

Dear FoCHAT Members,

In this newsletter are the following:

1. Don't call LRA about re-opening appeals; write to them, save a copy, and forward one to CHAT
2. Expansion of HMGP elevation grants to \$100,000 cap
3. **Second** installment from the recently published article "Stranded and Squandered: Lost on the Road Home," by Davida Finger, Staff Attorney for the Loyola Law Clinic.
4. Next CHAT Meeting: Next week, April 22 (see below)

1. **About LRA's promise to consider re-opening cases for applicants who think they never got a fair appeal (or got no appeal after dispute resolution), I tried the phone number below with no luck.**

The person who answered for LRA said, "No, we have not re-opened any appeals for applicants who are past the appeals deadline." I asked to speak to someone else, but she too did not know what I was asking about.

But the LRA website states the following.

- For many months we have heard of people who believe their Road Home appeal was lost in the shuffle, or that they were never able to exercise their right to appeal because their case was stuck in the "resolutions" process, which ended earlier this year.

In order to ensure that all applicants received fair treatment under the Road Home, the Louisiana Recovery Authority and the Office of Community Development will review these cases to ensure that homeowners received due process under the Road Home and that cases did not fall through the cracks.

For your case to be considered, you can do one of three things:

- **Email** info@louisianarecoveryauthority.org with "Road Home Appeal" in the subject line,
CHAT SUGGESTS THAT YOU cc chattra@yahoo.com to send a copy to us
- **Call** us at (225) 342-1700 to find out how to request an appeal **CHAT SUGGESTS THAT YOU DON'T CALL!**
- **Mail** a letter to the Louisiana Recovery Authority, ATTN: Ty Larkins, 150 Third Street, Suite 200, Baton Rouge, LA, 70801.

CHAT SUGGESTS THAT YOU SCAN A COPY AND SEND TO US OR FAX TO US AT: 504 988 1763

2. Reminder: Expansion of HMGP grants to \$100,000 cap

- that total construction plus elevation costs minus total funds awarded and benefits received are used to calculate HMGP elevation grants for **newly built** homes of RH applicants, who qualify;
- that just elevation costs minus elevation benefits are used for **repaired** homes of qualified RH applicants;
- remember that if you rebuild your house, it cannot be more than 10% larger in square footage for you to be eligible for HMGP elevation funding (although we are told that LRA is awaiting FEMA approval for pro-rating);
- remember to save all receipts, invoices, photos pre-construction etc.
- this is a compensation program so you only get funding half-way through the project and at the end (for rebuilding, you need a certificate of occupancy)

http://www.nola.com/news/index.ssf/2009/04/louisiana_expands_cap_on_homeee.html

- see <http://chatushome.com> for more details;
- contact LRA-HMGP at 1-877-744-7235 or 1-225-339-3746 or hazardmitigation@la.gov

3. Second installment from the recently published article “Stranded and Squandered: Lost on the Road Home,” by Davida Finger, Staff Attorney for the Loyola Law Clinic.

From the Seattle Journal for Social Justice Vol. 7, (2009)

A CHAT note: while this article is written mostly from the vantage point of low-income applicants, who are disproportionately African American and are the main clients of Loyola Law Clinic, it has always been CHAT policy to advocate for all groups of applicants. Many thousands of applicants in all groups have suffered anguish, heartache, prolonged loss of access to their homes, physically and emotionally because of avoidable problems and indifference during grant processing that was no fault of their own. It is just the lucky applicants who got a fair grant without undo trauma who did not personally suffer. Of course, low-income applicants suffered and are still suffering the most because they have the fewest financial resources to tide them over.

The staggering devastation following the 2005 Gulf Coast hurricanes and levee failures brought attention to inadequate local, state, and federal government responses. As rebuilding progresses in hurricane-impacted areas, images of those waiting for rescue on rooftops have vanished. However, urgent need remains for many still trying to rebuild their homes and lives. This article focuses on one specific disaster response that has fallen short in helping homeowners’ rebuilding efforts: the state of Louisiana’s Road Home Program. Throughout this article, “Road Home” refers to the program overseen by the state of Louisiana and implemented by ICF, the private contractor hired by the State.

The launch of Road Home was announced by former Governor Kathleen Blanco on August 22, 2006, approximately one year after the 2005 Gulf Coast hurricanes.² Created to “help Louisiana residents get back into their homes or apartments as quickly and fairly as possible,”³ Road Home is the state of Louisiana’s initiative to distribute federal rebuilding dollars. Through the Katrina Clinic at Loyola Law School in New Orleans, I have given direct assistance to many hundreds of Road Home applicants, and with other advocates, have called for changes to Road Home policies. With Road Home now administered under Governor Bobby Jindal’s authority, applicants and their advocates continue to encounter barriers while navigating complicated, ever-changing, and undisclosed rules. All told, Road Home has proved to be anything but quick and fair. The average homeowner in the Road Home Program received \$54,586 less than was actually needed to rebuild.⁴

Homeowners have experienced tremendous difficulties in navigating this government program that was supposed to enable rebuilding in Louisiana. This article tells the stories of Road Home applicants in order to illustrate some of the serious systemic challenges this program has presented. The homeowners’ stories highlight flawed Road Home policies and implementation practices that have plagued applicants and their advocates. These stories and countless untold similar accounts make a strong case for improved government accountability for all aspects of Road Home and urgent government reprioritization to value people’s firsthand experiences. This article does not attempt to reveal all problematic policies and practices with Road Home; these are vast.

Before examining Road Home policy and implementation deficiencies, this article includes a brief background on the funding scheme for Road Home, the State's privatization of the program, and the State's failure to allocate adequate funds to rebuild rental properties. The article then describes a myriad of substantive and procedural issues that applicants encounter in Road Home: its underlying valuation formula and problems with home-valuation policies; insufficient funding for low- to moderate-income families; nondisclosure of critical information; problems with its appeal system; inadequate written information and documentation; and expedited program deadlines that have unduly burdened applicants. Throughout, the article describes some of the ways in which advocates have worked to overcome Road Home barriers that lower grant awards, especially for those most in need. In conclusion, I describe Road Home reforms that remain urgent; with increased attention and oversight, my hope is that a more equitable and humane grant program can help Louisianians still struggling to rebuild their homes and lives.

INTRODUCTION

I knew I wanted to rebuild. This is home. Road Home sent an appraiser to my damaged house. That appraiser didn't even come inside. He said he knew what the values were in the Lower Ninth. One bedrooms have a value. Two bedrooms have a different value. He didn't even come inside. We didn't get close to enough to rebuild. If they had written down what it really cost to rebuild, we would be home.

—Ms. E., Lower Ninth Ward 5

Road Home was designed to give eligible homeowners up to \$150,000 in compensation for their damaged homes.⁶ It gives homeowner applicants three options: (1) stay in their home and rebuild, (2) sell their home to the State and relocate to a new home within Louisiana, or (3) sell their home to the State and move outside Louisiana.⁷ Those who select the third option face an automatic 40 percent penalty on their grant award.⁸ Applicants who did not carry proper insurance are subject to an automatic 30 percent penalty.⁹

The homeowner compensation grant is based on either Road Home's estimated cost of damage to the house minus other assistance received by the homeowner (e.g., insurance, FEMA, etc.), or the prestorm value of the home minus other assistance, whichever is lower.¹⁰ After completing the application, the homeowner applicant moves through various stages of Road Home before closing. The closing, administered by a title company subcontractor, finalizes grant disbursement.¹¹ The applicant may appeal grant errors both prior to and after closing.¹²

Overall, Road Home's delays in distributing grant awards have caused applicants endless difficulty; without knowing how or when Road Home grant awards would be received, applicants have had to postpone important rebuilding decisions. The delay in rebuilding caused by Road Home has made an indelible, detrimental mark on disaster-impacted areas. In an article entitled "Lessons From Katrina: How to Destroy an African American City in 33 Steps," Bill Quigley explained the first step—delay—the very step Road Home seems to have mastered: "if there is one word that sums up the way to destroy an African-American city after a disaster, that word is DELAY."¹³

In its first four months, Road Home closed fewer than one hundred homeowner grants.¹⁴ The RAND Corporation, a nonprofit policy institute, found that "the overall timeliness of the grant-making process has not been consistently good and predictable."¹⁵ RAND identified several problems that contributed to slow and variable grant wait times experienced by applicants: lack of timeliness goals, inattention to application duration, and delay of entire batches of applications based on batch sampling.¹⁶ Moreover, no goals were established for wait times to encourage the program to meet the expectations of each individual applicant.¹⁷ In addition, Road Home relied on three title companies whose utilization and performance have been uneven.¹⁸

The *Times-Picayune's* editorial page succinctly expressed dismay at these delays, stating that "forcing thousands of Katrina victims to wait for eight months or more to get the help they need to rebuild their shattered homes is cruel."¹⁹ Adding to the difficulties caused by overall poor design and implementation of Road Home, the extended, unexplained waits have taken their toll on those applicants who could least afford any additional hardships.

To be continued.

Still Showing on Cox 10 TV

Cox 10, The 2-hour Dec. 10, 2008 CHAT meeting about Road Home Contradictions(including a 35-min commentary by a former ICF and Quadel employee, who has extensive background in government grant programs)

was shown on: Tues., Dec. 16, 4 PM; Wed., Dec. 17, noon; Thurs., Dec. 18, 8 AM; Tues., Dec. 23, noon; Thurs., Dec. 25, noon; Fri., Dec. 26, 8 AM; Sat., Dec. 27, 4:30 PM; Sun., Dec. 28, 1 PM; Mon., Dec. 29, noon; Wed., Dec. 31, 2 PM; Thurs., Jan. 1, 1 PM; Fri., Jan. 2, 8 AM & 6 PM; Sat., Jan. 3, 3 PM; Mon., Jan. 5, 1:30 PM; Tues., Jan. 6, 3 PM; Wed., Jan. 7, noon; Thurs., Jan. 8, 4 PM; Fri., Jan. 9, 1:30 PM; Sat., Jan., 10, 3 PM; Mon., Jan. 12, 4 PM; Tues., Jan. 13, noon; Wed., Jan. 14, 2 PM; Thurs., Jan. 15, 2 PM; Fri., Jan. 16, noon; Sat., Jan. 17, 3 PM; Mon., Jan. 26, 4 PM; Tues., Jan. 27, noon; Wed., Jan. 28, 4:30 PM; Thurs., Jan. 29, noon; Fri., Jan. 30, 3 PM; Sat., Jan. 31, 4 PM; Mon., Feb. 2, noon; Tues., Feb. 3, 4 PM; Wed., Feb. 4, 4:30 PM; Fri., Feb. 6, noon; Sat., Feb. 7, 9 AM; Mon., Feb. 16, 12:30 PM; Wed., Feb. 18, noon; Thurs., Feb. 19, 1:30 PM; Fri., Feb. 20, 2 PM; Sat., Feb. 21, 3 PM; Wed., Feb. 25, 1:30 PM; Thurs., Feb. 26, 2:30 PM; Friday, Feb. 27, 3:30 PM; Tues., Mar. 3, 12:30 PM; Thurs., Mar. 5, noon; Sat., Mar. 7, 10 AM; Mon., Mar. 9, noon; Wed., Mar. 11, 1:30 PM; Fri., Mar. 13, 8 AM; Sat., Mar. 14, 10 AM; Mon., Mar. 16, noon; Wed., Mar. 18, 1:30 PM; Mon., Mar. 23, noon; Wed., Apr. 1, 2 PM; Fri., Apr. 3, noon; Mon., Apr. 5, 1:30 PM; Tues., Apr. 6, noon; Wed., Apr. 7, 1:30 PM; Thurs., Apr. 8, noon; Wed., Tues., Apr. 14, 1:30 PM; Thurs., Apr. 16, 2:30 PM;

- Next CHAT Meeting-Time: Meetings on Wed. at 6:30 PM at UNO
- Place: Room 179, UNO Milneburg Hall, **on Milneburg Rd. (the road where the brand new dorms are, past the stop sign and the University Center and opposite the Fitness Center. Building #24: [Directions to the Business Bldg are given on the Campus Map for UNO](#)**
- **NEXT MEETING** Wed., Apr. 22. **(NEXT WEEK, NOT THIS WEEK)**
- Newcomers are welcome.*

Best wishes,

Melanie Ehrlich

Founder, Citizens' Road Home Action Team (CHAT)

Member, LRA Housing Task Force