Appendix E: Guidance for Owners and Occupants of Damaged Buildings

This document is intended to provide basic information to owners or tenants of buildings that suffer wind and/or flood damage. It attempts to answer many of the typical questions that arise during the recovery period. The issues covered include: (1) the safety evaluation process and the meaning of each of the three safety evaluation postings, (2) the process of securing services to perform repairs, and (3) how to obtain aid from disaster assistance organizations.

Understanding Safety Evaluation Procedures and Postings

If a building in which you reside, work or own is damaged by a wind or flood event, it should be inspected by safety evaluation personnel working for the local government building inspection agency. An official safety evaluation may not be possible until a few days after the event, depending on the extent of local damage and the number of available qualified inspectors and engineers assigned to your area. If significant damage is apparent, do not wait for an official evaluation of the building. The prudent choice is to discontinue use and occupancy of the building. When an authorized safety evaluation team does arrive, it is very important to cooperate with them by both providing information about and access to the building.

The first safety evaluation team to arrive will likely be conducting Rapid Evaluations, which require only 10 to 30 minutes for each property. Their responsibility is to determine quickly if a building is safe enough to occupy, and if not, to decide what restrictions to place on its use or entry. The results of the inspection will be placed near the entrance to the building on one of three possible posting placards (discussed below), which indicate the status of the safety evaluation.

Due to the nature of the Rapid Evaluation, in most cases the safety evaluation is limited to inspecting only the exterior of the building. If a severe interior problem is brought to the attention of the Rapid Evaluation Team or the structure cannot be adequately viewed from the exterior, an interior evaluation may be conducted. If the damage is severe, the posting most likely to be used is a red UNSAFE placard. This sign indicates that it is unsafe to occupy or enter the building for any reason. There is also a small chance that an otherwise safe building could be correctly posted as Unsafe when parts of an adjoining building could fall onto that building. Even when a building can be entered for inspection it is still possible that internal damage could pose dangers requiring an Unsafe posting.

It is very important to realize, however, that the "red tag" posting does *not* automatically mean that the property has been condemned or will require demolition. Indeed, only in extremely rare cases is damage so severe or the threat to an adjacent property so high that an order to demolish a building is issued. Demolition may eventually be the appropriate action for an owner to take if repairs are too expensive, but again, this is not the normal consequence for most buildings with Unsafe postings.

In addition to posting the entire building, specific locations inside or outside a building may be barricaded. In situations where a potential falling hazard exists, the immediate area below that part of the building may be marked or otherwise barricaded with yellow tape having a message that reads "Do Not Cross Line," "Restricted Area—Keep Out," or similar cautionary wording. Examples of situations requiring barricading are damaged masonry chimneys, ceilings, or other parts of the building that could fall on occupants or passers by.

An intermediate posting called Restricted Use is used to address situations in which a clearly unsafe condition does not exist, but the type of damage prevents unrestricted occupancy. If a safety evaluation reveals damage of a nature that allows safe entry into a building or portion thereof, but would not permit its continued use on a permanent basis, a yellow RESTRICTED USE placard will normally be used. This posting may also apply when a Rapid Evaluation team cannot make a definite determination about the safety of a building. This can occur, for example, when access inside a building is not provided at the time of the evaluation or when finish materials prevent viewing structural members.

Examples of nonstructural damage that could lead to a Restricted Use posting include the loss of use of basic sanitary facilities due to broken water or sewer pipes or damage to a fire sprinkler system required for safe permanent occupancy. Other situations can involve localized structural damage that would place a portion of a building in an unsafe condition while other areas remain usable.

Normally, the RESTRICTED USE placard will contain a brief description of the limits or conditions of continued use. Often, entry is limited to occupants or owners so that they can retrieve valuable or essential property or to contractors so that necessary repairs can be made. If you are present when a Restricted Use posting is made, you should ask the inspectors for a clear explanation of the limits placed on entry or occupancy. If you return to your property and find a posting placard that does not adequately explain the limits of entry or use, you should contact the local building inspection agency for more specific information before entering the building.

Where damage is insignificant or is readily repairable and does not pose any significant safety hazard, the proper posting should be a green INSPECTED placard. This posting is intended only to inform occupants that the building may be safely occupied. It does not imply that existing damage should be ignored or that repairs are not necessary. If you have evidence that damage to your building is significant, in spite of the green INSPECTED placard, you should contact the building inspection office to schedule a reevaluation of the initial posting. For example, there might be interior damage that the evaluation team did not see.

Steps to Take to Ensure Damage Is Properly Repaired

In the aftermath of disasters in which large numbers of buildings are damaged or destroyed, there are likely to be opportunists posing as legitimate contractors willing to assist you in making needed repairs. The best way to avoid these unscrupulous or illegal operators is to ask for proof of both a current state contractor's license and a certificate of worker's compensation insurance. Although this evidence cannot necessarily ensure top quality workmanship, it certainly will eliminate other problems that can result from using the services of either uninsured or unlicensed individuals. Prior to signing any contract to perform repairs, be sure that it contains a complete description of the scope of work and states that a building permit will be obtained. Contractors often require that a percentage of the full contract price be paid prior to commencing work, but it is generally neither necessary nor prudent to pay the entire amount in advance. For example, state law in California limits the advance payment that must be given to a contractor prior to commencing work to ten percent of the total contract price. Check with your local officials to determine whether similar laws exist in your area.

The local building inspection office will be a very busy and perhaps even a confusing place to go for permission to initiate repairs after a major disaster; nonetheless, it will always be the best source of repair and permit information. The specific rules that will apply to the reconstruction or repair of your building may be somewhat different than those normally used in a nondisaster situation. Since some requirements (e.g., fees) may be waived and others (e.g., soil or engineering reports) may be specially imposed, you should definitely inquire about what rules will apply to your specific location and extent of damage. Once you have obtained that vital information and understand what is required, you can then begin the process of hiring, as necessary, an architect, contractor, or engineer. An engineering geologist may also be needed when a building site has experienced scour or erosion or when the stability of a foundation is in question.

The next task is to locate, contact, and choose the various types of construction services you may need. Most architects, contractors, and engineers belong to either a regional or state association that can provide names, phone numbers, and perhaps some information on the type of work in which their members specialize. The building inspection office may also provide similar lists, but it is very unlikely that they will offer to recommend any specific company. Recommendations are perhaps best sought from other individuals, family, friends, or neighbors who have recently used the services of the type of professional you are seeking.

If you are attempting to make repairs on your own without the help of contractors, be aware that you will still need a building permit or similar authorization and must request the required inspections for that work. Certain minor cosmetic work (e.g., replacing cracked interior wall finish materials) may be exempted, but other repairs (e.g., fixing chimneys or repairing any damaged structural members) will likely need a permit. While this may seem bothersome, it will prevent challenges to the adequacy of the work when a property is sold.

Guidelines for Securing Disaster Assistance

The details, limitations, and eligibility requirements for various types of federal, state or local aid cannot be specifically listed in this document, because they are subject to change and are often unique to the circumstances of the situation. The best source for current information on these subjects will be the locally established disaster center, the local emergency management agency, or the local building department (much information may be posted on associated web sites).

Your first step should be to contact the claims office of your insurance company to determine if your loss is covered. You may also be eligible to make a claim for federal or state assistance to cover uninsured losses or deductibles that may apply to your coverage. Whether or not insurance coverage applies to your losses, you should document all the visible damage with photographs and a narrative of what each shows. Also keep a record of the nature and extent of any emergency repairs made by yourself or others immediately after the event. The importance of such documentation cannot be overstressed, because the full amount of any insurance settlement or financial assistance that may be available in the form of low-interest loans and, occasionally, grants, will require significant proof regarding both damage and repairs.

Damage to your home may be severe enough to require your family to relocate to temporary or even long-term alternative housing. Following a disaster, the local chapter of the American Red Cross is responsible for providing emergency shelters at locations such as schools. Information on the exact locations can be obtained from the Red Cross or local government authorities. Other local nonprofit and community service organizations may also be providing aid including food and clothing, and state and county health departments may offer personal counseling.

If a Presidential declaration of a disaster is made, the Federal Emergency Management Agency (FEMA), in conjunction with local governments, will establish a local Disaster Application Center (DAC). These centers will normally begin functioning several days to a week after a disaster, and locations where applications for assistance can be made will be announced by newspapers and other media. Representatives from local, state, and federal agencies with disaster relief responsibility will be assigned to these centers.

FEMA will address the needs of owners or tenants facing long-term displacement from their principal housing. This assistance can take several forms, but often is provided by vouchers that cover a portion of the costs to obtain alternative existing housing. Business owners, and homeowners under a separate program, will be able to apply for loans from the federal Small Business Administration (SBA) at the Disaster Application Center. These loans are normally made at below-market interest rates and can be applied to repairing or replacing a building; however, loan eligibility is based on the ability of the borrower to repay.