Update on Appeals Process for Hurricane Harvey Substantial Damage Determinations

Jamila Johnson – Managing Engineer – Houston Public Works – Floodplain Management Office
The City of Houston is a participating community in the National Flood Insurance Program.

Implement Minimum Standards
Affordable Flood Insurance
111,982 Policies Citywide

Community Rating System
Class 5 Rating
Higher Standards
Up to 25% discount on flood insurance premiums

Participating in the NFIP and CRS
Participating in the NFIP

Mutual agreement between community and FEMA

FEMA provides FIRM/FIS

Community adopts floodplain development regulations

Community participates in the NFIP
Participating in Community Rating System (CRS)

- Higher Standards
- Floodplain Management
- More reporting to FEMA
- Discounts on Flood Insurance Premiums
Substantial Damage

Substantial Damage is a minimum standard for participation in the NFIP.

Structures that are determined to be substantially damaged must be brought into compliance before permits are issued for repair.

For most structures “compliance” means that the lowest floor must be elevated per the current requirements of the City’s floodplain ordinance.
Substantial vs. Non-Substantial Damage

Cost to Restore to Pre-flood Condition of Home
Pre-flood Market Value of Home

< 50% Non-Substantial

≥ 50% Substantial

For example – a home that was worth $100,000 not including land, before the flood will cost $60,000 to repair, the home is 60% damaged and is substantially damaged.
How is Substantial Damage Determined?

Substantial Damage Determination by City

- Permit Activity
- Data Provided by FEMA
- Homeowner Request

Substantial Damage Determination by City
First Batch of Substantial Damage Determination Letters
Appeals

- Submit Substantial Damage Determination Appeal form and required documents to City of Houston Floodplain Management Office
- Submit in person, via email or via US mail
- “Required documents” are the same type of documents that are required to obtain a floodplain flood damage repair permit
- FMO provides a written response
- Homeowners can submit again with new information
- General Appeals Board
### Required Documents

<table>
<thead>
<tr>
<th>Option</th>
<th>Repair Cost</th>
<th>Value of Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1*</td>
<td>Flood Damage Repair Form</td>
<td>Flood Damage Repair Form -OR- HCAD Summary</td>
</tr>
<tr>
<td>2</td>
<td>NFIP Proof of Loss including attached detailed itemized cost estimate</td>
<td>NFIP Proof of Loss</td>
</tr>
<tr>
<td>3*</td>
<td>Project Cost Estimate Form</td>
<td>HCAD Summary -OR- Private Appraisal of Pre-Damage Market Value of Structure Only</td>
</tr>
<tr>
<td>4</td>
<td>Elevation Certificate demonstrating that structure is compliant (meets requirements of current floodplain ordinance)</td>
<td></td>
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*FIELD VERIFICATION MAY BE REQUIRED*
Other Options

Increased Cost of Compliance Coverage

- Must have NFIP Flood Insurance Policy Holders
- Substantially Damaged
- Located in Special Flood Hazard Area (100 year floodplain and floodway)
- Up to $30,000 towards the cost of home elevation or demolition and/or rebuild

Harris County Flood Control District Home Acquisition Program

Small Business Association (SBA) Loans
FMO can help!

- Call or email anytime with questions

Floodplain Management Office
Houston Permitting Center
3rd Floor
1002 Washington Avenue
832.394.8854
fmo@houstontx.gov