

Flood Mitigation Assistance Application Package

The Flood Mitigation Assistance (FMA) Program makes available federal funds to State, Local and Tribal Governments to implement mitigation projects that reduce or eliminate claims under the National Flood Insurance Program. Participation in the FMA grant program is voluntary, and funding is not guaranteed.

PARTICIPANT REQUIREMENTS

- The mitigation project type chosen must be feasible and cost-effective.
- The structure and the mitigation type must be compliant with Environmental and Historic Preservation requirements.
- The enclosed paperwork must be completed and submitted by the below deadlines.
- The listed documents must be submitted.

***Note that other requirements may apply based on the grant program and project type chosen.**

INSTRUCTIONS

- Fill out enclosed paperwork in the Application Package.
- Compile attachments and completed forms listed in the Application Package Checklist.
- Return the **completed** Application Package to Building Department, Floodplain Mgmt., Habana Plaza, 3140 Flagler Ave., Key West, FL. 33040

SCHEDULE

- Homeowner Workshop: March 23rd, 2016
- Application Package Deadline: April 1st, 2016
- Request for Information Deadline: TBD
- **Please turn in your Application Package even if you miss the RFI deadline.**

NEXT STEPS

- Key West will review all pre-application packages for eligibility and project prioritization in accordance with FEMA funding guidelines.
- Please address any questions that you may have to ***flood@cityofkeywest-fl.gov***

AVAILABLE PROJECT TYPES (Conditions Apply)

Elevation

Generally involves physically raising an existing structure to Base Flood Elevation or higher.



Mitigation Reconstruction

A structure is demolished and then rebuilt as an elevated, code-compliant, and hazard-resistant structure.

Homeowner Application Package Checklist

Homeowners who wish to submit an application for mitigation under the FMA grant program must provide the following information:

Attachments:

- Elevation Certificate on structure to be mitigated (if available)
- Evidence of active flood insurance policy on the structure to be mitigated (Declaration Page)
- Documentation related to any previous flood claims or information pertaining to flood –related damage on the structure to be mitigated (receipts, photos, etc.)
- Loss of Rent receipts for rental properties only
- If structure has pier foundation, a description of the use and contents under the existing structure
- Information on any other funding source received for mitigating the structure
- Contact information of your current contractor, should you decide to use them for cost estimating purposes
- Any other information you may believe useful

Completed Forms:

Please include all homeowners signatures on each form.

- Notice of Voluntary Interest
- Voluntary Participation Form
- Flooding Affidavit, if unable to provide documentation of prior flooding damages
- Declaration and Release
- Duplication of Benefits
- Acknowledgement of Conditions for Mitigation of Property in a SFHA Form
- Privacy Act Release

Please note that submitting an application does not serve as a contractual agreement and there is no guarantee that your property will be selected or funded. However, all homeowners who are interested in participating must provide the above documentation and complete the attached forms.

Please hand-deliver complete Pre-Application Packages to Old City Hall, 510 Greene Street

Homeowner Frequently Asked Questions

General Questions

1. *What are Flood Mitigation Assistance program eligible project types?*

- As of 2016, project types that are eligible under FEMA's Hazard Mitigation Assistance (HMA) programs include elevation and mitigation reconstruction. Structure elevation generally involves physically raising an existing structure to an elevation at or above the base flood elevation. Structure elevation may be achieved through a variety of methods, including elevating on continuous foundation walls; elevating on open foundations, such as piles, piers, posts, or columns; and elevating on fill, if located outside of V flood zones. Mitigation reconstruction involves the total or partial demolition of a floodprone structure and rebuilding that structure on the same property so that it is elevated at or above the base flood elevation and in compliance with all applicable codes and standards.

2. *What is cost-effectiveness?*

- Cost-effectiveness is typically demonstrated by the calculation of a benefit-cost ratio, dividing the total annual project benefits by total annual project cost. Projects where benefits exceeded costs are generally considered cost-effective.

3. *How will mitigation affect my flood insurance rates?*

- As risks change, insurance premiums also change to reflect those risks. Your flood insurance premiums may decrease as a result of flood mitigation measures taken to protect your home. Please check with your insurance agent for details.

4. *How will mitigation affect my property value? My property taxes?*

- It is difficult to predict how improvements to your property will affect its value and your property taxes. If awarded, the intent of the project is to protect your structure from future flood damage. Please consult with your local property appraiser's office or a licensed real estate appraiser for additional information.

5. *What if something unexpected happens during project implementation?*

- This is handled on a case-by-case basis. Unexpected events in the field may impact the scope of work, project costs, and the proposed project completion date. You should notify your community and the Division of Emergency Management immediately of any potential changes in project performance or anticipated completion.

6. *What happens if I am awarded and then decide to withdraw my application?*

- You may withdraw your application any time before the grant is submitted to FEMA. However, if you qualify as a Severe Repetitive Loss or Repetitive Loss Property, declining the final mitigation offer may result in an increase in your flood insurance premiums. Please review the regulations provided in the link: <http://www.law.cornell.edu/cfr/text/44/79.7>.

7. *What are the timelines for construction after award?*

- The period of performance is the time during which the non-Federal entity may incur new obligations to carry out all administrative actions and award activities, and incur costs. The period of performance should include the time it takes to draft contracts, engineer and design the project, acquire permits, construct the project, survey, and close-out by the State. You should notify your community and the Division of Emergency Management immediately of any potential changes in project performance or anticipated completion. (HMA Guidance 2015 p. 86).

8. *Where can I find information about my flood insurance policy?*

- Your flood insurance provider will be able to provide you with information on your flood insurance policy.

9. *Can we do some parts of the project ourselves?*

- At a minimum, all work must be performed by contractors licensed or registered in the State where they are working and who maintain appropriate insurance coverage. In addition, contractors must adhere to more stringent local requirements, where applicable. (Addendum to the HMA Guidance, page 71).

10. *Can I upgrade my countertops, cabinets, floors, appliances, etc. with grant funds?*

- All costs included in the subapplication should be reviewed to ensure that they are necessary, reasonable, and allocable consistent with the provisions of 2 CFR Part 200. (HMA Guidance 2015, p 23).

Project-Type Questions

11. *What are the limitations to mitigation reconstruction projects?*

- Eligible mitigation reconstruction costs are limited to \$150,000 Federal share per property; this funding limit only applies to construction activities, which may include but are not limited to demolition, erosion control, utility connection, driveways, foundation construction, shell construction, interior partitioning, utility equipment, fixtures, and flooring. In addition, the square footage of the resulting structure shall be no more than 10 percent greater than that of the original structure. (Addendum to HMA Guidance, p 60-61).

12. *If I elevate my home, do I have to bring it up to code?*

- If your home is in a flood-prone area, and the elevation project qualifies as a substantial improvement, then yes, the structure will have to be brought into compliance with all applicable codes and standards, not just those that apply to floodplain management. (44 CFR Part 60.3).
- Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term does not, however, include:
 - Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. (44 CFR 59.1).

13. *Can I use my own money to make the rebuilt home larger than it was before?*

- In the case of mitigation reconstruction projects, the square footage of the resulting structure shall be no more than 10 percent greater than that of the original structure at the time of project close-out. (Addendum to HMA Guidance, p. 60-61).
- Costs related to building additions, auxiliary structures, and new decks or porches are considered ineligible costs for structure elevation projects. (Addendum to HMA Guidance, p. 78).

14. *I've heard about the FFRMS (new EO 13690.) Will I have to follow those design considerations since my new home has a federal investment?*

- As of early May 2015, federal agencies have not developed their individual guidelines for following EO 13690. It is anticipated that the Order will impact all federal investments, including post-disaster mitigation grants.

15. *If I elevate, how much higher than the base flood will give me a better premium on my future flood policy?*

- Homeowners who mitigate their homes to reduce or eliminate future impacts from flooding receive many benefits including:
 - Enhanced resiliency of the home
 - Less interruption to life during flood events
 - Higher/improved resale value of the property
 - Potential reduction in homeowners insurance/flood insurance – a homeowner could save more than \$90,000 over 10 years by building 3 feet above the base flood elevation. Additional reduction in flood insurance may occur by building up to 4 feet above the base flood elevation. (FDEM FMA Program Brochure).

16. *Can I sell my home during the grant process? If so, how will that affect the new owner?*

- Participation in the grant program is voluntary. If a home is sold during application review, and the proposed project is awarded, then the new property owner will be consulted for participation in the grant.

Pre-Application Package and Additional Paperwork Questions

17. *Is the Pre-Application Package an application for assistance?*

- No. The homeowner does not make an application for hazard mitigation assistance. The community must submit an application for funding to FEMA through the State of Florida, which would include mitigation of individual structures. These forms are information gathering tools that inform the community of your interest in mitigation and provides the community with the material that it needs to begin developing an application.

18. *What documents am I required to submit and retain?*

- It is preferable that you complete all forms in the Pre-Application Package to the best of your ability, and retain copies of all documents that are submitted with the Package. Some of the forms will require notarization, please ensure that the appropriate forms are notarized.
- If awarded, ensure that you retain all plans, designs, estimates, receipts, insurance information, and other documentation associated with funding expenditures to ensure that you are reimbursed the appropriate amount for your project.

19. *Who should I list as the property owner?*

- Please list all legal owners of the property.

20. *What sort of historical loss events should I include?*

- Include all flood events, even very minor events. An event does not have to be a major presidential declaration. We are interested in understanding any and all flooding you have incurred. This information will help us project future losses and identify benefits of mitigating your home.

21. *What sort of damages should I include?*

- Please include all costs you have incurred due to flooding, not just those that may have been reimbursed through insurance or other funding sources. This may include structural impacts, as well as cosmetic damage, content loss, vehicle damage, yard damage, and more. Please also indicate how long you were displaced from your home.

22. *Why are you asking for my insurance information?*

- Some Hazard Mitigation Assistance Programs require that a structure is insured to be eligible for funding. The community would like to identify all applicable funding opportunities for mitigation funding.

23. *Who is a witness and must the form be notarized?*

- Some forms must be notarized, as noted on the form itself. If a form asks for a witness on your signature, the community employee receiving your application in person can witness it for you.

24. *What is duplication of benefits?*

- Various forms of assistance and programs (e.g., flood insurance, disaster repair grants, loans, etc.) help people whose properties have been damaged by natural disasters to rebuild and relocate. By law, Federal assistance cannot duplicate the benefits provided by other sources. Consequently, if property owners have already received assistance to repair their properties from one program, the other program must ensure they don't provide assistance to cover the same loss. (FEMA Form II-2, Duplication of Benefits Fact Sheet). Any assistance received by the following programs must be reported to determine duplication of benefits:

- FEMA Disaster Housing Program
- State Individual and Family Grant (IFG) Program
- Hazard Minimization Funds
- Small Business Administration (SBA) Loans
- National Flood Insurance Program (NFIP)
- Private Insurance

Financial Questions

25. *Who covers the Non-Federal cost share?*

- How the Non-Federal cost share is covered will be up to your community. However, a property owner should be prepared to pay for the entire project cost and be reimbursed based on the applicable cost-share allocations.

26. *How long does reimbursement take?*

- Reimbursement times depends on a number of factors, including:
 - When the property owner submits documentation for reimbursement.
 - When the community submits documentation for reimbursement. Depending on the type of project, the community may want to set up a schedule to submit requests for reimbursement instead of submitting on a rolling basis.
 - The type of documentation submitted. If the correct documentation is not provided with the community's request for reimbursement, this will slow down the approval process.
- If all goes according to plan, reimbursement may take 6 weeks from date of submission to the State.

27. *Where can I find the funds to pay for the project up front?*

- It is up to the individual property owner to identify funds to pay for the mitigation project.

28. *Does the grant cover displacement expenses?*

- Owner and/or tenant displacement expenses are considered eligible project costs for mitigation reconstruction and structure elevation projects.

29. *What if our contractor estimate after award exceeds our budget?*

- You should notify your community and the Division of Emergency Management immediately of any potential changes in project performance or anticipated completion.

30. *If my project is under budget, can I use the funds somewhere else?*

- Any changes in use of awarded funds must be approved by the community, Division of Emergency Management, and FEMA prior to completion of work.

31. *What are ICC funds? Can we use ICC funds to meet the local match?*

- Increased Cost of Compliance (ICC) coverage is one of several resources for flood insurance policyholders who need additional help rebuilding after a flood. It provides up to \$30,000 to help cover the cost of mitigation measures that will reduce flood risk. ICC coverage is a part of most standard flood insurance policies available under the NFIP.
- The NFIP ICC claim payment from a flood event may be used to contribute to the non-Federal cost share requirements so long as the claim is made within the timelines allowed by the NFIP. ICC payments can only be used for costs that are eligible for ICC benefits, which are elevation, floodproofing, relocation, or demolition (or any combination of these activities). In addition, Federal funds cannot be provided where ICC funds are available; if the ICC payment exceeds the required non-Federal share, the Federal funding award will be reduced to the difference between the cost of the activity and the ICC payment.

Notice of Voluntary Interest

City of Key West
Hazard Mitigation Assistance Program
Homeowner Interest Sign-up Sheet and Voluntary Interest Notice

Please complete this form if you are interested in exploring further your options for reducing your flood losses. Signing this does not commit you to any action. Funding under the Hazard Mitigation Assistance Programs is not guaranteed.

Property Address:

Owner(s) Mailing Address:

Owner(s) Name(s):

Contact Telephone Number:

Contact Email Address:

The local government is required by FEMA to inform you that your participation in this project is voluntary. Neither the *State* nor the *Community* will use its eminent domain authority to acquire the property for open-space purposes if you choose not to participate in a Hazard Mitigation Assistance grant program, or if negotiations fail.

Owner's Signature

Date

Owner's Signature

Date

Owner's Signature

Date

VOLUNTARY PARTICIPATION FORM

FEMA HAZARD MITIGATION ASSISTANCE PROGRAMS

Indicate your first and second choice of the eligible mitigation projects below

ELEVATION **MITIGATION RECONSTRUCTION**

INSTRUCTIONS: Please fill out this form in its entirety for each structure you wish to be considered for mitigation. Signing this form does not commit you or the community to any action.

PROPERTY OWNER: _____ PHONE NUMBER: _____
 CO-OWNER(S): _____ EMAIL ADDRESS: _____
 PROPERTY ADDRESS: _____ MAILING ADDRESS: _____

HOUSEHOLD INFORMATION - Please provide the following information about your household.

Total number of persons who reside in your household: _____ Number of employed persons in your household: _____
 Number of persons in your household under the age of 18: _____

STRUCTURE INFORMATION – Please provide the following information about the structure you wish to be considered.

Lot and Block (if available): _____ Number Stories: _____
 Heated and Cooled SF: _____ Non-Living Area SF: _____ Original Date of Construction: _____
 Is the property contaminated with hazardous waste? __Yes __No Is it a historic property? __Yes __No

For each of the following categories, please check features that apply.

STRUCTURE USE	STRUCTURE TYPE	FOUNDATION TYPE	BUILDING TYPE
<input type="checkbox"/> Primary Home	<input type="checkbox"/> Single Family	<input type="checkbox"/> Basement	<input type="checkbox"/> Steel
<input type="checkbox"/> Secondary Home	<input type="checkbox"/> Manufactured Home	<input type="checkbox"/> Crawl	<input type="checkbox"/> Concrete
<input type="checkbox"/> Rental*	<input type="checkbox"/> Multiple Units # _____	<input type="checkbox"/> Fill	<input type="checkbox"/> Masonry
<input type="checkbox"/> Other _____	<input type="checkbox"/> Temporary Lodging	<input type="checkbox"/> Slab on Grade	<input type="checkbox"/> Wood
	<input type="checkbox"/> Other _____	<input type="checkbox"/> Pier	<input type="checkbox"/> Manufactured Housing
		<input type="checkbox"/> Pile	

* If currently being rented, please attach evidence of the monthly rental rate.

INSURANCE INFORMATION – Please provide the following information.

Flood Insurance? Yes No Insurance Company: _____ Flood Policy #: _____

Please provide past flood claim information below. Provide details of historical losses on the next page.

Year: _____ Claim Amount: \$ _____ Year: _____ Claim Amount: \$ _____
 Year: _____ Claim Amount: \$ _____ Year: _____ Claim Amount: \$ _____

By submitting this form, I affirm the following:

- That the statements made on this form are true and complete to the best of my knowledge;
- That I/we own the property located at (address) _____;
- That the sale or modification of this property under a FEMA Hazard Mitigation Assistance Program is voluntary in nature, that I am under NO obligation to participate, and that I may drop out of the application process at any time;
- That I currently intend to participate;
- That I understand my submittal of this form only indicates my willingness to participate in the program and does not mean that my property will be mitigated through this program or by the community.
- **If Approved for a grant, I understand that I may be required to pay a match amount of up to 25% of the total project cost to mitigate my home. I affirm that I have the resources to meet cost-share and cost-reimbursement requirements.**

Name: _____ Date: _____ Signature: _____

Witness: _____ Date: _____ Signature: _____

**VOLUNTARY PARTICIPATION FORM
FEMA HAZARD MITIGATION ASSISTANCE PROGRAMS**

ELEVATION MITIGATION RECONSTRUCTION

HISTORICAL LOSS INFORMATION – Please attach any photos or historical loss documentation that may be helpful.

I affirm that, to the best of my knowledge, the following information is true and complete. **Please have this form authorized by a notary public.**

Name: _____ Date: _____ Signed: _____

FIRST FLOOD EVENT Date and Name (if known) of Event: _____
Source of Flooding (Body of Water): _____ Back up documentation attached? <input type="checkbox"/> Yes <input type="checkbox"/> No
Please list back-up documentation: _____ Depth of Flooding: _____
Duration of Flooding: _____ Damages (<input type="checkbox"/> Estimated <input type="checkbox"/> Known): \$ _____
Displaced from home? <input type="checkbox"/> Yes <input type="checkbox"/> No How long? _____ Types of Damage: _____
Notes: _____ _____
SECOND FLOOD EVENT Date and Name (if known) of Event: _____
Source of Flooding (Body of Water): _____ Back up documentation attached? <input type="checkbox"/> Yes <input type="checkbox"/> No
Please list back-up documentation: _____ Depth of Flooding: _____
Duration of Flooding: _____ Damages (<input type="checkbox"/> Estimated <input type="checkbox"/> Known): \$ _____
Displaced from home? <input type="checkbox"/> Yes <input type="checkbox"/> No How long? _____ Types of Damage: _____
Notes: _____ _____
THIRD FLOOD EVENT Date and Name (if known) of Event: _____
Source of Flooding (Body of Water): _____ Back up documentation attached? <input type="checkbox"/> Yes <input type="checkbox"/> No
Please list back-up documentation: _____ Depth of Flooding: _____
Duration of Flooding: _____ Damages (<input type="checkbox"/> Estimated <input type="checkbox"/> Known): \$ _____
Displaced from home? <input type="checkbox"/> Yes <input type="checkbox"/> No How long? _____ Types of Damage: _____
Notes: _____ _____

Only complete this form if you have previous flood damages for which there is a lack of documentation. Please submit one form for each such occurrence. Each Affidavit of Flooding that is submitted must be notarized.

Affidavit of Flooding

Property Address: _____

Parcel ID Number: _____

Owner's Name: _____

Owner's Address/Phone: _____ - _____ - _____

Date: _____

I hereby attest that my property located at _____, experienced damage resulting from flooding on (or as a result of) _____. The depth of this flooding was approximately _____(inches/feet) inside of my home and remained for approximately _____(days/weeks).

I affirm that the statement made on this affidavit is true and complete to the best of my knowledge, and understand that this affidavit is for the purpose of collecting historical flood information by the community.

Owner's Name

Owner's Signature

Witness Information

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, _____ by _____, who is personally known to me or has produced _____ as identification.

Seal:

Notary Public

Printed Name of Notary

DEPARTMENT OF HOMELAND SECURITY
 FEDERAL EMERGENCY MANAGEMENT AGENCY
DECLARATION AND RELEASE

O.M.B. No. 1660-0002
Expires August 31, 2013

DECLARATON AND RELEASE

In order to be eligible to receive FEMA Disaster Assistance, a member of the household must be a citizen, non-citizen national or qualified alien of the United States. **Please read the form carefully, sign the sheet and return it to the Inspector, and show him/her a current form of photo identification.** Please feel free to consult with an attorney or other immigration expert if you have any questions.

I hereby declare, under penalty of perjury that (check one):

- I am a citizen or non-citizen national of the United States.
- I am a qualified alien of the United States.
- Print full name and age of minor child: I am the parent or guardian of a minor child who resides with me and who is a citizen, non-citizen national or qualified alien of the United States. Print full name and age of minor child: _____

By my signature I certify that:

- * Only one application has been submitted for my household.
- * All information I have provided regarding my application for FEMA disaster assistance is true and correct to the best of my knowledge.
- * I will return any disaster aid money I received from FEMA or the State if I receive insurance or other money for the same loss, or if I do not use FEMA disaster aid money for the purpose for which it was intended.

I understand that, if I intentionally make false statements or conceal any information in an attempt to obtain disaster aid, it is a violation of federal and State laws, which carry severe criminal and civil penalties, including a fine up to \$250,000, imprisonment, or both (18 U.S.C. §§ 287, 1001, and 3571).

I understand that the information provided regarding my application for FEMA disaster assistance may be subject to sharing within the Department of Homeland Security (DHS) including, but not limited to, the Bureau of Immigration and Custom Enforcement.

I authorize FEMA to verify all information given by me about my property/place of residence, income, employment and dependents in order to determine my eligibility for disaster assistance; and

I authorize all custodians of records of my insurance, employer, any public or private entity, bank financial or credit data service to release information to FEMA and/or the State upon request.

NAME (<i>print</i>)	SIGNATURE	DATE OF BIRTH	DATE SIGNED
INSPECTOR ID NO.	FEMA APPLICATION NO.	DISASTER NO.	
ADDRESS OF DAMAGED PROPERTY	CITY	STATE	ZIP CODE

PRIVACY ACT STATEMENT

AUTHORITY: The Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended, 42 U.S.C. § 5121 -5207 and Reorganization Plan No. 3 of 1978; 4 U.S.C. §§ 2904 and 2906; 4 C.F.R. § 206.2(a)(27); the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193) and Executive Order 13411. DHS asks for your SSN pursuant to the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3325(d) and § 7701(c) (1).

PRINCIPAL PURPOSE(S): This information is being collected for the primary purpose of determining eligibility and administering financial assistance under a Presidentially-declared disaster. Additionally, information may be reviewed internally within FEMA for quality control purposes.

ROUTINE USE(S): The information on this form may be disclosed as generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in DHS/FEMA - 008 Disaster Recovery Assistance Files System of Records (September 24, 2009, 74 FR 48763) and upon written request, by agreement, or as required by law.

DISCLOSURE: The disclosure of information on this form is voluntary; however, failure to provide the information requested may delay or prevent the individual from receiving disaster assistance.

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 2 minutes per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0002) **NOTE: Do not send your completed form to this address.**

Duplication of Benefits

The Federal Emergency Management Agency has adopted a policy that prohibits duplication of benefits in the Hazard Mitigation Assistance Program that includes Flood Mitigation Assistance grants. The policy was developed in response to federal regulations that dictate the use of the primary funds used to mitigate property. The Federal Emergency Agency (FEMA) provides the following specific instructions in the Hazard Mitigation Assistance Program Guidelines for mitigation projects.

In the administration of Flood Mitigation Assistance Program (FMA) grants, FEMA and the grantee should avoid any duplication of benefits with other forms of assistance. FEMA's policy on duplication of benefits for individuals and families is mandated by Section 312 of the Stafford Act and is set forth in 44 CFR 206.191. This Section of the FEMA regulations delineates a delivery sequence establishing the order in which the disaster relief agencies and organizations provide assistance to individuals and families. Programs listed later in the sequence are responsible for ensuring that they do not duplicate assistance which should be provided by a program listed earlier on the list (the program with primary responsibility).

In the case of flood-damaged property programs (Section 1362, Section 404, etc.), they are not listed in the delivery sequence, and therefore are positioned after the eight listed programs. This means that all eight programs listed in the sequence at 44 CFR 206.191 (d) are "primary programs" in relation to mitigation grant programs. The Flood Mitigation Assistance program is required to ensure that it does not duplicate assistance which should be provided by any of the eight primary assistance programs.

Certification of Funds Used

Receipt of or pending receipt of the following benefit amounts must be disclosed to the State of Florida

1. SBA Loans - A property owner who has an SBA loan on the property being acquired will either be required to repay the loan to SBA, or roll it over to a new property at closing. Yes _____ No _____

2. Flood Insurance for Structure Repairs - That portion of a flood insurance payment that a property owner has received or is eligible to receive intended to cover structural repairs to the property being acquired will be deducted from the purchase price of the property being acquired. If flood insurance funds have been reinvested into repairs to the property, this amount will not be deducted. Proof of reinvestment can be supplied through receipts for materials and/or labor, or through on-site verification. Amount reinvested is \$ _____.

3. Increased Cost of Compliance -The NFIP Increased Cost of Compliance (ICC) claim payment from a flood event may be used to contribute to the non-Federal cost-share requirements so long as the claim is made within the timelines allowed by the NFIP. ICC payments can only be used for costs that are eligible for ICC benefits; for example, ICC cannot pay for property acquisition, but can pay for structure demolition or relocation. In addition, Federal funds cannot be provided where ICC funds are available; if the ICC payment exceeds the required non-Federal share, the Federal funding award will be reduced to the difference between the cost of the activity and the ICC payment.

Have you received ICC payments? _____

If so, how much ICC funds have you received? _____

Do you plan on receiving ICC payment? _____

If so, how much ICC funds do you plan on receiving? _____

4. FEMA Individual Family Grant and Emergency Minimal Repair Grant (EMR) - That portion of an IFG grant that a property owner has received or is eligible to receive intended to cover structural repairs to the property being acquired will be deducted from the purchase price of the property. Additionally, grants received from FEMA as part of Temporary Housing Assistance Program to quickly repair or restore owner-occupied primary residences to habitable and safe condition will be deducted from the purchase price of the property. If the funds have been reinvested into repairs to the property, this amount will not be deducted. Proof of reinvestment can be supplied through receipts for materials and/or labor, or through on-site verification. Amount received: _____

5. FEMA Disaster Housing - FEMA Disaster Housing money received by the property owner will not be deducted if the property owner has used the grant for housing related expenses. These can include: transient accommodations while an existing home is being elevated or relocated; combining it with other funds to make more substantial home repairs; minor home repairs made to make a home more livable prior to a buyout offer; down payments toward the purchase of a new home; moving expenses; closing costs; insurance; and deposits. Amount received: _____

Owner Name:

Property Address:

I hereby certify that the SBA Loans, Flood Insurance for Structure Repairs, FEMA Individual and Family Grant, Emergency Minimal Repair Grant (EMR) and FEMA Disaster Housing benefits defined above have been accurately reported and that the amounts not used for the purposes identified above have been fully disclosed.

Signed

Signed

Date

**Acknowledgement of Conditions
For Mitigation of Property in a Special Flood Hazard Area
With FEMA Grant Funds**

Property Owner		
Street Address		
City	State	Zip Code
Subject Property Address		
Deed Dated	Recorded	
Tax Map	Block	Parcel
Base Flood Elevation at the site is	feet (NGVD)	
Map Panel Number	Effective Date	

As a recipient of Federally-funded hazard mitigation assistance under the Hazard Mitigation Grant Program, as authorized by 42 U.S.C. §5170c / Pre-Disaster Mitigation Program, as authorized by 42 U.S.C. §5133 / Flood Mitigation Assistance Program, as authorized by 42 U.S.C. §4104c the Property Owner accepts the following conditions:

1. That the Property Owner has insured all structures that will **not** be demolished or relocated out of the SFHA for the above-mentioned property to an amount at least equal to the project cost or to the maximum limit of coverage made available with respect to the particular property, whichever is less, through the National Flood Insurance Program (NFIP), as authorized by 42 U.S.C. §4001 *et seq.*, as long as the Property Owner holds title to the property as required by 42 U.S.C. §4012a.

2. That the Property Owner will maintain all structures on the above-mentioned property in accordance with the flood plain management criteria set forth in Title 44 of the Code of Federal Regulations (CFR) Part 60.3, the Florida Building code and any local ordinance standards as long as the Property Owner holds title to the property. These criteria include, but are not limited to, the following measures:
 - i. Enclosed areas below the Base Flood Elevation will only be used for parking of vehicles, limited storage, or access to the building;
 - ii. All interior walls and floors below the Base Flood Elevation will be unfinished or constructed of flood resistant materials;
 - iii. No mechanical, electrical, or plumbing devices will be installed below the Base Flood Elevation; and
 - iv. All enclosed areas below Base Flood Elevation must be equipped with vents permitting the automatic entry and exit of flood water.

For a complete, detailed list of these criteria, see the Florida Building Code and any local ordinance standards.

3. The above conditions are binding **for the life of the property**. To provide notice to subsequent purchasers of these conditions, the Property Owner agrees to legally record with the county or appropriate jurisdiction's land records a notice that includes the name of the current property owner (including book/page reference to record of current title, if readily available), a legal description of the property, and the following notice of flood insurance requirements:

"This property has received Federal hazard mitigation assistance. Federal law requires that flood insurance coverage on this property must be maintained during the life of the property regardless of transfer of ownership of such property. Pursuant to 42 U.S.C. §5154a, failure to maintain flood insurance on this property may prohibit the owner from receiving Federal disaster assistance with respect to this property in the event of a flood disaster. The Property Owner is also required to maintain this property in accordance with the flood plain management criteria of Title 44 of the Code of Federal Regulations Part 60.3, the Florida Building Code, and any pertinent local ordinance."

4. Failure to abide by the above conditions may prohibit the Property Owner and/or any subsequent purchasers from receiving Federal disaster assistance with respect to this property in the event of any future flood disasters. If the above conditions are not met, FEMA may recoup the amount of the grant award with respect to the subject property, and the Property Owner may be liable to repay such amounts.

This Agreement shall be binding upon the respective parties' heirs, successors, personal representatives, and assignees.

HOMEOWNER/PROPERTY OWNER SIGNS HERE: _____

Name of Property Owner: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, _____ by _____, who is () personally known to me or () has produced _____ as identification.

NOTARY PUBLIC

SEAL:

Printed Name of Notary

Privacy Act Release

I/We, the undersigned, hereby grant my/our permission for the City of Key West to publish, through public notice, the location of my real property which is being considered for a mitigation project (acquisition, elevation, or mitigation reconstruction) by the City of Key West.

This information will be used to notify the public that FEMA and the State are considering a mitigation action that may include my property under Section 404 of the Stafford Act, as amended, the Flood Mitigation Assistance Program, the Pre-Disaster Mitigation (PDM) Program, and/or HUD programs.

Further, I/we hereby grant FEMA and the State of Florida permission to disclose flood insurance coverage and claim information, and information about disaster assistance payments received by me/us, to officials of Key West for the purpose of aiding in their planning and decision-making regarding mitigation or assistance actions affecting my property. This information will be used for this purpose only and will not be made public.

Date

Print Owner's Name

Print Owner's Name

Signed

Signed

Social Security Number

Social Security Number

Address of Property

City, State, ZIP

If applicable:

Flood Insurance Policy Number:

Insurance Agent's Phone Number:

Insurance Provider/Company:

Insurance Company's 5-digit Company Code: