



# Disaster Relief Legal Assistance Manual

*Special thanks to **Sarah Alba**, University of Pennsylvania Toll Public Interest Fellow at **Manhattan Legal Services**, for her tireless work in compiling this manual.*



*Thanks also to The Legal Aid Society for their invaluable contributions to the final document.*

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**This manual was created on November 8, 2012. The information is compiled from numerous sources and much of the information will likely change as time goes on.**

**Legal Services NYC**  
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**Raun J. Rasmussen**, Executive Director  
**Joseph Steven Genova**, Board Chair



## Translation

You have the right to be provided with an interpreter when you apply for help at a government agency. If you are denied an interpreter and cannot get the services you need, please call Amy Taylor, LSNYC, at 646.442.3664 for assistance.

*Usted tiene derecho a un intérprete cuando solicite ayuda a una agencia estatal. Si no se le brinda un intérprete y no puede obtener los servicios que necesita, comuníquese con Amy Taylor en el 646.442.3664 para recibir ayuda.*

여러분은 정부기관에 도움을 요청할 때 통역사의 통역서비스를 제공받을 권리를 갖고 있습니다. 만약에 귀하에게 필요한 통역서비스를 제공받지 못하거나 통역사의 도움이 거절된 경우엔 (646) 442-3664번으로 전화하여 에미 타일러 (Amy Taylor)에게 도움을 청하십시오.

您在政府机构申请援助时，有权获得口译服务。如果您未能获得口译服务，且不能得到所需要的服务，请给艾米·泰勒（Amy Taylor）打电话，号码是646.442.3664，以获得帮助。

قال الكونم قدع اسم ىلع لوصحلل بلطب مدقتت امدنع يهفش مجرتم ىلع لوصحلا يف قحلا كيدل جاتحت يتلا تامدخل ىلع لوصحلا عيطتست الوكل يهفش مجرتم ريفوت ضفر اذاو .ةيموكلح ىلع لوصحلل (٦٤٦) ٤٤٢-٣٦٦٤ فتامل مقرر ىلع روليات يمياب اي فتاه لاصتالء اجر ،اهيلءةدع اسم .

Вы имеете право на то, чтобы вам предоставили переводчика, когда вы обращаетесь за помощью в правительственное агентство. Если вам не предоставляют переводчика и вы не можете получить услуги, которые вам нужны, пожалуйста, обратитесь за помощью к Эми Тейлор по тел. 646.442.3664.

Ou gen dwa pou yo ba w yon entèpretè lè w ap pou èd nan yon ajans gouvènmanal. Si yo denye w yon entèpretè epi ou pa kapab resevwa sèvis ou bezwen yo, tanpri rele Amy Taylor nan 646.442.3664 pou asistans.

## Overview

Legal Services NYC and The Legal Aid Society have vast experience providing civil legal services to low-income persons living throughout New York City. Thousands of low-income New Yorkers affected by Hurricane Sandy need assistance with the types of services we handle on a day to day basis: housing, public benefits, family law, immigration, employment, and more.

In the wake of Hurricane Sandy, clients need assistance with a whole new range of problems and government programs intended to address those problems, such as FEMA and Disaster Unemployment Insurance. Clients also need help accessing the most up-to-date information on non-disaster programs that are dislocated due to the storm. Finally, clients continue to need the traditional legal services our offices provide.

Accordingly, this Training Guide provides information on each of the following areas:

- Special types of assistance available to persons affected by the storm;
- Updates on how low-income clients can access government benefits and other services until the crisis period has passed and the government agencies that administer these programs return to normal business;
- How to provide information and referrals to clients who are displaced by the storm and need non-storm related civil legal assistance.

# PART I: DISASTER-RELATED ASSISTANCE

## Services Set Up by the City of New York

The City has responded by setting up several new services to aid disaster victims. All are listed on the City's website homepage: [nyc.gov](http://nyc.gov). The services about which you can find information on the website include:

- (1) food, water and blanket distribution locations (current list attached in appendix)
- (2) Food truck locations with hot food (current list attached in appendix)
- (3) overnight shelters (current list attached in appendix)
- (4) bus pickup to select overnight shelter locations
- (5) daytime warming center locations
- (6) Disaster Assistance Service Center locations (see below)
- (7) List of medical van locations

## Disaster Recovery Centers

These centers have been set up by the City of New York, and often have FEMA on location. Some of the services may include:

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

NOTE: You can register for assistance at a Disaster Recovery Center or you can register online or by calling 1 (800) 621-FEMA (3362). The TTY number is 1 (800) 462-7585 for those who are speech- or hearing-impaired.

### Disaster Recovery Centers in NYC (as of 11/8/12\*)

Location	Borough	Time
Our Lady of Solace 2865 W 17 <sup>th</sup> Street (at Mermaid Avenue) in Coney Island	Brooklyn	Open 10 AM – 4 PM
Mount Loretto at 6581 Hylan Blvd. at <b>Sharrotts Road</b>	Staten Island	Open 10 AM – 4 PM

\* List is updated on a daily basis by the city at <http://www.nyc.gov/html/misc/html/2012/dasc.html>

# Disaster Unemployment Assistance (DUA)

To Apply Call 1-888-209-8124 in NY or 1-877-358-5306 outside of NY. The Application Deadline is December 3, 2012.

DUA is a Federal program that provides payments to people in federally declared disaster areas who have lost work or income as a direct result of the disaster.<sup>1</sup>

President Obama declared New York a disaster area on October 30, 2012. **Individuals who live or work in the following counties may be eligible for DUA<sup>2</sup>:**

Connecticut	Fairfield County, Mashantucket Pequot Indian Reservation, Middlesex County, New Haven County and New London County
New Jersey	Atlantic County, Bergen County, Cape May County, Essex County, Hudson County, Middlesex County, Monmouth County, Ocean County, Somerset County, and Union County
New York	Bronx County, Kings County, Nassau County, New York County, Queens County, Richmond County, Suffolk County and Westchester County

## Eligibility

**Advocacy tip:** Unemployment must be directly related to disaster, as detailed below. Clients must emphasize to the New York State Department of Labor representative processing the DUA claim that the unemployment is due to the disaster and this is where advocates can be particularly effective in dealing with our low-income and/or Limited English-Proficiency (LEP) clients.

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<sup>1</sup> The Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974, as amended; 20 CFR Ch. V (4-1-12 Edition).

<sup>2</sup> Note that there are limited situations where workers outside the disaster can qualify for DUA if they were laid off due to their employer's loss of substantial revenue from contracts with businesses located in the disaster area. According to the federal regulations, the employer or self-employed individual must have received at least a "majority of its revenue or income from an entity that was either damaged or destroyed in the disaster." In addition, the individual must continually establish that his or her unemployment remains directly related to the major disaster.

**There are two major requirements for an individual to qualify for DUA: 1) the individual must be out of work as a "direct result" of a major disaster; and 2) the individual does not qualify for regular unemployment insurance (UI) from any state.**

Anyone unemployed due to Hurricane Sandy is immediately eligible and can submit a claim to the Department of Labor. DUA is available to any worker or self-employed individual who lived, worked, or was scheduled to work in the disaster area at the time of the disaster; and due to the disaster:

- no longer has a job or a place to work; or
- cannot reach the place of work; or
- cannot work due to damage to the place of work; or
- cannot work because of an injury caused by the disaster.

Examples include, but are not limited to, the following:

- You were injured in the disaster and are unable to work, whether you are an employee or self-employed.
- Your workplace or farm was damaged, destroyed, or you can't get there because of the disaster.
- Your transportation to work is not available because of the disaster.
- You must travel to your job through the affected area, and you cannot do that because of the disaster.
- You were about to begin work, but could not because of the disaster.
- You are now the breadwinner or major support for a household because the former head of household died in the disaster.
- You are out of work because the Federal government took over or closed the facility where you worked.
- Most of your income comes from areas affected by the disaster, whether you worked for yourself or for an employer, and your business or farm income is down as a direct result of the disaster.
- Businesses may qualify for DUA if the level of income is significantly diminished as a direct result of the disaster. For example, a manufacturer of goods that has a major part of their inventory destroyed may be eligible.
- Farmers who are involved in more than one aspect of farming (i.e. dairy and crops) may still be eligible for partial DUA payments.

There are different eligibility requirements for DUA than regular unemployment insurance. You may qualify even if you do not qualify for regular unemployment insurance. If you can collect regular unemployment insurance benefits, you cannot receive DUA payments.

**Advocacy tip:** If you are uncertain whether you meet the eligibility requirements, apply and give an accurate statement and you will not be penalized for application.

**Advocacy tip:** NYS DoL informed the New York State Unemployment Insurance Coalition that claimants who were receiving UI before Hurricane Sandy may become eligible for DUA for a brief period. For example, if they are unable to get to work due to road closures due to the disaster.

## Filing a Claim

**APPLY AS SOON AS POSSIBLE.** The Application deadline is December 3, 2012.

**Advocacy tip:** Call the Telephone Claims Center at 1-888-209-8124. The automated system will ask you if you lost your job as a direct result of hurricane Sandy. You will go through an automated application process and if you have any questions you will have an opportunity to speak with a live representative at the end of the application. At that time, you can tell the representative about any particular problems with your situation or if you were confused by one or more questions and you could not answer it.

**You should have the following information ready and available when you file:**

- Your social security number
- Your NYS driver license or Motor Vehicle ID card number (if you have one)
- Your mailing address and zip code
- A phone number where you can be reached for additional information
- Your alien registration card number (if you have one) and
- For those impacted by Hurricane Sandy, the names and addresses of all employers you worked for within the 18 months prior to October 30, 2012, including any in another state.

### **Income Verification:**

The DUA application requires proof of employment and earnings. The proof of employment is due no later than 21 days after the application is filed with the state. For self-employed applicants, copies of tax returns are required as proof of income and self-employment. If verification of employment or other documents requested as part of the DUA application are not available, a sworn statement including other forms of verification can be submitted. Interim DUA payments can take place while the necessary documentation is gathered. However, the failure to submit the required documentation on time may result in a benefit overpayment which can later be recovered from the individual by the state.

If you lost any of these records in the storm, apply anyway and inform the DUA specialist.

You must continue to be unemployed as a direct result of the disaster to continue receiving DUA.

## Deadlines

**The application deadline is December 3, 2012.** To qualify for DUA, individuals must normally apply no later than 30 days after the disaster was officially announced by the state (which may be just after the disaster was declared by the President). Late applications can be accepted, but only if "good cause" is shown for the late filing. However, under no circumstances can DUA applications be accepted after the disaster period ends (May 5, 2013).

## Benefits

DUA benefits are payable to individuals only for weeks of unemployment in the Disaster Assistance Period. **You can collect DUA benefits for approximately 26 weeks beginning October 29, 2012 through May 5, 2013.** You can collect only for periods when you are unemployed as a direct result of Hurricane Sandy.

- Example 1: If you were unable to get to work from the start of the storm until 3 weeks later, you could collect from the first week of the disaster until the time that you return to work.
- Example 2: If your work begins in November, but you are unable to work because your employer's place of business is damaged due to the storm, you can start to collect in November (when your work would normally start).

Like UI benefits, DUA benefits are paid weekly, once an application is completed, filed and processed. DUA recipients receive the same weekly benefits that they would have been entitled to had they qualified for UI in the state where they were employed. However, at a minimum, DUA benefits cannot be less than one-half of the state's average weekly UI benefits (see the state maximum and minimum DUA benefit levels below).

The DUA benefits for part-time workers are pro-rated based on the hours they worked as a percent of a 40-hour work week. Note that DUA benefits are reduced by any other wage-loss compensation, including private insurance, Supplemental Unemployment Benefits, worker's compensation, and a pro-rated amount of a retirement pension or annuity.

Connecticut	\$165 Minimum Weekly Benefit/\$648 Maximum
New Jersey	\$197 Minimum Weekly Benefit/\$611 Maximum
New York	\$157 Minimum Weekly Benefit/\$405 Maximum

## After You Have Filed a Claim

Once found to be eligible for DUA, workers must actively look for work and accept suitable work offered them, unless they were injured in the storm and are unable to work due to the injury or are unable to travel to work due to the storm. In addition, the individual must certify that for every week he or she is collecting DUA, his or her unemployment continues to be the direct result of the disaster, not other factors.

Continue to certify weekly as long as you are not working. Do this every single week even if you have not started to receive your benefits yet.

You can certify online by going to [www.labor.ny.gov](http://www.labor.ny.gov). Click on the "File for Benefits" link located halfway down the page on the right side and follow the instructions to log in. Or you can certify over the phone at 1-888-581-5812.

## How Are Payments Made?

You may choose between direct deposit into your personal checking account or a Direct Payment Card.

Register for Direct Deposit at [www.labor.ny.gov](http://www.labor.ny.gov) by logging in to the "Unemployment Assistance" section of the website and clicking on the Direct Deposit link. You must have a check handy at that time to provide your bank routing number and checking account number. It will take approximately five business days between the date your account information is received and the date that your benefits can be electronically sent to your checking account.

If you do not register for direct deposit, you will receive the Direct Payment Card, a debit MasterCard. It allows you to withdraw your benefits via an ATM and make purchases wherever MasterCard is accepted. The Direct Payment Card will be mailed to you about one week after you are approved to receive benefits.

## DUA Information For Farmers, Business Owners, and the Self-Employed

When you file for unemployment insurance benefits, you should have the following information ready and available:

- Your social security number
- Your NYS driver license or Motor Vehicle ID card number (if you have one)
- Your mailing address and zip code
- A phone number where you can be reached for additional information
- Your alien registration card number (if you have one)
- Your 2011 income tax return:

*Self-employed workers:*

Schedule C (line 31) net profit or loss

*Farmers:*

Schedule F (line 34) net farm profit or loss

A common issue is whether you may still run your business or farm and collect DUA. You may be able to earn an income and still collect DUA in some situations. Examples include, but are not limited to, the following:

- Restorative or clean-up work, which is necessary because of the disaster, will not disqualify an individual for DUA.
- Salvaging or other limited self-employment activity alone will not necessarily make someone ineligible for DUA as long as they work less than full time and their earnings do not exceed their maximum weekly benefit rate.
- If salvaging results in a brief period of earnings of more than \$405 a week, then DUA would stop during that period, but resume after salvaging operations end. For example, a farmer who was substantially impacted by the disaster may be able to harvest the residual crops that were not impacted by the disaster. During the period

where salvaging occurred, the farmer may not be eligible for DUA, but could be eligible later on.

**NOTE that because DUA is federally funded, an employer's unemployment insurance taxes will not be impacted if the employer has employees who qualify for DUA.**

## The Shared Work Program

**It's no longer necessary to lay off employees during temporary declines in business. Now there's Shared Work - the layoff alternative.**

The Shared Work program gives employers an alternative to laying off full-time employees when you have to deal with temporary business downturns. It makes sense for you to keep productive employees. Instead of cutting staff, you can reduce the number of hours of: All employees **or** just a select group

### Example Of Benefits Paid Under Shared Work Program

	Under Total Unemployment	Under Shared Work
An employee who earns \$400/week may receive	\$200 unemployment benefit rate	\$320 per week in wages from his employer (20% of \$400 equals an \$80 reduction), plus \$40 in Shared Work Benefits (20% of \$200)

This totals \$360.00 in wages and Shared Work benefits for each week of the plan, after an unpaid waiting week.

The Shared Work Program helps you avoid some of the problems caused by a layoff. If you keep your employees during a temporary slowdown, you can gear up quickly when business conditions improve. You do not have the expense of recruiting, hiring, and training new employees. Also, you spare your employees the hardships of full unemployment.

**How to apply:** To take part in the Shared Work Program, you must first design a Shared Work plan. Complete an application online here: <http://www.labor.ny.gov/ui/dande/sharedwork1.shtm>

## Information for Current UI Claimants

Claimant Extension Date Because of the loss of power and phone service in the storm impacted areas, many Unemployment Insurance claimants were unable to certify for their weekly benefits. The Department of Labor will extend the date of certification of unemployment benefits for individuals impacted by Hurricane Sandy until Nov. 17, 2012. These individuals will need to call 1-888-209-8124 and speak to an agent to receive benefits for the prior week. If you are unable to access a phone to obtain benefits, individuals can visit any of the agency's career centers.

The Federal Department of Labor has created a very useful manual regarding DUA at all levels—from application to appeals of denials. The manual is available here:

[http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2124](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2124)

We have included the Handbook Table of Contents in the Appendix to illustrate the depth and scope of the document, which you can access via the above link.

## **FEMA's Individuals and Households Grant Program**

### **How Do I Apply?**

Renters and homeowners can receive up to \$40,000 for repairs and to replace things like appliances, furniture, automobiles, and clothing. People who own homes can apply for as much as \$200,000 for repairs to their primary residences.

Apply Online at [DisasterAssistance.gov](http://DisasterAssistance.gov), via a smartphone at [m.fema.gov](http://m.fema.gov); or by phone by calling (800) 621-3362 or TTY (800) 462-7585.

When you apply, you should have a pen and paper and the following information ready:

- Your Social Security number (You will be asked to provide your social security number; if you do not have a social security number, your household may still be eligible to receive assistance if there is a minor child in the household who is a U.S. Citizen, Non-Citizen National, or Qualified Alien with a social security number.)
- Current and pre-disaster address
- A telephone number where you can be contacted
- Insurance information
- Total household annual income
- A routing and account number from your bank (only necessary if you want to have disaster assistance funds transferred directly into your bank account).
- A description of your losses that were caused by the disaster

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

After you apply for assistance, you will need to need to complete a Declaration and Release Form (OMB form 009-0-3) available here:

[http://www.disasterassistance.gov/static/content/en/Declaration%20and%20Release\\_EN.pdf](http://www.disasterassistance.gov/static/content/en/Declaration%20and%20Release_EN.pdf)

Mail the form to:

FEMA – Individuals & Households Program

National Processing Service Center

P.O. Box 10055

Hyattsville, MD 20782-8055

Or fax it to: 1-800-827-8112

## To Get New York-Specific Advice Over the Phone:

If you need disaster assistance immediately, contact FEMA at 1-800-621-3362 or the NYS emergency assistance hotline that can help people and businesses hit hard by the storm start rebuilding. The number is 855-NYS-SAND(Y) or 855-697-7263. When you call the hotline you will be able to speak directly with an expert on the phone that you explain your situation to and then get advice on how to apply for eligible assistance.

This program has two provisions of assistance for "Housing Needs" and "Other than Housing Needs," which are available to individuals and families whose property has been damaged or destroyed as a result of a federally-declared disaster, **and whose losses are not covered by insurance.**

## Housing Needs

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

## Do I Qualify for "Housing Needs" Assistance?

To receive money or help under this category, all of the following must be true:

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

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

- You have other, adequate rent-free housing that you can use (for example, rental property that is not occupied).
- Your home that was damaged is your secondary or vacation residence.
- Your expenses resulted only from leaving your home as a precaution and you were able to return to your home immediately after the incident.

- You have refused assistance from your insurance provider(s).
- Your only losses are business losses (including farm business other than the farmhouse and self-employment) or items not covered by this program.
- The damaged home where you live is located in a designated flood hazard area and your community is not participating in the National Flood Insurance Program. In this case, the flood damage to your home would not be covered, but you may qualify for rental assistance or items not covered by flood insurance.

## Other than Housing Needs

Money is available for necessary expenses and serious needs caused by the disaster. This includes:

- Disaster-related medical and dental expenses.
- Disaster-related funeral and burial expenses.
- Clothing; household items (room furnishings, appliances); tools (specialized or protective clothing and equipment) required for your job; necessary educational materials (computers, school books, supplies).
- Fuels for primary heat source (heating oil, gas).
- Clean-up items (wet/dry vacuum, dehumidifier).
- Disaster-related damage to a vehicle.
- Moving and storage expenses related to the disaster (moving and storing property to avoid additional disaster damage while disaster-related repairs are being made to the home).
- Other necessary expenses or serious needs as determined by FEMA.
- Other expenses that are authorized by law.

## Do I Qualify for "Other Than Housing Needs" Assistance?

To receive money or help under this category, 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 and the damage to your property is not covered by your insurance or your insurance settlement is insufficient to meet your losses.
- You or someone who lives with you is a citizen of the United States, a non-citizen national, or a qualified alien.
- You have necessary expenses or serious needs because of the disaster.
- You have accepted assistance from all other sources for which you are eligible, such as insurance proceeds or Small Business Administration disaster loans.

**Advocacy Tip:** Normally, anyone applying for Other than Housing Needs Assistance will be referred to the Small Business Administration (SBA) for a loan, and only if that loan is denied will the household be eligible for Other than Housing Needs Assistance. **HOWEVER**, the exception to that rule is for very low income clients. **Therefore, clients receiving public assistance or SSI (Supplemental Security Income from the federal Social Security Administration) will not be referred to the SBA. IF a client is sent a SBA loan application rather than being considered for Other than Housing Needs assistance, she should contact FEMA to clarify her source of income.**

# FEMA and Small Business Relief

## Business Disaster Loan Eligibility

**The Small Business Administration (SBA)** has comprehensive disaster recovery services, available in some cases for business owners and non-owners alike. If your business or private, nonprofit organization - large or small – is located in a declared disaster area and has suffered physical damage as a result of a disaster, you may be eligible for financial assistance from the U.S. Small Business Administration. SBA makes physical disaster loans of up to \$2 million to qualified businesses or private, nonprofit organizations.

SBA loans cover uninsured and under-insured physical damage. If you are required to apply insurance proceeds to an outstanding mortgage on the damaged property, you can include that amount in your disaster loan application. SBA now offers you the option of filing your business disaster loan application electronically. Downloadable application forms are available at: <http://www.sba.gov/content/disaster-loan-paper-applications>

For additional information, call 1-800-659-2955 (TTY: 1-800-877-8339) or e-mail [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov)

## Proper Use of Physical Disaster Loan Proceeds

Physical Disaster Loan proceeds may be used for the repair or replacement of the following:

- Real property
- Machinery
- Equipment
- Fixtures
- Inventory
- Leasehold improvements

In addition, disaster loans to repair or property may be increased by as much as 20 percent of the total amount of disaster damage to property to pay for improvements to protect the damaged property against possible future disasters of the same type.

## Is Disaster Help Available If I Have Insurance?

Possibly. File a claim with your insurance agent as soon as possible. Failure to do so may affect your eligibility for assistance. After filing a claim, if any of the following situations occur FEMA may be able to provide some assistance:

- **Your insurance settlement is delayed.** Delayed means a decision on your insurance settlement has been delayed longer than 30-days from the time you filed the claim. If a decision on your insurance settlement has been delayed, you will need to write a letter to FEMA explaining the circumstance. You should include documentation from the insurance company proving that you filed the claim. If you filed your claim over the

telephone, you should include the claim number, date when you applied, and the estimated time of how long it will take to receive your settlement. Any help awarded to you by FEMA would be considered an advance and must be repaid to FEMA once an insurance settlement is received.

- **Your insurance settlement is insufficient to meet your disaster-related needs.** If you have received the maximum settlement from your insurance and still have an unmet disaster-related need, you will need to write a letter to FEMA indicating the unmet disaster-related need. You will also need to send in documentation from your insurance company for review.
- **You have exhausted the Additional Living Expenses (ALE) provided by your insurance company.** If you have received the maximum settlement from your insurance for Additional Living Expenses (Loss of Use) and still need help with your disaster-related temporary housing need, write a letter to FEMA indicating why you continue to have a temporary housing need. You will also need to provide documentation to prove use of ALE from insurance, and a permanent housing plan.
- **You are unable to locate rental resources in your area.** The FEMA Helpline has a list of rental resources in the disaster area. If no resources are available in your county, then the Helpline agent can provide you with resources in an adjacent county.

You have up to twelve (12) months from the date you registered with FEMA to submit your insurance information for review. By law, FEMA cannot provide money to individuals or households for losses that are covered by insurance.

## **New York City Department of Small Business Services (SBS) Hurricane Sandy Business Recovery Information**

New York City, including the New York City Department of Small Business Services (SBS) and The New York City Economic Development Corporation (NYEDC) is coordinating a set of services to help New York businesses in recovering from the effects of Hurricane Sandy. Below is an outline of available assistance and how you can access them.

### **If you need financial assistance:**

#### **Get help with the Emergency Loan Fund**

The City of New York and Goldman Sachs are providing \$10 million in emergency loans to help New York City businesses damaged by Hurricane Sandy. NYC Business Solutions and the New York Business Development Corporation (NYBDC) will administer the loan program. If you are a small business in need of an emergency loan to recover from business interruption, you can now access loans up to \$25,000. Loans are interest-free for the first six months and 1% interest for the following 24 months. Please see our Emergency Loan FAQs and fill out the application today. Applications must be submitted through an NYC Business Solutions Account Manager at one of the centers listed below. For more information, you can also fill out our inquiry form or call 311 and ask for "NYC Business Emergency Loan."

## Access Federal Aid Programs for Disaster Recovery

Businesses and private non-profit organizations of any size may borrow up to \$2 million to repair or replace disaster-related damaged or destroyed real estate, machinery and equipment, inventory, and other business assets. To learn more about disaster loans provided by the SBA, visit [sba.gov/disaster](http://sba.gov/disaster) or call the SBA hotline (1-800-659-2955) or visit an [NYC Business Solutions Center](#).

## Apply for sales tax exemptions of up to \$100,000 for rebuilding materials and equipment

The New York City Industrial Development Agency will provide emergency assistance to small businesses by establishing the Hurricane Emergency Sales Tax Exemption Program (“HESTEP”). This program will provide sales tax exemptions of up to \$100,000 for each affected company on purchases of building, construction and renovation materials, machinery and equipment and other items of personal property and related services needed to rebuild after the storm. Companies undertaking projects of approximately \$350,000 in value or more are encouraged to apply. Eligible businesses should obtain the HESTEP sales tax letter prior to making eligible capital expenditures. For more information, visit the EDC website at <http://www.nycedc.com/backtobusiness>.

## If you need temporary office space:

Free co-working space, supplies, and other services are available for businesses impacted by Hurricane Sandy. Businesses can access desk space, power, internet and more at many locations throughout the five boroughs. You can access a [complete listing of locations](#) at <http://www.nycedc.com/donations>. If your company can donate space or other services, please visit [www.nycedc.com/canyourcompanyhelp](http://www.nycedc.com/canyourcompanyhelp).

### Some locations include:

Metrotech/Forest City Ratner: Ali Esmailzade, 718-923-5302, [aesmaeilzadeh@fcrc.com](mailto:aesmaeilzadeh@fcrc.com)  
Brooklyn Army Terminal: Doug Roberts, [droberts@nycedc.com](mailto:droberts@nycedc.com)  
Sunshine Bronx Incubator: Cheni Yerushalmi, [cheni@sunshineny.com](mailto:cheni@sunshineny.com)  
East Midtown Partnership: Rob Byrnes, 212-813-0030, [rbyrnes@eastmidtown.org](mailto:rbyrnes@eastmidtown.org)

## If you need help with business interruption:

**Take steps that can help reduce and recover your losses.**

- If you have access to your building, gather employee and supplier contact information, legal, insurance and financial records
- Lock your facility
- Document your losses and take high-quality photos of damages to the structure and your inventory
- Contact your insurance company
- Try to assess value of each item, with invoices and receipts where possible
- Discard perishable/dangerous items after documenting them

- Keep everything else to show to insurance companies
- Keep invoices or receipts if you are repairing the damages
- Contact your customers, your employees, and your suppliers
- Collect any logs of business decisions, communications, and correspondence you have

If you need on-site assistance, the SBS Business Outreach is currently on-call for any storm-related business inquiries and is closely coordinating with the NYC Office of Emergency Management. Please contact an account manager at <http://www.nyc.gov/html/sbs/nycbiz/html/contact/manager.shtml> or call 311 and ask for "NYC Business Solutions."

**All NYC Business Solutions Centers are open. Staten Island is operating out of a different location.**

**(<http://www.nyc.gov/html/sbs/nycbiz/html/contact/locations.shtml>)**

## **Additional Relief for Employers Affected by Hurricane Sandy**

Governor Andrew M. Cuomo has declared a State Disaster Emergency for the entire state of New York. As a result of this declaration, Commissioner Thomas H. Mattox postponed certain tax filing and payment deadlines for taxpayers who were directly affected by Hurricane Sandy (see Important Notice N-12-11, *Announcement Regarding Hurricane Sandy*). The relief provided for in this notice is in addition to the relief provided for in Important Notice N-12-11 and applies to employers directly affected by Hurricane Sandy (the storm).

Deadlines have been postponed for the period beginning on October 26, 2012, and ending before November 14, 2012, for the following:

- Remittances of income tax withheld by employers required to be made using
- Form NYS-1, *Return of Tax Withheld*.
- Remittances of withholding tax or metropolitan commuter transportation mobility tax (MCTMT) required to be made by employers through the PromptTax system.
- All deadlines for performance of the above required acts that fall on or after October 26, 2012, and before November 14, 2012, have been postponed to November 14, 2012.
- Employers who were directly affected by the storm and are therefore eligible for this relief include:
  - employers whose records necessary to meet tax filing, payment, or other deadlines are not available due to the storm;
  - employers who have difficulty in meeting tax filing, payment, or other deadlines because of disruptions in the transportation and delivery of documents by mail or private delivery services, or due to disruptions in communications services (for example, telephone, facsimile, or electronic mail), resulting from the storm; and
  - employers whose tax practitioners are unable to complete work to meet tax filing, payment, or other deadlines on behalf of the employer due to the storm.

## How to obtain relief

- PromptTax filers who are adversely affected by the storm do not need to apply for a waiver or an extension to obtain this relief for withholding tax or MCTMT.
- Instructions will be made available on our Web site for employers who Web file and pay using Form NYS-1.
- Employers using a paper Form NYS-1 should write ***Hurricane Sandy*** on the top center of the front page of any late-filed return. Do not write this information on your envelope.

**Relief provided** – Returns filed or tax payments made in accordance with these rules will not be subject to any late filing, late payment or underpayment penalties, or interest for the period from October 26, 2012, through November 14, 2012. If any affected employer receives a penalty and/or interest notice from the Tax Department, the employer should call the number on the notice to have the Tax Department abate any interest and/or any late filing or late payment penalties that would otherwise apply during the period from October 26, 2012, to November 14, 2012. No penalty or interest will be abated for an employer who does not have a filing or payment due date (including an extended filing or payment due date) during this period. Abatements of penalties for the remittances of tax covered by this notice that are not made by November 14, 2012, will be handled on a case-by-case basis.

## How to obtain forms, instructions, and other information

Taxpayers may obtain forms, instructions, and other information from the Tax Department Web site ([www.tax.ny.gov](http://www.tax.ny.gov)) or by calling:

### General tax information for all callers

Withholding tax (518) 485-6654  
MCTMT (518) 485-2392  
PromptTax (518) 457-2332

### Forms and instructions (518) 457-5431

NOTE: An Important Notice is generally issued to announce a singular event, such as an update to a previously issued tax form or instruction, or to announce a new due date for filing returns and making payments of tax because of a natural disaster. The Department does not revise previously issued N-Notices.

## Other Federal Assistance

### Legal Services

In Federally declared disaster zones, FEMA provides free legal assistance to disaster victims.

The assistance that participating lawyers provide typically includes:

- Assistance with insurance claims (life, medical, property, etc.)
- Counseling on landlord/tenant problems
- Assisting in consumer protection matters, remedies, and procedures
- Replacement of wills and other important legal documents destroyed in a major disaster

Disaster legal services are provided to low-income individuals who, prior to or because of the disaster, are unable to secure legal services adequate to meet their needs as a consequence of a major disaster.

NY Hurricane Sandy hotline number: 1-800-699-5636

## **Special Tax Considerations**

Taxpayers who have sustained a casualty loss from a declared disaster may deduct that loss on the federal income tax return for the year in which the casualty actually occurred, or elect to deduct the loss on the tax return for the preceding tax year. The loss may be claimed as an itemized deduction on Schedule A, and also requires completion of Form 4684. The amount of loss which may be claimed is limited to the lesser of the purchase price for the property (increased or decreased by improvements or depreciation) or the decrease in the fair market value of the property. The amount of loss must be reduced by the salvage value (if any) and payments from insurance, government assistance such as FEMA or other sources reimbursing the taxpayer for the loss. The amount of the loss must exceed 10 percent of the adjusted gross income for the tax year by at least \$100. If the loss was sustained from a federally declared disaster, the taxpayer may choose which of those two tax years provides the better tax advantage. If claiming the loss for the prior tax year for which a return has already been filed, the taxpayer will need to file an amended return. The deduction may reduce taxable income, and lead to a refund only if the taxpayer's withholding or estimated tax payments exceed his/her tax liability.

The Internal Revenue Service (IRS) can expedite refunds due to taxpayers in a federally declared disaster area. An expedited refund can be a relatively quick source of cash, does not need to be repaid, and does not need an Individual Assistance declaration. It is available to any taxpayer in a federally declared disaster area. For further assistance and information taxpayers may call IRS Disaster Assistance Hotline at 1-866-562-5227 (M-F 7 a.m. to 10 p.m. local time). Also check online at [www.IRS.gov](http://www.IRS.gov) for these resources:

IRS Publication 2194, Disaster Losses Kit for Individuals  
IRS Publication 2194-B, Disaster Losses Kit for Businesses.  
IRS Publication 584, Casualty, Disaster and Theft Loss Workbook  
IRS Publication 584-B, Business Casualty, Disaster and Theft Loss Workbook

Taxpayers who experience hardship in connection with a tax refund or collection matter may seek assistance from the IRS Taxpayer Advocate Service (1-877-777-4778) or may contact a local Low-Income Taxpayer Clinic (LITC) listed in the Appendix.

## **Information and Resources for Homeowners**

### **Governor Cuomo Moratorium on Foreclosures**

Many banks and mortgage servicers have agreed to offer relief for home mortgage borrowers. Borrowers should contact their specific bank or mortgage servicer – the company to which they

send their monthly mortgage payment – for details. In general, banks and mortgage servicers are offering the following types of relief:

- 90-day postponement of foreclosures and evictions.
- 90-day waiver of late fees on mortgage payments.
- 90-day or more forbearance on mortgage payments.
- Waiver of interest where a refinancing transaction has been closed, but not funded.
- For borrowers in a trial modification, late payments will not negatively affect such status or prevent the borrowers from obtaining permanent mortgage modifications.
- Banks and servicers will not notify credit bureaus if borrowers make late payments.

State chartered banks providing loan relief efforts include Apple Savings Bank, Dime Savings Bank of Williamsburg, Emigrant Savings Bank, M&T Bank, New York Community Bank, Ridgewood Savings Bank, Hanover Community Bank, among others. State registered mortgage servicers providing loan relief efforts include Citi Mortgage, Homeward Residential, Ocwen Loan Servicing, Nationstar, as well as others.

<http://www.governor.ny.gov/press/11072012-mortgage-assistance-hurricane-affected-areas>

## **Neighborhood Housing Services of New York City, Inc. Emergency Repair Loan Program**

This loan program provides loans for repair or reconstruction of homes damaged by Sandy. Loan approvals are typically available within 72 hours from application. Applicants need appropriate documents; such as evidence of homeowner insurance; ownership of the home; their last two pay stubs and an estimate from a licensed and insured contractor. Applicants will then need to schedule an appointment with their local NHS (in BedStuy, East Flatbush, North Bronx, Northern Queens, South Bronx, Staten Island).

See: <http://www.nhsnyc.org/en/programs-and-services/emergency-home-repairs>

Main Phone: 212-519-2500

## **Mortgage Relief for FHA-Insured Mortgages and Financial Assistance through HUD**

For homeowners with FHA-insured mortgages, the United States Department of Housing and Urban Development has taken a number of disaster-related measures, including announcement of a 90-day moratorium on foreclosures, forbearance on foreclosures for FHA-loans, and making mortgage insurance available for victims who have lost their homes who are facing reconstruction or the purchase of a new home.

Press Release on Foreclosure Relief for Storm Victims with FHA-Insured Mortgages:

[http://portal.hud.gov/hudportal/HUD?src=/press/press\\_releases\\_media\\_advisories/2012/HUDNo.12-167.](http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2012/HUDNo.12-167)

# Mortgage Relief for Fannie Mae and Freddie Mac Mortgages

Fannie Mae and Freddie Mac have similarly authorized servicers to extend relief to borrowers affected by the storm.

## **Fannie Mae:**

- See: <https://www.fanniemae.com/content/announcement/ntce103112.pdf>
- Borrowers with Fannie Mae owned or guaranteed loans should contact their mortgage servicer to see if they qualify for a 90-day mortgage forbearance.
- Mortgage servicers should waive late payment fees if the borrower's payment was late due to expenses or loss of income due to the disaster
- If the mortgage loan was current or less than 90 days delinquent before the disaster occurred, the servicer should not begin any foreclosure action during the next 90 days.
- To find out if a loan is owned by Fannie Mae, go to <https://knowyouroptions.com/loanlookup> or call 1-800-7FANNIE.

## **Freddie Mac:**

- See: <http://freddiemac.mediaroom.com/index.php?s=12329&item=135028>.
- Borrowers with Freddie Mac owned or guaranteed loans should contact their mortgage servicer to see if they qualify for a short-term suspension of collection and foreclosure proceedings for up to 12 months
- For information on mortgage payment relief, homeowners should contact their mortgage servicer or call Freddie Mac at 800-FREDDIE. Freddie Mac's general disaster relief policies are posted online at <http://www.freddiemac.com/singlefamily/service/disastermgmt.html>
- To find out if a loan is owned by Freddie Mac, go to <https://ww3.freddiemac.com/corporate/>

## Bank-Specific Information

Several banks and loan servicers have announced varied forms of assistance to storm victims, including waiver of late fees occasioned by the disruptions associated with the storm, and homeowners in distress should immediately contact their lender/servicer to determine what assistance they are providing:

**Wells Fargo:** Disaster Assistance hotline at 1-888-818-9147 or 555-213-7700. (Monday - Thursday 7:00 a.m. - 10:00 p.m. CST; Friday 7:00 a.m. - 9:00 p.m. CST; Saturday 8:00 a.m. - 2:00 p.m. CST). To inquire about payment options available, customers should call (800)678-7986. For customers with questions regarding their Home Equity loan, customers may call 1-866-249-5075 (Monday - Thursday, 7:00 a.m. to 8:00 p.m. CST; Friday 7:00 a.m. - 5:00 p.m. CST)

**HSBC:** 1-800-975-4722

**Citibank:** For CitiMortgage Customer Service: Homeowners may be eligible for assistance and are encouraged to call 1-800-283-7918. For Property Claims: In the event of a loss, please contact us as soon as you can at 1-866-844-2198 (CitiMortgage Property Damage Claim Center). **Homeowner guide available at:**

<https://www.citimortgage.com/Mortgage/pdf/Hurricane%20Sandy%20Relief%20Update-FAQs-110112.pdf>

**Bank of America:** Dedicated Hurricane Sandy assistance line: 1-855-729-1764. See press release: <http://newsroom.bankofamerica.com/press-release/consumer-banking/bank-america-provides-relief-wake-hurricane-sandy>

**JP Morgan/Chase** 1-888-356-0023. Press releases:

<http://investor.shareholder.com/jpmorganchase/releasedetail.cfm?ReleaseID=718581>

<http://investor.shareholder.com/jpmorganchase/releasedetail.cfm?ReleaseID=717980>.

**Citizens Bank:** 1-877-949-7503. Press releases: [http://www.citizensbank.com/about-us/news/citizens/2012/11\\_2\\_12\\_relief\\_support.aspx](http://www.citizensbank.com/about-us/news/citizens/2012/11_2_12_relief_support.aspx) and [http://www.citizensbank.com/about-us/news/citizens/2012/10\\_30\\_12\\_rebate\\_fees.aspx](http://www.citizensbank.com/about-us/news/citizens/2012/10_30_12_rebate_fees.aspx)

## Home Heating Oil Tank Assistance

Homeowners with home heating oil tanks should be aware that their tanks may have been damaged or at risk of leaking as a result of Hurricane Sandy, and may be eligible for assistance with clean-up from the New York State Department of Environmental Conservation, which can be reached at 718-482-7376.

<http://xa.yimg.com/kq/groups/23155628/539114723/name/Notice%20to%20Homeowners%20Regarding%20Pumpouts%2011-6-12%5B1%5D.pdf>

## Information and Resources for Homeowners: Homeowners, Hazard and Flood Insurance

### General Steps for filing a claim:

1. Homeowners should file insurance claims as soon as possible.
2. Homeowners should be ready to provide all information relevant to the loss.
3. Homeowners should take photos or videos showing the extent of the losses **before** cleaning up damage.
4. Homeowners should not make permanent repairs until after the inspection; homeowners should make only repairs that prevent further damage (i.e. covering windows, etc.)

**IMPORTANT:** On Nov. 5, 2012, Dept of Financial Services instructed insurers to accept homeowners' documentation, including photos and video, of losses so residents may discard debris before a second storm hit the region. Typically, insurance companies require an on-site inspection first before a claim can be processed (see:

[http://www.dfs.ny.gov/insurance/circltr/2012/cl2012\\_08.pdf](http://www.dfs.ny.gov/insurance/circltr/2012/cl2012_08.pdf)).

If debris must be removed before the adjuster examines it, homeowners should:

- a) Inventory all the damaged items.
- b) Take individual color photos of the damaged property, targeting any high ticket items. If possible, videotape the damage items.
- c) Have the camera set to record the date / time.

- d) If possible, take samples or swatches of carpeting, wallpaper, furniture upholstery, window treatments, and other items where quality will be a claims factor.
  - e) The inventory should reflect the corresponding picture for validation.
  - f) Keep this information in a secured location to share when the adjuster arrives.
5. Homeowners should keep damaged personal property until the insurance settlement is reached.
  6. Homeowners should keep a diary of all conversations with insurance agents (including agent's name, time and date of calls/visits).
  7. The insurance company will send an adjuster to examine the property and give the homeowner an estimate of the cost of repairs or replacement.

**Note:** Homeowners may want to: (a) get an estimate from their own contractor; (b) hire a licensed public adjuster to act on their behalf with their insurer; (c) consult an attorney.

**Note:** Public adjusters represent *the homeowner*, not the insurer. They may not charge a fee higher than 12.5% of the recovery amount and must obtain a signed compensation agreement from the homeowner in which the amount of compensation is clearly stated.

8. If an agreement cannot be reached, the insurance policy provides for an appraisal process.

Note: Homeowners should review the Dept of Financial Services Homeowners Insurance Consumer Guide and Resource site: <http://www.dfs.ny.gov/insurance/hmonindx.htm>

## Hazard & Homeowners Insurance:

There are many different types of homeowners insurance coverage types. Homeowners should always refer to their specific policy to see what it covers. Standard policies generally offer protection for:

- fire, windstorm, hail, smoke, vandalism;
- theft of your personal property;
- a person gets injured on your property because of your (or a family member's) negligence; or another person's property is damaged due to your negligence.

Typically, **water damage** is covered by homeowners insurance; for instance, when a pipe bursts in a bathroom or a roof leaks rain and ruins carpeting. Homeowners insurance does **NOT** usually cover damage caused by **flooding**.

**Hurricane Deductibles Cannot Be Triggered:** DFS has informed the insurance industry that hurricane deductibles should not be triggered for this storm. If your insurer is requiring you to pay a hurricane deductible, you should file a complaint with Dept of Financial Services Disaster Hotline (800-339-1759).

Press Release: <http://www.dfs.ny.gov/about/press/pr1211011.htm>

## Important Suspensions of Certain Insurance and Banking Law Provisions

DFS announced that from October 26, 2012 until November 25, 2012 (or until further notice), for policies existing on properties located in the five boroughs:

- Insurance providers cannot terminate, cancel, or non-renew an insurance policy.

- Insurance providers cannot automatically renew an insurance policy according to an automatic renewal provision in that policy.
- The policyholder, typically the home mortgage borrower or homeowner, *may* voluntarily terminate the insurance policy. However, policyholders are recommended to consult with an attorney first.

New York State Department of Financial Services: Order Regarding Suspension of Certain Insurance and Banking Law Provisions: [http://www.dfs.ny.gov/dfs\\_suspension\\_order\\_exe.pdf](http://www.dfs.ny.gov/dfs_suspension_order_exe.pdf)).

## Mobile Command Center

The New York State Department of Financial Services (“DFS”) will be sending its mobile command center to hard hit areas to help consumers with insurance questions and problems. To find out where the mobile command center is stationed and future locations, go to <http://www.dfs.ny.gov/index.htm>. Also, DFS has activated a Disaster Hotline to answer consumer questions and help with problems. The Disaster Hotline number is 800-339-1759. Storm-related banking Questions and Answers can be found at [http://www.dfs.ny.gov/consumer/bank\\_qas.htm](http://www.dfs.ny.gov/consumer/bank_qas.htm).

## National Flood Insurance Program (NFIP)

- Find out whether you have flood insurance through your mortgage lender or whether it’s available through your community.
- NFIP is managed by FEMA; it enables homeowners, business owners and renters in participating communities to purchase federally-backed flood insurance. .
- If your loan is through a federally regulated or insured lender and you are in a high-risk zone, you are required to have NFIP insurance and will be eligible for SBA disaster assistance loans.
- To apply for this program please contact FEMA at 1-800-621-FEMA (1-800-621-3362) or visit <http://www.fema.gov/assistance/index.shtm>.

For more information regarding Flood Insurance, homeowners should refer to the Dept of Financial Services Flood Insurance Resource Center: [http://www.dfs.ny.gov/consumer/flood\\_info.htm](http://www.dfs.ny.gov/consumer/flood_info.htm).

## Work Opportunities

Governor Andrew M. Cuomo announced that New York State has received \$27,792,296 in federal Disaster National Emergency Grant (NEG) funds. The grant will be used to hire workers who lost their jobs as a direct result of Hurricane Sandy in Bronx, Kings, New York, Richmond, Queens, Nassau, Suffolk, Rockland, and Westchester counties to help clean up impacted communities. To be eligible, workers must be unemployed as a result of Hurricane Sandy or unemployed and not receiving unemployment benefits or other types of income support.

Workers interested in this program should call 1-888-4-NYSDOL. The New York State Department of Labor will work with local officials to recruit and hire workers. Information will also be available at local Disaster Recovery Centers and One-Stop Career Centers. A list of One-Stop Career Centers can be found on the State Department of Labor's website at <http://www.labor.ny.gov/workforcenypartners/osview.asp>

# PART II: UPDATES ON ACCESSING EXISTING PROGRAMS AND SERVICES

## Food Stamps/Supplemental Nutrition Assistance Program (SNAP)

### Current SNAP Recipients

#### 1. Replacement SNAP

##### a) Automatic Replacement – 50 percent of October 2012 Benefit

If you receive SNAP, live in one of the areas listed below, then:<sup>3</sup>

- As a replacement for any SNAP-purchased food losses due to Hurricane Sandy, you will automatically receive a one-time direct payment to your EBT card equal to 50% of your October monthly benefits. This is in addition to your November benefits.
- OTDA has confirmed that half of the 311,000 NYC SNAP recipients in the affected zip codes had their replacement benefits issued on Wed, November 7 in the a.m. and that the other half should have received them at midnight on Thursday, November 8.

<b>BOROUGH</b>	<b>ZIP CODES RECEIVING AUTOMATIC REPLACEMENT SNAP BENEFITS</b>
BRONX	10451; 10453; 10454; 10461; 10464; 10465; 10473; 10474; 10475
BROOKLYN	11201; 11205; 11211; 11214; 11215; 11220; 11222; 11223; 11224; 11229; 11231; 11232; 11234; 11235; 11237; 11238; 11239; 11244; 11249; 11251
MANHATTAN	10001; 10002; 10003; 10004; 10005; 10006; 10007; 10009; 10010; 10011; 10012; 10013; 10014; 10016; 10018; 10019; 10023; 10029; 10036; 10038; 10039; 10048; 10069; 10119; 10128; 10280; 10282; 11096;
QUEENS	11101, 11109; 11371; 11378; 11413; 11414; 11422; 11691; 11692; 11693; 11694; 11695; 11697
STATEN ISLAND	-----All ZIP CODES -----

##### **b) Non-Automatic Replacement – How to Apply**

<sup>3</sup> C/o The Food Bank of New York.

If you live in an affected area and lost more than 50% of the food purchased with your SNAP benefits or if you receive SNAP but do not live in one of the above-listed areas you can request replacement SNAP by completing form LDSS-2291A ("Request for Replacement of Food Purchased with Supplemental Nutrition Assistance Program (SNAP) Benefits") (attached in English and Spanish in the Appendix).

Persons who qualify for this assistance outside the affected zip codes if they lost benefits due to:

- Flooding;
- Extended power outages or equipment (refrigerator/freezer) failures; and/or
- Emergency dislocation (evacuation) that leads to an inability to access food.

**Note:** If you received automatic replacement SNAP and also applied for replacement in an amount exceeding 50 percent of your October allotment, any allotment HRA grants you would be less the 50 percent of the October allotment automatically issued.

**How to Apply:** Clients who can deliver the Request for SNAP Replacement form to their HRA Job or FS/SNAP Center can do so. Forms collected by volunteers can be faxed to HRA's Division of Supplemental Nutrition Assistance Program Services at 917-639-1111. We have also identified the following contacts at Job Centers serving affected areas who can be faxed SNAP Replacement Forms:

Richmond Job Center, Staten Island  
Address Attn: Ms. Charles, Director  
Fax #: 718-390-6793  
Problems -- Call customer service at 718-556-7343

Waverly Job Center  
Address Attn: Ms. Blackett.  
Fax #: 212-337-1641  
Problems -- Call the director at 212-620-9421

Dekalb Job Center  
Address Attn: Ms. Kitchings  
Fax #: 718-636-2784  
Problems -- Call the administrative assistant to the director at 718-636-1596

We were advised by HRA on November 7, that Request for Replacement SNAP forms can be sent to any Job Center, and they should be processed.

Form LDSS-2291A is available at: <http://otda.ny.gov/programs/applications/2291A.pdf> and at local Department of Social Services offices.

**For replacement benefits, you must report the loss to HRA by NOVEMBER 28, 2012.**

## **2. Using SNAP to Purchase Prepared Food**

Now through NOVEMBER 30, 2012, all NYC SNAP recipients can use SNAP (Food Stamp) benefits to purchase hot and/or prepared foods at authorized retail locations (grocery stores, supermarkets, etc.) that accept EBT cards.

You can find the location of your local Department of Social Services by calling the toll-free New York State Temporary Assistance Hotline at 1-800-342-3009.

## **New SNAP Applicants**

### **How to Apply**

People who are not currently receiving SNAP benefits can check eligibility by applying online at [mybenefits.ny.gov](http://mybenefits.ny.gov).

If you are only applying for Food Stamps (not Cash Assistance and/or Medicaid), you do not need to appear at a Food Stamp only center to apply. You can apply in the following ways:

- Online via <http://www.mybenefits.ny.gov> or [https://a858ihss.nyc.gov/ihss1/en\\_US/IHSS\\_homePage.do](https://a858ihss.nyc.gov/ihss1/en_US/IHSS_homePage.do)
- Via a facilitated enroller. See [http://nychungerfree.com/wp-content/uploads/2012/02/Facilitated\\_Enrollment\\_Sites.pdf](http://nychungerfree.com/wp-content/uploads/2012/02/Facilitated_Enrollment_Sites.pdf) (List is attached in the Appendix.)
- At a Food Stamp Center (Current list attached in the Appendix)

### **What to do if Application Not Taken**

If a client is erroneously told that they are not permitted to apply for Food Stamps, they can call 311 and complain and/or ask for the HRA Office of Constituent Affairs. They can also apply for a Fair Hearing (see Appendix for information on applying for a fair hearing.) (Please note that a fair hearing may take a while to schedule, so if a client does request a fair hearing, he or she should continue to try and apply if they can.)

## **Disaster SNAP (D-SNAP)**

New York State is in the process of applying for Disaster-SNAP which would have relaxed financial and immigration status related eligibility requirements. Stay tuned for the status of this program.

## **Advocacy Tips for Ongoing SNAP Recipients Affected By Storm**

### **Mandatory Appointments Missed Because of the Storm**

HRA advised Legal Aid of the following on November 2:

(1) That clients who missed mandatory appointments during the week ending November 2 until such time as power has been restored to the affected areas of the City, an

automatic good cause adjournment has been granted and those appointments will be rescheduled as soon as practicable.

(2) Missed WeCARE vendor appointments will not result in an infraction until further notice. For CA cases that were scheduled to expire as of October 31 due to failure to recertify will be extended to November 30, 2012.

(3) HRA reports that the OTDA is in discussions with the USDA on options for addressing any impact of missed recertifications on SNAP recipients. (In the ordinary course of business, a missed SNAP appointment leads to a closed SNAP case.)

## Cash Assistance

### What Is It/How to Apply

Cash Assistance (CA) is a basic cash grant available to persons with very low income. Some persons affected Hurricane Sandy may be newly eligible for Cash Assistance. People can apply for Cash Assistance in person at an HRA Job Center. (A list of Job Centers is attached in the Appendix).

If a client is homebound because of a disability and cannot make it into a Job Center to apply, HRA should send someone to where the client is. A client who needs to apply as homebound should call 311 and either (1) find out the closest Job Center and call that Center, or (2) seek to connect to HRA via 311 directly to request to make a homebound application. Homebound clients are covered by a class action called Lovely H. v. Eggleston, on which the Legal Aid Society is counsel. If you hear of a client having difficulty applying for Cash Assistance as homebound, please contact Katie Kelleher at Legal Aid via email at [Kkelleher@legal-aid.org](mailto:Kkelleher@legal-aid.org).

### Benefits Available For Those Who Do Not Necessarily Seek Ongoing Cash Assistance

Not all benefits are limited to recipients of ongoing cash assistance. The following are some of the benefits for which people may be eligible:

**Relocation Assistance:** Job Centers may authorize payment for relocation expenses, such as a first month's rent, a security deposit voucher equivalent to one month's rent, a broker's fee equivalent to 50 percent of one month's rent, a furniture allowance or storage expenses (if not provided by federal or other disaster authorities) [**Note: FEMA's relocation benefits appear to be more generous than HRA's, so clients are cautioned to determine their eligibility for FEMA relocation assistance before seeking these benefits from HRA.**]

**Restaurant Allowance:** Persons who cannot cook because of a loss of power or temporary evacuation, but who are otherwise eligible for CA, can apply for a restaurant allowance as an "immediate needs grant" at a local Job Center. (See the one-page information sheet in the Appendix for more information.)

**Storage Fees:** Can be used to store belongings while dislocated or in the process of relocating as a result of the storm.

**Furniture/Clothing Allowance:** This is a very low grant, but should be available to persons who suffered property damage during the storm.

## **Benefits Available For Those Who Are Applicants or Recipients of Ongoing Cash Assistance**

Applicants for ongoing assistance and recipients of ongoing assistance are available for the benefits listed above. They should apply using Form W-137A (Request for Emergency Assistance, Additional Allowances, or Adding a Person to the Case (for Participants Only), or Adding a Person to an Active Cash Assistance Case), attached in the Appendix.

## **Practice Advisories for Ongoing CA Recipients Affected by Storm**

### **Mandatory Appointments Missed Because of the Storm**

HRA advised Legal Aid of the following on November 2:

- Clients who missed mandatory appointments during the week ending November 2 until such time as power has been restored to the affected areas of the City, an automatic good cause adjournment has been granted and those appointments will be rescheduled as soon as practicable.
- Missed WeCARE vendor appointments will not result in an infraction until further notice.
- CA cases that were scheduled to expire as of October 31 will be extended through November 30, 2012 so that any necessary documentation can be submitted and/or appointments held.
- For CA cases that were scheduled to expire as of October 31 due to failure to recertify will be extended to November 30, 2012.

## **Medicaid and Managed Care Plans**

### **Case Closings and Recertifications**

A November 2 Medicaid Alert established the following rules regarding Medicaid cases:<sup>4</sup>

- All Medicaid closings in process will be stopped and re-implemented once the crisis is over.

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<sup>4</sup> Medical Assistance and Community Services Administration, Medicaid Alert, "Medicaid Coverage – Hurricane Sandy." Nov. 2, 2012.

- Medicaid cases due to expire in November or December, 2012 will receive an automatic two month extension.
- No case will be closed for failure to respond to a renewal or other request for information until further notice.

## Getting Necessary Care

Because of Hurricane Sandy, Fee for Service Medicaid is implementing the following processes until the State of Emergency has ended:

- During the State of Emergency, Fee for Service Medicaid will relax prior authorization requirements for the provision of urgent services.
- Providers will not be required to request authorization to treat enrolled beneficiaries for the provision of urgent services and will be reimbursed accordingly.
- In the event that telecommunication failures prevent access to the Medicaid Eligibility Verification System, the Medicaid ID card will suffice as eligibility verification. If access to the eMedNY system prevents real time claim adjudication, pharmacies should dispense emergency supplies as necessary.

Medicaid managed care plans (and other HMOs) are required by the Department of Health to implement similar processes during the State of Emergency, including the relaxation of prior authorization requirements for urgent and emergent care and allowing the use of non-participating providers when necessary. In addition, plans are required to allow early prescription refills when needed and should work with providers to make sure members get necessary prescriptions.

As a practical matter, managed care plans are responsible for ensuring that their members get the urgent and emergent care that they need. Plans are supposed to be reachable 7 days a week, 24 hours a day. If Member Services is not helping a member get care that that he or she needs, call the Department of Health's Managed Care Complaint Line at (800) 206-8125.

## Emergency Access to Prescription Medications<sup>5</sup>

The magnitude of the disaster caused by hurricane Sandy is unprecedented. The New York State Education Department and the Board of Pharmacy cannot anticipate every circumstance that may occur in which patients will need to find alternative prescribers and pharmacies for new prescriptions or confirmation of previous prescriptions for chronic conditions. However, we offer the following general suggestions with the understanding that each pharmacist must apply appropriate professional judgment to each unique situation. Records of all emergency transactions **MUST** also be maintained.

- If a patient has had a prescription filled from a pharmacy that shares a common database and another pharmacist can access the database to verify the authenticity of the prescription, a prescription for a **non-controlled** substance with indicated refills can be

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<sup>5</sup> C/o the NYC Bureau of HIV/AIDS Prevention and Control

refilled. Under the same circumstances, prescriptions for **controlled** substances may also be provided.

- If a patient brings a prescription to a pharmacy **without a shared database** and can present reasonable evidence (labeled prescription vial, label, receipt, etc. from a prescriber or a pharmacy in the affected area) that they were receiving a **noncontrolled** substance from an inaccessible pharmacy, they may be provided with a limited quantity, at the discretion of the pharmacist.
- If a patient presents no evidence of a **non-controlled** substance and states they are in need of maintenance medication(s), using responsible professional judgment, the pharmacist may provide a limited quantity, again at the discretion of the pharmacist.
- If a patient presents with no evidence of a **controlled** substance prescription and the prescriber is inaccessible, and the patient states they are in need of maintenance medication, the patient may be directed to an emergency medical care facility (hospital, urgent care, etc.).
- Pharmacists may transfer needed stock between and among pharmacies without a wholesale license in this emergency situation.

Practical Advice on Helping Homebound Individuals or Emergency Shelter Residents fill necessary prescriptions:

- If individual requires a controlled substance (pain medications) then they must have a prescription. Advocacy for this situation varies depending on if the person's primary care physician is operational or not.
- If the individual does not need controlled substances, then they will need some form of documentation of what they need the pharmacist to prescribe. Functioning pharmacies understand their obligations under the emergency instructions from NYS DOH set out above. The pharmacists we have contacted are willing to give emergency fills (3 days to 1 week) with a record from a prior fill if the individual is a customer, a bottle with the information or a prescription or copy of prescription.
  - You can be creative in getting this documentation. For a client that uses mail order pharmacies, you may contact the mail order entity which would not follow NYS DOH's emergency rules *but* they were willing to share copies of the client's prescriptions which the local pharmacy was able to accept for an emergency fill.
- Homebound individuals present a two level problem. First, securing documentation of their prescriptions. Second, finding a pharmacy that delivers. The City Department of Health has compiled a list of pharmacies willing to deliver in the most severely affected of Brooklyn, Queens and Staten Island. This list changes day to day.
- Medicaid Managed Care: Most Medicaid recipients without Medicare are enrolled in managed care plans. The managed care plans are responsible to provide assistance to their members when they are having trouble accessing medical care. As a practical matter, calling the plan can help in certain situations:
  - Finding a substitute primary care physician if the individual has been relocated or their provider's office is closed due to the storm.
  - Providing evidence of the prescriptions that the individual needs on an emergency or ongoing basis.

You will find that plans responsiveness will vary. Some plans are actively involved in caring for their members and some are not. Don't accept no for an answer. Please reach out to the Legal Aid Society or LSNYC if a plan claims no responsibility for helping a member secure emergency services.

## Mobile Medical Vans (as of November 8, 2012)

For an updated list call 311 or go to  
[http://www.nyc.gov/html/misc/html/2012/medical\\_vans.html](http://www.nyc.gov/html/misc/html/2012/medical_vans.html)

The City is providing mobile medical vans staffed with primary care providers who will be able to provide medical care and may be able to distribute commonly prescribed drugs. These vans are now at several of the City's Disaster Assistance Service Centers in the Rockaways Staten Island and Coney Island, as well as in two additional high-need locations in the Rockaways.

Site	Location	Borough	Time
Redfern Houses	1462 Beach Channel Drive (Redfern and Beach 12th Street)	Queens	10am – 5pm
Beach 41 Houses	Beach 40th Street and Beach Channel Drive	Queens	10am – 5pm
Hammel Playground	220 Beach 85th Street	Queens	10am – 5pm
St. Francis de Sales	129-16 Rockaway Beach Blvd	Queens	10am – 5pm
Waldbaums Parking Lot	112-15 Beach Channel Drive	Queens	10am – 5pm
Red Hook East and West	Red Hook Coffey Park, 85 Richards Street	Brooklyn	10am – 5pm
Our Lady of Solace	2865 West 17th Street (at Mermaid Avenue)	Brooklyn	10am – 5pm
Mount Manresa Jesuit House	239 Fingerboard Road	Staten Island	10am – 5pm

## Housing Issues

### FAQs

#### **What is the responsibility of a landlord in the case of a disaster?**

Despite the disaster, your landlord still has to keep your apartment in habitable condition if you are expected to pay rent. Your landlord is required to warrant that the apartment is fit for human habitation and that the occupants are not subject to any conditions that would be dangerous, hazardous or detrimental to life, health or safety. This would include conditions caused by a natural disaster such as Sandy. This obligation also applies to NYCHA public housing buildings.

NYCHA public housing residents whose apartments have been rendered uninhabitable due to no fault of their own can transfer from one apartment or project to another. This category of people are of the highest priority. Such persons must make a written request to their current project manager. After the request is approved, and the tenant family meets all other transfer requirements, the transfer process will be affected.

#### **Do I have to pay rent if there are no utilities in my apartment?**

If you can make out a claim that your landlord failed to maintain the apartment in habitable condition i.e. breached the warranty of habitability, the Court would measure your damages as the difference between the fair market value of the premises if they had been as warranted and diminished value of the premises during the breach

### **Can my landlord throw my belongings out if I am away from the apartment and don't pay rent?**

As long as you have some right of possession (leasehold agreement, month to month tenancy etc.) your landlord cannot remove your belongings if you are away unless the Court awards the landlord possession of the apartment and a marshal executes a warrant of eviction upon your home. If your landlord removes your belongings from the apartment or refuses to allow you to return to the apartment, your landlord is acting illegally and you should immediately go to the Housing Court in your borough to challenge your landlord's actions.

### **Can my landlord decide to evict me rather than repair my apartment?**

If you have a lease, your landlord can only evict you under the terms of the lease agreement. If your tenancy is governed by the rent stabilization law or if you live in public housing, there are additional protections. In any case, your landlord cannot evict you without getting permission from the Courts.

### **What should I do if I am ordered to vacate my apartment?**

If you live in an apartment that is regulated under the Rent Stabilization Law and a government agency orders you to vacate your apartment, this creates a "constructive occupancy" whereby paying rent in the amount of \$1 per month during the time the vacate order is in effect will allow you to return to the apartment and continue as a rent stabilized tenant when your apartment has been restored to habitable condition. You should immediately file RA-81 form with DHCR to reduce your rent to \$1. You need not give prior notice to your landlord.

### **If I have Section 8, can I get an emergency transfer voucher?**

The New York City Housing Authority has announced that anyone living in an apartment that is uninhabitable because of Hurricane Sandy can apply for an emergency transfer voucher. You may request and submit and request an emergency transfer form. You may also need to submit proof of your displacement. The Housing Authority has not provided any other details about what is required. You can call the Customer Contact Center at (718)777-7071 or you can visit any of the Customer Contact Center locations below:

- Bronx/Manhattan 478 East Fordham Road, Bronx, 2nd floor
- Brooklyn 787 Atlantic Avenue, Brooklyn, 2nd floor
- Queens 90-27 Sutphin Boulevard, Jamaica, 4th floor

### **Can I get help to pay rent for another apartment?**

If your apartment is uninhabitable due to Sandy, you can request rental assistance with FEMA. You have to show that your current dwelling is uninhabitable. If approved, your assistance

award would be based on the fair market rent for your area established by the United States Department of Housing and Urban Development (HUD).

**FEMA's Individuals and Households program** provides for Housing Needs (see also above re FEMA's Housing Program). Under the Temporary Housing program, financial assistance may be available to rent a different place to live. To qualify to receive money or help for housing needs, including housing repair, housing replacement, or rental assistance, all of the following must be true:

- The client filed for insurance benefits and the damage to his property is not covered by insurance.
- The applicant or a member of her household is a United States citizen, a non-citizen national, or a qualified alien.
- The home is in a presidential disaster area.
- The applicant lives in the damaged property for the majority of the year, i.e., it is his primary residence.
- The applicant's home is uninhabitable, inaccessible, made unavailable by a landlord who is meeting her own disaster housing need, not functional, or the home requires repairs because of damage directly caused by the disaster.

FEMA usually grants between one and three months of rental assistance at a time. If you apply for continued assistance you will have to show you are making efforts to obtain permanent housing at each recertification. You also will have to submit rent receipts showing you have exhausted FEMA rent funds already received and provide documentation of continuing need. FEMA always demands a written lease, so you should insist on obtaining one from your landlord. FEMA is most likely to cover rent payments only, not utilities, so, where possible, tenants should secure apartments that include utilities in the monthly rental charge.

## **Effect of Disaster Benefits on Public Assistance Benefits and SSI**

FEMA and other disaster benefits do not count as income or resources in any means-tested programs. Federal, state, local and private disaster benefits should not be counted as a resource or income against any federally funded assistance program such as SSI, FITAP (TANF), Medicaid, and Food Stamps. (42 U.S.C. §5155(d)) and State-funded public assistance benefits as well.

### **Advocacy Tip: HRA Workers May Mistakenly Count Disaster Benefits Against Clients**

Even though Disaster benefits should not be counted as income or resources, clients may find that HRA workers are not familiar with FEMA benefits and incorrectly count these benefits when they appear in client's bank accounts. Clients who encounter these types of problems are likely to need legal advice and advocacy.

### ***Overall Advocacy Tips:***

### **Advise Clients to Establish a Bank Account.**

According to experienced advocates, even though there are procedures for individuals to receive FEMA benefits via mail, there are often major problems with this method of delivery. In addition, many clients do not have reliable mailing addresses at this time. Therefore, the best method for them to receive benefits is direct deposit into bank accounts. Since many clients do not have accounts, urge them to open such accounts. Some clients unfamiliar with the process of opening an account may need advice and help with this process.

### **Warn Clients About the FEMA One-Application-Per-Household Rule and Be Prepared to Help Advocate for Special Cases.**

FEMA normally has a rule that only one application per household is accepted, so all household members should (ideally) agree on who shall be the application on everyone's behalf.

If a second person from the same household applies for and receives assistance, she may have her benefits recouped and may be subject to civil and/or criminal penalty. Note, however, that two households may reside at the same address, or for other reasons, FEMA may consider two applications from the same address. For two households to be recognized, the applicants generally must be unrelated and must show that they have been geographically separated since the disaster. Special circumstances, like domestic violence or divorce, may also form the basis for FEMA to consider applications from two people who resided at the same address prior to the disaster. It is extremely likely that the second applicant from the same pre-disaster address as another applicant will find her application denied, and special circumstances or separate household information will have to be provided in a subsequent appeal. (*Vermont Bar Association Volunteer Lawyer Disaster Legal Assistance Services Manual, p. 7.*)

## **Special Considerations for Immigrants and Their Families**

Most public benefits are associated with restrictions based on immigration status. Attached in the Appendix is a chart showing who is immigration eligible for the following major benefits programs:

- FEMA Disaster Assistance (N.B. immigration restrictions do not apply to Short-Term, Noncash, In-Kind Emergency Disaster Relief)
- Disaster Unemployment Assistance (DUA)
- Food Stamps/SNAP
- Medicaid
- Cash Assistance
- Emergency Shelter (DHS and FEMA)

Here are some additional information about immigration eligibility criteria for other public programs:

**FEMA Assistance Programs:** Qualified immigrants and victims of trafficking with social security numbers are eligible to apply for FEMA assistance. Additionally, unqualified parents are permitted to apply for FEMA assistance on behalf of a minor child that meets the above description. Please note that these applications can only be filed by calling FEMA, and cannot be submitted using the online form.

**Homeless services and shelters:** New York City provides homeless services to all homeless persons regardless of immigration status. Although homeless shelters may not turn clients away based on immigration status, the options for moving on to permanent housing are limited if there are no immigrants in a Qualified Alien status living in the household. Most immigration-ineligible families try to save up money while in the shelter system to be able to afford a private apartment.

**Domestic violence services and shelters:** City-run and City-funded shelters for domestic violence survivors may not turn clients away based on immigration status. Accordingly, undocumented survivors of domestic violence are eligible for domestic violence shelters. Those domestic violence survivors who are married to U.S.C.s or LPRs usually become VAWA self-petitioners. The ones who do not will face the same limitations on finding (and funding) permanent housing as other shelter residents (homeless persons). Undocumented persons may experience difficulties accessing City-run shelters through HRA (the shelters are sometimes reluctant to accept clients for whom will be difficult to find permanent housing), but many privately operated domestic violence shelters do not discriminate based on immigration status, and will accept undocumented survivors of domestic violence.

**WIC (Special Supplemental Nutrition Program for Women, Infants and Children):** WIC provides vouchers for food, nutrition counseling, and referrals to health and other social services organizations to low-income women who are pregnant, breastfeeding, or in the postpartum period; babies; and children up to age 5. The program is open to all persons regardless of immigration status, provided they meet the other eligibility requirements (income at or below 185% of the Federal Poverty Level, medical or nutritional risk factors, and state residency). WIC eligibility criteria are found at 42 U.S.C. § 1786(c)(1)(D).

**Food Pantries:** Most food pantries do not require clients to have a particular immigration status. Food for Survival, for example, is a private charitable organization which operates a 24-hour call center which refers hungry persons to food pantries, shelters, or soup kitchens in their borough. The call center does not make immigration status inquiries; however, clients are urged to independently confirm the reporting and confidentiality policies of the resources to which they are referred. The hotline, operated by City Harvest, is 1-866-888-8777.

**Public Hospitals and Clinics (“HHC”):** All financially-eligible uninsured persons, including undocumented persons, can obtain discounted or free medical care, including routine care and medication at the public hospitals and their community based clinics. In New York City, the public hospital system is run by the New York City Health and Hospitals Corporation (HHC). There are HHC facilities throughout the city except on Staten Island.  
<http://www.nyc.gov/html/hhc/html/home/home.shtml>. HHC offers a income based sliding fee scale program for uninsured and underinsured patients called HHC Options. The Commission on the Public’s Health System published a booklet on HHC Options. It can be found on HHC’s website at <http://www.nyc.gov/html/hhc/downloads/pdf/hhc-options-01-2008-en.pdf>.

**Emergency Medicaid.** All non-immigrants and undocumented residents who meet the other eligibility requirements are eligible for Medicaid to cover treatment of an emergency medical condition (often referred to as "Emergency Medicaid"). See N.Y. SSL §122. Emergency Medicaid is only used for people without satisfactory immigration status. Immigrants here on medical visas may not be eligible for Emergency Medicaid because of the restrictions on these visas and because they are not New York State residents.

## Utility Issues: Energy Assistance Programs and Utility Consumer Rights

### General Utility Assistance

**"One Shot" Emergency Grant:** New York City residents may apply for a one-time emergency grant, also called a "One Shot", when an unforeseen circumstance prevents the applicant from meeting an expense. Emergency grant applicants may obtain rental assistance in cases of impending evictions, assistance with home energy and utility bills, disaster assistance including moving expenses, and the purchase of personal items for health and safety. For more information contact 311 or HRA's information line at 718-557-1399.

**Home Energy Assistance Program (HEAP).** Provides assistance to low-income households with paying energy bills. Eligibility for the program is based on the applicant's income and housing situation. Applications are accepted each November. For questions about the program, or to request an application:

call NYC's Heap Hotline at (800) 692-0557 (NYC only);

call OTDA's hotline at (800) 342-3009 (all of New York State);

**Emergency Grant**– The emergency grant is available to those with no heating fuel or have a reduced supply of heating fuel. Consumers may apply at the local HEAP office.

**EmPower New York:** Provides low-income New York State residents with assistance and education for lowering energy usage and bills. The program offers on-site testing of heating and energy appliances, free replacements of high-energy lighting and refrigerators when applicable, and energy usage education. Clients must meet the same income requirements as for the HEAP. For application information, please call 800-263-0960.

**Lifeline/Link-Up – Telephone Assistance.** The Lifeline and Link-Up programs offer low-income individuals discounts on their local telephone service (not long-distance or cell phone calls). Lifeline offers discounts on monthly charges, and Link-Up offers discounts on service initiation fees. To apply, consumers should contact their telephone companies directly. More information is available at (888) 641-8722.

**SafeLink Wireless Cell Phone Assistance:** Provides free cell phone service for eligible individuals. Applicants must receive some form of public assistance (such as Medicaid, food

stamps, or HEAP) **OR** have a household income at or below 135% of the poverty level. Individuals can call (800) 977-3768 to request an application. Please note that service is not yet available in certain zip codes. SafeLine Wireless is offered through LifeLine, a government program.

**Assurance Wireless Cell Phone Assistance:** A program of Virgin Mobile that provides free cell phone service for eligible individuals who are receiving some form of public assistance (such as Medicaid, food stamps, or HEAP) OR have a household income at or below 135% of the poverty level guidelines. To apply, call (888) 898-4888.

**Con Edison:** Offers several programs to help individuals facing medical emergencies and to help low-income individuals pay their electric and gas bills.

**Low-Income Rate Program:** Provides individuals on Public Assistance, Supplemental Security Income (SSI), or the Home Energy Assistance Program (HEAP) with a monthly \$6 reduction in their basic electric service charge. Customers are still obligated to pay the regular market supply price per kilowatt of energy used. Most eligible customers are automatically enrolled in this program; those who are not should fax or mail a copy of their grant letter, indicating their PA, SSI, or HEAP status, to the New York Con Edison offices: Attention: PA Central, Consolidated Edison, 4 Irving Place, Room 9NE, New York, NY 10003, Fax: 212-780-6320. For more information, call (212) 780-6319.

**Low-Income Gas Plan:** Provides customers who are on Public Assistance (PA), Supplemental Security Income (SSI), or the Home Energy Assistance Program (HEAP) with a 25% reduced gas delivery rate. Customers who use gas energy for purposes other than heating their homes (such as for cooking or hot water) will be required to pay market price over a certain level; call for more information on pricing. Most eligible customers are automatically enrolled in this program; those who are not should fax or mail a copy of their grant letter, indicating their PA, SSI, or HEAP status, to the New York Con Edison offices: Attention: PA Central, Consolidated Edison, 4 Irving Place, Room 9NE, New York, NY 10003, Fax: 212-780-6320. For more information, call (212) 780-6319.

**Energy Share:** Provides one-time grants of up to \$200 to Con Edison customers who need assistance meeting monthly electricity bill payments. Customers must be HEAP eligible, submit a copy of a disconnection notice, and have made at least one payment to Con Edison prior to receiving a disconnection notice. Please call (877) 480-7427 for application times, eligibility, and other information. For general information on HeartShare programs, please call (718) 422-4200 or (800) 599-HEART.

**Medical Hardship & Life-Sustaining Equipment:** Provides short-term financial relief to patients facing a medical emergency by allowing up to 30 days of additional time to pay gas or electric bills. Customers who require life-sustaining equipment also receive coverage in the event of an emergency and may also receive assistance if they are having trouble with their bills. Patients and caregivers should call (800) 752-6633 for more information about their options.

**CONCERN Program (For Seniors and Those with Disabilities):** Con Edison customers who are seniors (ages 62+) or who have permanent disabilities may speak with a specially trained representative for information on government programs, safety tips, and ways to reduce their energy bills. For more information, call (800) 872-8846 and ask for the CONCERN program.

**National Grid (formerly Keyspan):** Offers several programs for eligible consumers who are low-income or facing medical emergencies. See below for information on National Grid's financial assistance programs.

**Medical Emergency:** Provides short-term financial relief to patients facing a medical emergency by allowing up to 30 days of additional time to pay phone, gas, electric or water bills. The patient or caregiver must provide a letter from his/her physician that includes the patient's diagnosis, explains why shutting off the service would be detrimental to his/her health, and provides the physician's license number. For more information, call (718) 643-4050. NOTE: If service has already been disconnected after business hours, call the number and speak to a representative, and an immediate 5-day extension will be granted.

**The Neighborhood Heating Fund:** Provides one-time grants of up to \$200 to HEAP eligible National Grid customers who need assistance meeting monthly energy bill payments. Eligible customers must pay for home heating, live in either an apartment building or a 1-2 family dwelling, and reside in Brooklyn, Queens, or Staten Island. Customers are advised to simultaneously apply for both this grant and a Heap grant. Applications are accepted each December. For more information and to request an application, please call (718) 422-4207.

**Residential Reduced Rate:** To be eligible for a reduction charge on a bill, applicants must receive one or more of the following benefits: HEAP, Medicaid, Food Stamps, Public Assistance, Family Assistance, SSI, Safety Net Assistance, Veterans Disability Pension, Veterans Surviving Spouse Pension or Child Health Plus. For more information or to request an application, please call (718) 403-2171.

**On Track Program:** Provides low-income customers with reduced rates, payment plan assistance, financial and energy management education materials, and other forms of customer support. For more information, call 718-403-2216.

## Consumer Rights As Residential Gas, Electric Or Steam Customer

New York State Public Service Commission (PSC) rules and the Home Energy Fair Practices Act (HEFPA) provides protection for residential customers of gas and electric utilities.

### Special Protections

Special protections are available for consumers with medical emergencies; or who are elderly, blind or disabled; and to all consumers during the cold weather period between November 1 and April 15.

If you qualify for the elderly, blind or disabled protections, you should immediately notify your utility so it can code your account with this information should it be needed in the future. This information will be kept in strict confidence.

## **Medical Emergencies**

When your utility is notified by your doctor or the local Board of Health that a medical emergency exists which will be aggravated by the lack of utility service, it has to keep your service on for 30 days. The notification may be made by phone, but must be followed within five business days by written certification, which includes required identification information of the certifying authority. This certificate may be renewed for an additional 30 days if the doctor explains why the lack of service would aggravate your medical emergency and the expected length of time the condition will last, and you must show why you are unable to pay your utility bill. If your medical condition is chronic, a longer time period can be approved.

If utility service is required to operate a life-support system, the doctor's certificate remains effective unless terminated by the PSC. However, every three months, you must show your utility why you can't pay your bill. Your utility will code your account to ensure service is continued to your residence.

During a period of medical emergency, you must make a reasonable effort to pay utility charges for service. PSC staff will help you work out reasonable payment arrangements to you don't owe a large amount at the end of the medical emergency.

## **Elderly, Blind or Disabled**

If your utility is aware that you and all adults living with you are 62 years of age or older, blind or disabled, it will make special attempts to contact you by phone or, if necessary, in person, at least three days before a scheduled service shut off in order to help you keep your utility service on. Your utility will try to work out a payment agreement with you (see Deferred Payment Agreements, p. 21) or obtain payment or a guarantee of payment from the local Department of Social Services or a private organization. If arrangements cannot be made, the company will notify the local Department of Social Services of the possible service shutoff, and continue service for another 15 business days.

If your service is shut off, your utility will try to reach you within 10 days after your service has been terminated to determine whether alternative arrangements for utility service have been made, or whether service can be restored through an arrangement to pay the bills you owe.

## **Cold Weather Protections - November 1 to April 15**

During the cold weather period of November 1 to April 15, your utility has to make special efforts to determine if disconnection of your heat-related service will cause a problem to your health and safety. It will attempt to contact you or another adult at your home by phone or in person at least three days before the scheduled service shutoff, and again the day of the service shutoff, to determine whether shutting off your heat-related service could cause serious harm to the health or safety of any resident in your home. If the utility finds that harm might result, it must notify the local Department of Social Services, which will then conduct its own investigation. Meanwhile your utility cannot shut off your service for another 15 business days.

If the utility finds that you may be unable to protect yourself from neglect or hazardous situations, it will notify an agency, such as your local Department of Social Services, to help you, and continue your heat-related service for at least another 15 business days.

If your heat-related service is shut off and your utility was unable to make contact with an adult at your home prior to service disconnection, it will attempt to determine whether anyone is living in your residence and if so, whether there might be serious harm to that person's health or safety. If there is reason to believe that there might be harm to a person as a result of your service being shut off, your utility will restore your service for 15 business days and notify the local Department of Social Services so that they can investigate.

## **Application for Service**

**Refusal to Provide Service:** Generally the utility will provide service to you within five business days of receiving your application. However, the utility can refuse to provide service if you owe money on a previous account in your name, unless one of the following situations applies to you:

- you pay the amount you owe in full
- you make a payment agreement to pay off the amount you owe in installments over time (see Deferred Payment Agreements below)
- you have a pending billing complaint with the utility concerning the amount which has not been paid
- you receive or have applied for public assistance, Supplemental Security Income or additional State payments, and the local social services office has agreed to pay for amounts owed on your previous account and agreed to provide the utility with a guarantee of future payments on your new account
- the PSC directs the utility to provide you with service

**Delays in Providing Service:** Your utility is excused from providing service within the five day time period for any one of the following reasons:

- for safety considerations
- where prevented by a labor strike or by law
- where prevented by physical problems such as weather conditions, incomplete construction or access difficulties
- where you have not paid, or agreed to pay, for lawfully required line extension costs
- where you have failed to comply with requirements of rights-of-way, gas insulation and/or underground line requirements

In such cases, the utility will provide service as soon as possible after the problem is resolved.

**Written Applications:** You can apply for service verbally; however, the utility can require a written application if, at your residence, there is an amount owed from a previous account, the meter has been tampered with, the meter reading has advanced since the last customer left, or the application is made in your name by someone other than yourself.

**Denial of Application :** If the utility denies your application, it has to send you a notice within three business days of your date of application, informing you of:

- the reasons for the denial;
- the steps you must take to obtain service; and
- your rights to a PSC review of the denial.

**Deposits:** As a residential customer, you may be required to pay a deposit to your utility if you:

- did not pay two or more utility bills in a row without making a partial payment of at least half of the amount you owe; or
- had your service shut off for non-payment of bills within the past six months; or
- are a short-term or seasonal customer. (A short-term customer wants service for less than a year. A seasonal customer receives service periodically each year.)

## Service Termination

**Service Termination for Non-Payment of Bills:** If you fail to pay overdue bills, your utility may turn off your service after it has given you notice in writing that it plans to shut off your service, and has waited 15 days to allow you an opportunity to pay the overdue bill or make a payment agreement on the overdue amount.

Final Termination Notice

If you have not paid a bill, payment agreement installment or deposit payment, your utility must send you a Final Termination Notice before it can turn off your service. The notice will state the reasons for the intended shutoff, the earliest date on which a shutoff might occur, the address and phone number of your utility, and your rights under HEFPA. This notice can be sent 20 days after the date payment was due. After the notice has been sent to you, the utility must allow 15 days for you to resolve the problem before it can shut off your service. If payment is by a check that is rejected by the bank, your utility can shut off service without sending another notice.

**When Service Can Be Shut Off:** Utilities can shut off your service only between the hours of 8 a.m. and 4 p.m. from Monday through Thursday.

**When Your Service Cannot Be Shut Off:** There are situations where you may not have paid a bill, but where your utility cannot shut off service. Service cannot be shut off by the utility if:

- a Final Termination Notice has not been sent to you;
- the amount owed was billed and due more than a year ago, and because of no fault of yours, your utility did not begin termination procedures;
- a doctor certifies to your utility that there is a medical emergency (see Medical Emergencies below);
- you have a billing dispute filed with your utility or the PSC concerning the amount owed and you pay the portion of the bill that is not in dispute;
- you make full payment of the amount owed when your utility comes to shut off service; or
- you make a payment agreement with your utility which covers the amount owed (see Deferred Payment Agreements below).

**Deferred Payment Agreements:** If you have a financial problem that prevented you from paying previous bills, you can make a deferred payment agreement, which will allow you to pay the overdue amount in reasonable installments. However, the utility can refuse to offer you a payment agreement when it believes you can pay the amount you owe, and after its own investigation, the PSC also determines that you have the ability to pay what you owe.

Your utility must accept any terms you propose which are fair and equitable, considering your financial circumstances; however, it can refuse any terms where you would be paying less than \$10 a month on what you owe.

Unless you agree to large installment payments, your monthly installments on a payment agreement cannot be more than half of your average monthly utility bill, or 10% of what you owe, whichever is greater.

**Shared Meter Conditions:** A Shared Meter Condition is a situation in which a utility meter is providing gas, electric or steam service to a tenant's apartment as well as service to space outside that dwelling. Service to outside space includes service to equipment, such as air conditioning or water heating equipment, operated for the benefit of common areas of the building or other apartments.

If a Shared Meter Condition exists, then the utility must establish an account in the landlord's name until the condition is corrected. The utility cannot charge you for energy you are not using yourself. If you believe you are being wrongly charged for energy others are using, call your utility for assistance. It will work with you to correct the service condition.

**Late Payment Charges:** If 20 days have passed since a bill payment was due and you have not paid your bill, the utility can add to your next bill a late payment charge which is 1.5% per month on the unpaid balance of your bill. You are not responsible, however, for late fees on amounts in dispute with the utility or the PSC while that dispute is being investigated. But, if you are found to owe the amounts in dispute, then you will also have to pay the applicable late charges.

**Complaints:** If you doubt the accuracy of any bill or deposit amount, or have a service problem, you can call your utility and complain about it. If your complaint involves a financial matter, your utility service cannot be disconnected for non-payment of that disputed amount while the complaint is being investigated and for 15 days after the decision on the complaint has been made by your utility. However, if you owe an amount other than the disputed amount, your utility can take action to terminate your service for non-payment of the undisputed amount.

## **Contacting the PSC**

If you are dissatisfied with your utility's decision on your complaint, you can appeal to the PSC to review that decision. You can contact the PSC by calling 1-800-342-3377 between 8:30 a.m. and 4:00 p.m. on business days or writing to:

NYS Department of Public Service  
Consumer Services Division  
3 Empire State Plaza  
Albany, NY 12223

# Appendix to Disaster Relief Legal Assistance Manual (ver. 11/8/12)

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## Information from NYC.gov Website as of November 7, 2012

<http://www.nyc.gov/html/misc/html/2012/foodandwater.html>

### Food, Blanket, and Water Distribution Locations

Text Size: [A](#) [A](#) [A](#)

Updated: 11/7/2012 at 9:20 PM

Below are the locations below where residents can get food, water, and blankets. Additional sites will be added as information becomes available. Please check back for updates. Please see the links below for information on overnight shelters, warming centers, and the Distribution Assistance Service Centers.

Location	Borough	Thursday Time
Redfern Houses Community Center, Hassock Street and Beach Channel Drive	Queens	12 PM - 4 PM
Hammel Community Center, Beach 84th Street and Rockaway Beach Boulevard	Queens	12 PM - 4 PM
Beach 41st Street Community Center, Beach Channel Drive and Beach 40th Street	Queens	12 PM - 4 PM
St. Francis de Sales, Rockaway Beach Boulevard at Beach 129th Street	Queens	12 PM - 4 PM
Shorefront YMHA, Coney Island Avenue and Brightwater Court	Brooklyn	12 PM - 4 PM
Our Lady of Solace Church, Mermaid Avenue and 19th Street	Brooklyn	12 PM - 4 PM
Calvary Baptist Church, Hicks Street between Mill Street and West 9th Street.	Brooklyn	12 PM - 4 PM
Miller Field, Corner of Mill Road and New Dorp Lane	Staten Island	12 PM - 4 PM

Midland Beach, Corner of Father Capodano Boulevard and Hunter Avenue	Staten Island	12 PM - 4 PM
----------------------------------------------------------------------	---------------	--------------

- [Find Overnight Warm Shelter location list](#)
- [Find daytime warming center locations](#)
- [Find Disaster Assistance Service Center locations](#)

[http://www.nyc.gov/html/misc/html/2012/hot\\_food.html](http://www.nyc.gov/html/misc/html/2012/hot_food.html)

### Food Truck Locations

Text Size: [A](#) [A](#) [A](#)

Updated: 11/7/2012 at 8:40 PM

Hot food will be available via local food trucks at the below locations from 12PM - 4PM:

Site	Address	Borough
Hammel Community Center Gymnasium	Beach 84th Street and Rockaway Beach Boulevard	Rockaway, Queens
New Dorp High School	Corner of Mill Road and New Dorp Lane (4th Truck)	Staten Island
Gerritsen Beach Fire Department	52 Seba Avenue Brooklyn, NY 11229	Gerritsen Beach, Brooklyn
Coney Island - MCU Parking Lot	1904 Surf Avenue	Coney Island, Brooklyn

St Francis De Sales	129-16 Rockaway Beach Blvd	Rockaways, Queens
Our Lady of Solace Church	Mermaid Avenue at 19th Street	Coney Island, Brooklyn
Brighton Beach Site	Warbasse Houses	Brighton Beach, Brooklyn
Breezy Point - Fort Tilden Park (closest end to Breezy Point)	There's a parking lot by the firehouse in Breezy Point, Highland Place between Rockaway Point Boulevard and East Market Street)	Breezy Point, Queens
New Dorp High School, Parking Lot	1414 Central Avenue, Queens, NY 11691	Rockaways, Queens
Gerritsen Beach Fire Department	Corner of Mill Road and New Dorp Lane	Staten Island
New Dorp High School	52 Seba Avenue Brooklyn, NY 11229	Gerritsen Beach, Brooklyn
Beach 41st Street Community Center	Corner of Mill Road and New Dorp Lane (2nd Truck)	Staten Island
Calvary Baptist Church	Beach 40th St and Beach Channel Ave	Rockaway, Queens
	Red Hook, Hicks Street between Mill Street and West 9th Street	Red Hook, Brooklyn
	Our Lady of Grace at 100-05 159th Ave, Queens, NY 11413	Howard Beach, Queens
St. Helen's	St. Helen's at 157-10 83rd Street	Howard Beach, Queens
West Hamilton Beach Volunteer Fire Department	10233 Davenport Court , Jamaica, NY 11414	Jamaica
Redfern Houses Community Center	Hassock Street and Beach Channel Drive	Rockaway, Queens
Rockaway - Waldbaum's Parking Lot	112-15 Beach Channel Drive	Rockaway, Queens

New Dorp High School	Corner of Mill Road and New Dorp Lane (3rd Truck)	Staten Island
Mount Loretto	6581 Hylan Blvd	Staten Island
Hammel Houses Gymnasium	220 Beach 85th Street (84th and Rockaway Beach Blvd)	Rockaway, Queens

Updated: 11/7/2012 at 10:05 AM

As recovery efforts continue, we have consolidated Hurricane Sandy public shelters. The public shelters are available to anyone who requires overnight shelter including food, water, and shower facilities. There are some shelters limited to individuals with special medical needs. Please see the current list of shelters below. If you have problems accessing this list, please call 311.

<b>Borough</b>	<b>Location Name</b>	<b>Address</b>	<b>Population Served</b>
Bronx	Lehman College	250 Bedford Park Blvd W, Bronx, NY 10458	All Populations
Brooklyn	Brooklyn Tech HS	29 Fort Greene Pl, Brooklyn, NY 11217	Special Medical Needs Only
Brooklyn	FDR HS	5800 20 Av, Brooklyn, NY 11204	All Populations
Brooklyn	Park Slope Armory	361 15 St, Brooklyn, NY 11215	Special Medical Needs Only
Manhattan	G. Washington HS	549 Audubon Av, New York, NY 10040	All Populations
Manhattan	John Jay College	445 West 59th Street, New York, NY 10019	Special Medical Needs Only
Queens	Hillcrest HS	160-05 Highland Av, Jamaica, NY 11432	All Populations
Queens	Queens College	65-30 Kissena Blvd, Flushing, NY 11367	All Populations
Queens	York College	94-20 Guy R. Brewer Blvd, Jamaica, NY 11451	Special Medical Needs Only
Staten Island	Susan Wagner HS	1200 Manor Rd, Staten Island, NY 10314	All Populations
Staten Island	Tottenville HS	100 Luten Ave, Staten Island, NY 10312	All Population

## LOW-INCOME TAXPAYER CLINICS

### **Brooklyn Low-Income Taxpayer Clinic**

South Brooklyn Legal Services

**105 Court Street, Brooklyn, NY 11201**

*A nonprofit organization staffed by lawyers admitted to practice before the Tax Court.*

*If you live in Brooklyn and need representation, call (718) 237-5528.*

### **Bedford Stuyvesant Community Legal Services**

1360 Fulton Street, Suite 301  
Brooklyn, New York 11216

*A nonprofit organization staffed by lawyers admitted to practice before the Tax Court.*

*If you live in Brooklyn and need representation, call (718) 636-1155*

### **FORDHAM UNIVERSITY SCHOOL OF LAW LINCOLN SQUARE LEGAL SERVICES, INC.**

33 West 60<sup>th</sup> Street, 3<sup>rd</sup> Floor NY, NY 10023

*Staffed by law students and supervised by full-time professors who are experienced tax lawyers admitted to practice in the Tax Court. Call (212) 636-7353 to arrange for a free consultation.*

### **Benjamin N. Cardozo School of Law Tax Clinic**

55 Fifth Avenue New York, NY 10003

*Staffed by law students under the supervision of a professor who is a practicing tax attorney admitted to practice before the Tax Court. If you live in the Metro-New York area, you can call for a free consultation at (212) 790-0381.*

### **The Legal Aid Society**

#### **Low-Income Taxpayer Clinic**

230 East 106<sup>th</sup> Street New York, NY 10029

*A nonprofit organization staffed by lawyers admitted to practice before the Tax Court. If you live in New York City and need representation, call (212) 426-3013.*

### **Legal Services NYC-Bronx**

#### **Low-Income Taxpayer Clinic**

579 Courtlandt Avenue Bronx, NY 10451

*A nonprofit organization staffed by lawyers admitted to practice before the Tax Court.*

*If you live in the Bronx and need representation, call (718) 928-3700.*

### **Queens Legal Services Corporation - Tax Clinic**

8900 Sutphin Boulevard, Suite 206  
Jamaica, NY 11435, or

42-15 Crescent Street, 9<sup>th</sup> Floor  
Long Island City, NY 11101

*A nonprofit organization staffed by lawyers admitted to practice before the Tax Court.*

*If you live in Queens and need representation call (347) 592-2178.*

### **NYU School of Law Tax Clinic**

245 Sullivan Street, 5<sup>th</sup> Floor NY, NY 10012

*Staffed by law students under the supervision of a professor who is a practicing tax attorney admitted to practice before the Tax Court. If you live in the Metro-New York area, you can call for a free consultation at (212) 998-*

# FEDERAL DEPARTMENT OF LABOR DUA HANDBOOK

The Federal Department of Labor has created a very useful manual regarding DUA at all levels—from application to appeals of denials. The manual is available here:

[http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2124](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2124)

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## Supplemental Nutrition Assistance Program (SNAP) Benefit Replacement

If you lost food purchased with SNAP benefits due to Hurricane Sandy, there is help available. Current SNAP households that have lost food purchased with their benefits as a result of the storm are entitled to replacement benefits.

### **Q - What do I need to do?**

A - If you are a current SNAP recipient and live in Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan or Westchester counties, or one of 77 zip codes in New York City that experienced extended power loss, including all of Staten Island, partial replacement SNAP benefits will automatically be deposited in your Electronic Benefit Transfer (EBT) account beginning next week. A complete list of zip codes in New York City that are included can be found at [otda.ny.gov/news/SNAP-replacements.pdf](http://otda.ny.gov/news/SNAP-replacements.pdf). Additional zip codes in New York City may be added as more power loss information becomes available.

### **Q - How much are these replacement SNAP benefits worth?**

A - The U.S. Department of Agriculture (USDA) has agreed to provide current SNAP recipients in these areas with 50% percent of their October monthly benefit amount.

### **Q - What if I don't live in one of the areas receiving the automatic benefit replacement?**

You can still request replacement SNAP benefits from your local department of social services by following these steps:

- You must report the loss of food purchased with SNAP benefits to your local social services office by Wednesday, November 28, 2012, either verbally or in writing.
- You must then return a signed and completed form, found at [otda.ny.gov/programs/applications/2291.pdf](http://otda.ny.gov/programs/applications/2291.pdf), by close of business on Monday, December 10, 2012. The form is also available at local social services offices.
- You must then return and sign a completed "Request for Replacement of Food Purchased with Supplemental Nutrition Assistance Program Benefits" form by close of business Monday, December 10, 2012. There are two versions of this form – you may use either version if you live in a county outside of New York City. If you live in New York City, you are asked to use the LDSS-2291A form.

<http://otda.ny.gov/programs/applications/2291A.pdf>

<http://otda.ny.gov/programs/applications/2291A-SP.pdf>

<http://otda.ny.gov/programs/applications/2291.pdf> (Versions of this form in other languages may be found at this link: <http://otda.ny.gov/programs/applications/> ).

You may also follow these steps if you live in Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan or Westchester counties, or one of 77 zip codes in New York City, and need more than you are automatically provided.

**Q – How do I find my local social services office?**

To find your local department of social services, visit [otda.ny.gov/workingfamilies/dss.asp](http://otda.ny.gov/workingfamilies/dss.asp), or call 1-800-342-3009.

**Q - Will receiving the replacement SNAP benefits affect my November monthly SNAP benefit amount?**

No, you will still receive the same monthly benefit amount you normally receive in November, and you will receive your benefits on the same day of the month that you normally receive your benefits.

**Q – Can I use my SNAP benefits to purchase hot foods and prepared foods?**

A – Current SNAP recipients in these seven counties and in all of New York City are now able to use their benefits to purchase hot foods and prepared foods.

**Q – Where can I use my SNAP benefits to purchase hot or prepared food?**

A - The food must be purchased at authorized retailers, like grocery stores, that already accept your SNAP benefit card (your Electronic Benefit Transfer – EBT – card).

**Q – For how long may I use my SNAP benefits to purchase hot or prepared food?**

From now until November 30, 2012.

**Q – What if my store doesn't know that I can use my SNAP benefits to purchase hot or prepared food?**

A – New York State and the U.S. Department of Agriculture are working on informing retailers of this new policy. If you encounter a retailer who isn't aware of the new policy, please ask them to call 1-800-342-3009 for more information.

**REQUEST FOR REPLACEMENT OF FOOD PURCHASED WITH  
SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) BENEFITS**

NEW YORK STATE						OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE	
CASE NAME						COUNTY	
CASE NUMBER						SSN	Date of Birth
HOUSE #	STREET ADDRESS	APT #	CITY	STATE	ZIP	PHONE NUMBER	

I \_\_\_\_\_, am the head of household or an adult household member for the above named active case and wish to report the following to the agency representative:

My household experienced a loss in the amount of \$ \_\_\_\_\_ of food purchased with Supplemental Nutrition Assistance Program (SNAP) benefits, destroyed as a result of:

- \_\_\_\_\_ a power outage
- \_\_\_\_\_ a flood
- \_\_\_\_\_ a fire
- \_\_\_\_\_ other disaster

Worker Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Client Comments: \_\_\_\_\_  
 \_\_\_\_\_

**CERTIFICATION**

**DO NOT SIGN UNTIL YOU HAVE READ AND UNDERSTAND THE STATEMENTS BELOW**

I am aware that offering a false instrument for filing as described in Article 175 of the Penal Law is a crime that may have a maximum penalty of four (4) year's imprisonment. If I do so, I will be subject to prosecution under the Civil and Criminal Laws of the United States and New York State and under the regulations of the New York State Office of Temporary and Disability Assistance.

I understand I have a right to a fair hearing to contest the denial or delay of a replacement issuance for my household. Replacements would not be issued pending the fair hearing decision.

I understand that if I do not sign and return this statement to the agency within ten (10) days of the date the loss was reported, the agency will not replace the SNAP benefits.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Solicitud Para Reemplazo de los Alimentos Comprados con los beneficios del Programa de Asistencia Nutricional Suplementaria (SNAP)**

Oficina de Asistencia Temporal y Asistencia para Incapacitados del Estado de Nueva York

Nombre del Caso						Condado	
Numero del Caso						SSN	Fecha de Nacimiento
# Casa Postal	Dirección	# Apto	Ciudad	Estado	Código	Numero de Teléfono	

Yo \_\_\_\_\_ siendo el jefe (a) del hogar o integrante adulto del hogar correspondiente al caso mencionado arriba, deseo informar lo siguiente al representante de la agencia:

Mi hogar sufrió una perdida de \$ \_\_\_\_\_ de alimentos comprados con el subsidio del Programa de Asistencia Nutricional Suplementaria – SNAP, destruidos como resultado de:

- un corte de energía eléctrica
- una inundación
- un incendio (or un fuego)
- otro desastre

Comentarios del trabajador(a) social:

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Comentarios del Cliente:

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**Certificación**

**No firme hasta que usted haya leído y entendido las instrucciones a continuación**

Estoy consciente que el proveer un instrumento falso para ser archivado en mi caso, tal como describe el Artículo 175 de la Ley Penal, es un delito que puede acarrear una pena máxima de cuatro (4) años en prisión. Si lo hago, estaré sujeto(a) a enjuiciamiento bajo las Leyes Civiles y Penales de Estados Unidos y del Estado de Nueva York como también bajo las regulaciones de la Oficina de Asistencia Temporal y Asistencia para Incapacitados del Estado de Nueva York.

Yo comprendo que tengo el derecho a una audiencia imparcial para cuestionar la negación o el retraso del la emisión de reemplazo de beneficios para mi hogar. Los reemplazos no sería emitirán si la decisión de la audiencia imparcial esta pendiente.

Yo comprendo que si yo firmo y devuelvo esta declaración a la agencia con diez (10) días a partir de la fecha en que se informó de la pérdida de mis beneficios, la agencia no reemplazará los beneficios de SNAP.

Firma

Fecha

---

Help is in your neighborhood! SNAP/Food Stamps Facilitated Enrollment sites

<b>MANHATTAN</b>			
NAME	ADDRESS	PHONE	HOURS OF OPERATION
CUCS – East Harlem	198 E. 121st St. 5th Fl N.Y.NY 10035	(212) 927-0962	Tues – Wed 9:00AM-5:00PM
CUCS – Central Harlem	521 West 126th Street New York, NY 10027	(212) 749-8900	Monday – Friday 9:00AM – 5:00PM
Grand Street Settlement (Lower East Side)	80 Pitt Street N.Y.NY 10002	(646) 421-4289	Mon - Thursday 9:30AM- 5:00PM
Goddard Riverside	140 West 140th St. N.Y.NY 10030	(212) 234-3481	Mon - Friday 9:30AM– 5:00PM
Henry Street Settlement	281 East Broadway New York, NY 10002	(212) 471-2400	Mon – Fri 9AM – 5PM
Met Council	80 Maiden Lane 10th Fl NY, N.Y. 10038	(212) 453-9556	Friday 9 AM – 2 PM Walk-Ins (Nerisusan)
NMIC (Washington Heights)	76 Wadsworth Ave. N.Y.NY 10033	(212) 453-5362	Mon. and Thurs. 9AM – 5PM
SEEDCO	215 West 125th St NY, N.Y 10027	(917) 493-7056	Mon & Tues 9 AM – 3 PM
West Side Campaign Against Hunger	263 West 86th street New York, NY 10024	(212) 362-3662	Thurs & Fri 9am – 2pm By Appointment.
Yorkville Common Pantry	8 East 109th St N.Y. NY 10029	(917) 720-9700	Monday – Friday 10:30am – 6pm Saturday 3pm-6:15pm Walk – ins
Young Men’s Clinic New York Presbyterian Hospital	21 Audubon Avenue 1st Floor New York, NY 10032	(212) 342-4691	N/A
<b>BRONX</b>			
Bronx Defenders	860 Courtland Ave. Bronx, NY 10451	(718) 838-7849	Monday-Friday 9 AM – 5 PM By Appointment
Community Board 11	1741 Colden Ave Bronx, NY 10462	NA	Mondays 9AM-5PM By Appointment
CUCS Crotona Park	1510 Southern Blvd Bronx, NY 10460	(347) 833-4900	Monday and Thursday 9 AM – 5 PM
LIFT – National Student Partnership	2381 Belmont Avenue Bronx, NY 10458	(718) 733-3897 (718) 733-4061	Mon – Fri 9AM – 5 PM

Help is in your neighborhood! SNAP/Food Stamps Facilitated Enrollment sites

Pelham Parkway Community Services Center	2157 Holland Ave, Bronx, NY 10462	(646) 385-3378	Wednesdays By appointment only
West Bronx Housing and Neighborhood Resource Center	3176 Bainbridge Ave Bronx, NY	(646) 385-3378	Tues & Thurs By appointment only
WHEDCO	50 East 168th Street Bronx, NY 10452	(718) 839-1186	Appointments only
WHEDCO Bronx Library Center	310 E Kingsbridge Road Bronx, NY 10458	(917) 583-1747	Tues & Thursday 9AM – 5PM
<b><u>BROOKLYN</u></b>			
Bedford Stuyvesant Restoration Corp.	1368 Fulton St 4th Fl Brooklyn, NY 11216	(718) 636-6946	Mon & Wed 10 AM – 4 PM Tuesday 5 AM – 7PM Saturday 10 AM – 12PM (walk-ins with valid reasons only)
Bed-Stuy WIC Center	20 New York Ave Brooklyn, NY 11216	(646) 385-4456	Thursdays 9AM-5PM
Boro Park JCC	4912 14th Avenue Brooklyn, NY 11219	(718) 972-6600	Tues & Thurs 9AM – 5PM
Center for Family Life of Sunset Park	443 39th Street 1st Floor Brooklyn, NY 11232	N/A	Tues 10 AM – 5 PM Wed 11 AM – 7 PM Thurs 11AM – 6PM  Mon & Fri Walk-ins/Screening & Data
Community Health Network	999 Blake Ave Brooklyn, NY 11208	(646) 385-4456	Wednesdays 9AM-5PM
Crown Heights JCC	387 Kingston Avenue Brooklyn, NY 11225	(718) 778-8808	Mon – Thurs 9 AM – 5 PM Friday 9AM – 2 PM
Good Shepherd Services	503 5th Avenue Brooklyn, NY 11215	(718) 965-3313 Ext. 409	Mon, Tues & Wed 9AM – 5PM Thursday 10AM – 6PM (Above by Appointments) Walk-Ins
Groundwork Inc.	595 Sutter Ave. Brooklyn, NY 11207	(718) 346-2200	Wed – Fri 10 AM – 6 PM
Midwood Met Council	1707 Ave M	(718) 252-3283	Mon 9AM – 5PM

**Help is in your neighborhood! SNAP/Food Stamps Facilitated Enrollment sites**

Midwood Met Council	1707 Ave M Brooklyn NY 11230	(718) 252-3283	Mon 9AM – 5PM Wed 9AM – 4PM
Neighbors Together	2094 Fulton Street Brooklyn, NY 11233	(718) 498-7256	Thurs. & Fri. 10 AM – 2 PM Walk Ins
St. John's Bread and Life	795 Lexington Ave. Brooklyn. NY 11221	(718) 574-0058	Tues & Thurs By Appt Only
United Jewish Org (UJO)	32 Penn St Brooklyn. NY 11211	(718) 643-9700	Mon-Thurs 9 AM- 5 PM Fri 9 AM – 2 PM
<b><u>QUEENS</u></b>			
Affinity Health Plan	3706 74th St, Jackson Heights NY 11372	(646) 385-0880	Tues & Weds By appointments only
The Child Center of New York	163-18 Jamaica Ave 4th Fl Jamaica, NY 11432	(718) 657-7100 Ext. 216	Monday 12 PM – 7 PM Friday 9AM – 2 PM
Min Kwon	136-19 41st Ave Flushing, NY 11355	(718) 460-5600	Thursday 11 AM – 5 PM Walk-Ins
Jewish Community Council of the Rockaway Peninsula	1525 Central Ave. Far Rockaway, NY 11691	718-327-7755 (646)385-0879	Mon – Thurs 9AM – 5PM Fri 9AM – 2PM
Plaza Del Sol Family Health Center	37-16 108th St Corona, NY 11368	(646) 385-0879	Thursdays By appointment only
SCO Family of Services Woodside	103-24 Roosevelt Ave 3rd Fl Corona, NY 11368	(718) 426-7523	Monday 11 AM – 7 PM Walk- Ins
Queens JCC	119-45 Union Turnpike Forest Hill, NY 11375	(718) 544-9033	Wednesday 9 AM -5 PM Walk-Ins Thursday By appointment only
<b><u>STATEN ISLAND</u></b>			
Project Hospitality	514 Bay Street Staten I, NY 10304	(718) 273-6737	Tuesday 9 AM – 4 PM
Project Hospitality El Centro	1546 Castleton Avenue Staten Island, NY 10302	(718) 420-6466	Thursday 9 AM – 1 PM Saturday

# Food Stamp Center Locations, from HRA's website

[http://www.nyc.gov/html/hra/html/directory/food\\_stamp\\_centers.shtml](http://www.nyc.gov/html/hra/html/directory/food_stamp_centers.shtml)

Food Stamp Centers are open 8:30 AM to 5 PM Monday through Friday. In addition, there are five extended-hours centers, one in each borough, that are open until 6 PM on weekdays and are open 9 AM to 5 PM on Saturdays.

## Brooklyn Locations:

### Coney Island

30-50 West 21 Street, 1st flr  
Brooklyn, NY 11224  
718-333-3275  
718-333-3033

### East New York

404 Pine Street  
1st Floor  
Brooklyn, New York 11208  
718-827-3961  
718-827-3444

### Ft. Greene \*

275 Bergen Street  
1st Floor  
Brooklyn, NY 11217  
718-473-8510  
718-694-8196  
Mon. - Fri. 8:30 - 6 pm  
Saturdays 9:00 am - 5 pm

### North Brooklyn

500 Dekalb Avenue  
4rd Floor  
Brooklyn, NY 11205  
718-398-5057  
718-636-7046

### Williamsburg

30 Thornton Street  
4th Floor  
Brooklyn, NY 11206  
718-963-5115  
718-963-5140

## Bronx Locations:

**Concourse \***

1375 Jerome Avenue  
2nd Floor  
Bronx, NY 10452  
Mon. - Fri. 8:30 am to 6:00 pm  
Sat 9:00 am to 5:00 pm  
718-637-2401  
718-590-7235

**Crotona**

1910 Monterey Avenue  
5th Floor  
Bronx, NY 10457  
718-901-0287  
718-901-5459

**Melrose**

260 East 161 Street  
3rd Floor  
Bronx, NY 10451  
718-664-1607  
718-664-2175

**Manhattan Locations:****East End**

2322 Third Avenue  
3rd Floor  
New York, NY 10035  
212-860-5159  
212-860-5147

**St. Nicholas**

132 W. 125th Street  
3rd Floor  
New York, NY 10027  
212-666-1434  
212-666-8788

**Washington Heights**

4055 10th Avenue  
Lower Level  
New York, NY 10034  
212-569-9829  
212-569-9835

**Waverly \***

12 West 14th Street  
4th Floor  
New York, NY 10011  
Mon. - Fri. 8:30 am to 6:00 pm

## Ways to Request a Fair Hearing

You can request a fair hearing by telephone, fax, email or in writing. When faxing or emailing, please keep copy of fax transmissions and email confirmations. On the telephone, please ask the name of the State employee serving you.

To request a fair hearing:

- Fair Hearing Request Form: <http://otda.ny.gov/oah/form-request.pdf> or
- E-Request Form: <http://otda.ny.gov/oahforms/erequestform.aspx>
- By Fax: Send your fax request 518-473-6735
- By Telephone: 518-474-8781; Toll Free in NYS: 1-800-342-3334
- By Mail: Send your filled out fair hearing request to:  
Office of Temporary and Disability Assistance (OTDA)  
Office of Administrative Hearings (OAH)  
P.O. BOX 1930  
Albany, N.Y. 12201-1930
- In Person (NYC only): OTDA Office of Administrative Hearings at 14 Boerum Place, 1st Floor, Brooklyn, NY 11201

(Courtesy of ProjectFAIR.)

# HRA JOB CENTERS

[http://www.nyc.gov/html/hra/html/directory/job\\_centers.shtml](http://www.nyc.gov/html/hra/html/directory/job_centers.shtml)

## Brooklyn

### **Veterans' Service Center**

25 Chapel Street  
Brooklyn, NY 11201  
Primarily services cash assistance recipient cases in which at least one household member is a Veteran.  
718-473-8313  
718-222-2430

### **Coney Island**

3050 West 21st Street  
Brooklyn, NY 11224  
718-333-3092  
718-333-3014

### **Dekalb**

500 Dekalb Avenue  
Brooklyn, NY 11205  
718-636-2626  
718-636-2495

### **Bushwick**

30 Thornton Street  
Brooklyn, NY 11206  
718-963-5120  
718-963-5117

### **Linden**

45 Hoyt Street  
Brooklyn, NY 11201  
718-237-6509  
718-237-7249

### **Bayridge**

6740 Fourth Avenue  
Brooklyn, NY 11220  
718-921-2084  
718-921-2000

### **Family Services Call Center Brooklyn Satellite**

275 Bergen Street  
1st Floor  
Brooklyn, NY 11217  
Primarily handles face to face recertifications and emergency walk-in activities for the Family Call Center's active child only cases whose payees are not in receipt of cash assistance.  
718-694-8647

718-883-8296

**Refugee**

88 3rd Ave 1st Floor  
Brooklyn NY 11217  
718-250-4443  
718-250-4040

**Bronx**

**Rider**

305 Rider Avenue  
Bronx, N.Y. 10451  
718-742-3811  
718-742-3924  
Applicants / participants must enter the building at 300 Canal Place.

**Crotona**

1910 Monterey Avenue  
Bronx, NY 10457  
718-901-0201  
718-901-5596

**Melrose**

260 East 161st Street  
Bronx, N.Y. 10451  
718-664-2143  
718-664-1140

**Fordham**

2541-2549 Bainbridge Ave.  
Bronx, NY 10458  
718-220-6622  
718-220-7012

**Family Services Call Center**

Bronx Satellite  
260 East 161st Street  
Bronx, NY 10451

Primarily handles face to face recertifications and emergency walk-in activities for the Family Call Center's active child only cases whose payees are not in receipt of cash assistance.

718-664-1056  
718-883-8296

**Waverly**

12 West 14th Street  
New York, NY 10011  
212-620-9890  
212-620-9421

**East End**

2322 Third Avenue  
New York, NY 10035  
212-860-2749  
212-860-6801

**Union Square**

109 E. 16th Street  
New York, NY 10003  
Primarily serves individuals identified as having significant barriers to employment and needing specialized services.  
212-835-8300  
212-835-7361

**Intensive Services Center**

109 E. 16th Street  
New York, NY 10003  
Primarily services active cases not engaged in employment or related activities.  
212-835-8261  
212-835-7682

**Residential Treatment  
Service Center**

109 E. 16th Street  
New York, NY 10003  
212-835-7937  
212-835-7671

**Family Services Call Center Manhattan Satellite**

132 W. 125th Street  
New York, NY 10027  
Primarily handles face to face recertifications and emergency walk-in activities for the Family Call Center's active child only cases whose payees are not in receipt of cash assistance.  
212-666-7566  
718-883-8296

**St. Nicholas Job Center**

132 W. 125th Street  
New York, NY 10027  
Primarily serves SNCA individuals who reside in targeted zip codes associated with the Melrose and Rider Job Centers.  
212-666-5678  
212-666-5576

**Dyckman**

4055 10th Avenue  
New York, NY 10034  
212-569-9543  
212-569-9626

**Senior Works Center**

109 E. 16th Street  
New York, NY 10003

Primarily services public assistance recipients who are age 60 or over.

212-835-8445

212-835-7691

**Queens**

**Family Service Call Center**

165-08 88th Avenue

5th Floor

Jamaica, NY 11432

Primarily a mail and phone operation servicing active child only cases whose payees are not in receipt of cash assistance.

718-752-3937

718-883-8296

**Jamaica**

165-08 88th Avenue

Jamaica, NY 11432

718-523-2146

718-883-8250

**Queens**

34-00 Northern Blvd.

LIC, NY 11101

718-752-7017

718-784-5919

**East River**

One Honeywell Street

LIC, NY 11101

718-784-2922

718-752-7001

The East River Job Center serves homeless individuals and families citywide, by conducting application interviews; executing eligibility determinations; offering employment services; affording linkages to employment; and, working collaboratively with the Department of Homeless Services (DHS).

**Rockaway**

219 Beach 59th St.

Rockaway, NY 11692

718-637-2144

718-637-2140

**Family Services Call Center**

Queens Satellite

34-00 Northern Blvd.

LIC, NY 11101

Primarily handles face to face recertifications and emergency walk-in activities for the Family Call Center's active child only cases whose payees are not in receipt of cash assistance.

718-610-2927

718-883-8296

**Staten Island**

**Richmond**

201 Bay Street  
S. I., N.Y. 10301  
718-556-7334  
718-390-5103

## Restaurant Allowances

**Restaurant Allowance:** A family or individual is entitled to a restaurant allowance of \$50 semi-monthly per child or pregnant woman and \$32 dollars semi-monthly per other adult if:

- (1) they live in a place that does not have cooking facilities;
- (2) they share an apartment and are not allowed access to the kitchen;
- (3) they are living on the street;\*
- (4) they are in a shelter that does not have cooking facilities or serve three meals a day; or
- (5) they are in a shelter that serves three meals a day but cannot eat those meals for documented medical or religious reasons.

\* Homeless individuals who eat at drop-in centers or soup kitchens should receive the allowance.

**Partial Restaurant Allowance:** If a family or individual receives less than three meals a day at their shelter, they should get the following partial restaurant allowances semi-monthly:

	Child/ Pregnant Woman	Other Adults
Dinner	\$32.50	\$14.50
Lunch & Dinner	\$41.50	\$23.50

A family or individual may receive a partial restaurant allowance if the shelter does not provide all three meals or if they are not able to eat one or more of the meals provided because of work, educational, or other reasons. When arrangements cannot be made to accommodate (bagged or off-hour meals), the family or individual should receive an allowance for missed meals.

**How to apply:** The client should go in to see her PA caseworker and request a restaurant allowance. The client should keep notes of when she spoke to her worker and copies of any materials she submitted (i.e. proof of medical or religious needs, proof of need to miss meals).

**Time limits for determining eligibility:** HRA must determine eligibility for the allowance within 30 days of the client's request. If HRA fails to do so, you and the client should contact the center. If center-based advocacy fails, you can submit a Brown v. Giuliani informal relief form.

**Effect on receipt of food stamps:** A household may receive both a restaurant allowance and food stamps. However, because a restaurant allowance is counted as new income, receipt of a restaurant allowance will affect the amount of a household's food stamp allotment. On average, for every \$3 of restaurant allowance, the household will lose \$1 in food stamps.

B (148)

Date: \_\_\_\_\_  
Case Name: \_\_\_\_\_  
Case Number: \_\_\_\_\_  
Caseload: \_\_\_\_\_  
Center: \_\_\_\_\_  
Worker Telephone No.: \_\_\_\_\_  
FH&C Telephone No.: \_\_\_\_\_

**Request for Emergency Assistance, Additional Allowances, or  
Adding a Person to the Case (For Participants Only), or  
Adding a Person to an Active Cash Assistance Case**

Please fill out this form if you need emergency assistance, additional allowances, or to add a person to the case.  
**Remember:**

- (1) You may be asked for proof of what you tell us. If you have trouble obtaining proof, your Worker must help you.
- (2) You may still need to see your Worker. If you do, you will be given an appointment.

**SECTION I: EMERGENCY ASSISTANCE**

The type of emergency assistance I am requesting is:

SAMPLE

The reason I need emergency assistance is:

**SECTION II: ADDITIONAL ALLOWANCES**

I am requesting the following allowance(s) for special need(s):

- Back rent
- Repair of essential household items
- Back mortgage and/or taxes
- Pregnancy allowance
- Restaurant allowance because I cannot prepare meals where I am living
- Burial allowance – you or your duly authorized representative must apply for this allowance at the Burial Claims Unit  
25 Chapel Street, Room 606  
Brooklyn, NY 11201  
Telephone: (718) 473-8310
- Additional allowance for fuel
- Additional allowance to maintain or restore utility service
- Property repairs
- Replacement of clothing lost as a result of a disaster such as homelessness or fire
- Other:

*(Worker: Scan and Index this completed form and give the signed original back to the participant.)*

**SECTION II: ADDITIONAL ALLOWANCES (Continued)**

I am requesting the following allowance(s) for special need(s):

<p><b>Expenses related to moving:</b></p> <p><input type="checkbox"/> Moving expenses</p> <p><input type="checkbox"/> Security deposit/agreement</p> <p><input type="checkbox"/> Broker's/finder's fee/voucher</p> <p><input type="checkbox"/> Furniture and other household items</p> <p><input type="checkbox"/> Storage of furniture and personal belongings</p>	<p>New Address: _____ (include apt. no.)</p> <p>City _____ State _____ Zip Code _____</p> <p>When did you move? _____ New rent: \$ _____</p> <p>Landlord's name: _____</p> <p>Primary tenant's name: _____</p> <p>Address: _____ (include apt. no.)</p> <p>City _____ State _____ Zip Code _____</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**SECTION III: WORK ACTIVITY-RELATED SUPPORTIVE SERVICES**

I am requesting the following supportive services:

- |                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><input type="checkbox"/> Clothing for participants in job search activities who have <b>exceptional</b> circumstances, such as homelessness or a recent fire and lack of appropriate clothing</p> <p><input type="checkbox"/> Activity/engagement-related licensing, uniform or durable goods fee within approved limits, upon submission of documentation certifying the need for such items</p> | <p><input type="checkbox"/> Child care allowance within approved limits, if needed</p> <p><input type="checkbox"/> Necessary public transportation</p> <p><input type="checkbox"/> Other work activity-related supportive services:</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**WEP agencies and/or contractors are responsible for providing necessary safety equipment or job-related clothing for their participants.**

Necessary supportive services will be provided when you begin a work activity. If your needs change or if you are not receiving a needed service, you should apply for an additional allowance.

**SECTION IV: ADD PERSON TO CASE**

If you do not have all this information, you can still submit this form to your Worker.

I want to add the following person(s) to my cash assistance case:

<p><input type="checkbox"/> <b>New Baby</b></p> <p><input type="checkbox"/> <b>Child entered home</b></p> <p><input type="checkbox"/> <b>Child under 18 years of age</b> (whose immigrant status has changed since my last application/recertification)</p> <p><input type="checkbox"/> <b>Spouse/Adult living with me</b> who has not previously applied (this person must complete an application to receive assistance)</p> <p><input type="checkbox"/> <b>Spouse</b> who previously applied and was denied because immigration status and his/hers status have changed now (this person does not need to complete another application/recertification)</p> <p><input type="checkbox"/> <b>Myself/Adult payee to the case</b></p> <p><input type="checkbox"/> <b>Other</b> _____</p> <p><input type="checkbox"/> <b>Other</b> _____</p> <p><input type="checkbox"/> <b>Other</b> _____</p>	<p>Name: _____</p> <p>Date moved in/returned: _____</p> <p>Date of Birth: _____</p> <p>Social Security Number (if known): _____</p> <hr/> <p>Name: _____</p> <p>Date moved in/returned: _____</p> <p>Date of Birth: _____</p> <p>Social Security Number (if known): _____</p> <hr/> <p>Name: _____</p> <p>Date moved in/returned: _____</p> <p>Date of Birth: _____</p> <p>Social Security Number (if known): _____</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

\_\_\_\_\_  
Participant's Signature

\_\_\_\_\_  
Date of Request

\_\_\_\_\_  
Time of Request  AM  PM

\_\_\_\_\_  
Worker's Signature

\_\_\_\_\_  
Date

Fecha: \_\_\_\_\_  
Nombre del Caso: \_\_\_\_\_  
Número del Caso: \_\_\_\_\_  
Unidad de Casos: \_\_\_\_\_  
Centro: \_\_\_\_\_  
Núm. de Teléfono del  
Trabajador: \_\_\_\_\_  
Núm. de Tel. del FH&C: \_\_\_\_\_

### Petición para Asistencia de Emergencia, Asignaciones Adicionales, o Añadidura de una Persona al Caso (Sólo para Participantes), o Añadidura de una Persona a un Caso Activo de Asistencia en Efectivo

Favor de completar este formulario si necesita asistencia de emergencia, asignaciones adicionales, o añadidura de una persona al caso.

**Recuerde:**

- (1) Puede que se le pida prueba de los datos que nos proporcione. Si tiene problemas en obtener pruebas, su Trabajador tiene que ayudarlo.
- (2) Puede que aún necesite reunirse con su Trabajador. En tal caso, se le programará una cita.

**SECCIÓN I: ASISTENCIA DE EMERGENCIA**

El tipo de asistencia de emergencia que estoy solicitando es:

SAMPLE

La razón por la cual necesito asistencia de emergencia es la siguiente:

**SECCIÓN II: ASIGNACIONES ADICIONALES**

Estoy solicitando la(s) siguiente(s) asignación(es) para necesidad(es) especial(es):

- Alquiler atrasado
- Reparación de artículos del hogar de primera necesidad
- Hipoteca y/o impuestos atrasados
- Asignación para embarazo
- Asignación para restaurante porque no puedo preparar comidas donde estoy viviendo
- Asignación para entierros – usted o su representante debidamente autorizado debe solicitar esta asignación en la Unidad de Reclamos de Entierro  
25 Chapel Street, Sala 606  
Brooklyn, NY 11201  
Teléfono: (718) 473-8310
- Asignación adicional para combustible
- Asignación adicional para mantener o restaurar servicios de electricidad y gas
- Reparaciones a la propiedad
- Reemplazo de ropa perdida a raíz de desastres tal como desamparo o incendio
- Otras asignaciones:

(Trabajador: Haga una copia electrónica [scan] de este formulario y incluya el formulario en el Índice y luego devuelva la copia original al participante.)

**SECCIÓN II: ASIGNACIONES ADICIONALES** (continuación)

Estoy solicitando la(s) siguiente(s) asignación(es) para necesidad(es) especial(es):

<p><b>Gastos relacionados con la mudanza::</b></p> <p><input type="checkbox"/> Gastos de mudanza</p> <p><input type="checkbox"/> Depósito/acuerdo de garantía</p> <p><input type="checkbox"/> Pago de comisión/comprobante de agente</p> <p><input type="checkbox"/> Muebles y otros artículos del hogar</p> <p><input type="checkbox"/> Almacenamiento de muebles y artículos personales</p>	<p>Nueva Dirección: _____ (con núm. de apt.)</p> <p>_____ Ciudad Estado Código Postal</p> <p>¿Cuándo se mudó? _____ Nuevo alquiler: \$ _____</p> <p>Nombre del casero: _____</p> <p>Nombre del inquilino principal: _____</p> <p>Dirección: _____ (con núm. de apt.)</p> <p>_____ Ciudad Estado Código Postal</p>
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**SECCIÓN III: SERVICIOS DE APOYO RELACIONADOS CON ACTIVIDADES DE TRABAJO**

Estoy solicitando los siguientes servicios de apoyo:

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><input type="checkbox"/> Ropa para participantes que realicen actividades relacionadas a la búsqueda de trabajo, que se encuentren en situaciones fuera de lo común, tales como desahucio o incendio reciente y no tener la vestimenta adecuada.</p> <p><input type="checkbox"/> Cuota de autorización, relacionada con actividad/participación, de uniformes o bienes duraderos dentro de los límites aprobados, a la hora de presentar la documentación que compruebe la necesidad de dichos artículos</p> | <p><input type="checkbox"/> Asignación de cuidado infantil dentro de los límites aprobados, de ser necesario</p> <p><input type="checkbox"/> Transporte público necesario</p> <p><input type="checkbox"/> Otros servicios de apoyo relativos a actividades de trabajo: _____</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Las agencias de WEP y los contratistas tienen la responsabilidad de proporcionar a sus participantes la ropa o el equipo de seguridad necesarios para el trabajo.

Se brindarán los servicios necesarios cuando usted emplee una actividad de trabajo. Si se produce algún cambio en sus necesidades, o si usted no está recibiendo un servicio necesario, debería solicitar una asignación adicional.

**SECCIÓN IV: AÑADA A UNA PERSONA AL CASO**

Si usted no tiene toda esta información, puede presentar este formulario a su Trabajador de todos modos.

Deseo añadir a la(s) siguientes personas a mi caso de asistencia en efectivo:

<p><input type="checkbox"/> Recién nacido</p> <p><input type="checkbox"/> Niño ingresó al hogar</p> <p><input type="checkbox"/> Niño menor de 18 años de edad (cuyo estado de inmigración haya cambiado desde mi última solicitud/recertificación)</p> <p><input type="checkbox"/> Cónyuge/Adulto que viva conmigo quien no haya presentado solicitud anteriormente (para recibir asistencia dicha persona debe llenar una solicitud)</p> <p><input type="checkbox"/> Cónyuge quien anteriormente haya presentado solicitado y haya sido rechazado por su estado de inmigración y cuyo estado haya cambiado (dicha persona no necesita llenar otra solicitud/recertificación)</p> <p><input type="checkbox"/> Yo mismo(a)/Beneficiario adulto al caso</p> <p><input type="checkbox"/> Otra Persona _____</p> <p><input type="checkbox"/> Otra Persona _____</p> <p><input type="checkbox"/> Otra Persona _____</p>	<p>Nombre: _____</p> <p>Fecha de mudanza/regreso: _____</p> <p>Fecha de Nacimiento: _____</p> <p>Número de Seguro Social (si lo sabe): _____</p> <p>Nombre: _____</p> <p>Fecha de mudanza/regreso: _____</p> <p>Fecha de Nacimiento: _____</p> <p>Número de Seguro Social (si lo sabe): _____</p> <p>Nombre: _____</p> <p>Fecha de mudanza/regreso: _____</p> <p>Fecha de Nacimiento: _____</p> <p>Número de Seguro Social (si lo sabe): _____</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

\_\_\_\_\_  
Firma del Participante

\_\_\_\_\_  
Fecha de la Petición

\_\_\_\_\_  
Hora de la Petición

AM  PM

\_\_\_\_\_  
Firma del Trabajador

\_\_\_\_\_  
Fecha

Immigration Status	FEMA Disaster Assistance	Disaster Unemployment Assistance (DUA)	Food Stamps	Medicaid	Cash Assistance (SNA and FA, does not include HASA benefits)	Emergency Shelter (DHS and FEMA)
<p><b>Specially Qualified Aliens</b></p> <ul style="list-style-type: none"> <li>• Refugees</li> <li>• Asylees</li> <li>• Cuban/Haitian Entrants</li> <li>• Amerasians</li> <li>• Deportation or Removal Withheld</li> <li>• Certain Hmong or Highland Loation</li> <li>• Victims of Human Trafficking</li> </ul>		<p>Immigrants with work authorization are eligible for DUA.</p>				
<p><b>Lawful Permanent Residents</b> ("LPR"s or people with green cards)</p>		<p>An LPR is eligible for Food Stamps if they fit into one of the following categories:</p> <ul style="list-style-type: none"> <li>• Minor</li> <li>• Adjusted to LPR status from a "specially qualified alien" status</li> <li>• Have five or more combined years in a "qualified alien" (LPR or BQA) status</li> <li>• Has been determined disabled by SSA or Medicaid</li> </ul>				

Immigration Status	FEMA Disaster Assistance	Disaster Unemployment Assistance (DUA)	Food Stamps	Medicaid	Cash Assistance (SNA and FA, does not include HASA benefits)	Emergency Shelter (DHS and FEMA)
<p><b>Battered Qualified Aliens ("BQA")</b></p> <ul style="list-style-type: none"> <li>A U.S. citizen's or LPR's battered spouse, or child, or parent or child of such battered person, who obtains a prima facie notice from USCIS under VAWA, or an approved I-360 self-petition under VAWA</li> <li>A U.S. citizen's or LPR's battered spouse, or child, or parent or child of such battered person, who either has (a) a pending I-360 petition under VAWA, or (b) has a pending or approved I-130 petition filed by the batterer, <b>and</b> is determined to be a credible victim of domestic violence by the social services district's domestic violence liaison</li> <li>An application for VAWA cancellation of removal or suspension of deportation has been granted, or is pending and the immigration court finds that the applicant has a prima facie case for this relief</li> </ul>		<p>Immigrants with work authorization are eligible for DUA.</p>	<p>A BQA is eligible for Food Stamps if s/he fit into one of the following categories:</p> <ul style="list-style-type: none"> <li>• Minor</li> <li>• Have five or years in status</li> <li>• Has been determined disabled by SSA or Medicaid</li> </ul>			

Immigration Status	FEMA Disaster Assistance	Disaster Unemployment Assistance (DUA)	Food Stamps	Medicaid	Cash Assistance (SNA and FA, does not include HASA benefits)	Emergency Shelter (DHS and FEMA)
<p><b>PRUCOL as defined by OTDA</b></p> <ul style="list-style-type: none"> <li>• Aliens residing in the U.S. pursuant to an Order of Supervision under § 241(a)(3) of the Immigration Nationality Act (INA).</li> <li>• Aliens granted cancellation of removal pursuant to §240A of the INA</li> <li>• Aliens granted deferred action status, which defers their departure</li> <li>• Spouse or child of a U.S. citizen who has been granted a "K" visa</li> <li>• Aliens granted "S" visa status</li> <li>• Aliens granted "U" visa status</li> <li>• Aliens granted a "V" visa status</li> <li>• "Not qualified" aliens who can produce any evidence that they entered the U.S. prior to 1/1/1972 and have resided continuously in the U.S. since such entry, pursuant to Section 249 of the INA</li> <li>• Permanent nonimmigrants, pursuant to P.L. 99-239 (applicable to citizens of the Federated States of Micronesia and Marshall Islands).</li> </ul>	<p style="text-align: center;"><b>X</b></p>	<p>Immigrants with work authorization are eligible for DUA.</p>	<p style="text-align: center;"><b>X</b></p>	<p style="text-align: center;"><b>✓</b></p>	<p style="text-align: center;"><b>✓</b></p>	<p style="text-align: center;"><b>✓</b></p>



Immigration Status	FEMA Disaster Assistance	Disaster Unemployment Assistance (DUA)	Food Stamps	Medicaid	Cash Assistance (SNA and FA, does not include HASA benefits)	Emergency Shelter (DHS and FEMA)
<p><b>PRUCOL as defined by SDOH</b></p> <ul style="list-style-type: none"> <li>• Persons granted Temporary Protected Status ("TPS")</li> <li>• Persons who have filed applications for adjustment of status under Section 245 of the INA and the USCIS have accepted as "properly filed."</li> <li>• Any aliens living in the U.S. with knowledge and permission or acquiescence of the USCIS and whose departure the Agency does not contemplate enforcing</li> </ul>		<p>Immigrants with work authorization are eligible for DUA.</p>				
<p>All Other Immigrants</p>				<p>Emergency Medicaid Only</p>		