

A special thanks to the following individuals and organizations that set aside other equally important work to help draft this Manual under a short time frame.

Joe Basque, Iowa Legal Aid, Council Bluffs, IA

Steve Bishop, Iowa Legal Aid, Des Moines, IA

Tamara Borland, Iowa Legal Aid, Iowa City, IA

Wendy D. Boka, Hopkins & Huebner, P.C., Des Moines, IA

Rebecca Davis, DLA Piper US LLP, Phoenix, AZ

Tracy L. Deutmeyer, McGrath North Mullin & Kratz, PC LLO, Omaha, NE

Jessica Filippi, McGrath North Mullin & Kratz, PC LLO, Omaha, NE

Claire Gilchrist, Montreal, Quebec, Canada

Dennis Groenenboom, Iowa Legal Aid, Des Moines, IA

Allison Harvey, DLA Piper US LLP, Phoenix, AZ

Sara Greenwood Hektoen, City of Iowa City, Iowa City, IA

Gail Klearman, Iowa Legal Aid, Des Moines, IA

Rod Kleitsch, Iowa Legal Aid, Cedar Rapids, IA

Arlys Kness, Iowa Legal Aid, Des Moines, IA

Chris Luzzie, Iowa Legal Aid, Iowa City, IA

Fred Nelson, Iowa Legal Aid, Des Moines, IA

Elizabeth Norris, Iowa Legal Aid, Iowa City, IA

David Pendergast, DLA Piper US LLP, Phoenix, AZ

Charles Pierce, Iowa Legal Aid, Cedar Rapids, IA

Nancy Thompson, Iowa Legal Aid, Des Moines, IA

Brooke Timmer, Fiedler & Newkirk, P.L.C., Urbandale, IA

Brett Toresdahl, ISBA Public Service Project, Des Moines, IA

Gary Shullaw, DLA Piper US LLP, Phoenix, AZ

Jessman Smith, Frank Smith Law Office, Des Moines, IA

TABLE OF CONTENTS

A. FEMA ASSISTANCE.....	4
B. HOUSING ISSUES.....	19
C. EMPLOYER/EMPLOYEE ISSUES	29
D. SOCIAL SECURITY, BANKING, AND FINANCIAL ISSUES	36
E. CONSUMER PROTECTION ISSUES	39
F. INSURANCE ISSUES	46
G. WILLS AND ESTATES	52
H. HEALTH CARE ISSUES.....	58
I. PERSONAL BANKRUPTCY ISSUES	64
J. REPLACING LOST DOCUMENTS.....	67
K. RESOURCE AND REFERRAL GUIDE	71

INTRODUCTION

This Manual was prepared to assist Iowans who were or may be affected by weather-related disasters. This Manual also was prepared to assist Iowa lawyers whose clients may be facing legal issues that are new to the lawyers or unique to disasters. This Manual also was designed to assist and train those volunteer lawyers who have graciously agreed to help disaster victims through hotline or on-site assistance.

The following series of short questions and answers were developed by the ISBA and Iowa Legal Aid, as well as bar associations or legal services organizations in other states based on their experiences helping disaster victims after Hurricane Katrina.

The answers are general. Therefore, Iowans should consult an attorney to obtain advice and counsel specific to the facts and circumstances of their case. Lawyers should consult the local rules and the Iowa statutes to thoroughly analyze the specific legal issues facing their clients or the victims that they are assisting on a volunteer basis.

A. FEMA ASSISTANCE

When the President of the United States declares a “major disaster” anywhere in the United States or its territories, federal assistance is made available to supplement the efforts and resources of state and local governments and voluntary relief organizations pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended 42 U.S.C. 5121, *et seq.*

In Iowa, many counties were declared major disaster areas during the summer of 2008. FEMA identified that disaster as DR-1763. For an up-to-date listing of those counties, check www.fema.gov.

Individuals, families and businesses in these counties may be eligible for federal assistance if they live, own a business, or work in a county declared a Major Disaster Area. Help may also be available to those who have incurred sufficient property damage or loss and do not have insurance or other resources to meet their needs. The most important thing a disaster victim must do to obtain FEMA assistance is to register with FEMA. To apply for Assistance for Individuals and Households, individuals should register with FEMA toll-free at 1-800-621-FEMA (3362) (TTY: 1-800-462-7585) or at fema.gov. **As of July 14, 2008, the deadline to apply for FEMA benefits for DR-1763 is September 29, 2008. This deadline recently changed; contact FEMA to confirm the deadline as it may change again.**

Disaster victims should read FEMA publication entitled “Help after a Disaster - Applicant’s Guide to the Individuals and Housing Program,” which includes information about what type of assistance is available, who is eligible, the process for obtaining assistance, and frequently asked questions. The publication can be downloaded at: <http://www.fema.gov/assistance/process/guide.shtm>.

However, not everyone who has suffered in the disasters of 2008 is entitled to FEMA assistance. FEMA has established a policy for preventing and for rectifying duplication of benefits under 44 CFR 206.91. FEMA’s duplication of benefits policy includes the concept of sequence of delivery which establishes the order in which the major forms of assistance should be provided. The agency that has the primary responsibility for delivering a certain type of assistance should provide that assistance first, and may do so without regard to other agencies with similar assistance that are lower in the sequence. Agencies are not prohibited from disrupting the sequence of delivery when it serves to expedite the recovery of an applicant. However, the agency that disrupts the sequence of delivery must take corrective action.

The sequence of delivery for major forms of assistance is as follows:

1. **Voluntary organizations** - Those that provide emergency assistance in the form of food, clothing, shelter, medical, and transportation needs.
2. **Private insurance benefits** - Insured applicants must file a claim with their insurance company before receiving federal assistance. They may be eligible to receive disaster assistance if they have insufficient

coverage or have items not covered by their insurance policy.

3. **Temporary Housing Assistance** - FEMA funds and administers the Temporary Housing program, which is designed to provide disaster applicants with a grant for their housing needs. There are five forms of temporary housing, including (a) Lodging expense reimbursement for the cost of short-term lodging such as hotel rooms (food, transportation, telephone, separately billed utilities and other services not eligible for reimbursement); (b) Minimal repairs assistance to help those immediate emergency repairs to live in the residence while permanent repairs are being made (not intended to address all damage or restore home to pre-disaster condition); (c) Rental assistance - eligible applicants will receive financial assistance to rent a dwelling for the pre-disaster household to live for up to 18 months based on need (FEMA may provide a list of available rental properties as well); (d) Manufactured housing - when rental properties are unavailable, FEMA may provide in-kind assistance in form of trailers, manufactured homes or other readily fabricated dwellings for use as temporary housing for up to 18 months subject to recertification of continuing eligibility (applicants receiving in-kind assistance are not eligible for financial assistance); and (e) Mortgage and Rental Assistance provides a means to keep people who have suffered a substantial change in household income in their homes by assisting with their mortgage or rental payments and preventing foreclosures or evictions. The application period is up to 6 months after the date of declaration and the assistance is available for up to 18 months based on need.
4. **Small Business Administration (SBA)** - SBA provides low interest, long-term disaster loans for individuals to repair/replace real and personal property for non-farm businesses. If SBA determines that an applicant is ineligible for an SBA loan or if the loan amount is insufficient, SBA refers the applicant to FEMA for additional consideration. Borrowers are required to maintain appropriate hazard and flood insurance, where required. SBA can only approve a loan to an applicant with a reasonable ability to repay the loan.
5. **Disaster Reimbursement Grant Program** - This program, also called the "State Individual Assistance Program," is administered by the State of Iowa to provide funds to disaster victims to assist them in meeting disaster-related expenses for which assistance from other means is either insufficient or unavailable. **Duplicate benefits must be repaid to the State of Iowa.**
6. **Voluntary Organizations** - Those that provide assistance during recovery as well as during immediate emergency response. This includes national and local groups.
7. **Cora C. Brown Fund** - This fund, named after Cora Brown who died in 1979 and bequeathed part of her estate to the federal government to be used solely for human suffering caused by natural disasters, is used

for disaster victims who have exhausted all avenues of assistance, but who still have unmet needs. FEMA uses these funds under the authority of 42 U.S.C. 5201(b) of the Stafford Act and 44 CFR 206.181.

Other forms of individual assistance programs include:

- **Disaster Unemployment Assistance (DUA)** - DUA provides financial help and employment services to people who are otherwise ineligible for regular state unemployment compensation. DUA provides help for workers and those who are self-employed if they become unemployed as a direct result of a declared major disaster. DUA is funded 100% by FEMA and administered by Iowa Workforce Development. More information can be obtained from <http://www.iowaworkforce.org/ui/dua.htm>.
- **Crisis Counseling** - Funds are provided by FEMA as a grant to state and local mental health agencies to provide crisis counseling to help relieve grieving, stress, or mental health problems resulting from the disaster or its aftermath. Disaster victims can call Iowa Concern for crisis counseling. Contact information for Iowa Concern is (800) 447-1985 or

<http://www.extension.iastate.edu/iowaconcern/crisis.html>.

Disaster counseling may also be available through the local community mental health agency. The National Center for Mental Health call center can be reached weekdays from **8:30 a.m. to 5:00 p.m.** Eastern time at **(800) 789-2647** (toll-free) **(866) 889-2647** (tdd).

Services provided include screening, diagnostic testing, counseling, and outreach services such as disseminating public information and community networking. Two types of programs are offered through CC: (a) Immediate services to help state and local agencies to respond to immediate mental health needs of a victim of a disaster - this funding is provided for up to 60 days post disaster declaration; and (b) Regular services designed to provide up to 9 months of services to victims of a disaster. (Other national, state, and local voluntary agencies have similar programs and coordinate with the Center for Mental Health Services to reduce or eliminate duplication of efforts).

Applying for FEMA Assistance

Q.1 How do I apply for disaster help?

If you live in a disaster area declared by the President and need disaster help call 1-800-621-FEMA (3362) (hearing/speech impaired ONLY—Call TTY: 1-800-462-7585) or apply on line at www.FEMA.gov. Click on “Online Individual Assistance Center” and the screens will prompt you through the process. If you get a busy signal when you call the 800 number try calling in the evening after 6:00 p.m. or on the weekends when fewer people are trying to call.

When you apply you should have a pen and paper available to write down important phone contacts. You will need your social security number, current and pre-disaster address, phone numbers, type of insurance coverage, total household annual income, and a routing and account number from your bank if you want to have disaster assistance funds transferred directly into your bank account.

Q.2 What happens after I apply for disaster assistance?

FEMA will mail you a copy of your application and a copy of "Help After a Disaster: Applicant's Guide to the Individuals and Households Program" that will answer many of your questions.

- If your home or its contents are damaged and you do not have insurance, an inspector should contact you within 10 days after you apply to schedule a time to meet you at your damaged home.
- If your home or its contents were damaged and you have insurance, you need to work through your insurance claim first and provide FEMA with a decision letter (settlement or denial) from your insurance company before FEMA issues an inspection. ***There is an exception for damages caused by flooding; if you have flood insurance, FEMA will issue an inspection before receiving a copy of your flood insurance decision letter to evaluate your eligibility for temporary living expenses because temporary living expenses are not covered by flood insurance.
- About 10 days after the inspection FEMA will decide if you qualify for assistance. If you qualify for a grant, FEMA will send you a check by mail or deposit it in your bank account. FEMA will also send you a letter describing how you are to use the money (for example: repairs to your home or to rent another house while you make repairs).
- If FEMA decides that you do not qualify for a grant, FEMA will send you a letter explaining why you were turned down and give you a chance to appeal the decision. Appeals must be in writing and mailed within 60 days of FEMA's decision.
- If you get a SBA Disaster Loan application in the mail, you must complete and return the application to be considered for a loan as well as certain types of grant assistance. SBA representatives are available at Disaster Recovery Centers to help you with the application. If the SBA finds that you cannot afford a loan, they will automatically refer you to FEMA's Individual and Household grant program for help.
- If the SBA approves you for a loan, they will contact you.
- If the SBA finds that you cannot afford a loan, FEMA will contact you.

Q.3 Two weeks ago I mailed in documents FEMA had asked for. When I called the Helpline, the service representative said the documents were not in my file. What should I do?

Please be sure to keep your phone number and mailing address current in FEMA's records. FEMA has implemented new technology to help inform you that they have received your documents. You will be contacted via a recorded message informing you that FEMA has received your documents. FEMA advises that you please be patient and wait to receive the recorded message rather than calling the FEMA Helpline number and/or re-mailing or re-faxing the documentation since the automated message will contact you just as soon as your documents have been placed in your file. You can also check if documents have been received using the Online Individual Assistance Center.

Please remember that when you mail or fax documents to FEMA, it is very important to include your name, your social security number, the disaster number and your registration ID number on all paperwork. This will speed handling and assure that the documents are placed in the correct file. The numbers can be found on the cover page that is included with all FEMA correspondence in the upper left hand corner of any letter FEMA sends you.

Q.4 The letter from FEMA said I had no damages or insufficient damages, but my home was damaged and some of my personal property was damaged too. What do I do?

You may appeal any decision. When you appeal a decision, you are asking FEMA to review your case again. Appeals may relate to your eligibility, the amount or type of help you received, late applications or requests to return money. You will not automatically get another inspection just because you appeal. For additional information on the appeal process, please refer to page 10 of your Applicant's Guide or click on <http://www.fema.gov/about/process/>.

Q.5 How long does it take to get help from FEMA?

If you have damage to your home or its contents and you are uninsured or you have suffered damage due to a flood, a FEMA inspector will contact you within 14 days of applying, to set up an appointment to assess your disaster damages. Typically, within about 10 days after the inspection, if FEMA determines that you qualify for help, you will receive a direct deposit in your bank account or a check in the mail.

Q.6 I received my check for rental assistance, but there are no places to rent.

If you are eligible for housing assistance from FEMA but are unable to find a rental house or apartment within a reasonable commuting distance of your damaged home, please contact FEMA at 1-800-621-FEMA (3362) or visit a nearby Disaster Recovery Center. FEMA will evaluate your situation and, if appropriate, may authorize a travel trailer or mobile home.

Q.7 What should I do if I didn't receive enough money from FEMA to meet all my needs?

Most disaster aid programs are intended to meet only essential needs and are not intended to cover all your losses. Also, some people qualify for assistance from more than one program and may receive additional help from another agency. For example, the Small Business Administration is a very important source of funding for repair and replacement of real and personal property. If you received a loan application packet from the SBA, please complete and return the application as soon as possible. No work can begin on the loan until you submit your application. If you do not agree with FEMA's decision, you may appeal the decision. To file an appeal, follow the appeals process that is explained in the letter FEMA sent with the grant.

Q.8 I know of others in my neighborhood, city or state who received help from FEMA, however I was told I have insufficient damages. Does FEMA use the same criteria when considering damages for everyone?

FEMA reviews each applicant's case individually and applies the same eligibility criteria. If you were determined to be ineligible because of insufficient damages and you feel this finding is incorrect, you have a right to file an appeal.

Q.9 I have a new telephone number. How do I update my application?

Some information, such as current phone number, mailing address, or insurance policy number, can be updated through FEMA's on-line Individual Assistance Center - Account Access, available on the FEMA.gov web-site. To update other file information you will need to call the FEMA Disaster Helpline at 1-800-621-FEMA (3362) (hearing/speech impaired ONLY—call TTY: 1-800-462-7585), visit a Disaster Recovery Center, or write to FEMA at the address provided on any correspondence you have received.

Q.10 What are FEMA's citizenship/immigration requirements?

You must be a U.S. citizen, non-citizen national, or a qualified alien to qualify for a grant from FEMA's Individuals and Households Program. However, undocumented individuals can apply on behalf of their minor child who is a citizen and has a social security number. FEMA can provide information on how to obtain a social security number for a minor child. The minor child must live with the parent/guardian applying on his/her behalf.

The undocumented individual does not have to be a U.S. citizen, non-citizen national or a qualified alien for crisis counseling, disaster legal services or other short-term, non-cash emergency assistance. Voluntary agencies provide help regardless of immigration status.

Q.11 Are aliens eligible for disaster assistance? Who is eligible for disaster assistance?

To be eligible for cash assistance from FEMA you must be a qualified alien. A qualified alien generally includes individuals who are lawful permanent residents (possessing an alien registration receipt card) or those with legal status due to asylum, refugee, parole (admission into the U.S. for humanitarian purposes), withholding of deportation, or domestic violence. Applicants should consult an immigration expert concerning whether or not their immigration status falls within the qualified alien category.

Disaster Recovery Centers

Q.12 What is a Disaster Recovery Center and what services do they provide?

A Disaster Recovery Center (DRC) is a readily accessible facility or mobile office where applicants may go for information about FEMA or other disaster assistance programs, or for questions related to your case. NOTE: You can register for assistance at a DRC or use the Online Individual Assistance Center or by calling 1-800-621-FEMA (3362) (hearing/speech impaired ONLY-Call TTY: 1-800-462-7585).

Q.13 Some of the services that a DRC may provide:

- 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.
- SBA program information if there is a SBA Representative at the Disaster Recovery Center site.

Employment Issues

Q.14 I lost my job because of the disaster and am unable to make my mortgage (or rent) payments. Will FEMA make payments until I can return to work?

No. FEMA is not authorized to make such payments. If you lost work because of the disaster, you may qualify for Disaster Unemployment Assistance (DUA). For more information and directions on how to apply for DUA, check out the Web site of Iowa Workforce Development at www.iowaworkforce.org, call your local Workforce Development Center, or call 800-JOB-IOWA (for deaf or hard of hearing, use Relay 711). The DUA program covers most people affected by a disaster, including many who do not normally qualify for regular unemployment aid. Also, be sure to speak to your lender or landlord and explain your circumstances. Special arrangements can often be made.

Q.15 I have not been able to work since the disaster hit. My employer says that I still have a job, but I am not drawing a paycheck. Does FEMA pay for lost wages?

If you lost work because of the disaster you may qualify for Disaster Unemployment Assistance (DUA). For more information and directions on how to apply for DUA, check out the Web site of Iowa Workforce Development at www.iowaworkforce.org, call your local Workforce Development Center, or call 800-JOB-IOWA (for deaf or hard of hearing, use Relay 711).

Farm / Agricultural Damages

Q.16 I had damages to my farm or ranch. Can FEMA help me?

If you sustained damages to your home or personal property, you should apply with FEMA for assistance. If you had damages to your crops, livestock, farm equipment, barns, dairy, etc., you should contact your local Farm Services Agency office to inquire about the USDA's disaster assistance program.

Inspections

Q.17 The inspector told me I was going to get money from FEMA. However, I got a letter from FEMA stating that I was not eligible. Which is correct?

The letter is correct. The inspectors are FEMA contractors and are not authorized to comment on eligibility matters.

Q.18 What will FEMA accept as proof that I occupied my home?

There are several documents that may be used to prove occupancy. They include but are not limited to a utility bill for the damaged dwelling you are occupying; a merchant's statement sent to the damaged dwelling; an employer's pay statement sent to the damaged dwelling, or a current driver's license showing the address of the damaged dwelling.

Q.19 What will FEMA accept as proof that I own my home?

There are several documents that may be used to prove ownership. They include but are not limited to the deed, deed of trust, mortgage payment book or other mortgage documents, real property insurance policy, tax receipts; or property tax bill. The document must list you as the legal owner along with the damaged dwelling address.

Q.20 How do I contact the inspector if my inspector called me and I missed the call?

The FEMA inspectors are out on inspections most days and cannot be reached while they are inspecting a home. You should wait for the FEMA Inspector to call you again. The FEMA inspectors will try to call you 3 times to arrange an appointment to inspect your property. Inspectors will call your current phone contact and alternate if you

have given one. If any of your contact information has changed call the Helpline to update the information.

Insurance

Q.21 I have insurance and filed a claim with my insurance agent, but I don't have a place to live. Is there any help for me?

FEMA cannot duplicate assistance from your insurance company. If you still have serious unmet needs after receiving your insurance settlement, FEMA may be able to provide assistance. If you are unable to locate a place to rent, you can visit a local Disaster Recovery Center (DRC) or call FEMA's Helpline at 1-800-621-FEMA (3362) to get the list of rental resources in your area.

Q.22 I have received a settlement from my insurance company and it is not enough to cover my losses. What should I do now?

FEMA recommends the following: Read over your settlement documents carefully and be sure you understand your policy. If you believe a mistake has been made, contact your insurance agent. If you are still not satisfied, your agent can tell you how to contest the settlement. Next, call FEMA at 1-800-621-FEMA. FEMA and other agencies may be able to help cover those losses that are uninsured and otherwise eligible.

Q.23 Are insurance deductibles covered under FEMA's programs?

FEMA does not cover insurance deductibles. If your insurance settlement does not meet your disaster related need you may be eligible for assistance from FEMA.

Q.24 What documents does FEMA want from my insurance company?

If you apply for help from FEMA because your insurance does not cover all of your disaster related needs, you need to write a letter to FEMA explaining your situation and include a copy of a settlement or denial letter from your insurance company. FEMA cannot duplicate any insurance coverage.

Q.25 Do I have to file a claim with my insurance company since I have to pay a deductible? Why can't FEMA just help me?

FEMA cannot give you money for items that your insurance covers (this would be considered a duplication of benefits), but we may be able to help with uncompensated losses or unmet needs not covered by your insurance company. If you have not already contacted your insurance agent to file a claim, please do this as soon as possible. If you do not file a claim with your insurance company, FEMA help may be limited.

Q.26 My insurance company told me it would be weeks before they come to see my damages. Can FEMA help?

If a decision on your insurance settlement has been delayed longer than 30 days from the time you filed the claim, you may be eligible for an insurance advancement from FEMA. These funds are considered a loan and must be repaid to FEMA once you receive your settlement from your insurance company. Contact FEMA if your insurance settlement is delayed. FEMA will send you a Request for Advancement and Signature letter. You must complete and return this letter before FEMA can evaluate your request for assistance.

Late Registration

Q.27 I had extenuating circumstances that prevented me from applying for assistance before the registration filing deadline. I have damages from the disaster, what can I do?

You may make a late registration within 60 days after the filing deadline. A letter will be sent stating you are not eligible for consideration for disaster assistance under the Individuals and Households program. The letter will contain information on how you can appeal this decision if you had extenuating circumstances that kept you from filing during the open registration period.

Returning Funds

Q.28 I need to return a check or pay money back to FEMA. Where do I send it?

Treasury Checks: If you have not cashed the Treasury Check and wish to return it, or you have been advised in an official letter from FEMA to return the check, mail it to the Department of Treasury, P.O. Box 149058, Austin, TX 78714-9058.

Personal Checks/Cashiers Checks/Money Orders: All routine checks or money order payments made payable to the Federal Emergency Management Agency (or FEMA) should be sent to:

FEMA, P.O. Box 70941, Charlotte, NC 28272-0941

For overnight payments using couriers (i.e., DHL, FedEx), the address is:

FEMA, QLP Wholesale Lockbox - NC0810, Lockbox #70941, 1525 West WT Harris Blvd, Charlotte, NC 28262. Do NOT send cash.

State Checks: If you have received a check from your State for your damaged personal property and wish to return the check or have been advised in a letter to return the funds, you will need to mail the check / payment back to the state. The address will be listed on the letter that accompanied your check.

Road and Bridge Damages

Q.29 My home is not damaged, however a public road and/or bridge has been damaged and is preventing access to my home. Can FEMA help me?

Yes. If damages to a public road or bridge prevents or restricts you from accessing your home, FEMA may be able to provide assistance.

Q.30 If I own the bridge and/or road that is damaged, should I apply for assistance?

Yes, if the private road or bridge damage prevents or restricts access to your home, FEMA may be able to provide assistance.

Q.31 What if I share ownership and responsibility for the road and/or bridge with other families, do they all need to register?

All households who share in the responsibility of maintaining the private road and/or bridge should be encouraged to register, particularly if the damages prevent or restrict access to their homes.

Small Business Administration (SBA)

Q.32 Why am I being referred to the SBA?

The Small Business Administration (SBA) is the primary source of federal funds for long-term recovery assistance for disaster victims. The SBA has low-interest disaster loans for homeowners, renters and non-farm businesses to cover disaster damage to real and personal property.

Q.33 Does the SBA make loans to individuals or just businesses?

The SBA can loan money to homeowners, renters, and business owners. Homeowners may borrow up to \$200,000 for disaster related home repairs. Homeowners and renters may borrow up to \$40,000 to replace disaster-damaged personal property including vehicles. The SBA may not duplicate benefits from your insurance or FEMA. You may receive an SBA referral when you apply with FEMA.

Q.34 How do I reach the SBA Hotline?

The SBA has loan officers in the Disaster Recovery Centers to provide face-to-face service to disaster victims. You may visit the SBA at any of these locations without an appointment. A SBA representative will be glad to answer questions and help complete your application. To find out where the SBA disaster offices are located an applicant can call the SBA toll-free at 1-800-659-2955.

Travel Trailer/Mobile Home

Q.35 How do I Get a Travel Trailer or a Mobile Home?

If you are eligible for housing assistance from FEMA but are unable to find a rental house or apartment within a reasonable commuting distance of your damaged home, please contact FEMA at 1-800-621-FEMA (3362) or visit a nearby Disaster Recovery Center. FEMA will evaluate your situation and, if appropriate, may authorize a travel trailer or mobile home.

Q.36 How long can I use the travel trailer/mobile home?

If FEMA provides you with a travel trailer or mobile home you may be able to use it for up to 18 months from the date of declaration if you continue to have a disaster related housing need.

Q.37 My family is too large for a travel trailer/mobile home. What do we do?

FEMA can provide more than one travel trailer for a family if necessary.

Q.38 Can I have a ramp built for a travel trailer/mobile home?

When FEMA makes our initial assessment of your site to decide if it is possible to place a travel trailer/mobile home at your home, we include any requirements for ramps. If you did not receive a ramp and require one, call the FEMA Helpline at 1-800-621-FEMA (3362). A helpline representative will ensure that someone will get back in contact with you.

Q.39 A storm damaged the Travel Trailer that FEMA provided me. What should I do?

Contact the maintenance number provided when you were leased into your unit. If you do not have the number, call the FEMA Helpline at 1-800-621-FEMA (3362). A helpline representative will ensure that someone will get back in contact with you.

General Questions

Q.40 After the storm the gas station up the street was charging \$6.00 a gallon for gas. Isn't that price gouging?

If you find price gouging, contact the Consumer Protection Division of the Iowa Attorney General's Office at 1-888-777-4590.

Q.41 When funds are provided for disaster assistance in other countries, does this affect the amount of money that is available for my state?

No. If Federal disaster assistance is designated for your area, the disaster relief funds for your state will not be affected by any funds provided for international relief efforts.

Q.42 My vacation/secondary home was damaged. Can I get any help?

Damages to a secondary or vacation home are not eligible under FEMA's disaster assistance program. However, if you own a secondary home that is rented out or occupied by a family member, you may be eligible for assistance from the Small Business Administration.

Q.43 Will FEMA help me pay my utility bills?

No, FEMA cannot pay utility bills. However, local charitable organizations may be able to help for a short period. We suggest you contact the Red Cross or your local United Way office for a referral to a local agency that may be able to help.

Q.44 I lost my food because of the power outage; will I be reimbursed for it?

FEMA's disaster assistance program does not cover food losses. Voluntary organizations in the disaster area may be able to help you with a hot meal or other immediate needs for food.

Emergency Food Assistance (formerly known as food stamps)

The USDA through the Food & Nutrition Service (FNS) works with state and local governments during a disaster to provide access to food for those affected by the disaster. In addition to distributing commodities to the disaster sites, to individuals, and families affected by the disaster, the USDA has rules for a Disaster Food Stamp Program. In Iowa, the term "food stamps" has been replaced by food assistance. Electronic Benefit Transfer Cards (EBT) are used instead of food stamps. The program is run by the Iowa Department of Human Services.

The Disaster Food Assistance Program provides replacement benefits as food assistance for households that lose food and also extends benefits to many people who would not ordinarily be eligible for food assistance (formerly called food stamps). If a person needs food assistance they should contact their FEMA site or their local Department of Human Services (DHS) office. If their EBT card has been destroyed, lost, or stolen they should contact their local DHS office right away.

Below is information from the Iowa Department of Human Services website concerning the Disaster Food Assistance Program. Go to: www.dhs.state.ia.us/index.html and then to "Storm Help".

Residents of counties that have been declared disaster areas in a presidential disaster declaration may be eligible for the Disaster Food Assistance Program. There is a special application for the Disaster Food Assistance program and applications are only accepted for a limited time. Applications will be taken at the FEMA Disaster Recovery Centers as they are set up, or residents may contact their local DHS offices to apply. Note that some people who would not qualify for Food Assistance under the regular rules may qualify for Disaster Food Assistance. All households affected by the disaster are encouraged to apply.

If you currently receive Food Assistance you may qualify for Disaster Food Assistance benefits in addition to what you have already received.

To qualify a household must, because of the disaster, have experienced at least one of the following:

- Loss of food;
- Damage to, or destruction of the household's home;
- Damage to, or destruction of a household member's self-employment business;
- Disaster-related expenses not expected to be reimbursed during the disaster period;
- Loss or inaccessibility of income.

If you live anywhere in Iowa and currently receive Food Assistance you can apply for assistance to replace destroyed or spoiled food. To apply, complete a Request for Replacement of Spoiled Food application and bring or mail it to your county's DHS Office. If you are unable to get to your local office you should call 1-877-YES-FOOD (1-877-937-3663) to apply.

Additional Resources:

The USDA Food and Nutrition Services.

<http://www.fns.usda.gov/disasters/response/midwest.htm>

According to this website: **All Iowa grocers that are licensed to accept food stamp benefits (food assistance benefits) may sell hot foods to food stamp clients until July 31, 2008.**

Food Research and Action Center (FRAC).

<http://www.frac.org/>

In addition to more information on federal food programs, this website contains "An Advocate's Guide to the Disaster Food Stamp Program."

Q.45 I have trees down all over my yard, is there any help for debris removal?

Many homeowners' insurance policies cover debris removal. FEMA does not typically pay for cleaning up debris on private property or in gated communities, but if the debris is keeping you or emergency workers from safely getting to your home, FEMA may be able to provide help. Your local officials can also tell you if there is a pickup schedule for debris in your area.

Q.46 I purchased a generator. Will I be reimbursed?

FEMA reviews requests for reimbursement of the cost of a generator on a case-by-case basis and determines if a generator was purchased to overcome a disaster-related hardship, injury, or adverse condition. You should register and submit your receipts to see if the cost is covered.

Q.47 Does disaster help have to be repaid?

A grant from the Individual and Households Program does not have to be repaid. Loans from the Small Business Administration must be repaid.

Q.48 FEMA told me to send in my receipts. What is the mailing address?

Please mail all correspondences to the following address:

Mail: FEMA - Individual and Households Program National Processing Service Center, P.O. Box 10055, Hyattsville, MD 20782-7055 -OR- Fax it to: 1-800-827-8112.

Please write your name, social security number, disaster number and registration number on all pages of your document and keep a copy for your own records.

Q.49 I got a check from FEMA. What can I use the money for?

FEMA sends you money to meet your housing and personal property needs related to the disaster. You will receive a letter from FEMA telling you what the money covers. Be sure to read the *"Help After a Disaster: Applicant's Guide to the Individuals and Households Program"* included with your letter, for additional information.

Q.50 Can I get more information about disaster assistance on the Internet?

Yes. The best place to start is at www.fema.gov/about/process. There you can download a booklet called *"Help After a Disaster: Applicant's Guide to the Individuals and Households Program."* If you have already applied to FEMA, you should have received the same booklet in the mail. This is a very useful publication that explains how FEMA's disaster assistance program works; describes additional kinds of help you may qualify for from other federal, state and voluntary agencies; and gives you many important tips on how to best make all these programs work for you.

Q.51 I have a lot of damage but I received a letter from FEMA stating I am getting "\$0" ... How come?

Please read the entire letter and pp 7-9 of the "Applicant's Guide," which was mailed to you after you applied. This book explains the reasons for denial. The most common reasons for denial letters are because you have insurance to cover the loss or because your property is a secondary or vacation home. If you have received your insurance settlement and it does not cover all of your necessary expenses and serious needs, please contact FEMA at 1-800-621-FEMA (3362).

B. HOUSING ISSUES

Landlord/Tenant

Q.1 May I Terminate My Lease Because of the Disaster?

If the dwelling unit or premises are “damaged or destroyed” as a result of a disaster, to an extent that enjoyment of the dwelling unit is “substantially impaired,” the lease can be terminated. Iowa Code § 562A.25(1). The tenant may immediately vacate the unit and must notify the landlord in writing within fourteen days of the tenant’s intention to terminate the rental agreement. Iowa Code § 562A.25(1)(a). Upon termination, the tenant is entitled to a refund of any security deposit (less lawful deductions), plus a pro rata refund of any prepaid rent from the date of the casualty. Iowa Code § 562A.25(2). The landlord must refund the security deposit and/or provide a statement of any lawful deductions from the deposit within one month after the tenant moves out. Iowa Code § 562A.12. The tenant shall furnish the landlord a forwarding address at the termination of the lease, to which such statements may be sent. *Id.* If the lease is lawfully terminated because it is totally or partially destroyed, the landlord cannot prevent the tenant from retrieving the tenant’s personal property in the dwelling.

If the dwelling is partially destroyed or damaged (or its use is otherwise substantially impaired) because of a disaster, the tenant may elect, if continued occupancy is lawful, to vacate part of the dwelling. Iowa Code § 562A.25(1)(b). The tenant’s liability for rent is reduced in proportion to the diminished fair market rental value of the home, post disaster. *Id.*

NOTE: At common law, accidental destruction of the leased premises does not release the lessee from an express covenant to pay rent unless he has stipulated in the lease for a cessation of the rent. *See Harris v. Heckman*, 17 N.W. 592 (Iowa)(1883); *C.J.S., Landlord and Tenant* § 486.

It would seem that this rule does not apply where the destruction of the premises is of the entire subject matter of the lease, so that nothing remains capable of being held and enjoyed, as where a room or apartment or a building without land is leased and destroyed. *See C.J.S., Landlord and Tenant* § 486(b). Sometimes it can become a question of fact as to whether the property has become untenable. *See Benson v. Iowa Bake-Rite Co.*, 221 N.W. 464 (Iowa)(1928); *Woodbury Co. v. Williams Tackaberry Co.*, 148 N.W. 639 (Iowa) (1914). Mere deterioration is not the same as destruction. *See Gamble-Robinson Co. v. Buzzard*, 65 F.2d 950 (8th Cir.1933).

Q.2 If the premises are totally unusable because of the disaster, do I have to permanently move out even though I want to stay?

If the dwelling is partially destroyed or damaged (or its use is otherwise substantially impaired) because of a disaster, the tenant may elect, if continued occupancy is lawful, to vacate part of the dwelling. Iowa Code § 562A.25(1)(b). The tenant’s liability for rent is reduced in proportion to the diminished fair market rental value of the home, post disaster. *Id.*

Most landlords should be willing to keep the lease in force and suspend all rent payments (abate) if the tenant does not stay in the dwelling while the landlord is trying to repair or restore the flood damage. In major repair situations, the landlord usually wants the premises empty for efficient repair and avoidance of personal injury liability. Depending on the circumstances, the landlord may be willing to allow the tenant to stay in the dwelling rent-free until the premises are restored or repaired—even if the premises normally would be considered totally unusable, as long as it is lawful to remain. If this is what you would like to do, you need to discuss it with your landlord as soon as possible.

Q.3 If the dwelling is partially unusable because of the disaster and if I don't want to permanently move out, can my rent be partially abated (temporarily reduced)?

If the premises are partially unusable for residential purposes after the disaster, the tenant may obtain a reduction or abatement of the rent during the length of the repairs. Iowa Code § 562A.25(1)(b). This rent reduction, however, is not automatic or predetermined, and the amount of the reduction depends on the circumstances of each case. If one-half of the dwelling is unable to be used, then arguably one-half of the rent should be due. The landlord, however, can terminate the lease when: (1) the lease itself gives the landlord the right to terminate when a disaster renders the dwelling partially unusable, or (2) the landlord and tenant mutually agree to terminate the lease.

NOTE: Whether the dwelling is totally or partially unusable is a fact question decided on a case-by-case basis. The law states that the rent amount should be proportionate to the amount of the dwelling able to be enjoyed. Obviously, before paying less than the full rent, the tenant should talk to the landlord and try to reach a mutual agreement on any rent abatement or reductions that are justified because a disaster has rendered the premises unusable. If the landlord and the tenant cannot agree on the appropriate amount of the reduction or if the unit is totally or partially unusable, the tenant may still be able to reduce the rental payment.

Q.4 May I withhold payment of rent because of the disaster or because the landlord has failed to timely repair the dwelling after the disaster?

Generally speaking, it is not a good idea for the tenant to simply withhold the rent with the hope of getting repairs made. Iowa law provides a tenant with options to get certain repairs made. If, after the disaster, neither the tenant nor the landlord has terminated the lease because the dwelling is totally unusable, the tenant has the right to repair and deduct the amount of the repair (limited by one month's rent) from the payment of rent if the landlord does not timely repair. Iowa Code § 562A.27(4). The tenant must have notified the landlord of the intention to make the repairs and deduct the costs from the rent at least seven days before the periodic rental due date. Iowa Code § 562A.27(4)(b). The repair must be one which is part of the landlord's responsibility under Iowa Code § 562A.15, or the lease agreement. Iowa Code § 562A.27(4)(a). Timeliness of repair by the landlord may depend on the availability of materials, labor and utilities and, in some cases, on when the landlord receives insurance proceeds from his or her insurance company. The tenant has other remedies, such as termination of the lease, if the landlord fails to timely repair items that are a material health and safety risk. See Iowa Code § 562A.21(1). The tenant may also seek

injunctive relief. Iowa Code § 562A.21(2).

Q.5 Do I have to keep paying rent to my landlord while I am not living at my house/apartment?

The Iowa Code provides that the total destruction of leased property results in the possible termination of the lease, with no further liability on the part of landlord or lessee. Iowa Code § 562A.25(1)(a). Partial destruction of the leased premises gives rise to a right on the part of the lessee to seek termination of the lease or to reduce the rent owed. Iowa Code § 562A.25(1)(a) and (b).

So, the practical advice is that the client should hold payments until the condition of the leased property is verified.

Q.6 What can happen and what should I do if I cannot pay the rent on my dwelling because of job or salary interruptions following the disaster?

Temporary government rent assistance may be available from the Federal Emergency Management Agency (FEMA) or other governmental agencies. NOTE: Until payment is made to the landlord, the landlord may file for eviction and may be successful even though you may be entitled to government assistance. You can try to argue that payment is coming but the court may still grant an eviction.

If your lease is terminated because the dwelling is totally unusable, you must move out, regardless of whether you can or cannot pay the rent.

If you live in public or federally subsidized housing or receive Section 8 assistance, you are entitled, in most circumstances, to have your rent reduced when you suffer a loss in income. You must notify your landlord and the housing authority.

If the landlord is entitled to evict you and you do not move after the landlord has given you notice to vacate, you can be evicted only through a lawsuit.

Q.7 How could I pay rent if I wanted to?

For residential leases, the landlord probably is local and probably had to evacuate just like the lessee. Clients should be advised not to mail payments until the USPS procedures for forwarding mail to evacuees are clarified, or until clients can verify the landlord is receiving mail at the old address. The rent should be paid by money order, cashiers check, or personal check (unless otherwise stated in the lease). A copy of the payment tendered should be kept for the tenant's records.

Q.8 Can my landlord rent my home/apartment to someone else while I am gone?

Short answer is that the landlord is required to surrender peaceable possession of the leased premises to the lessee for the term of the lease. Iowa Code § 562A.14. The landlord cannot impair peaceful possession unless there has been a default by

lessee, the lease has been terminated, and a Court has ordered possession to be returned to the landlord.

The unfortunate practical advice here is not to worry about it until it can be verified that the leased premises still exist in habitable form.

Q.9 How do I contact my landlord?

One hopes that phone service will be restored in the near future, and that calls can be completed. USPS is attempting to coordinate mail delivery by establishing central repositories for mail directed to evacuated zip codes. There is no easy answer to this question.

Q.10 My landlord told me to move out because the dwelling is totally unusable after the disaster. Do I have to move out?

You must move out if the dwelling is totally destroyed and it is unlawful to remain in the home. Unless your lease says otherwise, the tenant has the right to terminate the lease if the dwelling is totally destroyed as a result of a disaster such as a flood. Iowa Code § 562A.25(1)(a) However, if the tenant does not move after notifying the landlord in writing of the termination, the landlord may treat the tenant as a holdover. The tenant must still be removed by following Iowa Code Chapter 648 et. seq.

Q.11 My landlord told me to move out the next day because he wants the dwelling for his daughter who lost her house in the flood. He told me if I didn't move out, he'd change the locks. Do I have to move out?

No. The landlord must honor the lease unless the dwelling is totally destroyed or the lease contains an express provision allowing the landlord to terminate in event of a fire, flood, or similar casualty. If the landlord wants you out in order to move someone else in, then the premises are obviously not "totally destroyed" and the landlord cannot terminate the lease.

If the landlord unlawfully locks you out, you should contact a lawyer. If you are low-income, you can call 1-800-532-1275 for information or possible representation by Iowa Legal Aid.

Q.12 What should I do if I am served with an eviction lawsuit?

If an eviction lawsuit is served on you, you should carefully read the papers and find your deadline for filing an answer or appearing in court. You can defend yourself in court or you can call a lawyer for representation or a legal services program for information or possible representation.

Q.13 How can I recover my personal property from the leased premises?

FEMA and federal security officials are going to be in control of when and how evacuees are allowed to return to their homes.

Between now and when the agencies permit a return, the best advice we can give an evacuee is to try to contact the landlord and determine whether the landlord (i) knows anything about the condition of the property, and (ii) has been able to do anything to secure the property.

Q.14 May I recover damages against my landlord for injuries or property damage I suffered as a result of the disaster?

When the injury or property damage results from a natural disaster and not from the landlord's negligence, the landlord is not liable for such injuries or property damage. However, the law does not prevent suits against the landlord for injuries or property damage resulting from the landlord's negligence. The landlord can therefore be sued if the landlord's negligence caused or contributed to the tenant's injuries or damage from the disaster.

Q.15 I have suffered personal injuries or loss or damage to my personal belongings from the disaster. May I recover damages against my landlord or the previous homeowner if they knew about the possibility of flooding and failed to inform me?

If the landlord or seller made an affirmative misrepresentation concerning the possibility of flooding, the tenant or buyer may be able to sue the landlord or seller for fraud to recover for property damages or personal injuries. If you knew, however, that the property could flood or did not rely on the affirmative misrepresentation, then you will not be able to recover damages.

If the landlord or seller said nothing about the possibility of flooding, then you will probably not be able to recover any damages. Generally, the mere failure to disclose a fact known by the seller or landlord is not fraud. However, failure to disclose the possibility of flooding may, under certain circumstances, support a lawsuit against a landlord or seller who knew of past flooding or knew of the possibility of flooding. Active concealment of known past flooding (for example, painting over flood water marks on walls) may also be the basis for tenant recovery. *See* 37 Am. Jur. 2d, Fraud and Deceit, 144-146.

Q.16 Can I recover damages against my landlord or the previous homeowner if they didn't know about the possibility of flooding?

No. As a general rule, the tenant or buyer cannot recover from the landlord or previous owner a loss or damage from flooding if the landlord or previous owner knew nothing about past flooding or the possibility of flooding, and did not tell the tenant or buyer that the property was not subject to flooding.

Q.17 All my personal belongings were destroyed when the roof fell in on the place I rent. What help can I get from my insurance company?

If you had renter's insurance or homeowner's contents insurance at the time of the flood, contact your insurance company. If your situation is desperate, make sure

you describe your situation to the insurance company. If the insurance company agrees that there is coverage, you can ask for advance payment to cover a part of your loss.

Q.18 What should I do if I do not have insurance on my personal belongings?

If your losses are not covered by insurance, you may be able to get an Other Needs Grant from FEMA to replace necessary items of personal property. You may apply for these benefits at the FEMA DRC sites or by phone or online. You may also wish to contact the Red Cross, which may be able to help you. If you are not in a federally designated disaster county but are in a state designated county, you can apply to the state for assistance.

Q.19 If my personal belongings are lost or damaged as a result of the flood or other disaster, may I recover from my landlord under the landlord's hazard insurance policy?

No. The landlord has no "insurable interest" in the tenant's property, and therefore, the landlord's hazard insurance cannot (and does not) insure the tenant's personal property.

However, if the damage or loss of the tenant's property is due in whole or in part to the landlord's negligence, the tenant may be able to sue the landlord and the loss may be covered by the landlord's liability insurance carrier.

Q.20 Is flood damage to my home covered under my insurance policy?

Your homeowner's insurance policy (sometimes called a "casualty insurance policy," "hazard insurance policy," or "fire and extended coverage policy") normally does not cover flood damage. The policy may cover water damage inside the home from direct or blowing rainfall, but it normally does not cover damage from surface water or rising water. Windstorm insurance normally will be limited to greater-than-normal wind conditions, such as from a hurricane. You should read your policy, talk to your insurance agent, and consult an attorney if you have questions.

Q. 21 Does my automobile insurance cover the damage to my car resulting from the disaster?

Normally, disaster damage to an owner's vehicle will be covered under the owner's comprehensive auto coverage, although specific language in the policy and any express policy exclusions will control.

Q. 22 May I recover damages against my neighbor whose property damaged my property during the disaster?

The general rule is that a person is not liable for injuries or damages caused by a disaster or "Act of God" where there is no fault of negligence on the part of the owner whose property caused damage to others during the disaster. Therefore, your neighbor

is liable only when he or she was negligent and such negligence was a cause of the damage. See 1 Am. Jur. 2d, Act of God, 11, 15; and 57 Am Jur. 2d, Negligence, 181.

Q. 23 What can I do with someone else's property, which the disaster carried onto my land?

When personal property is carried away by flood, wind or explosion onto the land of another, such personal property still belongs to the original owner and the original owner may enter and retrieve it. If the landowner refuses to let the owner of the personal property enter, or if the landowner appropriates the property for the landowner's own use, the owner of the personal property can sue the landowner for the value of the property.

Q. 24 May I sue the local, state or federal government for damages caused by the disaster?

Under some circumstances, the government may have liability if its employees were negligent and caused the damages. However, under the doctrine of "sovereign immunity," governmental authorities are generally immune from liability for the negligent acts of their agents and employees. The doctrine of sovereign immunity normally applies to "governmental functions" such as crime prevention, flood control, fire fighting, preservation of health, etc.

Q.25 Must I Continue Paying Rent For My Commercial Lease Space Even Though It Has Been Rendered Totally Or Partially Unusable By The Disaster?

Most commercial leases have specific provisions that address situations when the property is totally or partially destroyed. These provisions dictate the rights of the tenant or landlord. Refer to your lease. If your lease is silent regarding casualty situations, you will have to pay rent unless the building is completely destroyed. See *Osterling v. Sturgeon*, 261 Iowa 836 (1968).

Q.26 May I Recover Damages Against My Landlord For Injuries Or Property Damage I Suffered As A Result Of The Disaster?

You cannot recover damages against your landlord that arise strictly as a result of a disaster. Generally speaking, a landlord has an obligation to make all repairs and do whatever is necessary to put and keep the premises in a fit and habitable condition. However, a landlord is relieved of that obligation if the landlord demonstrates affirmatively that he or she has exercised due diligence and effort to make the premises fit and habitable, and that any failure by him or her to do so was due to circumstances reasonably beyond his or her control. Iowa Code § 562A.25. Similarly, a landlord has an obligation to supply heat, water, hot water and other essential services. If, such services are no longer available as a result of a disaster, and your landlord has not deliberately or negligently failed to provide these services, you cannot recover from the landlord. Iowa Code § 562A.23.

Homeowners and Mortgages

Q.27 My house was damaged and I can't live in it. Do I have to make my mortgage payments?

Yes. Most home loan documents require the homeowner to make mortgage payments even after a disaster - even if your house is damaged and you can't live in it. However, many lenders will allow you to delay mortgage payments for several months after a disaster (although interest may continue to be added). Many lenders will make loan modifications to allow the missed payments to be added to the loan, thereby lengthening the term of the mortgage. You need to communicate with your lender and tell the lender about the disaster and your temporary inability to pay. The lenders will nearly always work with you. If your mortgage is FmHA-financed or FHA-insured and you fall behind in your payments because of circumstances beyond your control, you have special rights.

Q.28 Do I have to pay my mortgage note while I am not living at the property?

Yes. It is not typical for a note secured by the borrower's real estate to include any sort of forbearance provision that would be triggered by flood related damage or destruction of the property.

However, Federal officials have advised Iowa lenders to grant leeway to flood-damaged customers who owe them money.

Q.29 What should I do if I receive a notice that my lender is going to foreclose on my home for non-payment of the mortgage?

If you have received a written foreclosure notice as a result of a disaster-related financial hardship, you may be eligible for Federal Emergency Management Agency (FEMA) assistance to help you with your mortgage payments. You may file an application for FEMA benefits. See the FEMA section of this manual.

If your mortgage is FHA-insured or FmHA financed, you may be entitled to reduced or suspended payments. Your lender must notify you of this right and give you an opportunity to seek help before the lender begins foreclosure proceedings. You must, however, meet the deadlines the lender will give you.

If you have income and you want to keep your house, you may be able to file a Chapter 13 bankruptcy. In this type of bankruptcy, the homeowner pays regular mortgage payments that accrue after the bankruptcy and all other living expenses and also pays an amount every month toward the mortgage installments, which were delinquent prior to the bankruptcy. If you think you may want to file a Chapter 13 bankruptcy, you should consult an attorney.

Q.30 Can my mortgage holder foreclose on my home if I can't make the payments?

Yes. The typical residential property mortgage does not include forbearance due to flood damage and allows the lender to foreclose following default:

In Iowa, foreclosures may be judicial or nonjudicial.

A nonjudicial foreclosure is a voluntary foreclosure and may be done by agreement between you and your lender whereby you give up all rights to your home. In a voluntary foreclosure, if your house is sold by the lender and does not sell for the amount of the mortgage, you are not responsible to pay your lender the difference. Correspondingly, if your house sells for more than the amount of the mortgage, the lender is not obligated to give you the difference.

A judicial foreclosure is a forced foreclosure and may be done only by order of the court. If you are subject to a forced foreclosure in Iowa, you have a right to reclaim your home within one year of the foreclosure and you may live in your home during this one-year time period. In a forced foreclosure, if your house sells for less than the amount of the mortgage, you are obligated to pay the lender the difference. Correspondingly, if your house sells for more than the amount of the mortgage, the lender must give you the difference.

Movable and Immovable Property

Q.31 Who is responsible to replace my personal property that was located on someone else's property (leased property, rented out to a customer, etc.)?

Absent a lease provision to the contrary, which would be very atypical, the landlord would not be liable to the tenant (or the tenant's customers in a commercial context) for storm damage to the tenant's (or customer's) personal property.

Which means, as a bald legal concept, the owner of the personal property bears the loss. Insurance contracts frequently will produce a different result. The liability insurance carried by a car dealership, for instance, might well cover storm damage to third party vehicles that were in the shop waiting for repair when the storm hit. In some situations, multiple insurance coverages might be available (in the example just given, the car dealership and the car owner may both have liability insurance that would apply). The resolution of the question of whose insurance would pay when neither party is at fault is not within the scope of this manual.

Q.32 Who is responsible for the value of my personal property that was stolen (looted)?

Generally, theft would be covered under most insurance policies. For homeowners, the specific property that might be covered, and the exclusions, would all be set forth in the homeowners' policy. For tenants (for instance a tenant that operates a shop that was looted) the landlord's insurance is not likely to respond, and as noted above, the landlord is not going to be legally responsible absent either a lease provision that places the loss on the landlord or some widely recognized common law theory (i.e. landlord's failure to provide adequate security). However, it seems highly unlikely that the common law theories would fit the circumstances of this disaster.

Q.33 Is there any program available for me to recover the value of my lost personal property?

Refer client to FEMA. Absent insurance, FEMA rules are going to apply.

C. EMPLOYER/EMPLOYEE ISSUES

Iowa Workers' Compensation Benefits

If you are currently receiving workers' compensation benefits and have relocated or have otherwise seen a disruption in benefit checks due to flooding, tornado, or other natural disaster, there are steps you can take to make sure you continue receiving benefits. If you used an attorney in your workers' compensation case and are able to locate a phone number or contact information for that attorney or firm, he or she should be able to contact your employer's (whether current or former employer) human resources department or insurance carrier on your behalf to make sure your benefits continue. If you did not use an attorney, you can call your employer (the one you had at the time of your workers' compensation injury) and ask to speak to someone in human resources or management to report your move or to discuss workers' compensation benefits. If you happen to have contact information for the insurance claims adjuster who handled your claim, you can call that person as well.

If you are not able to reach or locate an attorney, your employer at the time of the injury, or the insurance adjuster who handled your claim, you can call Iowa Workforce Development at (515) 281-5387 or (800) JOB-IOWA.

If you have been injured in the course of your employment or while at work -- even if the injury is related to a natural disaster -- you may be entitled to workers' compensation benefits in the form of medical care and/or disability benefits. Iowa law establishes time limits for notifying your employer and for seeking recovery for such benefits. Generally, you must notify your employer of the injury within 90 days and must file a claim within 2 years. If you have been injured at work, you should seek legal advice at once.

Unemployment Compensation

If a person became unemployed because his or her employer's business was destroyed or closed because of the disaster, or because the person lost his or her job because his or her house or car was destroyed, or because the person was no longer able to get work due to the disaster, he or she may be entitled to receive unemployment compensation benefits. Iowa Unemployment Compensation Benefits may be applied for online at Iowa Workforce Development's website at <http://www.iowaworkforce.org/ui/file1.htm#1>. As referenced above in the FEMA section, if a victim is not eligible for Iowa unemployment compensation, he or she may be entitled to disaster unemployment assistance under FEMA. Unemployment compensation benefits and disaster unemployment assistance require the completion of separate applications. In any event, unemployed disaster victims should apply for unemployment benefits under both the state and FEMA provisions as soon as possible since there is a waiting period for receipt of benefits. Disaster victims seeking information on unemployment benefits and disaster unemployment benefits may also call 1-800-JOB-IOWA from 8:15 a.m. to 4:15 p.m. Online guidance is available at www.iowaworkforce.org, or, disaster victims may apply at any Iowa Workforce Development Center.

Q.1 What is an employers obligation in regards to termination of employees?

There is no federal or state law that obligates an employer not to terminate employees if an employee's home, vehicle, personal possessions, etc. were affected and/or destroyed during the recent tornadoes and floods.

Q.2 What is an employer's obligation with respect to group insurance?

The shutdown of an employer's enterprise would trigger the elimination of group insurance coverage for covered employees and dependents. This would obligate the firm to send notices to the ex-employees advising them of their conversion rights (the right to convert the group coverage to an individual coverage) pursuant to a federal statute known as "COBRA." In the usual case, COBRA permits the ex-employee to continue the same coverage in an individual policy for up to 18 months.

Q.3 What can employer's do with regards to the payment of employees' salaries?

An option to an employer would be to place employees on administrative leave status while the office regroups. This would relieve the firm of the obligation to pay salaries. So long as the firm continued to pay the premium for group medical coverages, the employees would still have those coverages.

Q.4 Does Iowa have any legal restrictions against firing, suspending or disciplining employees?

Iowa is known as an employment-at-will state. Generally, this means that an employer may legally hire, fire, suspend or discipline any employee at any time and for any reason - good or bad - or for no reason at all. (unless there is an employment contract or union protections). However, an employer may not discriminate against any employee on the basis of the employee's race, sex, age, religion, color, national origin or disability. Iowa law also prohibits discrimination on the basis of pregnancy or childbirth, or sexual orientation. In general, an employer cannot allow an employee's inherent characteristics or the fact that the employee complained about discrimination or harassment to affect decision-making about that employee.

Q.5 Does Iowa have a whistle blower's law?

For state employees, Iowa Code §70A.28 and §70A.29 gives special protections for state and/or local government employees regarding “whistleblowing.” A governmental employer is not allowed to fire an employee for disclosing something that they reasonably believe violates a law, or constitutes an abuse of funds, an abuse of authority, or a danger to public safety.

However, there is also a public policy exception to the at-will doctrine which in cases of whistleblowing would act to protect the employee. For example, when an employee has the right or obligation to take action, the employer cannot punish the employee for taking that action.

For example, an employee cannot legally be disciplined, demoted, denied a promotion or fired because they have:

- Reported child or adult abuse as a mandatory reporter
- Reported their employer to the INS for immigration issues
- Complained to OSHA
- Complained to the Department of Labor
- Reported illegal behavior by a coworker, supervisor, or the company

This list does not contain every single basis that might exist for illegal retaliation and/or whistle blower exceptions.

Q.6 Are there exceptions to Iowa's employment-at-will doctrine?

- Discrimination based on your age, sex, race, color, national origin, disability, pregnancy, sexual orientation, or gender identity
- Harassment based on any of the above characteristics
- Discrimination or harassment based on your association with someone of a different race
- Retaliation because you have opposed or made a complaint about illegal discrimination or harassment
- Retaliation because you have done something that you are legally obligated or entitled to do

DEADLINES: Employees cannot protect their rights unless they take some kind of action, like filing a civil rights complaint or a lawsuit, within a reasonable time frame after something bad happens at work. Deadlines for taking action on employment law cases vary by the type of case. They can be as short as 45 days in some cases. Employees should act as soon as possible to make sure they are not left without a remedy.

Q.7 When should final paychecks be issued in the case of employers who are closing their businesses as a result of the disaster?

When the employment of an employee is suspended or terminated, the employer shall pay all wages earned, less any lawful deductions specified in Iowa Code § 91A.5 by the employee up to the time of the suspension or termination not later than the next regular payday for the pay period in which the wages were earned as provided in § 91A.3. However, if any of these wages are the difference between a credit paid against wages determined on a commission basis and the wages actually earned on a commission basis, the employer shall pay the difference not more than thirty days after the date of suspension or termination. If vacations are due an employee under an agreement with the employer, or under a policy of the employer establishing pro rata vacation accrued, the increment shall be in proportion to the fraction of the year in which the employee was actually employed (Iowa Code § 91A.4).

Q.8 What is unemployment insurance?

Unemployment insurance (UI) is a program designed to provide temporary financial assistance to workers who are unemployed through no fault of their own and who meet the requirements of the Iowa Employment Security Law. UI benefits are paid as a matter of past employment and legal entitlement, not on the basis of need.

Q.9 How do I qualify for unemployment insurance benefits?

The law sets qualifying requirements in three main areas: your past wages, your job separation, and ongoing availability and work search requirements. You must meet all of the following qualifying requirements in order to receive benefits.

Past wages: You must have earned enough wages in your base period. The base period is the first four of the last five completed calendar quarters before you filed your claim.

Reason for separation from your last work: You must be unemployed or partially unemployed through no fault of your own in order to receive benefits.

Ongoing availability and work search: You must be physically able and available to work. You must also be actively seeking work. If you are temporarily laid off and have a definite return-to-work date, your work search requirements may be waived.

Q.10 How do I file for unemployment insurance?

To file a claim for unemployment insurance, you may report in person to the nearest Iowa Workforce Development Center or you may file online. Before filing a claim, you will need the following information:

- Your social security number.

- The name, address and telephone number of your most recent employer, and the beginning and ending dates that you worked for that employer.
- An Alien Registration Number, if you are not a U.S. citizen.
- A DD-214 (Member 4), if you served in the U.S. Military during the last 18 months.
- An SF-8 form, if you worked for the federal government in the last 18 months.
- The name(s) of anyone you will be claiming as a dependent, up to a maximum of four.
- The amount your spouse earned in the preceding week, if you want to claim your spouse as a dependent (must be \$120 or less to be claimed).

Do not delay in filing your application because you may lose benefits if you are not allowed to back date your application.

You can also go to the website www.iowaworkforce.org or call 1-800-JOB-IOWA. There is also a guide entitled "Facts About Unemployment Insurance" for review. [See Exhibit E]

Q.11 How should I file if I worked in another state or more than one state?

No matter in which state you may have worked, or in which state you may now live, you can file your UI claim in the Workforce Development Center closest to your current place of residence. Personnel in that office will assist you in determining against which state you should file. There is a Workforce Development Center or a State Employment Office in nearly every large town in the United States.

Q.12 What are the minimum and maximum amounts of UI benefits?

The minimum weekly benefit amount of UI in Iowa is \$10.00. The maximum is currently \$426, although this will change on July 1, 2008. Your weekly benefit amount could be anywhere in this range, depending upon the total amount of wages paid to you during your base period and the number of dependents. The total amount of unemployment insurance benefits payable to you would be equal to the lesser of 26 times your weekly benefit amount or one-third of your total base period wages.

Q.13 Are UI benefits taxable?

Any UI benefits you receive are taxable income. You will be issued Form 1099G at the end of January showing the amount of benefits paid to you, as well as any federal income tax withheld at the time the benefits were paid. The amount on the 1099G is not reduced by any repayments you may have made for overpaid benefits. Therefore, if you're paid any benefits, you must maintain your record of payment, such as

reimbursement receipts or canceled check notices to make adjustments to your taxable income and as documentation for the federal Internal Revenue Service and State Tax Office when you file your tax returns.

Q.14 What is Disaster Unemployment Assistance, or DUA?

If the President of the United States declares a disaster in your area, payment of Disaster Unemployment Assistance may be authorized. Persons who become unemployed as a result of the disaster, and who do not qualify for regular UI benefits, may file for DUA. Should a disaster be declared in your area, your local news media will provide information on how to obtain this assistance.

Q.15 Can I recover disaster unemployment benefits or assistance?

Yes. Disaster Unemployment Assistance provides financial assistance to individuals whose employment or self-employment has been lost or interrupted as a direct result of a major disaster declared by the President of the United States. Before an individual can be determined eligible for Disaster Unemployment Assistance, it must be established that the individual is not eligible for regular unemployment insurance benefits (under any state or federal law). The program is administered by states as agents of the federal government.

Q.16 Who qualifies for Disaster Unemployment Assistance?

In order to qualify for this benefit your employment or self-employment must have been lost or interrupted as a direct result of a major disaster and you must have been determined not eligible for regular state unemployment insurance.

Payment will be made to unemployed U.S. nationals and qualified aliens, who as a direct result of a major disaster:

- No longer have a job.
- Are unable to reach the place of work.
- Were to commence work and does not have a job or is unable to reach the job.
- Have become the breadwinner for the household because the head of household has died or become incapacitated. (If you became a breadwinner due to the death of a self-employed individual, you are considered an unemployed worker for DUA purposes).
- Cannot work because of a disaster-incurred injury.

Q.17 What benefits are available?

Disaster Unemployment Assistance is available to individuals for weeks of unemployment beginning after the date the major disaster began and for up to 26 weeks

after the major disaster was declared by the President, as long as their unemployment continues to be a result of the major disaster. The maximum weekly benefit amount is determined under the provisions of the state law for unemployment insurance in the state where the disaster occurred (see above).

Q.18 How do I file a claim?

Applications for Disaster Unemployment Assistance are available online at www.iowaworkforce.org and can be submitted by mail or at local Iowa Workforce Development Centers. Applications are also available at Workforce Development Centers.

D. SOCIAL SECURITY, BANKING, AND FINANCIAL ISSUES

Social Security Benefits

The Social Security Administration is attempting to ensure that all Social Security Benefit Checks are received by all beneficiaries affected by the recent flooding in Iowa. Flood victims seeking information on social security benefits or social security disability benefits may also call 1-800-772-1213 to use Social Security's automated phone services to get recorded information and conduct some services 24 hours/day. If you are deaf or hard of hearing, call our toll-free TTY number, 1-800-325-0778, between 7 a.m. and 7 p.m. Monday through Friday.

Additionally, if the applicant is blind, over the age of 65, or disabled and cannot perform any kind of work, they should apply for benefits at the nearest Social Security office. You can start an application by calling the Social Security Administration's toll free telephone number 1-800-772-1213. You can also apply online at www.ssa.gov/onlineservices/. Once Social Security has all the necessary documentation, such as proof of earnings and medical evidence of disability, it will send a written decision. If the applicant is denied and you think they are eligible, you should file a request for reconsideration within 60 days of the date of the initial decision. If they are denied again, you should request a hearing and contact Iowa Legal Aid.

The applicant may also be eligible for other kinds of Social Security or SSI benefits, on his/her account, or on the account of another if they want to retire, or they are an aged or disabled widow or widower, or are the dependent family member of a disabled, retired or deceased worker. If you think your client is eligible for any of these benefits, you should contact the Social Security Administration and apply.

Social Security cards and payments

If you depend on social security benefits, you will need to contact the Social Security Administration to verify your social security number. It's not always necessary to have your social security card with you to verify your identity. There's a form that people must fill out with their background information.

If your social security check has been lost or damaged, go to or call your nearest Social Security Administration office. To find those locations, call 800-772-1213 or log onto www.ssa.gov. If you are deaf or hard of hearing, call our toll-free TTY number, 1-800-325-0778, between 7 a.m. and 7 p.m. Monday through Friday. For more information, log onto www.ssa.gov/replace/sscard.html

Banking/FDIC Issues

Q.1 The local banks are not cashing my checks or letting me withdraw money from teller stations, what can I do?

If you have a bank account somewhere, they will cash your checks. If you don't, they won't unless a special arrangement exists.

Q.2 My direct deposit is not showing up in my account, and I need money. Is there somebody who can help me clear this up with the bank?

Sometimes there are delays in the processing of transactions, including direct deposits, as banks activate backup plans to deal with the flooding. If any delays exist, they should be rectified soon. You should talk to your bank directly about the problem. You may also want to contact the individual or company that originated the deposit to see if they have any information about the status of your deposit.

Q.3 If my ATM card does not work, what should I do?

If your ATM card will not work, you should contact your bank directly. It may be that your bank's verification system is not working. You may consider cashing a check or using a credit card. If you cannot contact your bank, you should contact one of the emergency service organizations, such as FEMA or the Red Cross.

Q.4 I am no longer working due to the storm and don't have the income to live on and meet my payments. If I miss some loan payments, how will this affect my credit? Will I be charged late fees?

We are asking banks to work with customers hardest hit by the flooding. You should talk to your bank directly and see if they may be willing to (i) allow some loan payments to be skipped without it counting against your credit history, (ii) extend the terms of your loan, and/or (iii) restructure loans to take into account your new circumstances. Before skipping payments contact your bank. The FDIC is also encouraging financial institutions to work with borrowers who are experiencing difficulties beyond their control because of damage caused by the flooding.

Q.5 I need longer term financing until insurance checks come in, and I can find another job, will banks help?

We understand that not all banks provide short-term, unsecured loans, but regulators have encouraged banks to consider making loans on a short-term basis to help consumers.

Q.6 Where can I find a list of banks that are working with displaced people?

The FDIC is encouraging depository institutions in the affected disaster areas to meet the financial service needs of their communities. This includes extending repayment terms, restructuring existing loans or easing terms for new loans. FDIC is not currently maintaining a list of banks working with displaced people. You can contact your bank directly to see if they've adopted a policy for assisting displaced people.

Q.7 What about the contents of my safe deposit box? Does FDIC insurance cover safe deposit boxes?

Deposit insurance does not cover safe deposit contents. Most safe deposits are held in the bank's vault, however, which are fireproof and waterproof. Contact your bank branch where your box was located to determine the condition of your box.

Q.8 How will I get my Social Security check?

Your social security check should still be going to your account at your local bank. If there have been any disruptions, you should contact your bank or the Social Security Administration directly.

To get your social security check if you have not been receiving direct deposit, go to the nearest office of the Social Security Administration which can be located by calling 1-800-772-1213.

Q.9 I am worried about ID theft since my home was severely damaged during the storm or I am not sure where my belongings are at the moment.

You may place a fraud alert on your account by calling any one of the three main nationwide reporting companies at the numbers listed below. The alert tells creditors to follow certain procedures before they open new accounts in your name or make changes to your existing accounts.

Equifax: 1-800-525-6285

Experian: 1-888-EXPERIAN (397-3742)

TransUnion: 1-800-680-7289

Q.10 What happens if my bank has lost my records?

There has been no indication that any bank lost customer records in the flooding. Banks are required to have extensive contingency plans for all types of disruptions to operations including natural disasters. Banks have backup systems of records and other built-in duplications that are housed in safe locations so that financial records can be reconstructed and restored.

Q.11 If my local bank was destroyed, is my money still insured?

Yes, your money is still insured by the Federal Deposit Insurance Corporation (FDIC). Deposits with a FDIC insured bank or savings institution will continue to be protected up to \$100,000. However, you should keep any financial records that you have in order to help reconstruct your accounts.

E. CONSUMER PROTECTION ISSUES

Q.1 What Iowa laws prohibit price gouging?

Attorney General Tom Miller has announced that the State's anti-price-gouging rule is in effect in counties where disaster declarations have been issued in the wake of tornadoes, storms or floods.

Price-gouging is the practice of taking advantage of disaster victims by substantially raising the prices for needed goods or services without justification. Price-gouging is considered an unfair practice under the Iowa Consumer Fraud Act when a disaster declaration is in effect for a county. Iowa Code Section 714.16 describe the practice as raising prices unreasonably above the price at which the merchandise or service was sold in the usual course of business immediately prior to the onset of the emergency. (The rule recognizes the fact that prices sometimes may be higher because sellers also often incur increased costs.) The rule applies during the emergency declaration and "subsequent recovery period" up to six months.

Consumers should be urged to contact the Iowa Attorney General's Consumer Protection Division at 1-888-777-4590 if they believe price gouging is occurring.

Q.2 What is "Home Equity Fraud"?

Home equity is the market value of the home minus the mortgage and other liens on the home. For example, if a home's market value is \$100,000 and the mortgage and all liens are \$80,000, the equity is \$20,000.

Home equity fraud is the taking of a homeowner's equity by fraudulent means. Victims of home equity fraud are most often elderly persons and person with limited English speaking skills.

Home Repair/Lien Contract Scams

After a disaster, a homeowner frequently needs major repairs for serious damage. This may include roofing and siding, plumbing, electrical wiring, heating and cooling, replacement of damaged structures, interior living quarters, etc. The cost of these repairs is most likely greater than the insurance coverage and the ability of the homeowner to cover the cost. Frequently, a low-income homeowner has deferred maintenance which may make the damage ineligible for FEMA funding.

The homeowner may feel trapped between the high cost of the repairs and the limited funding for repairs. Unscrupulous contractors or salespeople will take advantage of the fears of the homeowner and agree to make the repairs at unrealistic prices or financing schemes. The salesperson or contractor then induces the homeowner to sign a lien-contract secured by the home. The loan repayment amounts are higher than what the consumer can afford to pay on a fixed income. Alternatively, the contractor provides inadequate repairs or services and the consumer refuses to pay the note to the finance company. The lien-contract, however, functions like a promissory note. If the

homeowner misses only one payment the creditor may foreclose and sell the home without ever going to court. The common result is that the homeowner not only fails to have necessary repair work done, but loses his/her home through foreclosure.

Refinancing Schemes

Because of the increased costs of confronting an emergency, consumers frequently fall behind in their credit payments or overextend themselves to the point that they must choose whether to pay creditors or obtain basic necessities such as food. Such consumers are often approached by finance companies promising to consolidate the homeowner's debt for existing mortgage, credit card debt, car loans and repair loans. They then pressure the homeowner to sign multiple agreements without sufficient time to review them or consult with anyone.

The negative outcomes of such refinancing schemes include high processing fees, payments to bogus or phantom creditors and default on the loan. The homeowner often cannot pay both the refinancing costs and basic living expenses, resulting in a situation far worse than before the refinancing.

Lower income and minority borrowers, as well as elderly homeowners, are usually targeted by predatory lenders. They encourage borrowers to lie about their income in order to get a loan; knowingly lend the borrower more money than he/she can repay; charge unnecessary fees; pressure borrowers into high-risk loans and use high pressure tactics to sell home improvements and then finance them at higher interest rates. These predators pounce on desperate situations to empty their pockets. A few tips for consumers include:

- Beware of lenders who claim that they are the only hope for a loan or ask borrowers to sign a contract/loan agreement with missing information. Beware when lenders say refinancing your home can solve credit or money problems.
- Always interview several contractors and lenders. Check with friends or family for recommendations.
- Research lenders, contractors, appraisers, etc. with the Attorney General's Office or the Better Business Bureau. Check out their complaint history.
- Never make false statements on a loan application. Any lender who allows this is fraudulent.
- Do not let anyone convince you to borrow more money than you know you can afford.

- Attend homeownership education courses. They are available through the U. S. Department of Housing and Urban Development (HUD) or counseling agencies.

Foreclosure Consultants/Equity Purchasers

Some financial predators prey on persons during the foreclosure process. They claim to be foreclosure experts who offer to assist homeowners after they receive a notice of default. They take advantage of the homeowner's distress and offer to purchase the home for below market value through misrepresentations on the value of the home and on encumbrances. They represent to the homeowners that they may stay in the property for the rest of their lives. In fact, after they obtain the property, they sell it and the new owner serves the tenants with eviction papers. Clients should be warned of such scams. Consumers should also be advised of the tips outlined in paragraph b above as ways to guard against fraudulent lenders.

Caretaker/Befriender/Relative Scams

Isolated homeowners who need assistance to maintain their homes frequently are victimized by friends, relatives or caretakers. They assist the homeowner with household chores, including shopping or taking them on medical visits. Children of elderly parents sometimes seek control of their parents' property for their own uses. All of these persons use scare tactics to convince the elderly, disabled or limited English or non-English speaking person to transfer title of the property to them. Sometimes they obtain a power of attorney when a person is very sick. Unbeknownst to the homeowner, the power of attorney holder may convey or encumber the property and keep the proceeds for him/herself.

Additional information about potential scams and consumer fraud in Iowa can be found at the Iowa Attorney General's website at http://www.state.ia.us/government/ag/latest_news/releases/june_2008/AG_Warning_flood_tornado.html.

Q.3 What Iowa laws address home solicitation contracts?

Special laws cover home solicitation sales in Iowa and in other states. In a consumer credit sale or a sale in which the goods or services are paid for in whole or in part by a lender credit card or a consumer loan in which the lender is subject to defenses arising from the sale under section 537.3405 of the Iowa code, a consumer has, in addition to all the rights and remedies provided by chapter 555A of the Iowa Code, which addresses door to door sales, a cause of action under section 537.5201 of the Iowa Code, subsection 1, and the administrator has all powers granted under article 6, part 1, to enforce the provisions of chapter 555A of the Iowa Code.

Chapter 555A imposes certain duties on sellers and gives buyers certain contract rights in the context of door-to-door sales, including the right to cancel any purchase

contracts at any time prior to midnight on the third business day after the transaction date.

Debtor/Creditor Law

Often disasters can trigger financial crises as victims fall behind in their bills. Missed payments or collection actions can damage their credit ratings. Victims should notify creditors of the situation as soon as possible. Some creditors will agree to postpone payments for a period of time.

Debt Collection

Communicating and Negotiating with Creditors. If the debtor can afford to make small monthly payments, s/he should contact the collector to ask if the payments are acceptable and reach an agreement on all of the following:

Total amount owed on the bill, including the interest to be added each year;

Amount of monthly payments;

Due dates that payments must reach the collector;

Address where payments must be mailed; and

Whether the collector will remove negative information about the bill from the debtor's credit report.

Documenting Communication between Debtor and Creditors. It is important for debtors to keep a record of phone calls from the collector regarding the past due bill, including the full names of the individuals s/he speaks with and date, time and details about the conversations. If the debtor arranges a payment agreement, s/he should send a brief letter confirming the terms of the payment plan. The debtor should always keep copies of any letters and payments sent to the collector. Letters to the collector should be sent by certified mail when possible.

Notifying the Collector of Debtor's Inability to Pay. Some debtors who have relatively little employment income or prospects for such income might be considered "judgment proof." Such people own no real estate other than their family home, no personal property of significant value, no more than one car, and would probably not have bank accounts or other investments with significant balances. Such debtors, those unable to arrange a workable payment plan, should consider sending the collector a letter informing the collector of the debtor's inability to pay and requesting that the

collector stop contacting the debtor about the debt. The debtor should include in the letter any special circumstances which help explain the inability to pay. The debtor should also inform the creditor of any collection practices by the creditor that the debtor finds to be harassing. Sending such a letter will limit the collector's right to contact the debtor.

Filing Bankruptcy. Bankruptcy may become a last resort option for disaster victims who cannot satisfy their creditors. Filing bankruptcy will not necessarily cancel all debts. It is recommended that individuals wishing to pursue bankruptcy proceedings be referred to Iowa Legal Aid or a State Bar-certified lawyer referral service where an experienced bankruptcy attorney can be identified. For information about lawyer referral in Iowa call the Iowa State Bar Association's Lawyer Referral Service at 1-800- 532-1108.

What Happens when Debtors Fail To Pay? Debtors are not criminally liable for owing debts; however, a collector may file a civil lawsuit against them to collect the debt, and a court judgment will give the collector the right to collect any non-exempt assets. Also, the collector has the right to report the unpaid debt to a credit reporting agency.

Normally, a creditor or collector must give a debtor a Notice of the Right to Cure a default before resorting to other collection techniques. The right of the debtor to cure a default exists in most cases involving consumer credit transactions. The debtor must be given twenty (20) days to cure the default. This twenty day period must expire before the creditor or collector can accelerate the debt, file a lawsuit, or engage in other specified collection practices.

Auto loans (and other secured contracts) sometimes permit the collector to repossess a car (or other collateral purchased with the proceeds of a loan) after a borrower's failure to make payments. Iowa law requires that the debtor be given a Notice of the Right to Cure the default prior to any involuntary repossession action. A creditor does not need to give a second Notice of the Right to Cure if there has been a default by the debtor within the past year and a Notice of the Right to Cure was given at that time. The debtor may have to pay the full balance of the loan plus all costs of repossession in order to regain possession. If the debtor cannot pay, the collector may sell the car and sue the debtor for the amount the debtor owes over the sale price.

If a past due bill is for services a debtor continues to receive (e.g., utilities), the collector may discontinue service or withhold reconnection, even if the debtor moves to another residence. The collector may also sue to try to collect the unpaid balance.

How To Decide Which Bills to Pay First? Before deciding which bills to pay and which to ignore, clients need to know the consequences. The four types of debts listed below could have immediate, harmful consequences if unpaid.

- **Court-ordered payments**, such as alimony or child support, must be paid on time or jail time could be sought for contempt of court. If clients are unable to pay, do not simply ignore it. Ask the court to modify the

payment order. A court will usually lower or eliminate your payments to meet your new financial condition. (Additionally, if a client is on Social Security Disability, her/his children should be eligible for "dependents' benefits" which may entirely pay her/his support obligations. Check with your local Social Security office.)

- **Ongoing services**, such as utilities, telephone service, or health insurance coverage, must be paid or they will lose future service or coverage.
- **Items purchased on credit or pledged as security on a loan** can usually be taken if payments cannot be made. Under Iowa law, a lender cannot unilaterally seize property unless the lender has given the debtor a proper Notice of the Right to Cure. Normally, the creditor must obtain a court judgment and an order instructing the sheriff to seize the property. If extra time is needed to make payments, it is best to contact the lender in advance of any repossession attempt by the collector.

But be aware: even after a creditor has repossessed its collateral, it may still have the right to recover money. For example, although a bank has repossessed a car, if its resale value is less than what is owed, there may be liability for the difference.

Property That is Protected. Under federal and Iowa law there are certain things that cannot be taken by a collector, regardless of how much is owed, regardless of whether the creditor obtains a judgment, and regardless of whether or not the debtor files for bankruptcy. Property that cannot be taken by collectors is often called "exempt property."

Some important examples of exempt property include:

- Social Security, unemployment, public assistance, veterans, or disability benefits; (There are some exceptions for child support, alimony, and taxes);
- Alimony and child support to the extent reasonably necessary for the support of debtor and dependants;
- Homestead (house and surrounding land used and occupied by the debtor and his/her family), up to one-half acre within a city or forty (40) acres outside a city;
- All clothing and suitcases of the debtor or the debtor's dependants kept for actual use, household furnishings, musical instruments and household goods (which includes cameras, TVs, and compact disc players), up to \$7000 in value;
- Books, portraits, and paintings, up to \$1000 in value;
- Burial plot not exceeding one acre;

- Professionally prescribed health aids for the debtor or a dependant of the debtor; One motor vehicle, not to exceed \$7000 in value (current resale value);
- A wedding or engagement ring owned and received by the debtor on or before the date of the marriage;
- Cash value of a life insurance policy if beneficiary is spouse or dependent, up to \$10,000 if purchased within two (2) years of execution, and unlimited if purchased more than two (2) years before execution;
- Cash, bank deposits or any other personal property not otherwise provided for, up to \$1000; and
- Tools of the trade of the debtor or dependant, up to \$10,000 in value.

If all the property and income of the debtor is exempt property, then the debtor should notify the creditors or collectors that s/he is judgment proof. Once the collector knows that there is nothing to take, they will often write off the debt or at least stop collection activity.

Credit Reporting

Legal Authority. This area is governed by the Federal Fair Credit Reporting Act, 15 U.S.C.A. Section 1681, which requires that credit reporting agencies furnish a free copy of a consumer's credit report upon request within 30 days after the consumer is notified of an adverse action. Credit reporting agencies also have a statutory obligation to investigate consumers' claims. If a debtor disputes the contents of her/his credit report, s/he should notify the credit reporting agency in writing.

F. INSURANCE ISSUES

Q.1 Can I obtain immediate financial assistance from my homeowners insurance company to pay for alternative living arrangements while I am displaced from my damaged or destroyed home?

You may be entitled to additional living expenses (ALE) under your homeowner's policy. Ask your insurance company if you are entitled to these benefits under your policy. Also ask your insurance company for a copy of your insurance policy so that you can confirm whether the benefits are available to you.

Q.2 Do I have to pay my insurance premiums in light of disaster damage?

Yes, you generally must continue to pay your insurance premiums when due. However, some insurers may grant extensions on payment deadlines. For example, the Iowa Insurance Commissioner has directed all insurers in Iowa to grant 60-day grace periods for collection of insurance policy premiums that came due before the end of June 2008 and owed by residents of the state who are impacted by the storms or flooding. This means that Iowa residents may have an additional 60 days to pay their premiums, and that insurers cannot non-renew their policies due to late premium payments. This will not forgive the owed premiums. The directive is voluntary, but insurance companies generally have complied with these directives. Contact your insurance company or the Iowa Insurance Division to determine if there are any premium payment extensions that apply to you. The Iowa Insurance Division's telephone number is 1-877-955-1212. If you do not have contact information for your insurance company, the Iowa Insurance Division can provide it to you.

Q.3 How can I preserve my claims and protect my right to repayment from insurance coverage?

If you have any insurance policy which you think may cover your damage, whether it is a homeowners, renters, or car insurance policy, call your agent, broker, or insurance company as soon as possible and report your loss. Do this even if you are not sure that there is coverage or if you do not know if the claim will exceed the deductible. Make sure you write down the name of the person you speak to and the claim number they will give you. If you do not have contact information for your insurance company, the Iowa Insurance Division can provide it to you. The Iowa Insurance Division's telephone number is 1-877-955-1212.

Many companies have also established websites and local emergency claims offices as part of the disaster response. Further, some companies may provide additional contact points through newspaper or radio advertisements.

If you cannot get through to your insurance company by telephone, write them a letter telling them of your loss and keep a copy of it. If you cannot find the insurance policy, contact your agent, broker or insurance company. Ask for the entire policy, not just the cover page or declarations.

If you cannot stay in your home, make sure you give the insurance agent or representative your new address and telephone number.

Q.4 What if I live in a condominium?

If you own a condominium, you should look at both the coverage provisions in your association insurance policy and the coverage under your individual unit coverage owner's insurance policy.

Q.5 How do I get an insurance adjuster out to my home to assess the damage?

You should request the insurance company to send an adjuster to look at your property. It is best if this request is in writing. If necessary, you should contact the Iowa Insurance Division at 1-877-955-1212. However, this will not be done until public officials have declared it safe and have allowed such work to begin.

Q.6 What can I do to prepare for the insurance adjuster?

If circumstances allow, make a list of all property damaged or destroyed, take pictures, collect names, addresses and telephone numbers of witnesses, obtain repair estimates, keep a record of expenses, such as alternative housing, etc., and locate original bills and receipts for lost items. If you do not have or cannot locate a complete household inventory, try to picture the contents of every room in your home and then list and describe all items that were damaged or destroyed. Include furniture, major appliances, electronic equipment, pictures or accessories in each room, as well as hobby items, tools, home maintenance items and seasonal items such as holiday decorations and outdoor furniture. As accurately as possible, try to remember when and where you bought each item, how much you paid and the cost of replacement. It is also helpful to include brand names and model numbers where known. Submit these along with your claim to the insurance company.

Q.7 What if I cannot wait for the insurance adjuster?

Some insurance policies provide for reimbursement for temporary housing and relocation costs while your home is being repaired and for car rental costs while your car is being repaired or replaced. Check your policy or call your insurance company. If your situation is desperate, make sure that you let the insurance company know and, if the insurance company agrees that there is coverage, ask for an advance payment toward your losses.

Due to the extreme amount of damage caused by the flooding and storms, you should make all necessary temporary repairs, such as boarding up windows, patching holes in walls or roofs, or tarping the roof, as soon as possible even if you have not yet seen the insurance company representative. You can also move your personal property to protected areas and begin clearing and drying items damaged by water. You should get the company's permission before doing so whenever possible. You should also not dispose of any items you believe may be a complete loss until the insurance company

representative has examined them. Many companies will also give you an emergency advance to cover some repair costs.

Take photos of the way things look before you begin cleaning and repairing and keep receipts for all clean up and repair expenses.

Q.8 Can I hire someone to make emergency repairs?

Probably. Most homeowners' policies cover materials and reasonable labor expenses for temporary and emergency repairs in addition to any final repairs. You should get several estimates if possible. You should also ask your insurance company representative whether the company will reimburse you for work you do yourself. Be sure to keep all of the receipts.

Q.9 A contractor told me he can do the job faster if I just sign my insurance check over to him. Is that a good idea?

No. If the repair work is extensive, the contractor may ask for periodic partial payments as the work progresses, but it is highly unlikely that a reputable contractor will request full payment in advance. The contract should specify that payments will be made as work is completed. If you have a mortgage on your home, the lending institution may also have specific requirements as to how the insurance funds are disbursed.

Q.10 What if the insurance company offers to settle?

You should **consult a lawyer** before signing any release or waiver and before cashing any check from the insurance company which might be deemed full and final payment of your claim. Before you settle with the insurance company, be aware of the full extent of your damage and the full value of your claim. It may be important for you to get estimates or to actually have the work completed before you agree to a specific cost figure.

Q.11 What if the insurance company denies my claim or offers me less than I think that I am entitled to receive?

You should demand that the insurance company give you its reasons **in writing** for denying coverage or limiting your claim, and consult a lawyer. You should also ask for any reports prepared by the insurance company when examining the insured's property or evaluating the insured's claim.

Most insurance policies require that you bring suit against the insurance company for failure to pay a claim **within one year** from the date of the occurrence of the damage. If you do not file suit in time, you may be prevented from receiving any reimbursement.

Also, the Iowa Insurance Commissioner has recently publicly stated that a Flood Mediation Service program initiated as an emergency response to the floods of 1993 will

once again be activated. This service will allow insureds who have a settlement dispute with their insurance company to utilize a mediator under contract with the Iowa Insurance Division to determine if any elements exist in their own case that would allow any additional payment amount in cases of homeowner claims for property losses involving floods. This mediation program will be available in a few weeks and more details will be released at that time. For more information, contact the Iowa Insurance Division at 1-877-955-1212.

Q.12 Is the damage to my home covered under my insurance policy?

Hazard insurance (homeowners' policies or other fire and extended coverage policies) from the private sector generally covers the damage to the home caused by the storms, except for damage caused by flooding, which is generally specifically excluded. Victims should be asked whether they have separate flood insurance. **Review all applicable insurance policies.**

Also, please read the paragraph regarding the Flood Mediation Service program initiated by the Iowa Insurance Commissioner included in the answer to question 32 above.

Q.13 What if my insurance does not cover all of the damages to my home or personal property?

You may be eligible for benefits under the FEMA program if you are unable to pay for repair or replacement of essential parts of your home or essential personal property. See the FEMA section of this manual. You may also keep all of your repair and replacement receipts and file your losses with the IRS on your income tax returns next year. For information, you may call 866-562-5227.

Q.14 Does my automobile insurance cover the damage to my car resulting from the disaster?

Normally, this type of damage will be covered under the comprehensive policy coverage, although the particular language and exclusions of the policy will control. Even when there is a flood, wind, etc. exclusion, coverage may exist under a collision policy if the disaster and the event causing the damage could be construed as a collision. The courts have reached mixed results on this issue.

Q.15 Where can I live while my house is being repaired?

If your policy provides coverage for your loss, you will be insured for Additional Living Expense coverage which pays for the costs you incur in excess of your normal living expenses. For example, if you normally spend \$1500 for mortgage/rent, utilities, food, etc. and you now spend \$2000 due to the disaster, the insurance company will reimburse you \$500. Be sure to save all receipts.

You should also ask the insurance company representative if there are any restrictions on where and how long you can stay and how much you are allowed for

hotel rooms. If you stay with a relative or friend, the company may reimburse your host for lodging only if you can show proof of actual payment. Extra expenses, such as high utility bills by the host, would definitely be considered. You can also submit a claim for the cost of storing your personal property until your home is ready for occupancy.

Q.16 If a tree falls in my yard but does not damage my home or property, will insurance pay for clean up and removal?

Generally, the fallen tree must cause damage to your home or property before the insurance company is obligated to pay for clean up and removal. However, the insurance company will pay for removal of a tree that is on your house, deck furniture, or fence and some policies will pay for removal of trees that fall and block your driveway.

Q.17 If a neighbor's tree falls on my property and hits my home, should my neighbor's insurance pay?

Generally, no. Unless negligence can be proven the neighbor's policy covers his/her house and your policy covers your house.

Q.18 If my business maintained vehicles which were damaged as a result of the storms, is there coverage under my commercial auto policy?

The coverage depends upon the cause of the loss and upon whether you purchased Comprehensive Coverage, Specified Causes of Loss Coverage, or Collision Coverage. Specified Causes of Loss Coverage typically covers damage caused by fire, theft, windstorm, flood, mischief or vandalism. Comprehensive Coverage typically covers any cause of loss except collision or overturn. If you purchased only Collision Coverage, then there likely is no coverage.

Q.19 My business property was damaged due to the storms. Is there coverage under my commercial property policy for damage to the structure and for lost or damaged contents?

The typical commercial property policy will pay for direct physical loss or damage to covered property, including business personal property located in or on the premises, resulting from a covered cause of loss. However, such policies may contain exclusions for flood (including surface water, waves, tides, tidal waves, overflow of any body of water, whether driven by wind or not) or collapse. You will need to refer to your policy to determine if there are exclusions that apply. If your policy provides coverage, it may also pay for the expense to remove debris off covered property.

Q.20 Am I entitled to replacement cost for covered property under my business' commercial property policy?

The policy typically will allow actual cash value, which takes into consideration depreciation of the property. However, you may have purchased an endorsement which provides coverage on a replacement cost basis.

Q.21 My business has not been operational since the storms. Is there insurance coverage for my lost business?

If you have Business Interruption and Extra Expense coverage, you may be entitled to recover the net profits and fixed charges and expenses you fail to earn because of business interruption resulting from an accident. You may also be entitled to recover the extra expense of operating your business from the day of the accident until normal operations are restored.

G. WILLS AND ESTATES

The Iowa Probate Code, or Iowa Code Chapter 633, governs the payment of debts and distributions of the deceased individual's assets. This body of law is highly statutory and Chapter 633 is the best resource for any questions you may have.

After a person passes away (also known as the "decedent"), their assets and debts (that are not otherwise controlled by joint tenancy or by pay-on-death beneficiary instructions) pass directly into his/her estate. *All* assets of the decedent belong to the estate, subject to the aforementioned exceptions.

Q.1 A relative died as a result of the storm and we are not sure if she had a will. What should we do?

First establish whether the decedent had a will, as that fact will channel the probate process into either the [a] testate (with a will); or [b] intestate (without a will) process.

First, relatives should search for the will in any place where the decedent may have kept it. Often, the will is kept one of the following places:

- safe or lockbox;
- safety deposit box;
- in the decedent's personal files;
- with a trusted friend or relative; or
- with the decedent's attorney.

Under Iowa Code §633.285, any person in custody of the decedent's will is obligated by law to deliver the will to the court. This can be done by [a] directly filing the will with the probate clerk of court; [b] delivering the will to the executor named in the will or his/her attorney; or [c] delivering the will to the administrator or his/her attorney if the estate is already open. Failure to deliver the will to the court may subject the person in possession of the will to contempt of court.

If the relative suspects that the will is in a safety deposit box but the relative does not have access to the safety deposit box, the estate may be opened as an "intestate" estate. (see Question 54 below). After an administrator is appointed, the bank holding the safety deposit box will grant the administrator access after presenting [1] *Letters of Appointment of Administrator*, and [2] a government issued photo identification. If the will is subsequently found in the safety deposit box, the attorney for the administrator can then petition the court to convert the intestate estate into a testate estate.

Q.2 We know that our relative does not have a will. What happens now?

Once determining that the decedent did not have a will, the relative should [a] collect and “freeze” the assets of the estate; and [b] see an attorney practicing probate law as soon as possible. If the intestate estate is probated, [c] an administrator will be appointed to pay the debts of the estate and [d] distribute remaining assets

A. COLLECT AND “FREEZE” DECEDENT’S ASSETS.

It is important that no one distribute or give away any assets of the estate before the court determines that the estate has sufficient funds to pay all of the decedent’s debts. A person who distributes or gives away the assets of the estate can be personally liable for the value of the assets to the estate. Only the decedent’s bills necessary to maintain the real estate owned or rented by decedent (if any) should immediately be paid. These bills include the mortgage payments, homeowner’s \ renter’s insurance, electrical, natural gas, water, or other bills necessary to maintain the premises in its current condition. Other than those bills, no bills of the estate should be paid until an administrator has been appointed, the period to file claims against the estate passes, and the court determines the priority of the debts that should be paid.

B. INITIAL MEETING WITH AN ATTORNEY.

The initial meeting with the attorney is essentially an information gathering session, so the relative is encouraged to bring as much information and as many documents as he/she deems helpful.

The attorney will conduct an interview with the relative to determine a number of issues and collect the following information:

1. whether the decedent had a will;
2. biographical information of the decedent, including the complete name, address, social security number, marital status, the spouse’s name (if applicable), date of birth, date of death, and location of death;
3. biographical information of the petitioning administrator including the complete name, address, date of birth, social security number, date of birth, contact information (phone numbers and e-mail address), and relationship to the decedent;
4. biographical information on all known heirs at law including the complete name, address, date of birth, social security number, date of birth, contact information (phone numbers and e-mail address), and relationship to the decedent;
5. information regarding the assets of the decedent, including recent bank statements, investment portfolios, insurance policies, appraisals, abstracts, promissory notes, contracts, and other documents reflecting the decedent’s ownership interest in the asset;

6. information regarding the debts of the decedent, including bills, payment schedules, promissory notes, contracts, debtor contact information and other documents reflecting the decedent's debts.

This will provide the attorney with enough information to start the probate procedure. If probate is necessary, the attorney will then prepare the following documents necessary to open an intestate estate:

1. Confidential Notice to Clerk of Court;
2. Court Officer Oath;
3. Designation of Attorney;
4. Petition for Administration of Estate;
5. Order Admitting Estate to Probate (optional - check local rules); and
6. Bond or Waiver of Bond by Heirs.

Additionally, the attorney will obtain the *Letters of Appointment of Administrator* which are required by third parties for the administrator to act on the estate's behalf. The attorney must also publish the *Notice to Creditors* in a local periodical, typically a newspaper, once a week for two successive weeks. Attorneys must further check with the Iowa Estate Recovery Program to determine whether any Medicaid liens exist against the decedent's estate and provide notice to all known creditors.

C. DUTIES OF THE ADMINISTRATOR.

After the administrator is appointed by the court, the attorney should prepare a letter to the administrator detailing the administrator's duties and how the goals of the estate are best accomplished. The administrator will have essentially the same powers over the decedent's assets as the decedent did during his/her lifetime, but without the range of discretion. The administrator must act for the benefit of the heirs at law and owes the estate a duty of good faith, care, and fair dealing. If the court determines that the administrator self-dealt or acted in bad faith, the administrator may be removed from his/her position and be liable to the estate for any damages it may have incurred.

D. DISTRIBUTION OF ASSETS.

If the debts of the estate are paid in full and assets are still owned by the estate, the remaining assets are distributed amongst the "heirs at law" according to the Iowa Rules of Inheritance, Iowa Code §633.210 - 633.226.

Q.3 A relative died as a result of the storm and we know that she had a will. What happens now?

If you determine that the decedent had a will and you are unable to find the original will, see question 1 above.

Typically, only a properly executed will is enforceable in court. If you are unable to locate the original will, but you have an executed copy, a relative or attorney may petition the court to accept the exact copy of the will in the absence of the original. The relative or attorney thereof will have the burden of proving to the court that [a] the original will was destroyed, and [b] the copy of the will is identical to the executed original. If the court finds as such, the court may open the estate using an exact copy of the will, rather than the executed original.

Regardless of whether the relative is in possession of the original will or an executed copy, the relative should [a] collect and “freeze” the assets of the estate; and [b] deliver the will to an attorney practicing probate law as soon as possible. If the testate estate is probated, [c] an executor will be appointed to pay the debts of the estate and [d] distribute remaining assets

A. COLLECT AND “FREEZE” DECEDENT’S ASSETS.

It is important that no one distribute or give away any assets of the estate before the court determines that the estate has sufficient funds to pay all of the debts. A person who distributes or gives away the assets of the estate can be personally liable for the value of the assets to the estate. Only the decedent’s bills necessary to maintain the real estate owned or rented by decedent (if any) should be paid. These bills include the mortgage payment, homeowner’s \ renter’s insurance, electrical, natural gas, water, or other bills necessary to maintain the premises in its current condition. Other than those bills, no bills of the estate should be paid until after an executor has been appointed, the period to file claims against the estate passes, and the court determines the priority of the debts that should be paid.

B. INITIAL MEETING WITH AN ATTORNEY.

This initial meeting with the attorney is essentially an information gathering session, so the relative is encouraged to bring as much information and as many documents as he/she deems helpful.

The attorney will conduct an interview with the relative to determine a number of issues and collect the following information:

1. whether the decedent had a will;
2. biographical information of the decedent, including the complete name, address, social security number, marital status, date of birth, date of death, and location of death;

3. biographical information of the petitioning administrator including the complete name, address, date of birth, social security number, date of birth, contact information (phone numbers and e-mail address), and relationship to the decedent;
4. biographical information on all known heirs at law including the complete name, address, date of birth, social security number, date of birth, contact information (phone numbers and e-mail address), and relationship to the decedent;
5. information regarding the assets of the decedent, including recent bank statements, investment portfolios, insurance policies, appraisals, abstracts, promissory notes, contracts, and other documents reflecting the decedent's ownership interest in the asset;
6. information regarding the debts of the decedent, including bills, payment schedules, promissory notes, contracts, and other documents reflecting the decedent's debts.

This will provide the attorney with enough information to start the probate procedure. If probate is necessary, then the attorney will then prepare the following documents necessary to open an intestate estate:

1. Confidential Notice to Clerk of Court;
2. Court Officer Oath;
3. Designation of Attorney;
4. Petition to Admit Will to Probate;
5. Order Admitting Will to Probate (optional - check local rules); and
6. Bond (if required by the Will).

Additionally, the attorney will obtain the *Letters of Appointment of Executor* which are often required by third parties for the executor to act on the estate's behalf. The attorney must also publish the *Notice to Creditors* in a local periodical, typically a newspaper, once a week for two successive weeks. Attorneys must further check with the Iowa Estate Recovery Program to determine whether any Medicaid liens exist against the decedent's estate and give notice to all known creditors.

C. DUTIES OF THE EXECUTOR.

After the executor is appointed by the court, the attorney should prepare a letter to the executor detailing the executor's duties and how the goals of the estate are best accomplished. The executor will have essentially the same powers over the decedent's assets as the decedent did during his/her lifetime, but must act for the benefit of the beneficiaries of the will and owes the beneficiaries the duties of good faith, care, and fair dealing. The executor must also act in accordance with the intentions of the will. If the court determines that the executor self-dealt, acted in bad faith, or acted contrary to the intentions of the will, the executor may be removed from his/her position and be liable to the estate for any damages it may have incurred.

D. DISTRIBUTION OF ASSETS.

If the debts of the estate are paid in full and assets are still owned by the estate, the remaining assets are distributed amongst the beneficiaries of the will according to the distribution scheme enumerated in the will.

H. HEALTH CARE ISSUES

Information on Public Health Assistance

For information concerning flood assistance services being offered in Iowa, visit the following websites or links:

IOWA
<http://www.flood2008.iowa.gov/>

Iowa Department of Public Health
<http://www.idph.state.ia.us/>

Iowa Department of Human Services
http://www.dhs.state.ia.us/Consumers/Assistance_Programs/CashAssistance/DisasterAssistance/StormHelp.html

Q.1 Do I need to get any vaccines before I return to clean up my home, which sustained damage in the flood?

The Iowa Department of Public Health issued a press release on 6/15/08, saying that flooding has not been shown to be a risk factor for tetanus or hepatitis A.

In cases where you or a family member have sustained a cut or skin abrasion, first check your immunization records. If you are unsure or have not received a tetanus booster in the last five years, see your medical provider. "A more likely threat during flooding exists in regard to personal injury, especially carbon monoxide poisoning," (Public Health Director Tom) Newton added. "The key is to exercise caution, wash hands regularly with soap and clean water for at least 20 seconds, and seek medical attention if you experience symptoms of carbon monoxide poisoning, such as headache, dizziness, weakness, or nausea." For information about flood-related health issues, visit www.idph.state.ia.us and look under "Topics of Interest" for flood information.

Q.2 How should I clean up mold in my home?

The federal Centers for Disease Control and Prevention (CDC) has issued guidelines for the safe and effective cleanup of household mold, which many will experience after a flood. Please view the mold removal and cleanup guidelines at: <http://www.bt.cdc.gov/disasters/pdf/flyer-get-rid-of-mold.pdf>

And in Spanish at:

<http://www.bt.cdc.gov/disasters/espanol/pdf/flyer-get-rid-of-mold-spanish.pdf>

There is also a 15 page easy-to-read document on the EPA's website about cleaning your house after a flood at:

http://www.epa.gov/mold/flood/flood_booklet_en.pdf

And in Spanish at:

http://www.epa.gov/mold/flood/flood_booklet_sp.pdf

There is more information about flood clean-up at:

<http://www.epa.gov/mold/flood/index.html>

<http://www.epa.gov/naturalevents/flooding.html#flooding>

http://www.idph.state.ia.us/adper/common/pdf/flood/reenter_home.pdf

Q.3 I did not bring my children's immunization records with me when we evacuated -- can I still enroll them in new schools?

You should be able to obtain a copy of your children's immunization records from your children's doctor.

There is a federal law that requires a school to enroll a child, even without proof of immunization, proof of residency, or birth certificates, if the child is considered to be homeless. "Homeless" is defined in the McKinney-Vento Act (42 USC 11434a) as including "sharing the housing of other persons due to loss of housing, economic hardship or a similar reason, living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations, and living in emergency or transitional shelters," in addition to other situations.

Q.4 I need to enroll my child at a new school following my family's evacuation and do not have the birth card he/she will need to do so. Where can I obtain one?

There is a federal law that requires a school to enroll a child, even without proof of immunization, proof of residency, or birth certificates, if the child is considered to be homeless. "Homeless" is defined in the McKinney-Vento Act (42 USC 11434a) as including "sharing the housing of other persons due to loss of housing, economic hardship or a similar reason, living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations, and living in emergency or transitional shelters," in addition to other situations.

In order to obtain a new copy of your child's birth certificate,

- You can request a certified copy at the Iowa Department of Public Health's website:
<http://www.vitalchek.com/Campaign?site=2&clickid=602356883953090562>. You can pay by credit card. There is a \$13.00 fee in addition to the \$15.00 record search fee. It may take up to 3 weeks to process your request.
- You can also send an Application for a Search for an Iowa Vital Record to the Iowa Department of Public Health. A \$15.00 fee is required for the record search and it includes one copy of the record. The form is available at: http://www.idph.state.ia.us/apl/health_statistics.asp

Upon completion of the application form with a notarized signature, attach a check or money order payable to the 'Iowa Department of Public Health,' a clear photocopy of the applicant's current, government-issued photo identification, and submit to:

Iowa Department of Public Health
Bureau of Health Statistics
Lucas State Office Building, 1st Floor
Des Moines, Iowa 50319-0075

You can also call the Iowa Department of Public Health at (515) 281-4944 from 7:00 a.m to 4:45 p.m., Monday through Friday, except for state-observed holidays. You can request a copy over the phone and pay with a credit card. Credit cards currently being accepted include American Express, Discover, Mastercard, and Visa. Should callers choose the credit card option, they will be connected to a health statistics operator, who will explain the charges, run the card number through a credit check, and take the person's required information. The fee to screen the credit card and authenticate the caller is \$9.00 in addition to the \$15.00 record fee charged by the department. It may take up to 3 weeks to process your request.

You can also call a toll-free number 866-809-0290 from 7:00 am EST - 8:00 pm EST. If you choose the toll-free number an operator will take your information, screen the credit card, authenticate your identity and complete your order. The fee to screen the credit card, authenticate the caller, and the extended customer service hours is \$13.00 in addition to the \$15.00 record fee charged by the department. It may take up to 3 weeks to process your request.

Q.5 I evacuated from the flood and now I have no means of paying for my prescription medications - what can I do?

For all Medicare Part D prescription benefit plans, the federal Department of Health and Human Services has waived the rules that prevent early refills of prescriptions. This should enable patients to get refills before the 30 days have passed.

You may also want to see if your physician can give you free samples of

medications. You can also try going to a Free Medical Clinic in your area to see if they can give you free samples of medications.

Another option is to request prescription assistance from a pharmaceutical company. See <https://www.pparx.org/Intro.php>

Q.6 I have a relative who is a senior citizen or disabled and need help relocating him or her. Whom can I call?

You can call your local Area Agency on Aging to see if there are any facilities in your area that have openings. You can also check with the United Way's 211 phone number or go to their website: <http://www3.irissoft.com/iowa/>

In Iowa City, Legacy Gardens and Legacy Pointe Senior Living Communities located at 1020 South Scott Blvd, Iowa City, IA will provide emergency flood relief for senior citizens that are forced to evacuate their homes due to the flooding. They will provide an apartment and three meals per day for all seniors 65 and older in Linn and Johnson Counties FREE of charge for up to 7 days per person. Please call (319) 338-4404, or Karen Davis 319-430-5971.

Q.7 Where can I take my pet or pick up my pet?

Questions about the animal flood shelter efforts can be answered by calling:

Des Moines: Animal Rescue League at 515-262-9503 from 9:30 a.m. - 7 p.m. Outside of these hours contact Josh Colvin at 515-979-4229.

Iowa City: Iowa City Animal Care and Adoption Center at (319) 356-5295.

Cedar Rapids: Animal Shelter at Kirkwood Community College Iowa Equestrian Center, 319-398-4980

Ottumwa: The Heartland Humane Society at 314 Fox-Sauck Road, at 641-682-1228.

The Humane Society of the United States Animal Rescue Team helped rescue stranded pets in Cedar Rapids. See an article at: http://www.hsus.org/hsus_field/hsus_disaster_center/disasters_press_room/fieldnotes.html

Q.8 My family member was in a hospital before the storm and we need to know where he/she was evacuated. How can we find out?

For a flood or weather-related emergency related to health facilities, please call 515-669-0976.

Mercy Hospital in Cedar Rapids was evacuated on Friday, June 13, 2008. Patients were

taken to hospitals and nursing homes throughout central and eastern Iowa. A help line has been established for concerned family and friends. Questions may be directed to Mercy's Pastoral Care Department at 319-398-6106.

HIPAA

Q.9 Are there exceptions to the HIPAA (Health Insurance Portability and Accountability Act of 1996) requirements in the event of a disaster?

As you may know, HIPAA established fairly stringent privacy and disclosure requirements for health care providers. There are certain exceptions to these requirements in the event of a disaster. The following provides a summary of what patient information can be shared in order to assist disaster relief efforts:

- **Treatment.** Health care providers can share patient information as necessary to provide treatment.
 - *Treatment* includes
 - sharing information with other providers (including hospitals and clinics),
 - referring patients for treatment (including linking patients with available providers in areas where the patients have relocated), and
 - coordinating patient care with others (such as emergency relief workers or others than can help in finding patients appropriate health services.
 - Providers can also share patient information to the extent necessary to seek payment for these health care services
- **Notification.** Health care providers can share patient information as necessary to identify, locate and notify family members, guardians, or anyone else responsible for the individual's care of the individual's location, general condition, or death.
 - The health care provider should get verbal permission from individuals, when possible; but, if the individual is incapacitated or not available, providers may share information for these purposes if, in their professional judgment, doing so is in the patient's best interest.
 - Thus, when necessary, the hospital may notify the police, the press, or the public at large to the extent necessary to help locate, identify or otherwise notify family members and others as to the location and general condition of their loved ones.
 - In addition, when a health care provider is sharing information with disaster relief organizations that, like the

American Red Cross, are authorized by law or by their charters to assist in disaster relief efforts, it is unnecessary to obtain a patient's permission to share the information if doing so would interfere with the organization's ability to respond to the emergency.

- **Imminent Danger.** Providers can share patient information with anyone as necessary to prevent or lessen a serious and imminent threat to the health and safety of a person or the public - consistent with applicable law and the provider's standards of ethical conflict.
- **Facility Directory.** Health care facilities maintaining a directory of patients can tell people who call or ask about individuals whether the individual is at the facility, their location in the facility, and general condition.

I. PERSONAL BANKRUPTCY ISSUES

Extensive flooding and tornadoes in Iowa are expected to make some storm victims think about filing bankruptcy. Below is a summary of some common questions about bankruptcy.

Q.1 What is involved in the bankruptcy process?

A bankruptcy case begins with the filing of a petition, schedules (forms on which the debtor lists his/her property, secured debts, unsecured debts, exemptions, and other information) and a statement of financial affairs that provides personal information. Before filing, debtors will be required to take a credit counseling course either online, over the phone or in person.

In a Chapter 7 case, the court will appoint a trustee to represent the interests of creditors. About one month after filing, the Debtor must attend the "meeting of creditors" with the trustee to answer questions regarding his/her assets and liabilities. Creditors do not usually show up for these meetings. The creditor meeting is usually short, often lasting less than five minutes. After the meeting, the trustee seeks to recover funds for creditors through selling nonexempt property or recovering preferential payments to creditors or fraudulent transfers. The proceeds are distributed to the creditors. About two months after the meeting, a Debtor will receive his/her discharge of debts. A Chapter 13 bankruptcy case begins by filing the same papers as in a Chapter 7. In addition, a debtor must file a repayment plan that obligates him/her to pay some or all of their debts over a 3-5 year period. Debtors make payments directly to the Chapter 13 trustee. The trustee then pays creditors according to the terms of the plan. When creditors have been repaid according to the plan, a debtor will be discharged from all debts listed in the bankruptcy.

Q.2 Which debts are not discharged in bankruptcy?

In general, debtors can't obtain a discharge for: (1) back alimony and support, (2) student loans, (3) damages resulting from driving under the influence, (4) court-ordered restitution or criminal fines included in the sentence for conviction of a crime, (5) debts incurred by fraud, (6) damages for willful and malicious injury to someone else's person or property, and (7) certain taxes and tax penalties. There are exceptions to these rules though so be sure to consult an attorney.

Q.3 Does a bankruptcy filing stop a wage garnishment?

Yes. This is a result of the automatic stay that occurs when you file a bankruptcy petition.

Q.4 What is a discharge in bankruptcy?

A "discharge" in bankruptcy means that you are legally free and clear of any

obligation to repay certain debts. The creditor no longer has any right to collect that debt. The debtor no longer has any obligation to repay it.

Q.5 How can I escape from my student loan debt?

Student loans are dischargeable only on a showing of “undue hardship.” The undue hardship standard is very hard to meet and there is currently no statute of limitations for the collection of student loan debt.

Q.6 Can I repay a creditor if I want to - even after bankruptcy?

Yes. You can voluntarily repay a debt even if it would be discharged by your bankruptcy.

Q.7 What is the automatic stay?

The “automatic stay” prevents a creditor from continuing to enforce a claim against a debtor during the life of the bankruptcy case. This means that creditors cannot: (1) File a new lawsuit, or continue a lawsuit that had already been filed; (2) Collection letters; (3) Refuse to issue a transcript of school records; or (4) cancel your driver’s license.

Q.8 I’m Married, Can I File by Myself?

Yes, but your spouse will still be liable for any joint debts. If you file together you will be able to double your exemptions. In some cases where only one spouse has debts, or one spouse has debts that are not dischargeable then it might be advisable to have only one spouse file.

Q.9 Where do I file if I haven’t lived in the same state or district for the last six months?

A bankruptcy case should be filed where the debtor has lived “for the one hundred and eighty days immediately preceding” the filing, “or for a longer portion of such one-hundred-and-eighty-day period.” This means that the case should be filed in the bankruptcy district in which the debtor has lived for the greater portion of the last six months.

Q.10 If I am going through a divorce, how will my ex-spouse filing bankruptcy affect our divorce settlement?

A person who files for Chapter 7 bankruptcy cannot discharge alimony, maintenance, and/or support debts.

Q.11 Will my retirement plan be protected?

Yes, if the funds are in a qualified account. Retirement plans that are ERISA-qualified are protected and are not included as property of the bankruptcy estate.

Q.12 What effect does bankruptcy have on child support?

Any back payments owed for child support cannot be discharged in a bankruptcy proceeding.

Q.13 What about Co-signers?

If someone has co-signed a loan with you and you file for bankruptcy, the co-signer may have to pay your debt.

Q.14 Will my filing bankruptcy stop a foreclosure?

Filing a Chapter 7 bankruptcy temporarily stalls your lender's right to foreclose, until it gets permission to go forward with the foreclosure proceedings. Persons commonly choose to file a Chapter 13 bankruptcy claim when the Debtor is facing foreclosure on a mortgage.

J. REPLACING LOST DOCUMENTS

Q.1 Some of my important documents were destroyed during the disaster. What do I do?

Bank and investment account records

There is no indication that banks have lost any records, so you should contact your bank directly regarding any records you have lost and request duplicates. The FDIC has encouraged banks to be accommodating as a result of the flood.

Claims for lost, stolen or destroyed United States savings bonds, bearer securities or registered securities can be made directly to the United States Treasury Department at (www.treasurydirect.gov).

Birth, death, marriage certificates, divorce decrees

Birth, death, and marriage certificates are kept by the state in which the event occurred. For Iowans, the Iowa Department of Public Health keeps such Vital Records. These records typically cost \$15 per request (subject to additional credit card fees and shipping fees). These records may be requested in the following manners:

Phone: (515) 281-4944
Mail: Iowa Department of Public Health
Bureau of Health Statistics
Lucas State Office Building, 1st Floor
Des Moines, IA 50319

Online: http://www.idph.state.ia.us/apl/health_statistics.asp

In Person: Iowa Department of Public Health
Bureau of Health Statistics
Lucas State Office Building, 1st Floor
Des Moines, IA 50319

In order to facilitate the request, the requesting party should have information relevant to the particular request, which may include some or all of the following: date of birth, place of birth, parents' full names, date of marriage, place of marriage, date of death, place of death, and requestor's reason for the order and/or relationship to the person the vital record pertains to.

For additional information and instructions on obtaining birth, death, and marriage certificates, visit the Iowa Department of Public Health website at: http://www.idph.state.ia.us/apl/health_statistics.asp

Additionally, birth, death and marriage certificates are kept in the county which the event occurred. To obtain a copy of these Vital Records, contact the local County Recorder and request a copy. Rates and fees for these certificates may vary from county to county.

Divorce records certify that a divorce was recorded and contain other administrative material including divorce date and location. They are available in the same manner as birth, death and marriage certificates (as described above). However, **divorce decrees**, which contain the substantive terms and conditions of the divorce ruling / agreement, are filed with the court in the county in which the divorce occurred. To obtain a copy, go to the County Clerk of Court where the divorce occurred and request a copy of the divorce decree. Research, copy, and delivery fees may vary from county to county. Provide the Clerk with names of the parties, the case number, and the date of the divorce decree. In order to obtain this information, perform an Iowa Courts Online Search at: <http://www.iowacourts.state.ia.us/ESAWebApp/TrialSimpFrame>

Driver's license, passports, vehicle registration, and ownership documents.

The Iowa Department of Motor Vehicles has your photo in its databank and should be able to assist you with submitting a new application and obtaining a new drivers license. A new passport can be obtained at your local post office or Government Passport Office (http://travel.state.gov/passport/forms/forms_847.html). Vehicle Titles can be obtained in the county office where the vehicle is registered.

Deeds

These records are kept in the County Recorder's office in the county in which the property is located. You may also want to contact the company who last continued your abstract for further information.

Food stamps

Special rules let the food stamp office help victims of disasters. Individuals who may not otherwise be eligible for food stamps may qualify if (i) such individuals were flood victims, (ii) the flood closed or destroyed stores or stopped the stores from getting supplies, (iii) such individuals only need food for a short time; and (iv) stores are now selling food again.

The food stamp office will also replace the actual value of food destroyed in a disaster such as a flood if you are currently on food stamps. You must report to the food stamp office what happened within 10 days. It will then verify what happened by contacting Red Cross or someone else who can verify the circumstances or by coming to your home. The food stamp office can replace up to the maximum monthly food stamp allotment for your household size.

Immigration documents

If you are a permanent resident who needs to replace your green card, or conditional resident who needs to replace your two-year card that has been lost or destroyed, you may apply for a replacement card by filing a USCIS Form I-90 with the U.S. Citizenship and Immigration Services (<http://www.uscis.gov/portal/site/uscis>).

Medicare/Medicaid cards

Go to the Social Security Administration office and request a replacement card (<https://s044a90.ssa.gov/apps6a/IMRC/main.html>).

Social Security cards

If you depend on social security benefits, you will need to contact the Social Security Administration to verify your social security number and request a new card. For more information go to www.socialsecurity.gov/emergency or www.ssa.gov/replace_sscard.html.

To get your social security check, go to the nearest office of the Social Security Administration which can be located by calling 1-800-772-1213.

Credit cards

If credit cards are lost, you should call the bank that issued the card and get a new one as soon as possible. Be careful of identity theft as well. One way to combat identity theft is to put a fraud alert on an individual's credit report by contacting TransUnion (800-680-7289), Equifax (800-525-6285) or Experian (888-397-3742).

Tax returns

To obtain copies of your federal tax returns, contact the IRS Service Center at www.irs.gov or 1-800-829-1040. To obtain copies of your state tax returns, contact the State of Iowa at www.state.ia.us/tax or 1-800-367-3388.

Wills and other estate planning documents

Normally, wills and other estate planning documents (also known as testamentary documents) are not enforceable unless you have the executed original documents. If that document is destroyed, you will need to obtain and execute a new one. However, a copy of the destroyed original testamentary document may be used as a template for the new one, thus saving you time and money in creating a new one.

If the testamentary document was created by an attorney, the attorney will likely have a copy in his/her file or will have often provided copies to heirs, those acting as a general power of attorney, a durable power of attorney, or your primary physician regarding Living Wills.

Whether you are able to obtain copies of the testamentary document or not, contact your attorney to help you execute new originals of the documents. Iowa has strict laws to ensure the validity of testamentary documents, so consult your attorney to ensure that the documents are properly executed, witnessed, and/or notarized.

For instance, Iowa Code §633.283 requires that a will be:

1. in writing (or typewritten)
2. signed by the testator or testatrix
3. declared by testator or testatrix to be his or her will; and
4. witnessed by two competent, disinterested witnesses of legal age who:
 - a signed at the request of the testator or testatrix;
 - b signed in the presence of the testator or testatrix; and
 - c signed in the presence of each other.
5. Optional: notarized by a Notary Public In and For the State.

Many attorneys will only charge a nominal fee for re-executing testamentary documents which are already in his/her possession or copies which required little of the attorney's time.

K. RESOURCE AND REFERRAL GUIDE LOCAL RESOURCES

Statewide:

FEMA (Federal Emergency Management Administration)

Phone: 1-800-621-3362 (Press 1 to apply for Disaster Assistance)

TTY (Hearing Impaired): 1-800-462-7585

Technical Assistance: (800) 745-0243

Fax: 1 (800) 827-8112

On-line applications: <http://www.fema.gov/assistance/index.shtm>

Go to <https://asd.fema.gov/inter/locator/drcLocator.jsp> for closest Center, hours, and services.

Whenever possible, applicants are urged to make a phone or on-line application, rather than first going to a recovery center. FEMA is accepting applications for Disaster Unemployment Benefits (Deadline: most recently updated to August 11, 2008 for some counties) and Individual Assistance (Deadline: September 29, 2008). Individual Assistance allows homeowners, renters, business owners and non-profit organizations to recover from the effects of severe storms, tornadoes and flooding that began May 25 and continues. **These deadlines are accurate as of July 10, 2008 but may be enlarged based upon later proclamations.**

Disaster Unemployment Insurance

Iowa Workforce Development

515-281-5387 or 800 JOB-IOWA

For Deaf or Hard of Hearing, Use Relay 711

<http://iowaworkforce.org/recovery>

1000 East Grand Avenue

Des Moines, IA 50319-0209

Special Unemployment Insurance benefits for persons living and/or working in counties declared disasters by Presidential proclamation. Deadline for application is based on disaster declaration date; as of July 10, the most recently updated deadline is August 11, 2008 for some counties. **This deadline is accurate as of July 10, 2008, but may be enlarged. Check the Iowa Workforce Development website for updates.** Can also apply through FEMA.

Iowa Attorney General Consumer Protection

Toll Free: 1-888-777-4590

Fax 515-281-6771

<http://www.iowa.gov/government/ag/consumer>

1305 E. Walnut Street

Des Moines, IA 50319

Process complaints from consumer who believe they are getting scammed on repairs, replacing damaged property, etc.

Iowa Department of Human Services

Toll Free: (877) 937-3663

To apply for State Individual Assistance Program benefits. Iowa residents who sustained damage in this year's storms or floods should apply for federal or state-only disaster assistance grants if they are available (e.g. if the county is under the Presidential Disaster proclamation). Residents are not eligible for both. By design, the federal program is far more generous than the state-funded Iowa-only program. **Deadlines and declared counties may be changed (e.g. 8 counties were added to the FEMA list, and thus removed from the State list, as of July 8, 2008). As of July 10, 2008, the application deadline for this program is August 15, 2008.**

Iowa Insurance Division, Consumer Affairs Bureau

Phone 515-281-5705

Fax 515-281-3059

Toll Free Consumer Line: 877-955-1212

<http://www.iid.state.ia.us>

330 Maple Street

Des Moines, IA 50319-0065

Process complaints from consumers about how insurance claims were handled, and/or whether coverage was denied or insufficient.

Iowa Utilities Board

Toll-free 877-565-4450

Fax 515-281-5329

<http://www.state.ia.us/government/com/util>

350 Maple Street

Des Moines, IA 50319-0069

Process complaints concerning utilities.

United Way

For local disaster information or assistance, call 211.

By County:

NOTE: Listings below are for each county's Emergency Management Coordinator, which is the centralized contact agency. Stars are used to indicate the status of a given county's disaster declaration & relevant opportunities for assistance, as follows:

- ★★★ These counties have been declared a federal disaster by the President for purposes of eligibility for FEMA Individual Assistance. These benefits allow homeowners, renters, business owners and non-profit organizations to recover from the effects of severe storms, tornadoes and flooding that

began May 25 and continues. **This list is accurate as of July 10, 2008, but additional counties may be declared eligible for FEMA help in the future. It is important to check with FEMA for updates.**

- ★★ These counties have been declared a disaster by Governor Culver's Proclamation. Residents not eligible for FEMA benefits (except possible Disaster Unemployment, if place of work is in a federal disaster county). **This list is accurate as of July 10, 2008, but additional counties may be declared eligible for FEMA help in the future. It is important to check with FEMA for updates.**

- ★ These counties either have not been declared a disaster, or are a disaster only for the purposes of public assistance for governments only, and not individuals.

1 ADAIR: ★★

Robert Kempf, Coordinator
Adair Co. Emergency Management Agency
200 N. 5th Street
Guthrie Center, IA 50115
641/322-3030
Fax: 641/747-3346
guthrieEMA@guthriecounty.org

2 ADAMS: ★★★

Donald D. Willet, Coordinator
Adams Co. Emergency Management Agency
901 7th Street
Corning, IA 50841
641/322-3623
Fax 641/322-5292
cfd11@frontiernet.net

3 ALLAMAKEE: ★★★

Chris Dahlstrom, Coordinator
Allamakee Co. Emergency Management Agency
1100 Allamakee Street
Waukon, IA 52172
563/568-4233
Fax: 563/568-4978
cdahlstrom@co.allamakee.ia.us

4 APPANOOSE: ★★

Jerald Ballanger, Coordinator
Appanoose Co. Emergency Management Agency
12307 Highway 5
P.O. Box 399
Moravia, IA 52571
641/724-3223
Fax 641/724-3273
adlmema@iowatelecom.net

5 AUDUBON: ★★

Lester Larson, Coordinator
Audubon Co. Emergency Management Agency
606 S. Division Street
Audubon, IA 50025
712/563-3483
Fax 712/563-3730
auddissvc@iowatelecom.net

6 BENTON: ★★★

Scott E. Hansen, Coordinator
Benton Co. Emergency Management Agency
111 E. 4th
P.O. Box 398
Vinton, IA 52349-0398
319/472-4519
Fax 319/472-5451
bentoncountyema@mebbs.com

7 BLACK HAWK: ★★★

Barbara Berquam, Coordinator
Black Hawk Co. Emergency Management Agency
1925 Newell Street
Waterloo, IA 50707
319/291-4373
Fax 319/291-6104
bhcema@co.black-hawk.ia.us

8 BOONE: ★★★

David E. Morlan, Coordinator
Boone Co. Emergency Management Agency

909 W. Mamie Eisenhower Avenue
Boone, IA 50036-3915
515/433-0592
Fax 515/432-2489
davem@co.boone.ia.us

9 BREMER: ★★★
Kip Ladage, Coordinator
Bremer Co. Emergency Management Agency
111 - 4th Street, N.E.
Waverly, IA 50677
319/352-0133
kladage@co.bremer.ia.us

10 BUCHANAN: ★★★
Rick Wulfekuhle, Coordinator
Buchanan Co. Emergency Management Agency
210 - 5th Avenue, N.E.
Independence, IA 50644
319/344-6411
Fax 319/334-7498
bcem@indytel.com

11 BUENA VISTA: ★
Robert Christensen, Coordinator
Buena Vista Co. Emergency Management Agency
411 Expansion Blvd.
P.O. Box 276
Storm Lake, IA 50588
712/749-2705
Fax 712/732-3397
bobc@bvema.com

12 BUTLER: ★★★
Steve Ulrichs, Coordinator
Butler Co. Emergency Management Agency
428 - 6th Street
P.O. Box 325
Allison, IA 50602
319/267-9967
Fax 319/267-2532
sulrichs@butlercoiowa.org

13 CALHOUN: ★

Kerrie Hull, Coordinator
Calhoun Co. Emergency Management Agency
501 Court Street
Rockwell City, IA 50579
712/297-8323
Fax 712/297-7530
khull@calhouncountyiowa.com

14 CARROLL: ★★

Derek White, Coordinator
Carroll Co. Emergency Management Agency
114 E. 6th Street
Carroll, IA 51401
712/775-2166
Fax 712/775-2058
ccemd@co.carroll.ia.us

15 CASS: ★★

Jeremiah Thompson, Coordinator
Cass Co. Emergency Management Agency
5 W. 7th Street
Atlantic, IA 50022
712/243-1500
Fax 712/243-6679
jthompson@casscoia.us

16 CEDAR: ★★★

Mary Vavra, Coordinator
Cedar Co. Emergency Management Agency
711 E. South Street
Tipton, IA 52772
563/886-3355
mvavra@cedarcounty.org

17 CERRO GORDO: ★★★

Steve O'Neill, Coordinator
Cerro Gordo Co. Emergency Management Agency
78 S. Georgia Street
Mason City, IA 50401

641/421-3665
Fax 641/421-3662
soneil@co.cerro-gordo.ia.us

18 CHEROKEE: ★
Aimee Barritt, Coordinator
Cherokee Co. Emergency Management Agency
520 W. Main Street
Box D
Cherokee, IA 51012
712/225-6721
Fax 712/225-6733
cherema@iowatelecom.net

19 CHICKASAW: ★★★
Ken Rasing, Coordinator
Chickasaw Co. Emergency Management Agency
116 N. Chestnut Avenue
P.O. Box 214
New Hampton, IA 50659-0214
641/394-2406
Fax 641/394-4173
chiras@iowatelecom.net

20 CLARKE: ★★
Allan Mathias, Coordinator
Clarke Co. Emergency Management Agency
100 S. Main Street
Osceola, IA 50213
641/342-6654
Fax 641/342-1545
clarkees1@iowatelecom.net

21 CLAY: ★
Eric Tigges, Coordinator
Clay Co. Emergency Management Agency
300 W. 4th Street, Suite 6A
Spencer, IA 51301
712/264-3987
etigges@co.clay.ia.us

22 CLAYTON: ★★★

Joel Biggs, Coordinator
Clayton Co. Emergency Management Agency
100 High Street
P.O. Box 464
Elkader, IA 52043
563/245-3004
Fax 563/245-3065
joelbiggs14@yahoo.com

23 CLINTON: ★★★

Chance R. Kness, Coordinator
Clinton Co. Emergency Management Agency
612 N. 2nd Street
P.O. Box 2957
Clinton, IA 52733-2957
563/242-5712
Fax 563/242-3095
ckness@clintoncountyiowa.com

24 CRAWFORD: ★★★

Gregory J. Miller, Coordinator
Crawford Co. Emergency Management Agency
38 N. Main Street
P.O. Box 473
Denison, IA 51442-0473
712/269-2422
Fax 712/263-2348
mlrlyte@frontiernet.net

25 DALLAS: ★★★

Barry Halling, Coordinator
Dallas Co. Emergency Management Agency
25749 'N' Avenue
P.O. Box 56
Adel, IA 50003
515/993-2134
Fax 515/993-3476
dcema@dwx.com

26 DAVIS: ★★★

Jerald Ballanger, Coordinator

Davis Co. Emergency Management Agency
12307 Highway 5
P.O. Box 399
Moravia, IA 52571
641/724-3223
Fax 641/724-3273
adlmema@iowatelecom.net

27 DECATUR: ★★★

Richard Erke, Coordinator
Decatur Co. Emergency Management Agency
20401 N.W. Little River Lake Road
Leon, IA 50144
641/446-7307
Fax 641/446-4045
erke@grm.net

28 DELAWARE: ★★★

Mike Ryan, Emergency Management Coordinator
Delaware Co. Emergency Management Agency
301 E. Main Street
Manchester, IA 52057
563/927-3723
Fax 563/927-5561
mryan@co.delaware.ia.us

29 DES MOINES: ★★★

Gina Hardin, Coordinator
Des Moines Co. Emergency Management Agency
512 N. Main Street, Suite 1
Burlington, IA 52601
319/753-8206
Fax 319/753-8731
harding@co.des-moines.ia.us

30 DICKINSON: ★

Michael Ehret, Coordinator
Dickinson Co. Emergency Management Agency
1802 Hill Avenue, Suite 1202
Spirit Lake, IA 51360
712/336-3987
Fax 712/336-1850

dcem911@gmail.com

31 DUBUQUE: ★★ ★

Tom Berger, Coordinator
Dubuque Co. Emergency Management Agency
14928 Public Safety Way
Dubuque, IA 52002-8216
563/589-4170
Fax 563/589-0015
dbqema@yousq.net

32 EMMET: ★

Terry Reekers, Coordinator
Emmett Co. Emergency Management Agency
508 S. 1st Street
Estherville, IA 51334-2500
712/362-5702
Fax 712/362-2435
ematerf5@yourstarnet.net

33 FAYETTE: ★★★

William Ziegler, Coordinator
Fayette Co. Emergency Management Agency
114 N. Vine Street
P.O. Box 267
West Union, IA 52601
563/422-5856
Fax 563/5878
bziegler@co.fayette.ia.us

34 FLOYD: ★★★

Bridget Moe, Coordinator
Floyd Co. Emergency Management Agency
101 S. Main Street, Suite 108
Charles City, IA 50616-2756
641/257-6144
Fax 641/257-6306
floydema@floydcoia.org

35 FRANKLIN: ★★★

Steve O'Neill, Coordinator

Franklin Co. Emergency Management Agency
78 S. Georgia Street
Mason City, IA 50401
641/421-3665
Fax 641/421-3662
soneil@co.cerro-gordo.ia.us

36 FREMONT: ★★★
Chuck Larson, Coordinator
Fremont Co. Emergency Management Agency
2820 - 260th Street
Hamburg, IA 51640
712/374-2415
clarson@co.fremont.ia.us

37 GREENE: ★★★
Dennis Morlan, Coordinator
Greene Co. Emergency Management Agency
204 N. Grimmell Street
Box 416
Jefferson, IA 50129-0416
515/386-4404
Fax 515/386-8098
gcems@netins.net

38 GRUNDY: ★★
Chris Heerkes, Coordinator
Des Moines Co. Emergency Management Agency
705 - 8th Street
Grundy Center, IA 50638
319/824-6933
Fax 319/824-5826
cheerkes@grundysheriff.org

39 GUTHRIE: ★★
Robert Kempf, Coordinator
Guthrie Co. Emergency Management Agency
200 N. 5th Street
Guthrie Center, IA 50115
641/332-3030
Fax 641/747-3346
guthrieema@guthriecounty.org

40 HAMILTON: ★★★

Terry A. Johnston, Coordinator
Hamilton Co. Emergency Management Agency
2300 Superior Street
Webster City, IA 50595-3195
515/832-9518
Fax 515/832-9525
tjohnston@hamiltoncounty.org

41 HANCOCK: ★★★

Andrew Buffington, Coordinator
Hancock Co. Emergency Management Agency
875 State Street
P.O. Box 70
Garner, IA 50438-0070
641/923-2702
Fax 641/923-2460
hancoema@trvnet.net

42 HARDIN: ★★★

Douglas Riggs, Coordinator
Hardin Co. Emergency Management Agency
1201 - 14th Avenue
P.O. Box 173
Eldora, IA 50627
641/939-8132
Fax 641/939-8137
driggs@co.hardin.ia.us

43 HARRISON: ★★★

Larry Oliver, Coordinator
Harrison Co. Emergency Management Agency
111 S. 1st Avenue
Logan, IA 51546
712/644-2353
Fax 712/644-3711
hcema@harrisoncountya.org

44 HENRY: ★★

Ed Farley, Coordinator

Henry Co. Emergency Management Agency
220 W. Monroe Street
Mt. Pleasant, IA 52641
319/385-1479
Fax 319/385-1466
efarley@henrycountyiowa.us

45 HOWARD: ★★
Darrell Knecht, Coordinator
Howard Co. Emergency Management Agency
124 S. Park Avenue
Cresco, IA 52136
563/547-1165
Fax 563/547-1165
dknecht@co.howard.ia.us

46 HUMBOLDT: ★★
Pat Colwell, Coordinator
Humboldt Co. Emergency Management Agency
2221 - 220th Street
Humboldt, IA 50548
515/332-4809
Fax 515/332-5142
hczema@trvnet.net

47 IDA: ★
Edward Sohm, Coordinator
Ida Co. Emergency Management Agency
401 Morehead Street
Ida Grove, IA 51445-1429
712/364-2533
Fax 712/364-2746
idaemes@pionet.net

48 IOWA: ★★★
Alan Husband, Coordinator
Iowa Co. Emergency Management Agency
785 Cherry Avenue
Marengo, IA 52301-1010
319/642-3151
Fax 319/642-3826
iacoema@netins.net

49 JACKSON: ★★

Lyn Medinger, Coordinator
Jackson Co. Emergency Management Agency
201 W. Platt Street
Maquoketa, IA 52060-2243
563/652-7036
Fax 563/652-6975
Imedinger@co.jackson.ia.us

50 JASPER: ★★★

Jim Sparks, Coordinator
Jasper Co. Emergency Management Agency
115 N. 2nd Avenue E.
Newton, IA 50208
641/792-7555
Fax 641/792-5254
ema@co.jasper.ia.us

51 JEFFERSON: ★★

Jerry Calnon, Coordinator
Jefferson Co. Emergency Management Agency
1200 W. Grimes
Fairfield, IA 52556-2778
641/472-4146
Fax 641/469-3353
jerryemae911@lisco.com

52 JOHNSON: ★★★

Dave Wilson, Coordinator
Johnson Co. Emergency Management Agency
511 S. Capitol Street
Box 169
Iowa City, IA 52244
319/356-6028
Fax 319/339-6175
dwilson@co.johnson.ia.us

53 JONES: ★★★

Brenda Leonard, Coordinator
Jones Co. Emergency Management Agency

500 W. Main Street
Anamosa, IA 52205
319/462-4386
Fax 319/462-4386
ema@co.jones.ia.us

54 KEOKUK: ★★★
Larry G. Smith, Coordinator
Keokuk Co. Emergency Management Agency
515-1/2 N. Jefferson
P.O. Box 273
Sigourney, IA 52591-0273
641/622-2528
Fax 641/622-2139
lsmith5450@lisco.com

55 KOSSUTH: ★★★
Jim Kelly, Coordinator
Kossuth Co. Emergency Management Agency
121 W. State Street
Algona, IA 50511
515/295-5904
Fax 515/295-9304
kossema@co.kossuth.ia.us

56 LEE: ★★★
Steve Cirinna, Coordinator
Lee Co. Emergency Management Agency
811 Avenue 'E'
P.O. Box 240
Ft. Madison, IA 52627
319/372-4124
Fax 319/372-7758
lee.county@iowa.gov

57 LINN: ★★★
Richard C. Mahaney, Coordinator
Linn Co. Emergency Management Agency
6301 Kirkwood Blvd.
P.O. Box 1387
Cedar Rapids, IA 52406-1387
319/363-2671

Fax 319/398-5316
rich.mahaney@linnema.com

58 LOUISA: ★★★
Thomas Colthurst, Coordinator
Louisa Co. Emergency Management Agency
12635 County Road G56
P.O. Box 313
Wapello, IA 52653
319/729-5870
Fax 319/729-5870
louisaema@louisacomm.net

59 LUCAS: ★★★
Jerald Ballanger, Coordinator
Lucas Co. Emergency Management Agency
12307 Highway 5
P.O. Box 399
Moravia, IA 52571
641/724-3223
Fax 641/724-3273
adlmema@iowatelecom.net

60 LYON: ★★
Wayne Jepsen, Coordinator
Lyon Co. Emergency Management Agency
410 S. Boone
Rock Rapids, IA 51246
712/472-8330
Fax 712/472-2303
lyonlec@hickorytech.net

61 MADISON: ★★★
Todd Brown, Coordinator
Madison Co. Emergency Management Agency
112 N. John Wayne Drive
P.O. Box 152
Winterset, IA 50273
515/462-4255
Fax 515/462-3684
madisonemc@i-rule.net

62 MAHASKA: ★★★
Jamey A. Robinson, Coordinator
Mahaska Co. Emergency Management Agency
214 High Avenue E.
Oskaloosa, IA 52577
641/672-1209
Fax 641/673-2588
ema@mahaskacounty.org

63 MARION: ★★★
Jeff Anderson, Coordinator
Marion Co. Emergency Management Agency
214 E. Main Street
Knoxville, IA 50138
641/828-2256
Fax 641/828-2042
janderson@co.marion.ia.us

64 MARSHALL: ★★★
Deanna Bachman, Coordinator
Marshall Co. Emergency Management Agency
City Hall - 24 N. Center Street
Marhsalltown, IA 50158
641/754-6385
Fax 641/754-6389
dneldeberg@co.marshall.ia.us

65 MILLS: ★★★
Larry Hurst, Coordinator
Mills Co. Emergency Management Agency
418 Sharp Street
Glenwood, IA 51534
712/527-3643
Fax 712/527-4962
lhurst@millsctyema.org

66 MITCHELL: ★★★
Ray Huftalin, Coordinator
Marion Co. Emergency Management Agency
211 S. 6th Street
Osage, IA 50461

641/732-5872
Fax 641/732-3151
mitchell.county@iowa.gov

67 MONONA: ★★★
Randy Ross, Coordinator
Monona Co. Emergency Management Agency
909 - 7th Street
Onawa, IA 51040
712/433-1294
Fax 712/433-9595
mocoema@longlines.com

68 MONROE: ★★
Jerald Ballanger, Coordinator
Monroe Co. Emergency Management Agency
12307 Highway 5
P.O. Box 399
Moravia, IA 52571
641/724-3223
Fax 641/724-3273
adlmema@iowatelecom.net

69 MONTGOMERY: ★★
Tom Lewis, Coordinator
Montgomery Co. Emergency Management Agency
105 Coolbaugh
Red Oak, IA 51566
712/623-4940
Fax 712/623-2346
montgomerycountyemc@gmail.com

70 MUSCATINE: ★★★
Jeff Carter, Coordinator
Muscatine Co. Emergency Management Agency
Public Safety Bldg. - 312 E. 5th Street
Muscatine, IA 52761
563/288-2526
Fax 563/263-9340
muscatinecoema@machlink.com

71 O'BRIEN: ★

Anne Koontz, Coordinator
O'Brien Co. Emergency Management Agency
240 - 1st Street. N.E.
Box 482
Primghar, IA 51245-0482
712/757-4305
Fax 712/757-8305
obcema@tcaexpress.net

72 OSCEOLA: ★

Debra Geottig, Coordinator
Osceola Co. Emergency Management Agency
751 Johannes Street
Ashton, IA 51232
712/754-2381
Fax 712/754-4688
dgoettig@osceolacoia.org

73 PAGE: ★★★

Rod Riley, Coordinator
Page Co. Emergency Management Agency
615 Northwest Road
P.O. Box 569
Shenandoah, IA 51601-0569
712/246-4254
Fax 712/246-2871
rileyema@qwestoffice.net

74 PALO ALTO: ★★

Mark Hunefeld, Coordinator
Palo Alto Co. Emergency Management Agency
1907 - 11th Street
Emmetsburg, IA 50536
712/852-4997
Fax 712/852-3247
paema@iowatelecom.net

75 PLYMOUTH: ★

Gary Junge, Coordinator
Plymouth Co. Emergency Management Agency
231 - 2nd Avenue, N.E.

LeMars, IA 51031
712/546-8101
Fax 712/546-8103
plyema@frontiernet.net

76 POCAHONTAS: ★★
Tim McKiernan, Coordinator
Pocahontas Co. Emergency Management Agency
99 Court Square
Pocahontas, IA 50574-1629
712/335-3188
Fax 712/335-4300
tjmhsema@yahoo.com

77 POLK: ★★★
A. J. Mumm, Coordinator
Polk Co. Emergency Management Agency
111 Court Avenue
Des Moines, IA 50309
515/286-2107
Fax 515/323-5256
amumm@co.polk.ia.us

78 POTTAWATTAMIE: ★★★
Terry Hummel, Coordinator
Pottawattamie Co. Emergency Management Agency
227 S. 6th, Suite 23B
Council Bluffs, IA 51501
712/328-5777
Fax 712/328-5819
pott.ema@pottcounty.com

79 POWESHIEK: ★★
Karen Meek, Coordinator
Poweshiek Co. Emergency Management Agency
609 - 4th Avenue
Grinnell, IA 50112
641/236-0160
Fax 641/236-0405
ema@poweshiekcosherriff.com

80 RINGGOLD: ★★

Teresa Jackson, Coordinator
Ringgold Co. Emergency Management Agency
109 W. Madison Street, Suite 105
Mount Ayr, IA 50854
641/464-3344
Fax 641/464-0663
tjackson@iowatelecom.net

81 SAC: ★

Jim Bullock, Coordinator
Sac Co. Emergency Management Agency
1020 W Main Street
Sac City, IA 50583
712/662-4789
Fax 712/662-3316
sacesa@mchsi.com

82 SCOTT: ★★★

Ross Bergen, Coordinator
Scott Co. Emergency Management Agency
1609 State Street
Bettendorf, IA 52722
563/344-4054
Fax 563/823-4641
scema@msn.com

83 SHELBY: ★★

Bob Seivert, Coordinator
Shelby Co. Emergency Management Agency
612 Court Street
Harlan, IA 51537
712/755-5160
Fax 712/235-6911
bsievert@shco.org

84 SIOUX: ★

Jake Anderson, Coordinator
Sioux Co. Emergency Management Agency
4363 Ironwood Avenue, Suite 3
Orange City, IA 51041-7698
712/737-4010

Fax 712/737-3006
em@siouxcounty.org

85 STORY: ★★★

Lori Morrissey, Coordinator
Story Co. Emergency Management Agency
900 - 6th Street / Admin Bldg.
Nevada, IA 50201
515/382-7315
Fax 515/382-3349
storyema@aol.com

86 TAMA: ★★★

Roxanne Warnell, Coordinator
Tama Co. Emergency Management Agency
100 N. Main Street
P.O. Box 4
Toledo, IA 52342
641/484-6261
Fax 641/484-2198
rwarnell@tamacounty.org

87 TAYLOR: ★★

Michael Ware, Coordinator
Taylor Co. Emergency Management Agency
1104 Dodge Street
Bedford, IA 50833
712/523-2840
Fax 712/523-2959
mickw@frontiernet.net

88 UNION: ★★★

Roger Nurnberg, Coordinator
Union Co. Emergency Management Agency
208 W. Taylor Street
Creston, IA 50801-3766
641/782-1622
Fax 641/782-2167
ucema@mchsi.com

89 VAN BUREN: ★★★

Jerry Calnon, Coordinator
Van Buren Co. Emergency Management Agency
1200 W. Grimes
Fairfield, IA 52556-2778
641/472-4146
Fax 641/469-3353
jerrymae911@lisco.com

90 WAPELLO: ★★★

Stephen O'Connor, Coordinator
Wapello Co. Emergency Management Agency
201 N. Wapello Street
Ottumwa, IA 52501
641/683-0666
Fax 641/683-0663
oconnors@ci.ottumwa.ia.us

91 WARREN: ★★★

Mahala Cox, Coordinator
Warren Co. Emergency Management Agency
115 N. Howard Street, Room 102
P.O. Box 337
Indianola, IA 50125
515/961-1105
Fax 515/961-1136
wcema@co.warren.ia.us

92 WASHINGTON: ★★★

Larry G. Smith, Coordinator
Washington Co. Emergency Management Agency
515-1/2 N. Jefferson
P.O. Box 273
Sigourney, IA 52591-0273
641/622-2528
Fax 641/622-2139
lsmith5450@lisco.com

93 WAYNE: ★★

Bill Yeager, Coordinator
Wayne Co. Emergency Management Agency
100 N. Lafayette
P.O. Box 435
Corydon, IA 50060-0435
641/872-1903
Fax 641/872-2843
wacosan@grm.net

94 WEBSTER: ★★★

Tony Jorgensen, Coordinator
Webster Co. Emergency Management Agency
702 - 1st Avenue, S-LEC Bldg.
Ft. Dodge, IA 50501
515/573-1403
Fax 515/573-5232
ema@webstercountyia.org

95 WINNEBAGO: ★★

Andrew Buffington, Coordinator
Winnebago Co. Emergency Management Agency
216 S. Clark Street
Forest City, IA 50436
641/585-1942
abuffington@winncosheriff.org

96 WINNISHIEK: ★★★

Bruce Goetsch, Coordinator
Winnishiek Co. Emergency Management Agency
400 Claiborne Drive
Decorah, IA 52101
563/387-4095
Fax 563/382-6099
ema96ia@netins.net

97 WOODBURY: ★

Gary E. Brown, Coordinator
Woodbury Co. Emergency Management Agency
121 Deer Run Trail
Climbing Hill, IA 51015
712/876-2212
Fax 712/876-2228
wcdes@netins.net

98 WORTH: ★★★

Ray Huftalin, Coordinator
Worth Co. Emergency Management Agency
211 S. 6th Street
Osage, IA 50461
641/732-5872
mitchell.county@iowa.gov

99 WRIGHT: ★★★

Jim Lester, Interim Coordinator
Wright Co. Emergency Management Agency
719 - 2nd Street, S.W.
P.O. Box 348
Clarion, IA 50525
515/532-3722
Fax 515/532-9026
jlester@co.wright.ia.us