [211](tel:211) for reunification services
- For Buncombe County, contact the Register of Deeds at [828-820-2761](tel:828-820-2761) or visit [BuncombeReady.gov](http://BuncombeReady.gov)
- Submit the Red Cross form here: [www.redcross.org/get-help/disaster-relief-and-recovery-services/contact-and-locate-loved-ones/hurricane-helene-reunification.html](http://www.redcross.org/get-help/disaster-relief-and-recovery-services/contact-and-locate-loved-ones/hurricane-helene-reunification.html)

## Shelter and Supplies

- Call [211](tel:211)

## Mental Health Support

- Call or text [988](tel:988) for 24/7 free and confidential support



Call the LANC Helpline: [\(866\) 219-5262](tel:866-219-5262)  
Visit the LANC Helene Relief homepage:  
[www.legalaidnc.org/helene](http://www.legalaidnc.org/helene)

Find  
More  
Online



# Disaster Unemployment Assistance Available in 25 Counties + Eastern Band of Cherokee Indians Following Hurricane Helene

Disaster Unemployment Assistance (DUA) benefits are available for residents of the following counties:

Alexander	Alleghany	Ashe	Avery	Buncombe
Burke	Caldwell	Catawba	Clay	Cleveland
Gaston	Haywood	Henderson	Jackson	Lincoln
Macon	Madison	McDowell	Mitchell	Polk
Rutherford	Transylvania	Watauga	Wilkes	Yancey

People in the above-listed counties who are unemployed as a direct result of Hurricane Helene may be eligible for unemployment benefits under the DUA program.

## The deadline to apply is **December 2, 2024.**

DUA is a federal unemployment program that provides temporary payments for people who, as a direct result of Hurricane Helene:

- No longer have the job that provided their primary source of income.
  - Are unable to reach their place of unemployment.
  - Cannot work because of an injury caused by the storm.
- Were unable to begin employment or self-employment due to the storm.
- Have become the major supplier of household income due to a storm-related death of the previous major supplier of household income.

For more information, go to [www.des.nc.gov/dua](http://www.des.nc.gov/dua) or call:  
DUA English – 919-629-3857 | DUA Spanish – 919-276-5698

# Insurance Claims and Appeals



If you have homeowner's or renter's insurance and your property has been damaged, you should file a claim with your insurance company as soon as possible after the disaster. Your policy will have a deadline to file your claims after the property is damaged. If you are uninsured or your insurance does not cover your losses, you can apply for assistance from FEMA. Organizations providing assistance will typically require you to apply to your insurance first.

## STEP 1: DOCUMENT THE DAMAGE

Your insurance adjuster will come to your home to view the damage, but you should also keep documentation of the damage for your own records.

- *Take photographs of all of the damaged property, including discarded objects, structural damage, and standing floodwater levels.*
- *Make a list of damaged or lost items, including as much information as you have about their age, value and condition.*

## STEP 2: NOTIFY YOUR INSURER TO START THE CLAIMS PROCESS

Contact your agent or insurance company to file a claim. An adjuster should contact you within a few days of filing your claim and will schedule a time to come to your home and inspect the damage. If you do not hear from an adjuster, contact your insurance agent or company again.

## STEP 3: COMPLETE A PROOF OF LOSS TO SUPPORT YOUR CLAIM

Your adjuster will assist you in preparing a Proof of Loss, which is your sworn statement of the amount you are claiming, including supporting documentation. If you do not agree with the Proof of Loss provided by your insurance company, you can submit your own.

You'll receive your claim payment after you and the insurer agree on the amount of damages and the insurer has your complete, accurate, and signed Proof of Loss.

## STEP 4: IF NEEDED, DISPUTE THE INSURANCE COMPANY'S DECISION

If your insurance company denies your claim or the amount offered is too small, but you believe your claim should be covered by your policy, you have several options:

- *Gather additional evidence of your damage and submit it to your adjuster*
- *Contact the adjuster's supervisor or the insurance company's claims department*
- *File a complaint with the North Carolina Department of Insurance at 855-408-1212*
- *Contact Legal Aid NC or another attorney for assistance*

# Navigating FEMA

## What is FEMA?

The Federal Emergency Management Agency (FEMA) is a US government agency that is responsible for coordinating responses and support to local governments, businesses, and even individuals in times of natural disaster and emergency.



## FEMA Applications



If you have been affected by a federally declared disaster, you may qualify for disaster assistance through FEMA's Individuals and Households Program. You should apply to FEMA as soon after the disaster as possible, and generally, you must apply within 60 days of the disaster.

FEMA can provide money for home repairs; temporary rental assistance; medical, dental and funeral expenses; vehicle repair or replacement; repair or replacement of essential household items; and other essential expenses related to the disaster.

To apply for FEMA assistance, you can:



Go to  
[www.DisasterAssistance.gov](http://www.DisasterAssistance.gov)



Call 1-800-621-362  
or TTY 1-800-462-7585



Apply in person at a  
FEMA Disaster Recovery Center

FEMA will send you a letter either approving or denying your request. If you are approved, FEMA will send you a letter explaining the purpose of the money. It is important that you only use FEMA money for its intended purpose. For instance, if FEMA's letter explains that funding is intended for home repair, you should not spend it on rent or food. FEMA may provide you with money for more than one purpose at the same time.

You should save receipts showing how you spent the money for at least three years after you receive it. FEMA may ask you for proof that the money was spent as intended. If you receive money for home repair, but it is not enough to complete all repairs on your home, you should keep your receipts until all repairs are completed so that you can show proof of how you spent the FEMA money to any other organizations assisting you.

If you are unable to use the funding for the intended purpose, you should return it to FEMA. If you spend the money for another purpose, you may be required to repay FEMA in the future.

If FEMA approves you for rental assistance, you will receive two months' rent upfront, which you may also use to pay a security deposit and your first month's rent. If you need continuing rental assistance after that, you will need to turn in additional documentation to FEMA, including information about your income and expenses.



Contact Legal Aid of North Carolina for help | 866-219-5262



[www.legalaidnc.org](http://www.legalaidnc.org)

# FEMA Home Repair Assistance



If your home was damaged by a major disaster, you may be eligible for repair assistance from FEMA. FEMA repair assistance is only intended to help you with basic repairs to make it safe to return to your home. FEMA is not intended to assist with all repairs or result in your home returning to its pre-disaster condition.

FEMA also expects that you will soon return to your home and take steps to prevent further damage. For instance, if you have a hole in your roof, FEMA expects that you will place a tarp over it to prevent interior damage to your home.

## You may be eligible for home repair assistance if:

- You or a household member is a U.S. citizen, non-citizen national, or qualified alien
- Your home is in a declared disaster area
- You own your home
- Your home is uninhabitable or inaccessible due to the disaster
- Your home is not covered by insurance, or your insurance does not cover all your damage
- You were occupying your home as your primary residence at the time of the disaster

## You may NOT be eligible if:

- You have other, adequate, rent-free housing available
- You refused assistance from your insurance
- You were required to maintain flood insurance after a previous disaster, but did not do so

Common issues that can cause FEMA to deny a homeowner's claim include proving ownership and proving that the disaster has caused so much damage to the home that it is not currently habitable.



## Please note:

*If FEMA denies your application for assistance or does not grant you enough money for your needs, you have 60 days to appeal. You can appeal on your own, or Legal Aid NC or another attorney can help you with your appeal.*



## FEMA and Flood Insurance



If any owner of a property receives FEMA assistance for a home that is located in a floodplain, FEMA will inform the homeowner that in the future, all owners of the home are required to keep flood insurance on the home. This requirement lasts as long as the home is still in a floodplain, and it applies to future owners as well. If the owner does not keep flood insurance on the home, and the home is damaged in another disaster, FEMA will deny assistance. This is true even if the current owner does not know about the flood insurance requirement.

## FEMA and Duplication of Benefits



FEMA and other federally-funded programs are barred by law from providing money or assistance to people who have already been helped, unless the assistance they have received so far is not enough. For example, if your HVAC system is damaged in a flood and will cost \$6000 to replace and your insurance company provides you with \$6000 for the work, FEMA cannot give you any additional money for your HVAC. However, if your insurance company pays you \$3000, then you may get additional assistance from FEMA.

If any organization—insurance company, FEMA, local government, nonprofit, etc.—gives you money to help you with disaster recovery, you should use the money as stated by that organization and keep receipts to prove how you spent that money. You may need to prove that you spent it appropriately, either to the organization that originally provided the funds, or to other organizations if you need more assistance afterwards.



# Avoiding Scams and Frauds

---

Scammers and fraudsters often target people after natural disasters. Real contractors or handymen may also accept your money and then fail to do the work. These tips can help you avoid losing money after a disaster.

## It is best to...

- Ask for an official ID from anyone claiming to be from the government, power company or insurance company.
- Contact your insurance company first if your property has been damaged by a disaster. Some insurance companies require the adjuster's approval before work can be done.
- Shop around and compare estimates for any major repairs. Legitimate contractors will also provide written estimates for home repairs.
- Avoid sharing personal information, such as social security numbers or bank account numbers, with anyone who contacts you first. If someone contacts you claiming to be from a government agency or organization, look up the number for that organization online and call to verify that the person is really an employee.
- Remember that you should not be asked to pay to file any disaster assistance applications.



## When hiring a contractor...

- Beware of contractors who knock on your door offering services because they noticed your home is damaged or are already working in your area. This is a common tactic of scam artists.
- FEMA does not approve, endorse, certify, or recommend any contractors, individuals, or firms.
- Do not hire a contractor who does not have a physical address or refuses to show ID.
- Use a contractor who is backed by reliable references. The most reputable contractors have liability insurance, workers' compensation and are bonded.
- Perform a quick Google search before hiring any contractor. Do they have a website? Have they scammed previous clients? Read any reviews.
- Get a copy of your contract in writing from the contractor that includes the work to be done and, ideally, a completion date.
- Check credentials with the North Carolina Licensing Board for General Contractors. Any contractor taking jobs costing \$30,000 is required to be licensed in North Carolina.
- You may wish to request a copy of your contractor's Certificate of Insurance before they begin work, to ensure that the contractor is legitimate and that you will be covered if the contractor causes any damage to your home.

## When making a payment...

- Be cautious about paying contractors before they begin work. If possible, wait until the work is finished and you are satisfied before paying. Reputable contractors generally do not expect customers to pay the entire price upfront.
- Pay contractors by credit card if you can, so that you can request a chargeback from your credit card company if they fail to do the work or if the work is unsatisfactory.
- If you cannot pay by credit card, pay by check or get a written receipt from the contractor – anything to keep a paper trail proving your payments.

If you have been affected by a scam or fraud, you should contact the North Carolina Attorney General's Office at 1-877-566-7226.

Under many circumstances, scams and frauds are a crime. You may wish to contact local law enforcement.

You can also contact an attorney to assist you. Call Legal Aid NC to learn if you qualify for free help.

# Pet Care and Disasters

*If it's not safe for human beings, it's not safe for animals.* Pets are more dependent on us than ever during an emergency; with this guide, you'll be able to prepare, evacuate, and shelter with your animal family.



## Gather What You'll Need and Make a Plan

Before a disaster, all animal families should prepare an evacuation plan, an emergency kit, and first aid kits for you and for your animals. Begin the process by gathering important information: make copies of your pets' vaccination records and owner contact information, collect info about your local shelters, animal control services, and poison control, and verify that these details are up to date.

A thorough, ready-to-go plan is essential to helping you, your family, and your pets stay safe during an emergency, so make preparations beforehand. Emergency shelters for pets must be provided in case of evacuations, but it's also a good idea to find out what hotels in your area allow pets. Keep one or more safe locations in mind before the disaster hits, and if there is an alternate location, such as at a family member's house, try to visit with your animals beforehand.



## Put Together an Emergency Kit

- Food, in a protected container
- Water
- Bowls
- First aid kit
- Medication, in a protected container
- Backup collar with tag and backup leash
- Sturdy carrier
- Pet brushes and shampoo
- Picture of yourself and pet to document ownership
- Sanitation bags
- Favorite toys, treats, and blankets



## Assemble a Pet First Aid Kit

- Information on pet's medical status
- Veterinarian contact info
- All medical records
- Digital thermometer
- Muzzle
- Gauze for you or your pet
- Clean towels
- Non-stick bandages
- Scissors
- Disposable Gloves
- Small flashlight
- Hydrogen peroxide

Contact Legal Aid of North Carolina for help:

[www.legalaidnc.org](http://www.legalaidnc.org)

866-219-5262





## All About Shelters

When a disaster arises, shelters for animals are REQUIRED: The PETS Act of 2006 is now part of the Stafford Act, meaning pet-friendly shelters must open whenever an evacuation is in place. These shelters are most frequently organized by local animal control offices or county, or state, animal response teams. When creating your emergency plan, remember to verify that your preferred pet shelter is staffed by qualified animal care personnel with animal handling experience.

- Be sure to have proof of rabies vaccination .
- Make time to treat for fleas while at the shelter.
- Try to keep your animal calm with familiar blankets, toys, and treats.
- If you think your pet might be sick, talk to a veterinarian.
- Treat dogs and cats for intestinal parasites while at the shelter - this is especially important for pets under 6 months old.
- Your animals may be taken to a mobile shelter; not all congregate shelters allow animals inside.



## Extra Tips

- Keep a leash and carrier near the exit.
- Make sure you have proper equipment for pets to ride in the car (carriers, harnesses, pet seatbelts).
- Ask your veterinarian for help in putting together your pet's veterinary records.
- Please note, a service animal is not a pet, and all shelters must allow service animals pursuant to the Fair Housing Act.



## Helpful Links

Check out some of these websites for more info on how you can prepare your pets for an emergency:

- [www.aspca.org](http://www.aspca.org)
- [www.americanhumane.org](http://www.americanhumane.org)
- [www.paloaltohumane.org](http://www.paloaltohumane.org)
- [www.humanesociety.org/resources/pet-disaster-preparedness](http://www.humanesociety.org/resources/pet-disaster-preparedness)

Contact Legal Aid of North Carolina for help:

[www.legalaidnc.org](http://www.legalaidnc.org)

866-219-5262



# Tenants' Rights

## Evictions and Repairs



LEGAL AID  
OF NORTH CAROLINA

### TENANT'S RIGHT TO END LEASE

If your home is damaged to the point that it is not habitable, you have the right to terminate your lease. You must notify your landlord, in writing, within ten (10) days of the damage of your intent to terminate the lease, unless your lease provides otherwise, and pay rent through the date you end the lease. Please review your lease and contact Legal Aid of North Carolina if you have questions. (NCGS 42-12)

### LANDLORDS DON'T HAVE THE SAME RIGHT

Nothing in NC law creates any special right for a landlord to terminate the lease before the end of the lease term due to damage from a natural disaster, unless the home has been destroyed in a fire. (NCGS 42-9) At the end of the lease period, your landlord must give notice to terminate your lease pursuant to the lease or law (NCGS 42-14), whichever notice period is greater. Remember to check your lease for the lease term and notice requirements; it is common for leases that had a one-year initial term to renew as "month-to-month," which may only require a week's notice to terminate.

If your home is condemned by a city or county housing inspector, you may be required to vacate your home. A landlord does not have the authority to decide that a home is uninhabitable.

### LANDLORD'S DUTY TO REPAIR

If you continue to live in the home, the landlord is required to make repairs so the home is safe, decent and sanitary. The landlord must do this within a reasonable time. However, the repairs are only legally required if the landlord is aware of the damage. Make sure you inform the landlord about needed repairs right away, and that you keep a record of the date and your conversation. It is best to make your repair requests in writing, which may include handwritten, email, text message, or social media message. A landlord's duty to provide fit and habitable housing is not waived simply because the damage was caused by a natural disaster. (NCGS 42-42)

### IF YOUR HOME IS SERIOUSLY DAMAGED

In general, North Carolina law requires tenants to continue paying rent even if the home is damaged, unless you have an agreement with your landlord or a court order. A tenant may be able to sue the landlord for rent paid beyond the value of the home in its current condition. For this reason, landlords and tenants should come to an agreement on reduced rent until the home is repaired. If a landlord continues to demand rent for a property that is seriously damaged, or during a time when the tenant is required to be out of the home for repairs, tenants may have legal claims. Please contact Legal Aid of North Carolina.

### PERSONAL PROPERTY

In general, your landlord is not responsible for damage to your belongings caused by the natural disaster. You should file a claim with your renters' insurance and/or FEMA. You should also take pictures of all damaged property.