



Summer 2021 California Wildfires

HELPING HANDBOOK

A Resource for Individuals, Families, and Small Businesses



HELPING HANDBOOK

FOR INDIVIDUALS AND SMALL BUSINESSES AFFECTED BY THE SUMMER 2021 CALIFORNIA WILDFIRES

This handbook provides an overview of some issues that individuals, families, and small businesses may face as a result of the wildfires that broke out in California in Summer 2021. While wildfires have occurred throughout the state in 2021, *this handbook focuses particularly on Lassen, Nevada, Placer, and Plumas counties because, as of the time of this publication, these were the counties covered by the federal government's Major Disaster Declaration, DR-4610 (declared on August 24, 2021), which triggered certain assistance to individuals.*

Please note, unless otherwise indicated, this handbook is only current through September 7, 2021. By the time you read this material, the federal, state, and county governments may have enacted additional measures to assist victims of the wildfires that may affect some of the information we present.

This handbook will not answer all of your questions. It is designed to set out some of the issues you may have to consider, to help you understand the basics about each issue, and to point you in the right direction for help. Much of the information in this handbook is general, and you may have to contact government officials, or local aid organizations, to obtain more specific information about issues in your particular area.

You may feel overwhelmed when considering the legal issues you face, and you may find it helpful or even necessary to obtain an attorney's assistance. These feelings are normal. Legal issues are often complicated, and it is prudent and recommended to seek advice from an attorney about your questions and the specifics of your situation before making a decision. If you do not have an attorney, legal advice and referrals are available to those in need, at times at no charge. To help you get started, this handbook includes a list of lawyer referral agencies and several legal aid providers. See the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

The COVID-19 pandemic has complicated the situation faced by wildfire survivors. As noted throughout the handbook, many agencies and organizations may have restrictions on in-person visits, and some may be providing limited services at this time. This handbook cannot anticipate all COVID-19 disruptions, so we encourage you to use the provided contact information to check for the latest information on services, and access to services, for assistance providers.

Morrison & Foerster LLP has made the contents of this handbook available for general information purposes only. Although we hope it will be helpful by providing background material, we do not warrant that it is accurate or complete, particularly since ***circumstances may change after this handbook is posted on the web or published.*** The handbook is general in nature and may not apply to particular factual or legal circumstances. In any event, the handbook does not constitute legal advice and should not be relied on as legal advice. Morrison & Foerster LLP renders legal advice only after compliance with certain procedures and when it is legally and ethically permissible to do so. Readers acting on any information contained in this handbook are urged to seek tailored advice from their own legal counsel; if a reader cannot afford counsel, referrals to pro bono counsel may be obtained from the organizations listed in the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

There is no cost for using or copying these resources. They were compiled to help the people and organizations affected by the wildfires. Reproduction or distribution of these materials for commercial purposes without prior written permission is strictly prohibited. This handbook can be viewed online or printed at www.mofo.com/2021-wildfires. If an organization with which you are affiliated would like to request printed copies of the handbook, please email firehandbook@mofo.com.

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HOUSING

TEMPORARY HOUSING

My primary residence (house, condominium, or apartment) was destroyed by the recent wildfires. Although I have been able to stay in shelters or with friends and family, I need temporary housing of my own. Can anyone help me find temporary housing or help pay for it?

One or more of the following should be able to help you in these circumstances. First, various charitable organizations, such as the American Red Cross, may be able to provide assistance. Contact information for the Red Cross is available at <https://www.redcross.org/local/california/gold-country/get-help.html>. Second, if you have homeowners' or renters' insurance, temporary housing may be covered by your policy (see the **Insurance** chapter of this handbook). Contact your insurance agent. Third, as discussed below, the Federal Emergency Management Agency (FEMA) has several programs that may be able to assist you.

Transitional Shelter Assistance (TSA) Program

FEMA's TSA Program may provide short-term lodging assistance for federally declared disaster area evacuees with a continuing need for shelter because they are unable to return to their homes for an extended period of time after the original shelters have closed. Under the TSA Program, you may be eligible to stay in a hotel or motel for a limited amount of time and have the cost of the room and taxes covered by FEMA. FEMA does not cover the cost of incidental room charges or amenities, such as telephone use, room service, and food. As of August 30, 2021, FEMA has not announced whether it will provide this type of assistance for the current wildfires, but FEMA may do so in the future.

If FEMA initiates this program, for those who are eligible, FEMA will authorize and fund the use of participating hotels and motels (through direct payments to the hotel or motel) as transitional shelters. The initial period of assistance is typically five to 14 days from the date of TSA implementation. If needed, FEMA, along with the state, may extend the period of assistance. If you are interested in this program, register with FEMA (see the **FEMA** chapter of this handbook). You can determine eligibility online at <https://www.disasterassistance.gov/> or by calling (800) 621-3362. If FEMA offers the TSA program, and if FEMA determines you are eligible for this assistance, you can search for participating hotels at <http://www.femaevachotels.com/> or visit <https://www.disasterassistance.gov/> and click on the "Transitional Sheltering Assistance" link to locate hotels.

Rental Assistance Through Individuals and Households Program (IHP)

IHP provides tax-free grants (Rental Assistance) to households who are displaced from their primary residence by a federally declared disaster, such as the Summer 2021 Wildfires. These need-based grants enable homeowners and renters to secure temporary housing while repairs are made to their pre-disaster primary residence or while transitioning to new permanent housing. Rental Assistance may be used to rent a house, apartment, manufactured home, recreational vehicle, or other readily fabricated dwelling. To be eligible for Rental Assistance, the following conditions must be met:

- you have losses in a presidentially declared disaster area;
- you have no insurance or your insurance claim has been denied, or your insurance settlement does not cover all of your losses;
- you or someone who lives with you is a U.S. citizen, a non-citizen national, or a "qualified alien" (see the **Immigration** chapter of this handbook);
- the affected home is where you usually live and where you were living at the time of the disaster; and
- you are not able to live in your home now, you cannot get to your home, or your home requires repairs because of disaster damage.

Only one application will be accepted from each household (generally, all people living in one apartment or house). (See additional information about IHP resources for rebuilding your residence below in the **Repair and Rebuilding** section of this chapter.) Apply for assistance at <https://www.disasterassistance.gov/> or call the FEMA helpline at (800) 621-3362.

Government-Provided Temporary Housing

If FEMA determines there is no rental housing available in the local community due to the federally declared disasters, it may provide Government-Provided Temporary Housing (e.g., modular or mobile homes) to disaster victims. As of September 7, 2021, we have not been able to confirm whether FEMA will be providing this type of housing in response to the disasters in Lassen, Nevada, Placer, and Plumas counties.

Separate from FEMA assistance, the Department of Housing and Urban Development (HUD) may offer Section 8 rental assistance and relocation plans for tenants in subsidized public housing. Aid also may be provided through California's State Supplemental Grant Program (SSGP). See the **Social Security, Unemployment, CalFresh, and Other Regular and Special Government Program Benefit Payments** chapter of this handbook for more information.

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If you were living in a Rural Development-financed apartment and have been displaced, you may be eligible for additional assistance from the USDA Rural Development Agency. For further information about this benefit, call (800) 414-1226.

My primary residence was damaged during the recent wildfires. If I move out while repairs are being made, can I get any assistance in finding and paying for temporary housing?

Depending on the amount of damage, you may be eligible for assistance. Potential sources include charitable organizations, your insurance, and FEMA's IHP, as discussed above.

During the recent wildfires, I was ordered to evacuate my primary residence. Instead of going to one of the local shelters, I rented a room in a motel. Can I obtain reimbursement for the money I spent on the motel room? What if my primary residence was neither damaged nor destroyed as a result of the disasters?

You may be eligible for assistance from charitable organizations, your insurance, or FEMA. FEMA may provide lodging expense reimbursement for hotels, motels, or other short-term lodging while an applicant is displaced from his or her primary residence as the result of an ordered evacuation. As of September 7, 2021, FEMA has not announced whether it will provide this relief in connection with the recent wildfires. You should save your receipts and document your expenses in case you are able to file for reimbursement. (The same disaster assistance process described above for FEMA's TSA Program and FEMA's IHP program will apply to determine your eligibility for potential FEMA reimbursement of displacement costs.)

Please note: FEMA assistance is available only to individuals if their primary residence has been destroyed, is uninhabitable, or is inaccessible. If you were ordered to be evacuated and are now able to return to your undamaged residence, check with your insurer to see if short-term lodging expenses can be reimbursed.

HOUSING PAYMENTS

My primary residence, which I own, was destroyed by the recent wildfires. Am I obligated to continue paying my mortgage, homeowners' association fees, insurance, etc., on that residence? Does it make a difference if my residence was only damaged, rather than destroyed?

Unless you obtain a forbearance agreement from your lender, you should continue to pay your mortgage regardless of whether your residence was destroyed or damaged. You should contact your mortgage servicer (the company to which you send your monthly payments) to discuss possible mortgage relief options. If you are having trouble contacting your mortgage servicer, contact the Homeowner's HOPE Hotline at (888) 995-4673 for assistance.

If your loan is owned by Fannie Mae or Freddie Mac, you may be eligible to temporarily stop making your monthly mortgage payments for three-month intervals for up to 12 months. You can check to see if Fannie Mae owns your loan at <https://www.knowyouroptions.com/loanlookup> or by calling (800) 232-6643; you can check to see if Freddie Mac owns your loan at <https://loanlookup.freddiemac.com/> or by calling (800) 373-3343 and selecting option #2. Do not stop making payments until Fannie Mae or Freddie Mac confirms your eligibility to do so.

If (i) your residence has suffered substantial uncompensated disaster damage (40% or more of the original property value), (ii) you intend to repair the damage or rebuild, and (iii) you do not have sufficient credit available elsewhere to cover your mortgage payments, the U.S. Small Business Administration (SBA) may be able to refinance all or part of your outstanding mortgage, which could result in a reduced monthly mortgage payment. See the **SBA Loan Assistance** chapter of this handbook for more information.

If your home loan is through the U.S. Department of Veterans Affairs (VA), you might be able to have it adjusted. Call the VA regional office where the property is located. The proper regional office should be identified on the loan papers. If the papers are not available, call the VA at (877) 827-3702 for the number of the correct regional office. You can also use this phone number to speak with a VA loan specialist about your options.

With regard to homeowners' association fees or insurance premiums, you should review the language of your association's bylaws and the insurance policy. It is likely in your best interest to pay the amounts owed unless you obtain written confirmation that you do not have to pay or may defer payment for a specific time.

I have also lost my job due to the ongoing COVID-19 pandemic. Is there any available assistance for my mortgage payments?

If you are experiencing difficulty making on-time mortgage payments due to the COVID-19 pandemic, the CARES Act or the American Rescue Plan Act may provide some relief. If your mortgage is backed by the federal government – this includes FHA, VA, USDA, Fannie Mae, and Freddie Mac loans – provisions of the CARES Act may allow you to temporarily suspend payments if you are experiencing financial difficulty due to COVID-19. The deadline to request temporary suspension from the FHA, VA, or USDA is currently September 30, 2021. As of August 30, 2021, Fannie Mae

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and Freddie Mac do not have a deadline. If your mortgage is not government backed, the options available to you may differ. In either case, contact your mortgage servicer to discuss your available options.

For more in depth information, including information on how to find a HUD-approved housing counselor, go to www.consumerfinance.gov/coronavirus.

The 2021 American Rescue Plan Act provides for approximately \$10 billion in funds for homeowners who are impacted by the COVID-19 pandemic. California is expected to receive approximately \$1 billion of this amount, but as of August 30, 2021, the U.S. Treasury has not approved California's proposed plan for distributing those funds. For more information, visit <https://www.calhfa.ca.gov/HAF.htm>.

RENTERS

The following is general information for tenants regarding premises damaged by the disasters. Individual circumstances will vary. For many of these questions, you may want to contact an attorney. If you do not have an attorney, consult the Lawyer Referral Services & Legal Aid chapter of this handbook.

If my rental unit has been damaged or destroyed by the recent wildfires, what issues should I consider?

- Do you have a written lease?
- How badly is the rental unit damaged?
- Do you want to keep possession of the apartment, move out temporarily while the landlord makes repairs, or move out permanently?
- Is the unit rent-controlled or subsidized?

Under California law, unless you have a specific lease provision expressly providing otherwise, if your unit was entirely destroyed the lease terminated automatically.

What if I have a written lease?

Your rights will be determined by the lease's provisions to the extent they are not superseded by California law. Although "form" leases are commonly used, the provisions covering disasters may vary significantly even for different leases in the same building. You should ask a lawyer to check the provisions of your lease to answer these questions for you.

How do I assess the damage to my rental unit?

Under California law, landlords must maintain rental units in habitable condition. A residential tenant cannot be forced to waive his or her right to habitable premises. Unless you have a unique lease that you negotiated with your landlord, this information about habitability most likely applies to your rental unit. To be considered habitable, the rental units must substantially satisfy *all* of the following conditions:

- roof and exterior walls must be waterproof;
- windows and doors must be unbroken;
- plumbing and gas systems must be in good working order;
- hot and cold running water must be provided;
- sewage disposal systems must be operational;
- heating equipment must be in good working order;
- electrical lighting and wiring must be maintained in good working order; and
- floors, stairways, and railings must be kept in good repair.

If my rental unit is damaged, what can I do if I have a month-to-month rental agreement and want to move permanently?

You can give one month's notice to your landlord and then move. If the unit is substantially damaged (damaged to the extent the premises can no longer be used as a residence), you may not need to pay all or some of the last month's rent. If that is the case, see the guidelines below.

If my rental unit is damaged, do I have to pay rent if I have a one-year lease and I want to move out permanently?

Under California law, you may terminate your tenancy and not pay further rent if the unit is substantially damaged. If you want to terminate your tenancy, you should:

- check your lease for applicable provisions;
- make a list of the unit's impaired and damaged conditions;
- obtain FEMA or other inspection reports;
- request a local city building inspection and obtain a certified copy of the inspection report;

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- photograph the damage and record the date the picture was taken, who took the picture, and the subject of the picture; and
- have the unit and building viewed by reliable witnesses and record their names and addresses, the date of the viewing, and what the witnesses saw.

Assuming that your unit is likely to be considered substantially damaged by the recent wildfires, write a letter to your landlord, enclose copies of the documentation listed above, state that the rental unit is not habitable, and state that you consider the lease terminated. Sign and date the letter and keep a copy for your records. You then will be in a position to proceed as if the unit had been destroyed. If your landlord disputes your position and you have not done so already, you should promptly consult an attorney or seek the services of a legal aid organization.

Can I terminate my lease if my rental unit is materially damaged?

You must first notify the landlord about the needed repairs and give the landlord a reasonable amount of time to make the repairs. If the landlord does not make the repairs within a reasonable time, then you may be able to not pay some or all of your rent or even terminate the lease. The landlord may dispute whether the repairs are necessary and whether he or she had a reasonable time to make the repairs, in which case you may need to contact an attorney or seek the services of a legal aid organization.

Can my landlord use my security deposit to pay for wildfire damage? What happens to my security deposit if the unit was entirely destroyed?

With respect to damage, the landlord can only use a security deposit for damage caused by tenants or their guests. Your landlord should not use your security deposit for damage caused by a wildfire. If your unit was entirely destroyed, or your lease is otherwise terminated as a result of the disasters, your landlord has 21 days to return your security deposit.

I have lost my job due to the ongoing COVID-19 pandemic. Am I protected from eviction if I cannot make rental payments?

You may be protected from an immediate eviction and you may also be eligible for financial assistance to help pay your rent and/or utilities. On August 26, 2021, the United States Supreme Court ended the federal government's attempts to delay evictions for those who are unable to pay their rent due to a hardship caused by COVID-19. Importantly, however, the state of California and many counties and cities have created separate protections for those who have a hardship because of COVID-19, and the Supreme Court's ruling does not impact these local protections. Generally, a hardship is defined as a loss in wages or income, loss of employment, increased child care costs, increased healthcare costs, or other financial hardship caused by the pandemic.

As of September 7, 2021, under California law, tenants are protected from eviction until September 30, 2021, unless the landlord has a legally valid reason to evict them. Information about this partial ban on evictions can be found at the following website—https://housing.ca.gov/tenant/protection_guidelines.html. Certain counties and cities may provide greater protection than the state. If you are currently facing an eviction, you should immediately consult an attorney or seek the services of a legal aid organization. Information on how to find legal help is included in the **Lawyer Referral Services and Legal Aid** chapter of his handbook.

Low-income California residents may also be eligible for financial help with their past due and future rent, as well as utilities. Tenants and their landlords are encouraged to apply for this assistance. The following website provides additional information on the state's financial assistance program: <https://housing.ca.gov/>. Applying to the state program will also help you determine whether you are eligible for assistance from a local program. (You can also call (833) 430-2122 (English) or (833) 687-0967 (languages other than English), to learn more about these programs.)

My residence in a rural community was damaged or destroyed, and I am looking for a new residence to lease. Are any programs available to assist with obtaining a new residence?

If you live in a rural community that is in a federally declared disaster area and your home was damaged or destroyed, United States Department of Agriculture (USDA) Rural Development may be able to help. You may be eligible to receive a Letter of Priority Entitlement (LOPE), which allows you to apply for housing in properties financed by USDA Rural Development or by HUD, even if you might not have been eligible to apply to those properties before the disaster. If you receive a LOPE, you will be given priority placement for a vacant unit. If no units are available, you will be placed at the top of the waitlist, though you are not guaranteed placement in one of the properties. A list of USDA Rural Development properties is available online at <https://rdmfhrentals.sc.egov.usda.gov>, and a list of HUD properties is available online at <https://resources.hud.gov>. To request a LOPE, you should register with FEMA and then contact USDA Rural Development, using the contact information here: <https://www.rd.usda.gov/ca>.

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REPLACEMENT OF POSSESSIONS

When the recent wildfires destroyed my residence, I lost almost all of my personal possessions. Can anyone help me obtain replacement clothes and necessities? What about replacing my television, computer, etc.?

You may be able to replace personal property that was destroyed with insurance proceeds and/or with grants or loans from several federal or state programs.

First, if you have homeowners' insurance or renters' insurance, the policies typically include provisions for the replacement of personal property, subject to various conditions, deductibles, and policy limitations. If you were renting your primary residence, check with your landlord to confirm whether your landlord named you as an additional insured on the landlord's policy, in which event it may provide benefits for you. See the **Insurance** chapter of this handbook for additional information about insurance coverage.

Second, the SBA may provide a Home and Personal Property Loan for possessions (up to \$40,000) to both homeowners and renters. The amount of an SBA loan depends on the actual cost of repairing or replacing the damaged items less insurance recovery, grants, etc. The loan can be used to repair or replace personal property, such as clothes, furniture, automobiles, and consumer electronics, but an SBA loan cannot be used to replace luxury or extraordinarily expensive items, such as personal pleasure boats, airplanes, RVs, and fur coats or to pay for upgrades or make additions to the home unless required by building codes. Property, such as an antique or a collection of rare goods that may have market values in excess of its functional value, is covered only for the amount of its functional value. (For example, reimbursement for a collection of four rare quarters would be \$1.00, not the potential price at a coin show.) See the **SBA Loan Assistance** chapter of this handbook for more information.

Third, to the extent your personal property losses exceed the amount of your insurance coverage and SBA loans, and assuming other conditions are met, FEMA will sometimes provide disaster victims in federally declared disaster areas with assistance in replacing furniture lost when their primary residence was destroyed. If needed, you should specifically request assistance for furniture costs from FEMA and demonstrate your need. See the **FEMA** chapter of this handbook for further information.

DEMOLITION AND CLEAN UP

Do I need a permit to demolish a partially destroyed residence or to clean up debris caused by the recent wildfires?

Homeowners are advised **not** to conduct their own demolition of partially burned structures or perform debris or ash removal. These activities may present serious health risks due to the presence of asbestos, lead, and other hazardous materials and subject you to liability. Homeowners may be eligible for programs sponsored by CalRecycle or other agencies to complete demolition and debris removal at no cost. If you move or spread the debris, you may lose your eligibility or become liable to others. We recommend that you wait until state assistance is in place and sign up for these programs. You will then be required to sign a "Right of Entry" form granting permission to the responsible agency to access and clean up the property.

Additionally, if you have homeowners' insurance that covers debris removal, you should inform the agency in charge of the cleanup, and you likely will be required to pass that specific portion of the insurance proceeds through to state or federal agencies. Contact your county to determine the appropriate process or visit <https://wildfirerecovery.caloes.ca.gov/> for updates.

If you nevertheless undertake demolition, note that, in general, demolition permits are required from the city or (for unincorporated areas) county government before removing major structures. These permitting requirements may be relaxed or expedited for structures affected by the disasters. Check with your local permitting jurisdiction for requirements before conducting any structural demolition work.

Also, if you undertake debris removal yourself (which is not recommended), be sure to wear appropriate protective clothing, including face masks, gloves, and eye protection. You may be required to submit plans and obtain a permit from your local permitting jurisdiction for removal and disposal of building debris and ash, and soil sampling may be required to test for hazardous substances. You should check with the California Department of Toxic Substances Control (DTSC) for more information and advice regarding your specific situation. You can find more information on DTSC's website, <https://www.dtsc.ca.gov/>, or call DTSC at (916) 255-6504.

Am I required to send any debris I clean up to a special collection facility?

The debris likely includes materials that must be properly disposed of to avoid soil or water contamination. Solid waste landfill operators may be granted special emergency waivers to accept debris they would not otherwise be allowed to accept. To the extent hazardous materials cannot be separated from other burned materials (as is likely in a burned residential structure), depending on whether DTSC grants a special disaster-related exemption, the materials may or may

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not be accepted along with other debris at municipal landfills. Household hazardous materials (e.g., paints, fertilizers, automotive fluids, batteries, and electronic waste) that can be separated from other burned materials should be taken to a local household hazardous waste collector. The following website contains a list of household hazardous waste collection facilities: https://dtsc.ca.gov/wp-content/uploads/sites/31/2015/11/HHW_List_PUBLIC2.pdf.

REPAIR AND REBUILDING

My primary residence, which I own, was destroyed by the recent wildfires. Who can help me rebuild? If my residence was not insured, or the insurance is insufficient, are there any programs that might help me rebuild?

As with other types of assistance, you should first look to insurance proceeds and charitable donations to cover the costs of rebuilding and repair. To the extent you were uninsured or underinsured, the SBA, FEMA, or other programs may be able to help. For more information, see the **SBA Loan Assistance, FEMA, Social Security, Unemployment, CalFresh, and Other Regular and Special Government Program Benefit Payments** chapters of this handbook.

My primary residence, which I own, was destroyed by the recent wildfires. Will I need a permit to rebuild it?

As a general rule, yes – a building permit is required whenever structural work is involved or when the basic living area of a home is to be changed. This could include separate permits for roofing, electrical, heating, and plumbing. Typically, the contractor overseeing the rebuilding or repair will obtain the necessary building permits from the city or county building or planning department. (See rebuilding and repair contact information for disaster-affected areas below.) In addition to building permits, depending on the zoning requirements in place for your residence, you may need to obtain zoning approval, as well.

Following natural disasters, various cities and counties may contemplate special treatment for building permit and zoning applications submitted by disaster victims (for instance, providing plan review and issuing building permits on an expedited basis and at no cost for anyone whose home has been destroyed by a natural disaster). Make sure to ask or have your contractor ask about any special building permit programs available for natural disaster victims.

See the following contacts for rebuilding/repair information for the disaster-affected areas:

Lassen County

Planning and Building Services, (530) 251-8269

<http://www.lassencounty.org/dept/planning-and-building-services/planning-and-building-services>

Nevada County

Building Department, (530) 265-1222, Option 1

Email: BuildingDept@co.nevada.ca.us

<https://www.mynevadacounty.com/1114/Building-Department>

Citizen Access Portal, <https://permits.mynevadacounty.com/CitizenAccess/Default.aspx>

Community Development, (530) 265-1222

Email: ComDevAgency@co.nevada.ca.us

<https://www.mynevadacounty.com/176/Community-Development-Agency>

Building Permits & Zoning

<https://www.mynevadacounty.com/1814/Building-Permits-Zoning>

Housing and Community Services

<https://www.mynevadacounty.com/539/Housing-Community-Services>

Placer County

Building Services, (530) 745-3010 (Auburn) and (530) 581-6200 (Tahoe)

<https://www.placer.ca.gov/2128/Building-Services>

Community Development, (530) 745-3001 (Auburn) and (530) 581-6200 (Tahoe)

<https://www.placer.ca.gov/1678/Community-Development>

Virtual appointments are preferred; eServices can be found at: <https://www.placer.ca.gov/eServices>

Plumas County

Plumas County Building and Planning Departments, (530) 283-7011

<https://www.plumascounty.us/77/Building-Department>

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<https://www.plumascounty.us/89/Planning-Department>

Plumas County Engineering Department: (530) 283-6268

<https://www.plumascounty.us/82/Engineering>

What happens if I do not get a building permit?

If the authorities learn you have undertaken repairs or rebuilding without obtaining a necessary permit, you will generally pay a fine and may be ordered to tear down any construction that was done without authorization. The amount of the fine varies by jurisdiction. If you sell your property, you are required by law to disclose work that has been done without the required permits and that could lower the sale price or jeopardize the sale of your property altogether.

My house was built before the current building codes were in place. When rebuilding, do I have to conform to the new building codes?

Yes, houses must generally be constructed according to the codes in effect at the time the reconstruction permit is issued. Some cities and counties may not require conformance to new building codes for repairs that are considered “minor.” You should check your insurance policy or call your insurance carrier to determine whether your homeowners policy provides for upgrades to the current building code. (Some policies do not pay for building code upgrades.)

If the local government’s zoning requirements have changed for your property since the house was built, you will generally be required to conform to the new zoning rules. This could affect the size or design of the house, and, in some cases, it may affect the allowable uses of the property. Be sure to check with your local planning department.

Is it a good idea to be my own general contractor?

No, unless you are very experienced in the construction business. As an owner/builder, you assume responsibility for the overall job, which may include responsibility for state and federal taxes, workers’ compensation insurance for the workers you hire, and other requirements and liabilities.

If I’m not my own contractor, how will I know which contractor to hire?

If possible, use only contractors referred to you by someone you know and trust. Unscrupulous contractors may try to solicit work from you, offering to repair or rebuild your home for a low price. Remember, if something seems “too good to be true,” it probably is. Although you may be eager to rebuild and get things back to normal as soon as possible, avoid acting too quickly. Take time to determine exactly what you want done, and make sure the contractor is licensed and reputable and can address all of your concerns. If possible, get at least three competitive bids based on the same set of specifications before making your decision. Beware of door-to-door offers of repair services and never provide the contractor with a cash deposit on a handshake. You should always get a written contract that details every aspect of the work to be done and a performance and payment schedule. Before signing a contract with a contractor, be sure to check his or her license status and references and read the information in the **Consumer Tips & Fraud Prevention** chapter of this handbook.

Must a contractor be licensed?

Yes. State law requires that contractors working on any job requiring \$500 or more of work be licensed by the California Contractors State License Board (CSLB). Ask to see the contractor’s license (called a “pocket license”) that has the CSLB’s license number on it (state contractors’ licenses are solely numeric; no alphabetic characters are included in them), as well as an additional form of identification for verification (the contractor’s license should be in the contractor’s own name). You can verify a contractor’s license status at the CSLB website, <https://www.cslb.ca.gov/OnlineServices/CheckLicense/CheckLicense.aspx>, or by calling CSLB’s toll-free automated telephone system at (800) 321-2752. The CSLB has a hotline for disaster victims, (800) 962-1125 (weekdays only), and additional information is available on CSLB’s website at http://www.cslb.ca.gov/Media_Room/Disaster_Help_Center/.

Do I need a written contract?

Yes. State law requires that home improvement contracts for \$500 or more in labor or materials must be in writing. Anything you sign, no matter what the form, can be considered a contract or otherwise used by a contractor as authorization to go forward with a project, so do not sign anything until you completely understand the terms of what the contractor is agreeing to do, the timeline for the work, the cost, and when payment will be due.

Can I change my mind after I sign the contract?

If your residence is within a federally, state, or locally declared emergency area, California law allows you to cancel a contract for repair of a residence damaged by the disaster within seven business days of signing the contract. For other contracts, you may cancel within three business days of signing, provided the contract was solicited at a place other than the contractor’s place of business (such as in your own home). By law, the contractor must give you written notice of this right to cancel. The State of California Department of Consumer Affairs’ website provides additional details about these rights (see https://www.dca.ca.gov/publications/legal_guides/k_10.shtml).

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How much can a contractor require as a down payment?

California law limits the amount of the down payment for any home improvement contract (including debris removal) to the lesser of \$1,000 or 10% of the contract price, excluding finance charges. Except for this down payment, California law prohibits a contractor from collecting payment for work that has not been performed or materials that have not been delivered. As a general rule, you should not make cash payments to contractors, and, instead, you should pay by check.

How can I make sure the work progresses as scheduled in the contract?

The contract should provide a description of the work to be done, the time period within which it is to be done (including the date on which “substantial commencement of work” should occur), the materials to be used, and the equipment to be used or installed. Contractors often ask for progress payments as the work progresses. California law requires that the contract must specify all of the work that is to be completed before a progress payment is due and that the progress payment cannot exceed the value of the work performed and materials purchased up to that point. It is customary for contractors and their customers to schedule the last payment (often called a “retention” payment), ordinarily representing 10% of the total job price, after the job is completed and the city and county (if required) have approved all work.

What happens when the contractor uses subcontractors or suppliers?

As explained in this section, you should protect yourself from liens against your property in the event the contractor does not pay the subcontractors or suppliers. California’s Mechanics’ Lien Law allows those who furnish labor or materials to your home to record a lien against your property if they are not paid even if you have paid your general contractor in accordance with the contract. At its most extreme, a lien may result in the forced sale of your property if you are unable to pay the amount of the lien. At the very least, a lien will make your property more difficult to finance or sell.

California law requires the contractor to provide you with a “Mechanics’ Lien Warning.” That warning suggests measures you can take to prevent liens against your home, such as:

- getting a list from your contractor of all subcontractors and material suppliers and monitoring when they start work or deliver materials;
- paying close attention to any “Preliminary Notice” received from a subcontractor, which provides notice that the person has a right to record a lien if not paid; and
- if permitted by your contract with the general contractor, paying with a joint check, payable to both the contractor and the subcontractor or material supplier.

The law provides that contractors, on request, must furnish an unconditional release of potential mechanics’ lien claims by the subcontractor once you have made payment to the subcontractor for that specific work or materials. Note that the general contractor can also place a lien on your house if you fail to pay for his or her services.

What if my contractor doesn’t perform the work I contracted for or does a poor job?

If you have a dispute with a contractor that you are not able to resolve on your own, in addition to considering consulting with an attorney, you may contact CSLB to file a complaint against the contractor. You can find more information at <http://www.cslb.ca.gov/> or by calling (800) 321-2752. Depending on the nature and severity of the complaint, and whether the contractor is licensed or unlicensed, CSLB may direct the parties to a dispute resolution program, investigate potential violations of law, or pursue legal action against the contractor.

My contract has an arbitration clause. What does that mean?

By agreeing to arbitrate, you agree that a dispute with your contractor will be decided by a neutral third party (known as an arbitrator) rather than by a judge or jury (unless the arbitration is non-binding). Some consumers prefer arbitration to court proceedings because arbitration is often less expensive and often faster than a lawsuit. If your contract requires binding arbitration, it means you have waived almost all grounds for seeking judicial review of the arbitrator’s decision; in almost all such circumstances, the arbitrator’s decision will be the final decision, even if you think the arbitrator made a mistake of fact or law.

What is the effect of a clause allowing the contractor to recover attorney’s fees and costs from me if there is a dispute?

In California, in a legal dispute about a contract, each side pays its own attorney’s fees and costs unless their written contract provides otherwise. An attorney’s fees’ clause written for the contractor means that, if the contractor prevails in a dispute in arbitration or in court, you will have to pay the contractor’s attorney’s fees and costs (as well as your own if you had an attorney represent you in the proceedings). California law provides a reciprocal benefit with regard to attorney’s fee clauses—meaning that if you are the prevailing party and the contractor had an attorney’s fee clause in their contract, you may recover your attorney’s fees and costs from the contractor even if the clause does not specifically provide that you are entitled to do so.

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A man who said he was a contractor offered to clean up my property, assess the damage to it for the purpose of obtaining grants and loans, and rebuild my house for \$50,000, with just \$5,000 down. Fortunately, I have the money available. Should I hire him?

You should pause and proceed only with the utmost caution. Before hiring anyone as a contractor or other service provider in connection with damage to or destruction of your property, you should be sure you are an “aware consumer.” As discussed above, if a person represents himself as a contractor, you should ask for references from prior jobs and obtain his contractor’s license number and check that it is valid, including checking for valid photo identification. Most entities and programs that will provide property owners with funds to rebuild or replace damaged property have their own inspection and assessment programs. As a result, unless the funding entity instructs you otherwise, you need not hire a private person or firm to perform an inspection of your property as part of the application process. The **Consumer Tips & Fraud** prevention chapter of this handbook lists additional factors for you to consider when making this type of decision.

Although my primary residence, which I own, was not destroyed during the recent wildfires, it was *damaged* and is no longer habitable. Can I get any assistance to repair my house or mobile home?

Yes. In addition to charitable grants, loans, or insurance proceeds, if you reside in a federally declared disaster area, FEMA and the SBA may be able to help you with repairs.

FEMA, through its IHP, provides grants to homeowners to repair damage from the disaster that is not covered by insurance. The goal is to repair the home so it is in a safe and sanitary condition, which may not return a home to its condition before the disaster. These grants are available only when a disaster has been declared for the area by the president, and individual assistance has been authorized. Check with FEMA directly for the amount of the maximum assistance available to an individual or household under the IHP.

If you apply for IHP, FEMA will inspect your home and base the amount of its grant on the reasonable cost of repairs to the damaged property. Repairs covered by IHP include:

- structural parts of a home (foundation, outside walls, and roof);
- windows, doors, floors, walls, ceilings, and cabinetry;
- septic or sewage system;
- well or other water system;
- heating, ventilating, and air-conditioning systems;
- utilities (electrical, plumbing, and gas systems); and
- home entrances and exits, including privately owned access roads.

If you own a mobile home and it is your primary residence, IHP will cover repair costs related to blocking, leveling, and anchoring the mobile home.

If your home needs more extensive repairs than FEMA will fund, the SBA may be able to help with a Home and Personal Property Loan. For more information, see the **SBA Loan Assistance** and **FEMA** chapters of this handbook.

PURCHASE AND SALE OF DAMAGED PROPERTY

Before the recent wildfires, I had agreed to purchase a house that was subsequently destroyed by the disasters. Must I complete the purchase?

It depends on the terms of the purchase agreement and whether title to, or possession of, the property passed to you before it was destroyed. If title to the property had already passed and you were the owner at the time of destruction, you may be eligible for assistance from your insurer or from the various sources of aid identified in this handbook. Otherwise, unless there is contrary language in your purchase and sale agreement, the Uniform Vendor and Purchaser Risk Act, Civil Code section 1662, allows a purchaser to back out of an agreement for the sale of real property if “all or a material part” of the property was destroyed before the transfer of title or possession. If you face this situation, you should obtain the advice of a real estate attorney.

PROPERTY TAXES

My property was damaged in the recent wildfires. Can I obtain a reduction in my property tax assessment?

Depending on your county, if the damage to your property exceeds \$10,000, you may obtain a reduced tax assessment as of the first of the month in which the damage occurred. However, unless you qualify for the tax payment deferral described below, you must continue to pay your taxes as billed and obtain a refund after the property has been reassessed to reflect the damage. To qualify, you must file an application for an assessment reduction within 12 months after your property experienced the damage (unless extended by the county). Some county assessors have the authority to reduce a property’s value for damage without a claim. A list of County Assessors’ offices appears below. (Note: Upon

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restoration, your property will be taxed using its original Proposition 13 base year value as adjusted for time and improvements that expand the size or improve the quality of the damaged property.)

If I choose not to rebuild, can I purchase or construct another replacement property and continue to enjoy my original Proposition 13 base year value?

Possibly. You may purchase or construct another replacement property in your same county if your original property suffered a decline in value of more than 50% to either the improvements or the land. The replacement property must be similar in size and function, and it must be purchased within five years of date of damage. If the value of the replacement property is 120% or less of the value of original property before it was damaged, you will continue to be taxed based on the Proposition 13 base year value of the original property. To the extent the value of the replacement property exceeds 120% of the value of the original property, the excess will be added to your original base year value. In certain limited circumstances, and where specifically authorized by local ordinance, a replacement property also may be able to be located within another California county.

Additionally, pursuant to Proposition 19, for transfers occurring on or after April 1, 2021, an owner of a primary residence that has been substantially damaged as a result of a wildfire that amounts to more than 50% of the improvement value of the primary residence immediately before the wildfire may transfer the taxable value of their primary residence to a replacement primary residence located anywhere in California, regardless of the location or value of the replacement primary residence. The replacement residence must be purchased or newly constructed as that person's principal residence within two years of the sale of the original primary residence. Additional information, including answers to frequently asked questions, may be found on the California State Board of Equalization website at:

<https://www.boe.ca.gov/prop19/#Introduction>.

Do I have to continue to pay my property taxes before receiving a reduced assessment reflecting the damage caused by the wildfires?

If your property has been substantially damaged or destroyed and you have either filed a disaster relief claim with the County Assessor or have been granted relief by the County Assessor and you have not yet paid the currently due installment of your property taxes, you may file a claim for tax deferral with your County Assessor to request a deferral of those taxes until you receive a corrected bill. You should confirm this with your County Assessor's office when you file for the deferral. Otherwise, you must continue to pay your property taxes as billed. To qualify for the deferral for property receiving a homeowners' exemption, the damage must be at least 10% of the property's fair market value or \$10,000, whichever is less. For all other property, the damage must be at least 20% of the property's fair market value. (Note: Property taxes that are impounded and paid pursuant to an agreement with your lender do not qualify for deferral.)

Do these provisions also apply to manufactured (mobile) homes?

In general, these provisions apply only to locally assessed manufactured homes. But, for manufactured homes that are replacements for manufactured homes that have been *completely destroyed*, owners who pay a state license fee in lieu of local property taxes may transfer the home to a local property assessment with a value that does not increase the taxes currently paid.

Potential Penalty Relief Due to COVID-19

If you are experiencing financial hardship due to the COVID-19 pandemic, you may be eligible for a waiver of penalties for late paid property taxes. Additional information may be obtained by contacting your County Assessor.

Resources

Additional information, including answers to frequently asked questions, may be found on the California State Board of Equalization website at: <https://www.boe.ca.gov/proptaxes/disaster-relief.htm>.

Applications for assessment reduction and deferral of taxes, as well as additional information, may be obtained by contacting your County Assessor:

Lassen County (<http://www.co.lassen.ca.us/>)

Assessor: (530) 251-8241, assessoroffice@co.lassen.ca.us, <http://www.lassencounty.org/dept/assessor/assessor>

Nevada County (<https://www.mynevadacounty.com/>)

Assessor: (530) 265-1232, assessor@co.nevada.ca.us, <https://www.mynevadacounty.com/163/Assessor>

Placer County (<https://www.placer.ca.gov/>)

Assessor: (530) 889-4300, (800) 488-4308, x4300
assessor@placer.ca.gov, <https://www.placer.ca.gov/5800/Assessor>

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Plumas County (<https://www.plumascounty.us/>)

Assessor: (530) 283-6380, (<https://www.plumascounty.us/75/Assessor>)

EMPLOYMENT AND RELATED BENEFITS

This section assumes that the affected employees are not covered by collective bargaining agreements and do not have employment agreements with their employers other than agreements for an at-will employment relationship. If there is a collective bargaining agreement or an employment agreement for a relationship other than at-will employment, the employee should consult the terms of those agreements. Also, if the employer has established employment policies, the employee should review those policies to see whether they provide additional benefits or rights.

Because these answers address general situations, you should consider obtaining further advice from human resource professionals or consult a qualified lawyer or legal aid organization when dealing with specific situations, particularly if difficulties are anticipated or arise. Please see the Lawyer Referral Services & Legal Aid chapter of this handbook for a listing of available legal resources.

GETTING PAID

If my employer's payroll records were destroyed, when should I expect to receive my paycheck?

The state of California requires timely payment of wages pursuant to applicable wage-and-hour laws. If records of working hours are not available, employees should work with their employers to create a good faith reconstruction of the hours worked during the applicable pay period; when that is done, employers should promptly pay the amounts due.

Does my employer have to pay me for the days the business was closed as a result of the wildfires?

The answer depends in part on whether you are considered an “**exempt**” employee (typically, salaried employees) or a “**non-exempt**” employee (typically, employees paid by the hour) for purposes of federal and state wage-and-hour laws, and whether you performed work for your employer during the pay period in question. In general, an employer is not required to pay its non-exempt employees for any days or hours they did not work because the business was closed due to the wildfires. On the other hand, exempt employees should receive their full salaries for any workweek in which they performed any work regardless of the number of days or hours worked. Please note, however, that under California law, employers can require exempt employees to use accrued paid time off for partial-day absences when the business closes, as long as the employer has had that policy in place for at least 90 days.

TIME OFF AND THE RIGHT TO RETURN

Can my employer compel me to use my accrued vacation, PTO, or sick leave to cover my absence from work due to the wildfires?

If you are unable to report to work as a result of the fires, your employer may require you to use your accrued vacation or PTO and may allow you to use sick leave to cover your absences, provided this is consistent with the employer's leave policies. However, you can ask your employer if it is offering any other leave or assistance during this time. You should also consult your employer if you believe your absence may qualify as leave under the federal Family Medical Leave Act (FMLA) or its California counterpart, the California Family Rights Act (CFRA), or as pregnancy disability leave under the California Fair Employment and Housing Act (FEHA). The FMLA applies only to those employers with 50 or more employees for each working day in each of 20 or more calendar workweeks in the current or preceding calendar year. CFRA applies to all employers with five or more employees. These types of leaves are discussed in further detail below.

Does my employer have to provide either paid or unpaid leave under the FMLA, CFRA, or FEHA if I am unable to work as a result of an injury suffered during the wildfires?

An employer may be required to provide unpaid leave (1) under the FMLA or CFRA if you or a member of your immediate family is suffering from a serious health condition; (2) under the FEHA for pregnancy, childbirth, or related medical conditions; or (3) under the Americans with Disabilities Act (ADA) or the FEHA if you are disabled and if a leave would serve as a reasonable accommodation to your disability. California's Healthy Workplaces, Healthy Families Act of 2014 (HWHFA) also requires employers to provide paid sick leave benefits for eligible employees. In addition, some cities in California have their own paid sick leave ordinances.

Leave Under the FMLA and CFRA. The FMLA and CFRA permit covered employees to take a total of 12 weeks of unpaid leave during a 12-month period for specified qualifying reasons. While the employee is on leave, the employer must maintain the employee's health benefits and must guarantee that the employee will be reinstated to the same or an equivalent position. FMLA and CFRA leaves are unpaid unless the employer has elected to pay employees during the leave or requires or permits employees to use vacation, PTO, or sick leave. As described below, employees may also be eligible for disability benefits under the California State Disability Insurance (SDI) program during a qualifying FMLA or CFRA leave, or, as described below, in the case of work-related injuries, for workers' compensation benefits. As described below, employees may also be eligible to receive benefits under the California Paid Family Leave (CPFL) program during a qualifying FMLA or CFRA leave if the leave is taken to care for a seriously ill family member.

EMPLOYMENT AND RELATED BENEFITS

An employee is entitled to FMLA or CFRA leave if the employee (1) has been with the employer for at least 12 months, (2) has logged at least 1,250 hours of service during the 12-month period immediately preceding the start of the leave, and (3) for FMLA only, is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite. FMLA or CFRA leave may be taken to care for the employee's spouse, registered domestic partner, minor child, or parent, or the employee's spouse's or registered domestic partner's child or parent with a serious health condition, or because the employee's serious health condition renders the employee unable to perform the functions of the employee's position. Leave may also be taken for certain reasons related to military service. In addition, under CFRA, employees may also take leave to care for an adult child, and a child of a domestic partner, grandparent, grandchild, or sibling with a serious health condition. For more information regarding compliance with the FMLA, see <https://www.dol.gov/agencies/whd/fmla>. For more information regarding compliance with the CFRA, see https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2020/12/Family-Care-and-Medical-Leave-Fact-Sheet_ENG.pdf and <https://www.dfeh.ca.gov/employment/family-care-medical-leave-guide/>.

Pregnancy-Related Leave Under FEHA. Under the FEHA, employers with five or more employees must allow female employees to take up to four months of leave for periods of disability due to pregnancy, childbirth, or related medical conditions. The employee may choose to use accrued vacation or PTO and may be required to substitute sick leave or any other accrued leave made available by the employer to temporarily disabled employees. Pregnancy-related leave under the FEHA is unpaid unless the employer has elected to pay employees during the leave. The employer must continue to provide the same benefits or privileges of employment granted by that employer to other employees. For more information regarding the FEHA, check the following website: https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2020/12/Pregnancy-Disability-Leave-Fact-Sheet_ENG.pdf and <https://www.dfeh.ca.gov/employment/pdl-bonding-guide/>.

Disability Leave Under the ADA and FEHA. Under certain circumstances, an employer may be required to provide an employee with leave under the ADA or FEHA. The ADA and FEHA require employers, in certain circumstances, to provide reasonable accommodations to disabled employees. A "reasonable accommodation" may include providing an unpaid or paid leave of absence.

FEHA generally provides broader protections than its federal counterpart, the ADA. Though the ADA applies only to those employers that employ 15 or more employees for each working day in each of 20 or more calendar workweeks in the current or preceding calendar year, FEHA applies to employers with five or more employees. Under the ADA, an employee is "disabled" if the employee has a physical or mental impairment that *substantially* limits a "major life activity," including walking, seeing, hearing, speaking, breathing, learning, working, sitting, standing, lifting, or reaching. Under FEHA, an employee is "disabled" if he or she has a physical or mental impairment that limits a "major life activity." Generally, under the ADA, temporary impairments are not considered protected disabilities. However, FEHA's coverage of protected disabilities is intended to be broader than the ADA, so some temporary impairments may be considered protected disabilities.

For additional information about the FEHA, see <https://www.dfeh.ca.gov/peoplewithdisabilities/>. For additional information about the ADA, see <https://www.eeoc.gov/disability-discrimination>.

Paid Sick Leave. Under the HWHFA, employers must provide all employees who have worked in California for at least 30 days within a year of starting employment and have satisfied a 90-day employment period (similar to a probationary period) with specified amounts of paid sick leave benefits for diagnosis, care, or treatment of an existing medical condition of the employee or the employee's family member (defined as a child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling). For more information regarding the HWHFA, see <https://www.dir.ca.gov/dlse/ab1522.html>. Some cities in California also provide paid sick leave to employees for similar reasons. In addition, California employees who cannot work or telework due to certain COVID-19-related reasons are eligible for up to 80 hours of California COVID-19 Supplemental Paid Sick Leave as explained here: <https://www.dir.ca.gov/dlse/COVID19Resources/FAQ-for-SPSL-2021.html>.

If an employee is injured while working on behalf of the employer, the employer must notify the employee of his or her right to file a claim for workers' compensation benefits and must notify its workers' compensation carrier of the injury.

Am I entitled to either paid or unpaid leave so I can care for children or family members injured in the wildfires?

As described above, you may be entitled to FMLA or CFRA leave, which you can use to care for children or family members injured in the wildfires. If you are entitled to FMLA or CFRA leave as described above, then your employer must allow you to take FMLA or CFRA leave. This leave is unpaid unless your employer has elected to pay employees during the leave or requires or permits you to use vacation, PTO, or sick leave. You may also be eligible to receive benefits under the California Paid Family Leave (CPFL) program during a qualifying FMLA or CFRA leave. If your employer has a policy providing for leave under such circumstances, the employer will be required to comply with its policy. For more information regarding the CPFL program, see http://www.edd.ca.gov/Disability/Paid_Family_Leave.htm and https://www.edd.ca.gov/pdf_pub_ctr/de2511.pdf. For information on how to file a claim for CPFL, see https://www.edd.ca.gov/Disability/Options_to_File_for_PFL_Benefits.htm.

EMPLOYMENT AND RELATED BENEFITS

Am I entitled to either paid or unpaid leave if I am too afraid or emotionally traumatized to return to work?

If you are suffering from post-traumatic stress or another mental condition, your employer may be required to provide you with unpaid leave under the FMLA or CFRA or as an accommodation under the ADA or FEHA, but you will have to meet the requirements of these laws as discussed above. You may be required to give your employer medical certification of your need for leave. The leave will be unpaid, although you should be able to use any accrued vacation, PTO, or sick leave for the absence. As described below, you may also be eligible to receive disability benefits under the California SDI program. If your injury arose while you were performing work for your employer, you may be entitled to workers' compensation benefits. Generally, you may be entitled to receive SDI benefits or workers' compensation benefits, but not both for the same injury. See the **Other Benefits** section of this chapter for more information regarding workers' compensation benefits.

If I become ill or I am injured because of the wildfires and cannot return to work, what benefits can I apply for?

You should first check with your employer to determine whether it provides any benefits, including any short-term or long-term disability insurance coverage. If your illness or injury arose while you were performing work for your employer, you may be entitled to workers' compensation benefits. See the **Other Benefits** section of this chapter for more information regarding workers' compensation benefits.

You may be eligible for disability benefits under the SDI program, a partial wage-replacement insurance plan funded through employee payroll deductions. Most California workers are covered under SDI, but some are exempt, including railroad employees, some employees of non-profit agencies, employees who claim religious exemptions, and most government employees. Covered workers who are unable to work can receive approximately 60% – 70% of their lost wages for up to one year. Weekly benefits range from \$50 to \$1,357, depending upon your income.

Alternatively, you may be eligible for unemployment insurance benefits or Disaster Unemployment Assistance, although you may not be eligible for SDI benefits if you are claiming or receiving unemployment insurance benefits, Disaster Unemployment Assistance, or workers' compensation benefits. See the **Unemployment Benefits** and **Other Benefits** sections of this chapter for more information.

This jumble of laws about the different types of leaves is confusing. How do I keep them straight?

This chart comparing CPFL, California Paid Sick Leave, and California COVID-19 2021 Supplemental Paid Sick Leave may help: <https://www.dir.ca.gov/dlse/Comparison-COVID-19-Paid-Leave.html>.

Am I eligible for SDI benefits?

SDI benefits can be paid only if you meet all of these requirements:

- you are unable to do your regular or customary work for at least eight days;
- you were employed or actively looking for work at the time you became disabled;
- you have lost wages because of your disability, and you earned at least \$300 during your base period, from which SDI deductions were withheld;
- you are under the care and treatment of a licensed physician/practitioner or accredited religious practitioner during the first eight days of your disability (and must remain under care and treatment to continue receiving benefits); and
- your physician/practitioner completes the medical certification of your disability.

Citizenship and immigration status do not affect eligibility.

For further information, see http://www.edd.ca.gov/Disability/Am_I_Eligible_for_DI_Benefits.htm.

How do I file a claim for SDI benefits?

You must submit a claim online or complete and mail a claim form between nine and 49 days of the date you became disabled, or you may lose benefits. Note that due to the COVID-19 pandemic, there has been an increase in processing time for claims submitted to the California Employment Development Department (EDD). Filing a disability insurance claim online at http://www.edd.ca.gov/Disability/SDI_Online.htm is the preferred method. Otherwise, a claim form may be obtained from the EDD at the website http://www.edd.ca.gov/Disability/How_to_File_a_DI_Claim_by_Mail.htm or by calling (800) 480-3287 (English), (866) 658-8846 (Spanish), or (800) 563-2441 (TTY). A completed claim form, including a doctor's certification of your disability, should be mailed to the following address:

State of California
Employment Development Department
P.O. Box 989777
West Sacramento, CA 95798-9777

EMPLOYMENT AND RELATED BENEFITS

HEALTH BENEFITS

I was injured or became ill as a result of the wildfires and cannot return to work. Can I continue my health insurance?

Most California employers are required to offer employees the ability to continue their medical coverage at their own cost for a set amount of time if they cannot return to work. This coverage is generally referred to as Consolidated Omnibus Budget Reconciliation Act (COBRA) coverage. Normally, you must sign up for COBRA coverage within 60 days after the date your medical coverage terminates as a result of the termination of your employment.

What rights do I have to health coverage under COBRA?

Employers with 20 or more employees who offer health plans are required by federal law to offer continuing medical coverage to qualified beneficiaries (participating employees and their dependents) who lose health coverage due to a "qualifying event," such as the death of the covered employee, termination of employment, or a reduction of the employee's hours sufficient to cause the loss of medical coverage. Employees must pay for this medical coverage themselves, although employees may be eligible for COBRA premium payment subsidies through September 30, 2021, under the American Rescue Plan Act of 2021 (ARPA). COBRA coverage is available for up to 18 months, and, in some cases, up to 36 months.

Smaller employers (with two to 19 employees) that maintain health plans but are not covered by COBRA are required by California's Continuation Benefits Replacement Act (Cal-COBRA) to provide COBRA-like coverage to their eligible employees. Like COBRA, Cal-COBRA requires employees to pay for this medical coverage themselves. Cal-COBRA coverage is available to eligible employees for up to 36 months. Employees whose COBRA coverage expires after 18 months may be eligible for an additional 18 months of continued health benefits under Cal-COBRA.

More details about these programs can be found on the California Department of Managed HealthCare website, [http://www.dmhc.ca.gov/healthcareincalifornia/typesofplans/keepyourhealthcoverage\(cobra\).aspx](http://www.dmhc.ca.gov/healthcareincalifornia/typesofplans/keepyourhealthcoverage(cobra).aspx). Information regarding premium subsidies under ARPA can be found here: <https://www.dmhc.ca.gov/Portals/0/Docs/DO/DMHC-FAQForCOBRA-Cal-COBRA-PremiumAssistance.pdf>.

Can my family members keep their health insurance coverage?

Your dependents can elect COBRA coverage at their own cost if they were previously covered by your health plan during your employment.

What can my employer do to help me recover psychologically from the trauma of the wildfire? Are there any counseling services available to people affected by the wildfires?

Your employer's health plan may offer counseling to you and your dependents. Some employers may provide assistance under employee assistance programs (EAPs). If you want counseling, you should ask your employer about the availability of counseling for both you and your family. If you are a veteran, you may seek assistance from the Department of Veterans Affairs at www.veteranscrisisline.net or by calling the Veterans Crisis Line at (800) 273-8255 (press 1). You may also seek help from a mental health agency in the county in which you live, either permanently or temporarily.

The National Disaster Distress Helpline, staffed by trained mental health counselors, is available to help those coping with the emotional consequences of the disasters. The toll-free Helpline is available 24 hours a day, seven days a week. Call or text (800) 985-5990 (press 2 for Spanish). For more information, see <https://www.samhsa.gov/find-help/disaster-distress-helpline>. Deaf and hard of hearing individuals can connect directly to an agent in American Sign Language by clicking the "ASL Now" button on the samhsa.gov link in the previous sentence or by calling (800) 985-5990 from a videophone.

In addition, if you or someone you know has thoughts of suicide, the National Suicide Prevention Lifeline provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, seven days a week, across the United States. Call (800) 273-8255 or click the button to "Chat with Lifeline" at <https://suicidepreventionlifeline.org/>. Services are available in English, Spanish, and for the deaf and hard of hearing.

If you are suffering psychological effects from the wildfires because of something that happened to you while you were working for your employer, you may be eligible for workers' compensation benefits. See the **Other Benefits** section of this chapter for more information.

EMPLOYMENT AND RELATED BENEFITS

OTHER BENEFITS

Am I entitled to other benefits if I was injured or became ill as a result of the wildfires and I was working at the time I was injured or became ill?

You may be eligible to receive workers' compensation benefits to provide you with the medical treatment you need to recover from your physical or mental work-related injury or illness and replace lost wages if you were working at the time you were injured or became ill. You should file a workers' compensation claim with your employer within 30 days of your injury. If this is an injury or illness that developed gradually, report it as soon as you learn or believe it was caused by your job. You should contact your employer immediately and ask for a workers' compensation claim form (Form DWC-1) if you believe you have sustained a fire-related workplace injury or illness. You should complete and submit the form to your employer. Your employer is responsible for promptly notifying its workers' compensation insurance carrier of your injury. If you need emergency care, you should first call 911 or go to an emergency room. For more information about workers' compensation benefits, see <https://www.dir.ca.gov/dwc/InjuredWorker.htm>.

I'm not eligible for workers' compensation. Are there other benefits available?

If you are employed but were not at work at the time you were injured or became ill, you may be entitled to short-term or long-term disability insurance payments. Check with your employer and personal insurance agent to find out what coverage is available to you. Your employer may also provide benefits for specific injuries such as loss of a limb under an accidental death or dismemberment policy. If you have been injured, you should inquire about this coverage as well.

Emergency loans against the cash value of some life insurance policies may also be available. Contact your agent, employer, or insurance company to learn more.

If you have a 401(k) retirement savings account, you may also be able to take a loan against your account. There are very strict rules about repayment of the loan, and non-compliance can trigger costly tax consequences. Be sure you understand the rules of the loan and the consequences before taking this kind of loan.

WORKER SAFETY

I work outdoors in an area where there is wildfire smoke. Is my employer required to do anything to protect me and my coworkers from risks due to wildfire smoke hazards?

Wildfire smoke is composed of harmful chemicals and tiny particles suspended in the air that may present a significant health hazard for employees exposed to it. If your employer should reasonably anticipate that its employees may be exposed to wildfire smoke, and the air quality index (AQI) for PM2.5 is 151 or greater, regardless of the AQI for other pollutants, your employer is required to take measures to protect its employees. These measures include determining employee exposures to harmful particles at the beginning of each shift (and periodically after that as needed); communicating with and training employees about wildfire smoke hazards in a way that is understandable to all employees and encourages employees to report worsening air quality to the employer; and reducing employees' exposure to the smoke. If exposure reduction is not possible, the employer must, at minimum, provide special "particulate respirators," such as N95 masks, that are approved by a government agency to protect against smoke hazards. Certain employers are exempt from the above listed requirements. For additional details see <https://www.dir.ca.gov/dosh/doshreg/Protection-from-Wildfire-Smoke/Wildfire-smoke-emergency-standard.html>.

LOSING YOUR JOB

I lost my job due to the wildfires. Is unemployment insurance or disaster insurance available?

If you become unemployed due to a disaster or emergency, you may be eligible for unemployment insurance (UI) benefits, which are administered by California's EDD. For more information about filing a claim, see http://www.edd.ca.gov/unemployment/Filing_a_Claim.htm. Also, because certain counties have been federally declared disaster areas (Lassen, Nevada, Placer, and Plumas counties as of September 7, 2021), you may be eligible to receive Disaster Unemployment Assistance (DUA) benefits if you become unemployed due to the disaster and do not qualify for regular UI benefits (for example, because you are self-employed or you are an agricultural worker who does not meet the UI earnings requirement). Applicants for DUA must be federally authorized to work. To determine whether the federal government has authorized DUA benefits for these wildfires, check the EDD's website, https://edd.ca.gov/about_edd/disaster_related_services.htm.

For additional information on both UI and DUA, read the **Unemployment Benefits** section of this chapter.

Does my employer have to provide severance pay if I am laid off?

No law requires severance pay, but if your employer has an established severance pay practice or plan, you may be eligible for severance pay.

EMPLOYMENT AND RELATED BENEFITS

Can I be reimbursed by my employer for the destruction or loss of any of my personal items, such as personal computers or cars that I may have used for business purposes?

Generally, your employer is not responsible for your loss of personal property. You should consult your employer and your own insurance company to determine whether your loss is covered by any applicable insurance policy.

Because my employer's offices were destroyed, I will be working from home. Is there any information I should know?

You should assume the same laws, requirements, and rights apply at your temporary work location as apply at your usual work location. If you are paid by the hour, you should keep track of the hours you work. You should also keep track of any business expenses you incur in the event you are eligible for reimbursement from your employer. Your employer may also be responsible for any costs you incur that are reasonably necessary to allow you to work from home, including the purchase of equipment needed for working remotely. Before incurring expenses, consult with your employer and consult your employer's expense reimbursement policy.

UNEMPLOYMENT BENEFITS

I lost my job or cannot work because of the fire. Am I eligible for unemployment benefits?

You may be eligible for either (i) unemployment insurance benefits or (ii) Disaster Unemployment Assistance.

What are unemployment insurance benefits?

Unemployment insurance provides temporary income for employees (but not workers who are self-employed, independent contractors, or consultants) who are unable to work through no fault of their own. Unemployment insurance benefits are paid weekly, in an amount generally based on an employee's earnings in the prior calendar year. To be eligible, you must be able to work, be seeking work, be willing to accept a suitable job, and be federally authorized to work, in addition to meeting other criteria.

Note that all federal unemployment benefit programs that have been provided due to the COVID-19 pandemic under the CARES Act will not be payable for periods of unemployment after September 4, 2021.

(https://edd.ca.gov/about_edd/coronavirus-2019/cares-act.htm) These benefits include:

- Pandemic Unemployment Assistance (PUA) Applications for PUA for periods of unemployment before September 4, 2021, will be accepted until October 6, 2021);
- Pandemic Emergency Unemployment Compensation (PEUC);
- Pandemic Additional Compensation (PAC); and
- Mixed Earner Unemployment Compensation (MEUC).

In addition, Federal-State Extended Duration (FED-ED) (https://edd.ca.gov/about_edd/coronavirus-2019/fed-ed.htm) benefits will no longer be payable after September 11, 2021.

How do I file a claim for unemployment insurance?

Unemployment insurance claims are filed with the California EDD. Claims may be filed by calling (800) 300-5616 (English), (800) 326-8937 (Spanish), (800) 547-3506 (Cantonese), (866) 303-0706 (Mandarin), (800) 547-2058 (Vietnamese), or TTY (800) 815-9387, Monday – Friday, 8:00 a.m. – 12:00 p.m. PT, except holidays. Claims may be filed online at https://edd.ca.gov/Unemployment/UI_Online.htm. Note that due to the COVID-19 pandemic, there has been an increase in processing time for claims submitted to the EDD.

You will need the following information to file a claim:

- your Social Security number, mailing and residence addresses (if different), and telephone number;
- the last date you worked for any employer (if you are working part-time, be sure to state that you are still working and provide the number of hours you work each week);
- the reason you are no longer working for your last employer (e.g., you were laid off or terminated due to the closing of a business as a result of the fire or you were terminated because you had to move out of the area as a result of the fire);
- the name, mailing address, physical location, and telephone number of your last employer (note that an incorrect address may delay benefit payments);
- information on all employers you worked for during the 18 months before filing your claim, including each employer's name, your period of employment, wages earned, and how you were paid;
- the name of the employer you worked for the longest within the last year and a half and the number of years you worked for that employer (this may or may not be the same as your last employer);

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- your driver's license or ID card number, if you have either;
- whether you are receiving, or expect to receive, any payments from a former employer (severance pay is not deducted from unemployment insurance benefits and does not affect your eligibility to receive benefits but must be reported);
- whether you are able to work and are available to accept work; and
- whether you have a legal right to work in the United States, which may include providing your alien registration number.

What is Disaster Unemployment Assistance?

Disaster Unemployment Assistance is a federal program providing financial assistance to workers, including the self-employed and certain agricultural workers, who become unemployed as a direct result of a major, federally declared natural disaster. Eligible persons will receive weekly payments calculated in the same manner as unemployment insurance benefits (described above). The minimum weekly benefit amount is half of the average benefit amount in California. Generally, there is a one-week waiting period for individuals obtaining unemployment insurance benefits, but this waiting week is waived for eligible individuals affected by current disasters. This means individuals can be paid benefits for the first week they are unemployed due to the disaster.

Am I eligible to receive Disaster Unemployment Assistance?

If the government authorizes federal Disaster Unemployment Assistance for these wildfires, you may be eligible if (1) you are an unemployed worker or self-employed individual, (2) you are federally authorized to work, (3) you lived, worked, or were scheduled to work in a federally declared disaster area and (4) as a direct result of the disaster, you:

- are not eligible for unemployment insurance benefits (described above);
- no longer have a job or a place to work;
- cannot reach your place of work;
- cannot work due to damage to your place of work;
- have not worked long enough or have not earned enough in wages to qualify for regular state unemployment benefits;
- cannot work because of an injury caused by the fire (including mental stress, if documented by a doctor) and do not qualify for State Disability Insurance; or
- have become the breadwinner or major support for a household after the head of the household died as a result of the fire.

For how long can I receive Disaster Unemployment Assistance?

Disaster Unemployment Assistance benefits are generally payable for up to 26 weeks beginning on the first Sunday following the date of the disaster and ending on a Saturday 26 weeks after the date the disaster was declared. You may receive assistance for as long as you remain unemployed during this period. You must accept any suitable jobs offered and must conduct a job search while receiving assistance.

How do I file a claim for Disaster Unemployment Assistance?

If the federal government authorizes this type of assistance in connection with these wildfires, claims for Disaster Unemployment Assistance can be filed by telephone or online. Contact the EDD at (800) 300-5616 (English), (800) 326-8937 (Spanish), (800) 547-3506 (Cantonese), (866) 303-0706 (Mandarin), (800) 547-2058 (Vietnamese), or TTY (800) 815-9387, Monday – Friday, 8:00 a.m. – 12:00 p.m. PT, except holidays. Claims can be filed online at https://edd.ca.gov/unemployment/Disaster_Unemployment_Assistance.htm. You must file your claim for Disaster Unemployment Assistance within 30 days of the announcement of the federal disaster declaration. Please consult the following website for additional information: https://www.edd.ca.gov/About_EDD/Disaster_Related_Services.htm. Late applications are accepted only in certain limited circumstances.

FINDING WORK

I lost my job because of the fires and need help finding a job. Who should I contact?

For information on job search assistance, online job listings, workshops, and other employment and training services, contact your local EDD America's Job Center of California (AJCC) (https://edd.ca.gov/Office_Locator/). All AJCC offices are currently available by appointment only because of COVID-19.

The following is a list of some EDD America's Job Center of California locations, and, in some instances, additional resources, for Lassen, Nevada, Placer, and Plumas counties:

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Lassen County

Alliance for Workforce Development, Inc.
1616 Chestnut St.
Susanville, CA 96130
Phone: (530) 257-5057
<https://afwd.org/job-seekers/>

Lassen Works

<http://www.lassencounty.org/dept/lassen-works/lassen-works>

Nevada County

Employment Services

988 McCourtney Rd.
Grass Valley, CA 95949
Phone: (530) 265-1760
Employment Services: dss@co.nevada.ca.us
<https://www.mynevadacounty.com/1544/Employment-Services>

CalWORKS Employment Services

<https://www.mynevadacounty.com/942/CalWorks---Employment-Services>
<https://www.mynevadacounty.com/3309/CalWORKS-20>
<https://www.mynevadacounty.com/888/CalWorks---Cash-Assistance-for-Families>

Alliance for Workforce Development, Inc.

<https://www.afwd.org>

988 McCourtney Rd.
Grass Valley, CA 95949
Phone: (530) 265-7088

10879 Donner Pass Rd., Ste. A
Truckee, CA 96161
Phone: (530) 550-3015

Nevada County Community Library Career Preparation & VetNow/JobNow

<https://www.learningexpresshub.com/productengine/LELIndex.html#/center/career-center/home?AuthToken=F8F0F58A-9FDE-431F-B59D-3700D7F9D0F2>
<https://landing.brainfuse.com/authenticate.asp?u=main.nevadacountylibrary.jvn.ca.brainfuse.com>

County of Nevada Open Job Opportunities

<https://www.governmentjobs.com/careers/mynevadacounty>

Placer County

CalWORKS & Employment Services

P.O. Box 20400
Auburn, CA 95604
Phone: (888) 385-5160 (call center)
www.mybenefitscalwin.org (online services)
<https://www.placer.ca.gov/2111/CalWORKs-Employment-Services>

Human Services Office in Auburn

11542 B Ave.
Auburn, CA 95603
Phone: (530) 889-7610

Human Services Office in North Lake Tahoe

5225 N Lake Blvd.
Carnelian Bay, CA 96140
Phone: (530) 546-1900

Human Services Office in Rocklin

EMPLOYMENT AND RELATED BENEFITS

1000 Sunset Blvd.
Rocklin, CA 95765
Phone: (916) 784-6000

Resources for Job Seekers

<https://www.placer.ca.gov/5645/Resources-for-Job-Seekers>

America's Job Center of California

115 Ascot Drive Ste. 100
Roseville, CA 95661
Phone: (916) 746-7722
<https://goldensierra.com/jobs/>

Placer County Employment Opportunities

<https://jobapscloud.com/placer/>

Plumas County

Plumas County Business and Career Network
7 Quincy Junction Rd.
Quincy, CA 95971
Phone: (530) 283-1606

Plumas County Social Services

270 County Hospital Rd., Ste. 207
Quincy, CA 95971
Phone: (530) 283-6350 or (800) 242-3338
<https://plumascounty.us/242/Employment-Services>

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UNDERSTANDING YOUR INSURANCE COVERAGE

Where can I turn to for help with my specific insurance questions?

United Policyholders is a nonprofit organization serving insurance consumers, and its website, www.uphelp.org, provides a wealth of information for individuals who are dealing with disaster recovery, including from the recent wildfires.

My real or personal property was damaged or destroyed during the disaster. What insurance policies might provide coverage for my loss?

If your home, personal property, or vehicle has been damaged or destroyed as a result of a disaster, several different types of insurance policies – homeowners, renters, condominium, vehicle, and fire policies – could all provide some coverage.

Typical homeowners, renters, and condominium insurance policies cover losses to real and personal property resulting from fire, smoke, wind, theft, riots, vandalism, and water (excluding flood damage). “Comprehensive” vehicle and boat insurance policies typically cover damage not caused by collision, including damage caused by fire, theft, vandalism, and windstorm. Fire insurance specifically covers losses from fire.

Earth movement (landslides and mudslides) is typically excluded from standard homeowners insurance policies. This is a complicated issue, and you will likely want to consult your insurance agent or an attorney or other expert if you find yourself facing this type of damage.

What type of property does my policy cover?

Coverage depends on the type of insurance policy you hold and the specific terms of your policy. Every policy is different:

- **Homeowners insurance** typically covers damage to personal property (e.g., furniture, clothes, and appliances), dwellings (your house and other buildings on your premises), and landscaping (on a limited basis), as well as additional necessary living expenses (including food and temporary housing) incurred as the result of a covered loss.
- **Renters insurance** usually covers the loss of personal property and the loss of use of the rented property. It may also include liability and medical payments coverage.
- **Condominium insurance** usually covers personal property and improvements made to the condominium unit you own. Condominium associations typically purchase insurance for the building structure and common areas, while a condominium owner’s individual condominium insurance policy typically covers the interior contents of the condominium unit.
- **Comprehensive vehicle insurance** ordinarily covers physical damage to the insured vehicle (either the cost of repairs or the fair market value of the vehicle) not caused by collision.
- **Fire insurance** covers the listed real property (dwelling and other buildings on the property) and the personal property (such as furniture) that is customarily used at that property. Some policies also often provide coverage for debris removal, landscaping, and additional living expenses.

A summary of the coverage types and limits can be found on the declarations page of each policy, and the detailed disclosure regarding the limitations on coverage can be found in the underlying policy documents. Exclusions will be listed in your insurance policy. It is important to carefully review your policy to learn which claims are excluded from a particular policy and to understand each policy’s deductibles and coverage limits. It may be advisable to consult with an attorney about your policy’s terms and conditions. If you cannot afford an attorney, please refer to the **Lawyer Referral Services & Legal Aid** chapter of this handbook. **Does my insurance policy cover the removal of debris from my property?**

Your homeowners policy may provide coverage for at least some of the costs associated with debris removal due to the wildfires. To determine if it does, review the declarations page and the underlying policy documents. Before deciding whether to clear the debris, review the **Housing** chapter of this handbook. Be sure to carefully document (video or photograph) and itemize recognizable items because your insurance company may request evidence to validate claims of loss.

My property was not damaged by the disaster, but I had to evacuate. Does my insurance policy provide coverage for temporary living expenses?

Even if your property did not suffer direct damage from the disaster, your homeowners, condominium, or renters insurance policy’s additional living expense coverage may provide full or partial reimbursement of food, temporary housing, pet boarding, and other similar expenses if you had to evacuate as a result of the disaster. Carefully review your policy to determine if it provides such coverage (and whether it distinguishes between mandatory and voluntary

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evacuations), and be sure to document costs (keep copies of receipts and credit card statements) incurred as a result of the evacuation. Most policies contain a dollar limit or a time limit.

I own a small business that was damaged or destroyed during the fires. Does my insurance policy provide coverage for my loss?

If your business has suffered property damage or destruction, including collateral damage or economic loss (such as loss of business income, extra expenses, computers, valuable records, and data-processing material) as a result of the disaster, the evacuations, or other governmental actions related to the disaster, you may be able to file claims based on an insurance policy that your business holds. Coverage depends on the specific terms of the policy that your business holds. (Earth movement, such as landslides and mudslides, is typically excluded from standard business insurance.)

Typical policies include:

- all risk/all perils policies;
- specific peril policies covering fire damage;
- business owner property policies;
- computer policies;
- commercial loss policies;
- commercial general liability policies;
- homeowners and renters policies;
- valuable papers and records policies;
- building and personal property policies; and
- umbrella and excess coverage policies.

Damage to vehicles such as automobiles, recreational vehicles, mobile homes, or boats may be covered under business or personal automobile policies, motor carrier policies, mobile equipment policies, garage coverage policies, and marine policies. If you or your employees were injured, you or they may be covered by your workers' compensation policy, your or their health insurance policy, or short- or long-term disability policies.

NOTIFYING YOUR CARRIER AND NAVIGATING THE CLAIMS PROCESS

How do I make an insurance claim?

If you have not done so already, you should contact your insurance agent or insurance company *as soon as possible* to start the claims process. All insurance policies require policyholders to provide timely notice of a claim, and many have a one-year statute of limitations, starting from the date of loss. Some policies have even shorter limits for filing claims. Most insurance carriers provide toll-free telephone numbers to facilitate the claims-filing process. A list of these numbers can be found at the end of this chapter.

When dealing with your insurance company, it is important to carefully document every conversation. Be sure to write down the name of the person you speak to and the date and the substance of your conversation, including the nature and scope of the information you provide to the insurance company's agent. Confirm all conversations and agreements in writing (an email to the insurance company representative or a letter), and, if appropriate, note on your correspondence that the listed losses represent only a partial list of your losses and that you will forward additional claims when discovered. Keep a written inventory of all losses. This can help in future dealings with the insurance company.

For insurance claim help, see <https://www.uphelp.org/resources/library/fire> and <https://uphelp.org/disaster-recovery-help/2021-ca-wildfires/>.

What should I do if my insurance policy documents are lost or destroyed?

If your insurance documents were destroyed in the wildfires, or if you cannot locate your insurance documents for any other reason, do not panic. Call your insurance agent or insurance company. They should have copies of your policies on file and must provide a copy to you. If you do not know the name of your insurance company or insurance agent, check with your mortgage lender, your bank, or your auto dealer, as applicable. They may have records of your insurance information. If those options are unavailable, call the California Department of Insurance at (800) 927-4357 (TTY (800) 482-4833). For a sample letter requesting a complete copy of your homeowners policy, see <https://uphelp.org/claim-guidance-publications/sample-letter-requesting-complete-copy-of-homeowners-policy/>.

Are there specific documents I need to prove my loss?

The insurance company or insurance adjuster (a person professionally trained to assess the damage to your property) will ask to examine any evidence you may have to validate claims of loss. Examples of such evidence may include:

- pictures (videos or photographs) taken before and after the property loss;
- an inventory of all property damaged, along with an estimate of its actual cash or replacement cost value;

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- records and receipts for all living expenses incurred due to the property loss (including all food, hotel, and staples bought to maintain a normal standard of living); and
- repair estimates obtained from third parties (e.g., contractors and auto mechanics) or receipts for any repairs already completed.

For more information on documenting and proving your losses, see <https://uphelp.org/claim-guidance-publications/the-scoop-on-scope-of-loss/> and <https://www.uphelp.org/pubs/sample-letters-and-documents>.

My house is uninhabitable. How do I get money now to pay for living expenses, extra transportation costs to and from work or school, storage costs, etc.?

While assistance may be available from family, friends, and government agencies (please see the **FEMA** chapter of this handbook), some living expense coverage is often a standard part of homeowners, condominium, and renters insurance policies and can provide coverage for hotel or temporary rental fees, food and meal expenses, pet boarding costs, and other similar expenses incurred as a result of a covered event, such as a fire. Review your policy to determine whether it provides any living expense coverage, and, if need be, ask your insurance company for an advance on your insurance proceeds. Funds disbursed in the form of an advance will be deducted from the final settlement.

For homeowners insurance, what is the difference between “replacement cost value” and “actual cash value” policies?

“Replacement cost” coverage provides you with money to repair damaged items or replace destroyed items with new items of a similar type. Your policy should pay enough to purchase the new items, but it may or may not contain an overall limit. “Actual cash value” coverage provides an amount necessary to replace the damaged or destroyed item with an item of similar value. You will likely receive less money from an actual cash value policy than a replacement cost policy because the actual cash value policy takes depreciation (e.g., age and wear and tear) into account.

Under either form of policy, you will probably still have an applicable deductible (an initial amount of money that you must pay yourself before the insurance company starts to pay) unless that requirement is waived by the insurance company, and you may also be subject to an overall limit or cap.

If I did not have renters insurance, am I covered under my landlord’s policy?

You are probably not covered unless your landlord named you in his or her policy as a “named” or “additional” insured. It is worth asking your landlord to check if you are included in the policy.

My insurance company denied coverage; what can I do?

Insurance companies are required to acknowledge receipt of claims, communicate their decisions on claims, and pay claims in a timely manner. In general, insurance companies should acknowledge receipt of your claim within 15 days and should communicate a decision on the claim within 40 days of receipt of your claim (although it can take longer). Payouts should occur within 30 days of your acceptance of the insurance company’s offer.

If coverage is denied, in whole or in part, promptly ask the insurance company to provide you with its reasons in writing and for the details of its appeals process (if it has one). If you believe your claim has been wrongfully denied, contact the Department of Insurance at (800) 927-4357 (TTY (800) 482-4833).

Consider whether you want to seek help from an attorney or public adjuster—but be aware that their fees will often reduce your total recovery. Before engaging an attorney or public adjuster to assist with your claim (and before signing an engagement letter or any form of contract), collect references and compare multiple service providers. United Policyholders provides guidance on hiring professional help for an insurance claim at <https://uphelp.org/claim-guidance-publications/hiring-professional-help-for-an-insurance-claim/>.

ACCESSING RESOURCES AND KEY CONTACTS

Are insurance companies taking special measures to respond to those affected by the wildfires?

The following new protections for those affected by wildfires in California were recently signed into law. Unless otherwise indicated below, these provisions came into effect on April 2, 2021. These protections include:

- Insurance companies can no longer deduct the land value when paying an insurance claim if a wildfire survivor chooses to relocate rather than rebuild their home at the same location.
- Residents under mandatory evacuation for wildfire, even if they suffer no damage to their home, will receive additional living expenses for at least two weeks, with extensions for good cause.
- Effective July 1, 2021, insurance companies cannot restrict additional living expenses if a home is rendered uninhabitable due to a wildfire or other covered peril, even if the damage is not to the property itself. This can happen, for example, if the home is not damaged but damaged power and water lines make the home

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uninhabitable. The insurance company may provide a reasonable alternative that addresses the problem, such as a portable generator in the case of downed power lines.

- For claims made after January 1, 2021, in cases of a total loss related to a state of emergency, insurance companies must provide an advance payment of no less than four months of additional living expenses if the consumer requests it, with additional benefits due after the advance period upon proper documentation.
- For claims made after January 1, 2021, wildfire survivors do not have to use a company-specific inventory form for lost contents and can include groupings of categories such as clothing, shoes, books, food items, and DVDs rather than having to list individual items.
- Insurance companies must offer a 60-day grace period on payment of policy premiums for properties located within the affected area defined in the declared state of emergency.

Further information regarding these protections can be found at: <https://www.insurance.ca.gov/0400-news/0100-press-releases/2021/release078-2021.cfm> and https://www.insurance.ca.gov/0250-insurers/0300-insurers/0200-bulletins/bulletin-notices-commiss-opinion/upload/Significant_California_Laws_Pertaining_to_Residential_Property_Insurance_Policies_Declared_State_of_Emergency-2021-FINAL.pdf; [Bill Text - SB-872 Residential property insurance: state of emergency. \(ca.gov\)](#).

The California Insurance Commissioner has also issued a mandatory one-year moratorium on insurance companies from non-renewing or cancelling residential property insurance policies for policyholders in certain ZIP codes affected by the wildfires. To see if your ZIP code is included in this moratorium, check <http://www.insurance.ca.gov/01-consumers/140-catastrophes/MandatoryOneYearMoratoriumNonRenewals.cfm>.

How can I contact the Department of Insurance?

The California Department of Insurance (CDI) can be reached at (800) 927-4357 (TTY (800) 482-4833) for assistance with insurance-related questions. The CDI maintains a website at www.insurance.ca.gov and has established a dedicated page to provide information regarding its response to the wildfires at <https://www.insurance.ca.gov/01-consumers/140-catastrophes/WildfireResources.cfm>.

What is the phone number for my insurance carrier?

Toll-free phone numbers for many of the insurance companies operating in California are as follows:

21st Century	
general inquiries	(877) 401-8181
claims	(888) 244-6163
Allied	
general inquiries & claims	(800) 282-1446
Allstate	
general inquiries & claims	(800) 255-7828
American Modern	
general inquiries	(800) 543-2644
claims.....	(800) 375-2075
Arrowhead	
general inquiries	(877) 777-6440
Auto Club of Northern California (AAA)	
general inquiries & claims	(800) 922-8228
California Casualty	
general inquiries & claims	(800) 800-9410
Century National	
general inquiries	(800) 894-8384
claims	(844) 582-7969
Chubb Group	
general inquiries	(866) 324-8222
claims	(800) 252-4670
Commerce West (MAPFRE)	
general inquiries & claims.....	(800) 244-1545
CSE Insurance Group	
general inquiries	(800) 282-6848
claims	(888) 236-5584
Farmers Insurance	
customer service	(800) 327-6335
claims	(800) 435-7764

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Fireman's Fund	
claims	(888) 347-3428
First American Property & Casualty	
general inquiries	(888) 922-5343
claims	(888) 922-5344
First American Specialty	
general inquiries	(888) 474-7500
claims	(800) 348-3782
Foremost	
general inquiries for all except auto	(800) 527-3905
general inquiries for auto	(888) 888-0080
claims for all except auto	(800) 527-3907
claims for auto	(800) 274-7865
Golden Eagle Insurance	
general inquiries	(800) 461-9224
Hartford, The	
general inquiries	(860) 547-5000
claims	(800) 243-5860
Kemper (f/k/a Unitrin/FIC)	
general inquiries & claims	(800) 777-8467
Liberty Mutual	
general inquiries	(800) 290-8711
claims	(800) 225-2467
Mercury Insurance	
general inquiries	(800) 503-3724
claims	(800) 503-3724
MetLife Auto & Home	
general inquiries	(800) 638-5433
claims	(800) 854-6011
Nationwide	
general inquiries	(877) 669-6877
claims	(800) 421-3535
Oregon Mutual	
general inquiries	(800) 888-2141
claims	(800) 934-3809
Progressive	
general inquiries & claims	(800) 776-4737
Safeco	
general inquiries & claims	(800) 332-3226
State Farm	
general inquiries	(800) 782-8332
claims	(800) 732-5246
Travelers	
general inquiries	(800) 842-5075
claims	(800) 252-4633
USAA	
general inquiries	(800) 531-8722
Wawanesa Mutual Insurance Co.	
general inquiries	(800) 640-2920
claims	(888) 929-2252

OVERVIEW

What is FEMA?

The Federal Emergency Management Agency (FEMA) steps in to manage and coordinate many government assistance programs when the president declares a federal disaster area.

On August 24, 2021, President Biden issued a major disaster declaration for Lassen, Nevada, Placer, and Plumas counties, as a result of the wildfires that began earlier in the summer. For updated information, see <https://www.fema.gov/disaster/4610>.

What does FEMA do?

FEMA is the starting point for obtaining federal financial assistance in the wake of a presidentially designated disaster. FEMA coordinates federal resources, including the Disaster Housing Assistance and Home Repair Assistance Programs, special loans from the Small Business Administration (SBA) and the Farm Service Agency, special grants from the Cora Brown Fund, and assistance from many other government-run organizations, including those under the umbrella of the Other Needs Assistance (ONA) Program.

FEMA sponsors crisis counseling, disaster legal services, income tax assistance for filing casualty losses, advisory assistance for veterans' benefits and Social Security matters, and Disaster Unemployment Assistance. In past disasters, survivors could talk directly to representatives of state and volunteer agencies and get help with insurance questions at local assistance centers (LACs) and disaster recovery centers (DRCs). COVID-19 has limited in-person services. See the **Disaster Help Centers** chapter of this handbook for information on how to determine whether any in-person assistance is being offered.

What types of disaster assistance does FEMA help administer and coordinate?

The Individuals and Households Program (IHP) is a FEMA program providing a range of services to persons in a declared disaster area. The IHP provides money (there are maximum amounts for certain categories of assistance) and services to wildfire-affected persons whose property has been damaged or destroyed and whose losses are not covered by insurance. You can determine the amount of relief available by contacting the FEMA hotline (800) 621-3362 / TTY (800) 462-7585.

There are several different types of assistance, including various forms of housing assistance:

- **Rental Assistance:** Eligible applicants whose insurance does not cover temporary housing can receive money to rent a temporary place to live while repairs are being made to a primary residence or while transitioning to permanent housing. Rental Assistance may be used to rent a house, apartment, manufactured home, or recreational vehicle.
- **Lodging Expense Reimbursement:** Eligible applicants can receive reimbursement for hotels, motels, or other short-term lodging while they are displaced from their primary residence.
- **Direct Housing Assistance:** When applicants are unable to use Rental Assistance because sufficient rental properties are unavailable, FEMA may provide housing services if requested by the affected state or locality.
- **Home Repair:** Eligible homeowner applicants can receive money to help repair damage to their primary residence caused by the disaster if it is not covered by insurance. The goal is to make the damaged home safe, sanitary, and functional.
- **Home Replacement:** Eligible homeowner applicants can receive money to help replace their primary residences destroyed in the wildfires if they are not covered by insurance. The goal is to help the homeowner with the cost of replacing the destroyed primary residence.
- **Other Needs Assistance (ONA):** Eligible applicants can receive money to cover necessary expenses and serious needs caused by the wildfires that cannot be met through other forms of disaster assistance. This assistance may cover the cost of replacing or repairing vehicles; personal property items, including clothing, essential household items, and educational materials; clean-up items; fuel for your primary heat source; child care; moving and storage; medical costs; dental costs; funeral costs; and other necessary expenses as determined by FEMA.
- **Cora Brown Fund:** This fund provides financial support (covering costs and expenses) for disaster victims who have exhausted all other avenues of assistance but still have unmet needs.

For more information regarding housing assistance, see <https://www.disasterassistance.gov/information/immediate-needs/emergency-shelter> and the **Housing** chapter of this handbook.

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Do I have to repay FEMA for any disaster assistance?

IHP grants (including assistance from the ONA Program and the Cora Brown Fund) do not need to be repaid, but SBA loans (discussed in the **SBA Loan Assistance** chapter of this handbook) must be repaid.

What is the State Supplemental Grant Program (SSGP)?

The SSGP is a state program that, like IHP, provides financial assistance to direct victims of declared disasters, such as the wildfires in Lassen, Nevada, Placer, and Plumas counties. To be eligible for an SSGP grant, you must have applied for and received the maximum IHP grant, completed a disaster loan application with the SBA, made claims for disaster damages against all applicable insurance policies, and accepted any available financial assistance offered from other sources, such as private and public organizations (e.g., the American Red Cross). SSGP is a supplemental program of last resort, and no separate application is required for SSGP eligibility. SSGP grants, typically ranging from \$200 to \$2,000, are awarded only for acute needs and necessary expenses directly caused by the disaster. SSGP funds must be spent on the items for which the money is awarded, such as rental assistance and medical, dental, and other specified expenses. SSGP funds may not be spent on items, such as business losses, property improvements, landscaping, recreational property, debts, luxury items, cosmetic damages, pets, replacing cash, or food. For an additional description of the SSGP program, please visit <http://www.cdss.ca.gov/cdssweb/entres/forms/English/SSGP45.pdf>.

ELIGIBILITY & APPLICATION QUESTIONS

Am I eligible for assistance from FEMA?

If you experienced a loss in Lassen, Nevada, Placer, and Plumas counties as a result of the wildfires, you may be eligible for assistance from FEMA. **You should register with FEMA as quickly as possible.** The various programs coordinated by FEMA have different eligibility criteria and you can usually receive assistance under only one program at a time. After you register, FEMA will determine your eligibility for the various programs.

To be eligible for Housing Assistance, all of the following must be true:

- You have losses in an area that has been declared a disaster area by the president;
- You have filed for insurance benefits (if you have applicable insurance), and the damage to your property may not be covered by your insurance or your insurance settlement may be insufficient to meet your losses;
 - You may not need to wait to hear from your insurance company before filing for FEMA assistance, but FEMA will only cover certain costs that insurance does not, meaning you may end up needing to pay FEMA back certain payments from your insurance. For more specific information, please visit <https://www.fema.gov/assistance/individual/after-applying> or call the FEMA hotline (800) 621-FEMA/ (800) 621-3362 (TTY (800) 462-7585).
- You are a citizen of the United States, a non-citizen national, or a “qualified alien” OR you are the parent or guardian of a minor child who resides with you and that minor child is a citizen of the United States, a non-citizen national, or a “qualified alien”;
 - If the applicant does not meet this criteria, but there is another adult member of the household who does meet this criteria, that person can certify their citizenship status during the registration process or sign a Declaration and Release form. (See the **Immigration** chapter of this handbook for further discussion of these issues.)
- The home in the disaster area is where you usually live and where you were living at the time of the disaster;
- You are not able to live in your home now because of the disaster, you cannot get to your home due to the disaster, or your home requires repairs because of damage from the disaster; and
- You do not have other adequate, rent-free housing you can use (for example, a vacation home, unused rental property, or other adequate forms of disaster assistance).

To be eligible for Other Needs Assistance, all of the following must be true:

- You have losses in an area that has been declared a disaster area by the president;
- You have no insurance, or you have filed for insurance benefits and the damage to your property may not be covered by your insurance or your insurance settlement may be insufficient to meet your losses;
- You are a citizen of the United States, a non-citizen national, or a “qualified alien” OR you are the parent or guardian of a minor child who resides with you and who is a citizen of the United States, a non-citizen national, or a “qualified alien”;
 - If the applicant does not meet this criteria but there is another adult member of the household who does meet this criteria, that person can certify their citizenship status during the registration process or sign a Declaration and Release form.
- You have necessary expenses or serious needs because of the disaster; and

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- You have accepted assistance from all other sources for which you are eligible, such as insurance proceeds or SBA disaster loans.

To receive federal money under the IHP, do I first need to file a claim under any insurance policy I may have?

Yes. To receive federal money or help with housing needs when you have insurance, you must have filed for insurance benefits, and the full damage to your property must not be covered by insurance. To obtain assistance, you must provide FEMA with a copy of your insurance company's decision letter, but 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.)

How do I register with FEMA?

The easiest way to register with FEMA is to call (800) 621-FEMA / (800) 621-3362 (TTY (800) 462-7585). The toll-free telephone numbers are available from 7:00 a.m. – 11:00 p.m. ET, every day until further notice. Be prepared to give the FEMA representative the following information:

- Your Social Security number (SSN) or the SSN of a minor child in the household who is a citizen of the United States, a non-citizen national, or a “qualified alien” over whom you are a parent or guardian;
- Current and pre-wildfire address;
- A telephone number where you can be contacted;
- Insurance information (coverage, insurance company name);
- Total household annual income;
- A routing and account number from your bank (if you want to have disaster assistance funds transferred directly into your bank account, you may be able to find your bank routing number online at <https://routingnumber.aba.com/default1.aspx>); and
- A description of your losses that were caused by the wildfire.

If you have an email address, you may use that to review your registration status online. If you do not provide an email address, you can call FEMA for updates.

You can also register online at www.disasterassistance.gov / www.disasterassistance.gov/es (Spanish) or (if they are made available) in-person at one of the local assistance centers or disaster recovery centers. For information on these centers, see the **Disaster Help Centers** chapter of this handbook or see <https://www.fema.gov/disaster-recovery-centers>. Information about local assistance centers can also be found at <http://www.oesnews.com/category/press-releases/>.

You can also register by downloading the FEMA app on your smartphone or tablet and using the app to register. Search the Google Play or Apple App Store for “FEMA Mobile App.” This app has other resources, including real-time alerts and notifications.

How will FEMA process my request for help?

At the time of registration, you will be given a **FEMA Application Number**. This number is very important, so you must keep it handy. It is also a good idea to keep the name of the FEMA representative who registered you in case any problem with your paperwork arises. **Once you receive an application number, you then must apply for assistance**, which can be done online, by calling FEMA, or on the FEMA app.

A complete “Application Checklist” is available at <https://www.disasterassistance.gov/get-assistance/application-checklist>.

You use your FEMA application number to create an account to check the status of your application, view messages from FEMA, update personal information, and upload important documents. If you are unable to upload your documents, mail copies to FEMA at P.O. Box 10055, Hyattsville, MD 20782-8055 or fax them to (800) 827-8112.

FEMA may refer you to the SBA, which offers special loans to disaster victims. (Note that some SBA disaster loan programs are **not** limited to small businesses or business owners.) If you are referred to the SBA, you must complete and send in your SBA loan application even if you think you may not qualify for a loan. The SBA serves as a gatekeeper to other government-run programs, so this is an important step. Unless you send in your SBA application and the SBA determines that you do not qualify for an SBA loan (or a loan large enough to meet your needs), FEMA will not pass your application on to the ONA Programs, and you may not be eligible for additional assistance from other programs. You may contact the Small Business Administration outreach center at (916) 735-1500, Monday – Friday, 9:00 a.m. – 6:00 p.m. You can also email them at FOCWAssistance@sba.gov.

If you request FEMA help because of wildfire-related damage to your home, as of June 2, 2021, FEMA will conduct exterior inspections in-person without entering your residence. Inspectors will maintain social distance, virtually assess the exterior of the residence, and verbally confirm interior damage over the phone.

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Survivors with minimal damage who report during the application process that they can live in their homes will not automatically be scheduled for a home inspection when applying to FEMA, but they still may request an inspection.

The FEMA inspection is free. Do not let anyone charge you for an “inspection service.” Ask the inspector for appropriate identification and ask for and obtain a copy of his or her inspection report. If you cannot be present, you may designate someone (over the age of 18) to meet the inspector on your behalf. (If you or your representative is not available for the inspection, your application may be withdrawn.)

To the extent possible, be prepared to provide the inspector with several pieces of information:

- Valid photo identification;
- Proof of home ownership or primary residence in the damaged home;
- Proof of damage to your primary residence;
- Insurance documents for your home and/or auto;
- List of household occupants living in the home at the time of wildfire;
- Receipts for expenses you have incurred because of the wildfire; and
- Photos of your property before and after the wildfire.

Proof of home ownership can include the following documents:

- **Deed or official record**, which may be the original deed or deed of trust to the property listing you as the legal owner;
- **Tax receipts or a property tax bill** showing the damaged dwelling and listing you as the responsible party for the assessments;
- **Mortgage payment book or other mortgage documents** (e.g., late payment notice or foreclosure notice) where your name is listed along with the damaged dwelling address; or
- **Real property insurance** for the damaged primary residence, with your name or the name of a person living with you at the residence listed as the insured (you may be able to obtain copies from your insurance agent).

Ownership documentation can be researched by the inspector or applicant on public websites (such as a county property tax website) and/or with your mortgage lender or property insurance company.

Proof of tenancy can include the following documents:

- **Current driver’s license** showing the address of the damaged dwelling;
- **Utility bill** sent to the address of the damaged dwelling in the applicant’s name (or the name of a co-applicant) (you may be able to obtain copies from the water, electric or gas company); or
- **First-class government mail** sent to you within the last three months at that address.

The FEMA inspector will complete a report and transmit it to FEMA’s National Processing Servicing Center (NPSC). The NPSC will review the information and decide whether you qualify for assistance. (In the interim, the NPSC may ask you for additional records, such as insurance papers, a copy of title, pay stubs, or repair estimates.) FEMA will mail you a notice of its decision or may send it by email if you registered with an email address.

Are there application deadlines I should know about?

Yes. As of the date of this publication, the current deadline to register for federal disaster assistance relating to the disasters in Lassen, Nevada, Placer, and Plumas counties is **October 25, 2021**. **To avoid any issues, you should apply as soon as possible.** For updates regarding deadlines, see <https://www.fema.gov/disaster/4610#help-families>.

For information about Disaster Unemployment Assistance, including that separate deadline, see the **Employment** chapter of this handbook.

Can FEMA extend the registration deadline?

Yes. FEMA is authorized to accept late registrations for up to an additional 60 days after the standard registration deadline, but you should not assume this will be done. FEMA rules require an applicant to provide suitable documentation of the reasons for the delay. If you do not register with FEMA by the deadline, you may not be able to obtain any assistance from FEMA.

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 that is not covered by insurance, a FEMA inspector should contact you to set up an appointment to assess your damage.

Typically, within about 10 days after the inspection, if FEMA determines that you qualify for immediate help, you will receive a direct deposit to your bank account or a check in the mail. If FEMA denies your application, you will receive a letter or email explaining why you were turned down and will be given a chance to appeal the decision. If you were referred to the SBA, you will receive an SBA application, which you must complete and return to be considered for an

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SBA loan and for other types of assistance. If it approves your application, the SBA will contact you. If it determines that you cannot afford a loan, the SBA will automatically refer you to FEMA's IHP for help, and FEMA will contact you.

If FEMA denies assistance, how long do I have to appeal that decision?

Appeals from FEMA's decisions regarding the Rental Assistance and Home Repair Assistance Programs must be made within 60 days of the date on FEMA's notice of decision.

If I have questions about my application or need to change some of the information provided, what should I do?

Call the FEMA Disaster Helpline at (800) 621-FEMA / (800) 621-3362 (TTY (800) 462-7585) or visit www.disasterassistance.gov if you registered with FEMA with an email address.

What should I do if I have not heard from FEMA more than 12 days after the FEMA inspector's visit?

Call the FEMA Disaster Helpline at (800) 621-FEMA / (800) 621-3362 (TTY (800) 462-7585) to ask about your application. You may also inquire at a Disaster Recovery Center about your application.

Where can I find more information about FEMA's programs for disaster victims?

If you have questions about FEMA's programs for victims of the disasters, you may contact FEMA at (800) 621-FEMA / (800) 621-3362 (TTY (800) 462-7585). If you have internet access, you can review FEMA's website at www.fema.gov; its page dedicated to the wildfire disasters in Lassen, Nevada, Placer, and Plumas counties, is <https://www.fema.gov/disaster/4610>. The California Governor's Office of Emergency Services' website has helpful information on its Statewide Wildfire Recovery Resources page, <http://wildfirerecovery.org>.

STATE SUPPLEMENTAL GRANT PROGRAM INFORMATION

What is the amount of an SSGP grant? Do I have to repay any grant I may receive?

The maximum SSGP grant is \$10,000, but the average grant is between \$200 and \$2,000. Because it is a grant, and not a loan, you will not have to repay any SSGP grant you may receive. As mentioned above, SSGP is a state program that provides last resort financial assistance to victims of declared disaster.

Am I eligible for an SSGP grant?

Because SSGP is a program of last resort, to be eligible for SSGP assistance you must have:

- Applied for and received the maximum IHP grants;
- Completed a disaster loan application with the SBA;
- Made claims for disaster damages against all applicable insurance policies; and
- Accepted any available financial assistance offered from other sources such as private and public organizations (e.g., the American Red Cross).

Additional information about SSGP grants can be found on the following website:

<http://www.cdss.ca.gov/cdssweb/entres/forms/English/SSGP45.pdf>

How do I apply for an SSGP grant?

There is no separate application process for SSGP grants. FEMA will transmit your application to SSGP once you have used the maximum amount available under IHP. If you have any questions, you should call the California Department of Social Services at (800) 759-6807 / TTY (800) 952-8349.

SBA LOAN ASSISTANCE

OVERVIEW

What is the SBA?

Despite its name, when it comes to federally declared disaster areas, the U.S. Small Business Administration (SBA) is one of the key federal agencies that assists homeowners and renters, businesses of all sizes, and private non-profit organizations, in each case, by providing low-interest, long-term loans to (1) repair or replace real estate, personal property, machinery, equipment, and inventory and business assets that are damaged or destroyed by a declared disaster; or (2) offset economic injuries.

SBA loans are made for uninsured or otherwise uncompensated disaster losses. The SBA does not duplicate benefits that have already been received from other governmental agencies or private insurance companies (with the possible exception of insurance proceeds that are required to be applied against outstanding mortgages). Applying for an SBA loan does not preclude you from applying for and receiving assistance from other federal disaster assistance programs for which you may be eligible (e.g., FEMA assistance program(s)). See the **FEMA** chapter of this handbook for further information on its programs.

SBA loans are made on a non-discriminatory basis and without regard to an applicant's age. For more information, see <https://www.sba.gov/> and <https://disasterloanassistance.sba.gov/ela/s/disaster-details?recordId=a0et0000008tT6vAAE>.

What kinds of loans does the SBA provide?

The SBA provides three types of disaster loans:

1. **Home and Personal Property Loans (HPPL)**: These loans are available for homeowners, renters, and owners of personal property to repair or replace uninsured damage or loss of property for primary residences and personal property (including automobiles) owned by the victims of a declared disaster. As of the publication of this handbook, the counties designated as presidentially declared disaster areas associated with the Summer 2021 Wildfires for purposes of HPPL loans are Lassen, Nevada, Placer, and Plumas. Unless extended by the government following publication of this handbook, **the deadline for applying for an HPPL in association with the Summer 2021 Wildfires is currently October 25, 2021.**
<https://disasterloanassistance.sba.gov/ela/sfc/servlet.shepherd/version/download/068t000000RwIAaAAJ>
2. **Business Physical Disaster Loans (BPD)**: These loans are available to businesses (regardless of size) and non-profit organizations to repair or replace disaster damage or loss of property, including real estate, machinery, equipment, fixtures, inventory, supplies, and leasehold improvements that were lost or damaged as a result of a declared disaster. As of the publication of this handbook, the counties designated as presidentially declared disaster areas associated with the Summer 2021 Wildfires for purposes of BPD loans are Lassen, Nevada, Placer, and Plumas. Unless extended by the government following publication of this handbook, **the deadline for applying for a BPD in association with the Summer 2021 Wildfires is currently October 25, 2021.**
<https://disasterloanassistance.sba.gov/ela/sfc/servlet.shepherd/version/download/068t000000RwIAaAAJ>
3. **Economic Injury Disaster Loans (EIDL)**: These loans provide working capital to eligible small businesses, small agricultural cooperatives, small businesses engaged in aquaculture, and private non-profit organizations to assist them through the disaster recovery period. The loans can be used to cover financial obligations and operating expenses (as opposed to physical damage) that the small business would have paid if the disaster had not occurred. The loan amount is determined based on financial need and actual economic injury regardless of whether the business suffered any property damage. As of the publication of this handbook, the counties designated as presidentially declared disaster areas and counties contiguous to a disaster area associated with the Summer 2021 Wildfires for purposes of EIDL loans are Butte, El Dorado, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, and Yuba in California; and Washoe in Nevada. Unless extended by the government following publication of this handbook, **the deadline for applying for an EIDL in association with the Summer 2021 Wildfires is currently May 24, 2022.**
<https://disasterloanassistance.sba.gov/ela/sfc/servlet.shepherd/version/download/068t000000RwIAaAAJ>

What does the SBA look for when considering a disaster loan applicant?

The SBA looks at two principal factors when determining disaster loan eligibility: first, there must be a reasonable basis for believing the applicant can repay the loan, which basis is confirmed by the SBA's analysis of your credit or your personal or business cash flow; and second, the applicant must pass a character test. The SBA will reject an application if repayment of such loan depends on the sale of collateral through foreclosure or any other disposition of assets. The SBA is prohibited by statute from making a loan to an applicant if the applicant is engaged in the production or distribution of any product or service that is considered illegal by the federal government or that has been determined to be obscene by a court. If a current applicant has not complied with the terms of a prior SBA loan, the applicant will likely be ineligible

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for another SBA loan. For example, this includes borrowers who did not maintain flood and/or hazard insurance as required by a prior SBA loan.

Are there restrictions on how disaster loans can be used?

You may use SBA physical disaster loans only to restore or replace a primary residence (including a mobile home used as a primary residence) and personal or business property, in each case, to their pre-disaster condition and, within certain limits, to protect damaged or destroyed real property from future similar disasters. The loan may only be made for specific and designated purposes. The SBA requires that you obtain receipts and maintain good records of all loan expenditures as you restore your damaged property and that you keep these receipts and records for three years. *(Note: If SBA loan proceeds are misused, you must immediately repay 1.5 times the proceeds disbursed to you under the loan. You may also face criminal prosecution or a civil or administrative action.)*

Does the SBA charge any fees for obtaining a disaster loan?

The SBA does not charge fees (whether as points or as closing or servicing fees) for any disaster loan, but you will be responsible for the payment of any closing costs owed to third parties with regard to these loans, such as recording fees and title insurance premiums. If your loan is made with a participating financial institution, the SBA will charge a guarantee fee to the financial institution, which may then recover that fee from you.

Is insurance required to get a loan?

Typically, yes. If you receive a loan from the SBA, they will require you to obtain and maintain appropriate insurance. By law, SBA borrowers whose damaged or collateral property is located in a special flood hazard area must purchase and maintain flood insurance. The SBA requires that flood insurance coverage be the lesser of (1) the total of the disaster loan, (2) the insurable value of the property, or (3) the maximum insurance available.

Should I wait for my insurance settlement before I apply to the SBA?

No. While you must **file** a claim with your private insurance company **before** applying for federal assistance, you should apply for federal assistance immediately after your private insurance company claim has been filed. Unless extended by the government, the current deadline for applying for HPPLs and BPDs is October 25, 2021.

<https://disasterloanassistance.sba.gov/ela/sfc/servlet.shepherd/version/download/068t00000RwIAaAAJ>

Do not miss the SBA filing deadline by waiting for an insurance settlement to arrive. Final insurance information can be added to the SBA application after an insurance settlement payment is received. The SBA can approve a loan for the total replacement cost up to the SBA's lending limits (described below for each type of loan). Once your insurance settles and makes a payment, if there is a duplication of benefits, the SBA will apply those duplicate funds as a prepayment toward the outstanding balance of your SBA loan.

What do I need to do before I apply for an SBA loan?

If you are an individual homeowner, renter, or owner of personal property applying for an HPPL, you must first register with FEMA and obtain a nine-digit FEMA registration number. To register with FEMA, you or another member of your household (adult or minor) must have a Social Security number and be a U.S. citizen, non-citizen national, or "qualified alien." You can obtain a FEMA registration number by calling FEMA toll free at (800) 621-FEMA / (800) 621-3362 (TTY: (800) 462-7585), seven days a week from 7:00 a.m. – 11:00 p.m. ET, or by registering online at www.DisasterAssistance.gov, which is the quickest way to register with FEMA.

After registering with FEMA, you can then apply directly with the SBA for an HPPL and other disaster assistance loans.

How do I apply for an SBA loan?

There are three ways to apply for an SBA disaster assistance loan:

1. **Online:** You can apply online for all three types of SBA disaster assistance loans. This is the fastest way to receive a decision about loan eligibility. The online application can be found on the SBA's secure website at <https://disasterloan.sba.gov/ela>.
2. **By mail:** You can submit a paper application by mail. The paper forms can be found at <https://disasterloanassistance.sba.gov/ela/s/article/Paper-Forms>. All required forms listed on the website must be signed and dated and returned to U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Rd., Ft. Worth, TX 76155-2243.
3. **In person / virtual center:** Typically, you can apply in person at any open FEMA Disaster Recovery Center, where you can receive personal, one-on-one help from an SBA representative. Due to the risks of coronavirus (COVID-19), the SBA is also conducting a Virtual Disaster Loan Outreach Center and Virtual Business Recovery Center servicing the counties of Lassen, Nevada, Placer, and Plumas starting August 27, 2021. The hours of operation are Monday – Friday, 8:00 a.m. – 8:00 p.m. ET. Virtual center staff members can be contacted at FOCWAAssistance@sba.gov or (800) 659-2955.

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Regardless of whether you submit your application online, by mail, in person, or through a virtual center, you must submit a signed and dated IRS Form 4506-T to give permission to the IRS to provide the SBA with your tax return information. The IRS Form 4506-T must be completed and submitted with each SBA disaster loan application, even if you are not required to file a federal income tax return. This form can be found at <https://disasterloanassistance.sba.gov/ela/s/article/Paper-Forms>.

If you need assistance in completing the SBA loan application, you may call the SBA toll-free at (800) 659-2955 (TTY: (800) 877-8339), seven days a week from 8:00 a.m. – 8:00 p.m. ET, email the SBA at disastercustomerservice@sba.gov, or seek the assistance of SBA loan officers at FEMA Disaster Recovery Centers or Local Assistance Centers or at the Virtual Disaster Loan Outreach Center and Virtual Business Recovery Center, <https://disasterloanassistance.sba.gov/ela/s/disaster-details?recordId=a0et0000008tT6vAAE>.

Will the SBA conduct a property inspection?

Yes, for HPPLs and BPDs, after the SBA has reviewed your credit history, it will send an inspector to your property to verify your losses. The SBA inspector will estimate the total physical loss to your wildfire-damaged property.

How soon will I know if I qualify for a loan?

The SBA's goal is to decide each application within four weeks from the date the SBA receives a complete application. **(Please note that missing information on an application is often a major cause of delay, so take steps to ensure your application is complete or to address any SBA requests for information necessary for it to deem your application complete.)** To make a loan, the SBA must finalize the estimate of the cost of repairing the damage, be satisfied that the business or individual can repay the loan, and put in place reasonable safeguards to help ensure that the loan is repaid.

What happens if my loan application is denied?

If the SBA denies your loan application, the SBA will notify you in writing and set forth the specific reasons for the denial. Within six months of the date of the denial notice, you may request reconsideration of your application. After six months, a new loan application is required. **(Please note that, under all circumstances, if you wish to apply for an SBA loan related to physical damage due to the Summer 2021 Wildfires, the application deadline is currently October 25, 2021.)** If the SBA denies your application a second time, you have the right to appeal in writing to the director of the Disaster Assistance Processing and Disbursement Center (DAPDC). All appeals must be received by the processing center within 30 days after the second application has been denied. Generally, decisions by the director of the DAPDC are final.

Denied SBA loan applicants will be referred to FEMA for disaster assistance.

What happens if I miss the filing deadline?

It is very important not to miss the SBA's filing deadline. Applications received after the filing deadline may be accepted only if the SBA determines that the late filing resulted from substantial causes beyond the applicant's control, such as the applicant's serious illness, serious illness or death of an immediate family member, late receipt of an application due to wildfire-related reasons (e.g., frequent moves, remote location, or lack of normal mail service), the applicant was out of the country during a substantial portion of the filing period, damages were hidden and not discovered before the deadline, or other issues during the filing period prevented the applicant from making a timely filing. When submitting an application after the deadline, you should include a letter explaining the reasons why you did not file during the filing period (or the grace period, if applicable). If the reason is deemed by the SBA to be beyond your control, the SBA might accept your application for processing.

What are the consequences of defaulting on an SBA loan?

Defaulting on an SBA loan has similar consequences to defaulting on any other personal or business loan, including negative repercussions on your credit score. You should carefully read all loan disclosure statements and documents provided by the SBA before signing your loan papers.

Where can I get more information about SBA loans?

The SBA releases disaster-specific fact sheets containing information about applicable loan interest rates, deadlines, and other program information specific to that disaster and region. The SBA issues and posts press releases to provide information on available disaster assistance in the disaster-affected areas. These fact sheets and press releases are available at the SBA website under "Current Declared Disasters" at <https://disasterloanassistance.sba.gov/ela/s/search-declarations>.

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HOME AND PERSONAL PROPERTY LOANS

Is there a deadline for filing for an HPPL?

The deadline to file an HPPL application related to the Summer 2021 Wildfires is currently **October 25, 2021**.

Am I eligible to apply for a Home and Personal Property Loan?

You may be eligible for an HPPL SBA loan if (1) you are a homeowner, renter, or owner of personal property in Lassen, Nevada, Placer, and Plumas counties and you have incurred damage to your primary residence or tangible personal property (including automobiles) due to the Summer 2021 Wildfires; (2) you have satisfactory credit and character; and (3) the SBA determines you will be able to repay the loan. Generally, loans over \$25,000 must be secured by some collateral. The SBA will not decline a loan if you lack a particular amount of collateral, if it is reasonably certain you can repay your loan. But if you refuse to pledge available collateral when requested by the SBA, the SBA may decline or cancel your loan. A first or second mortgage on damaged real estate is commonly used as collateral for an SBA disaster loan.

What are the amounts of HPPLs?

Loans to repair or replace personal property, such as clothing, furniture, cars, and appliances, are available up to \$40,000; real property loans to repair your primary residence are available up to \$200,000. Loan amounts cannot exceed the verified uninsured or otherwise uncompensated disaster loss. The amount of each loan depends on individual facts and circumstances, including the applicant's ability to repay the loan and the applicant's past history with the SBA. For example, if an applicant did not comply with the terms of a prior SBA loan, he or she likely will not be eligible for another SBA loan. This includes borrowers who did not maintain flood and/or hazard insurance as required by a previous SBA loan.

What interest rate will I pay on my HPPL? What are the repayment terms?

For the Summer 2021 Wildfires (Disaster # CA-00340), if you can obtain credit elsewhere, your interest rate will be 3.250%. If you cannot obtain credit elsewhere, your interest rate will be 1.625%.

<https://disasterloanassistance.sba.gov/ela/sfc/servlet.shepherd/version/download/068t000000RwIAaAAJ> "Credit elsewhere" means, based on the SBA's assessment, that you can obtain financing from non-federal sources on reasonable terms. Interest rates are fixed for the term of the loan.

The term of the loan will be determined by the SBA based on your needs and your ability to repay the loan. The maximum term is 30 years. The SBA will determine your installment payment amounts based on your ability to repay. Generally, you will pay equal monthly installments of principal and interest, beginning five months from the date of the loan. The SBA will consider other payment terms if you have seasonal or fluctuating income, and it may allow installment payments of varying amounts over the first two years of the loan. There is no penalty for prepayment of home disaster loans.

Are there any limitations on the use of an HPPL?

Yes. An HPPL is intended to help you return your property to the same condition it was in before the wildfires. The loans may not be used to upgrade homes or make additions, unless required by a local building authority or code. Your loan authorization from the SBA will specify the permitted uses of the loan proceeds, and you will be required to maintain records of all HPPL expenditures for three years.

Exclusions: The following types of property are ineligible for an HPPL: second homes, personal pleasure boats, airplanes, recreational vehicles, and similar property (unless used for business purposes, in which case you may be eligible for a BPD or EIDL as described further below). Property such as antiques and collections are eligible only to the extent of their functional value. Amounts for landscaping, swimming pools, etc., are limited.

Is there help with funding mitigation improvements?

Possibly, depending on the nature of the improvements. Your HPPL may be eligible for an additional loan amount of up to 20% of the total amount of physical damage to real property (including leasehold improvements) and personal property, as verified by the SBA to a maximum of \$200,000, to make improvements that will protect the property against future damage. You do not need to submit a description of improvements and cost estimates with your application, but SBA approval of the mitigation measures will be required before any loan increase.

I already have a mortgage on my home. I cannot afford to pay off a disaster loan in addition to my current mortgage payment. Can the SBA refinance my mortgage?

In certain cases, yes. The SBA can refinance all or part of prior mortgages, as evidenced by a recorded lien, provided you: (1) do not have credit available elsewhere; (2) have suffered substantial wildfire damage not covered by insurance (40% or more of the value of the property or 50% or more of the value of the structure); and (3) intend to repair the

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damage. Homeowners may be eligible for refinancing of existing mortgages or liens on homes up to the amount of the loan for the real estate repair or replacement. An SBA disaster loan officer can provide more detailed information on your specific situation.

If my home is completely destroyed, can the SBA lend me money to relocate somewhere else?

You may use your SBA disaster loan to relocate. The amount of the relocation loan depends on whether you relocate voluntarily or involuntarily. If you are interested in relocation, an SBA representative can provide you with more details on your specific situation.

I am a farmer and my barns, fences, and some crops were damaged, as well as my home. Can I apply to the SBA for assistance?

You may apply for an HPPL to cover only the damage to your home and its contents. The SBA cannot cover agricultural losses. Contact the U.S. Department of Agriculture for recovery assistance for your farm at www.usda.gov.

What information should I include with my HPPL application?

The necessary information is specified in the Disaster Home Loan Application (SBA Form 5c) and includes (among other things) your contact information, Social Security number, FEMA registration number, deed or lease information, insurance information, and financial information (e.g., income, account balances, and monthly expenses). In addition to the loan application, you must complete and sign the Tax Information Authorization Form (IRS Form 4506-T) to give permission to the IRS to give your federal tax information directly to the SBA, including information from your last three federal income tax returns. See the **How do I apply for an SBA loan?** section of this chapter.

BUSINESS PHYSICAL DISASTER LOANS

What is the deadline for applying for a BPD?

The deadline to file an application for a BPD involving wildfire-related losses sustained due to the Summer 2021 Wildfires is currently **October 25, 2021**.

Is my business or non-profit organization eligible for a BPD?

Almost all businesses and charitable or other non-profit entities located in a declared disaster area that have incurred damage to real or tangible personal property (e.g., real estate, equipment, inventory, machinery, fixtures, and leasehold improvements) as a result of the disaster may apply for an SBA loan to help repair or replace the damaged property. Your business may be a sole proprietorship, partnership, corporation, limited liability company, or other legal entity recognized under California law. The size of your business (average annual receipts or number of employees) will not be taken into consideration in determining your eligibility for a BPD. Private, non-critical, non-profit organizations such as charities, churches, private universities, food banks, homeless shelters, museums, libraries, community centers, etc., are also eligible for BPDs. Private non-profit organizations that provide critical services are referred to FEMA. "Critical services" include power, water, sewer services, wastewater treatment, communications, education, emergency medical care, fire department services, emergency rescue, and nursing homes.

BPDs in excess of \$25,000 require that you pledge collateral (including real estate) to the extent it is available. In addition, personal guarantees by the principals of a business are required for all BPDs. The SBA generally will not decline a loan for lack of collateral, but you must pledge collateral that is available.

What are the amounts of BPDs?

BPDs are generally capped at \$2 million, and loan amounts cannot exceed the verified uninsured or otherwise uncompensated disaster loss. Although you may receive both a BPD and an EIDL, the combined assistance is capped at \$2 million for the business and its affiliates for each disaster. The SBA can waive this cap in certain circumstances (for example, if the business is a major source of employment).

What interest rate will I pay on my BPD? What are the repayment terms?

For the Summer 2021 Wildfires (Disaster # CA-00340), if your business, together with its affiliates and principal owners, can obtain credit elsewhere, your interest rate will be 5.760%. If your business cannot obtain credit elsewhere, your interest rate will be 2.880%.

<https://disasterloanassistance.sba.gov/ela/sfc/servlet.shepherd/version/download/068t00000RwIAaAAJ> If your business is a non-profit organization, regardless of whether it can or cannot obtain credit elsewhere, your interest rate will be 2.000%. "Credit elsewhere" means, based on the SBA's assessment, that you can obtain financing from non-federal sources on reasonable terms.

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The interest rates are fixed. The term of the loan will be determined by the SBA based on your needs and your ability to repay the loan, but it cannot exceed seven years if you can receive credit elsewhere. Otherwise, the repayment term may be up to 30 years.

Generally, you must pay equal monthly installments that include both principal and interest, beginning five months from the date of the loan as shown on the loan note. The SBA will consider other payment terms if you have seasonal or fluctuating income, and the SBA may allow installment payments of varying amounts over the first two years of the loan. There is no penalty for prepayment of disaster loans.

Are there any limitations on the use of a BPDL?

Yes. Physical disaster loans are to be used to repair or replace damaged real and personal property to restore it to pre-disaster condition and, under certain conditions, to protect structures from future disasters. Proceeds from the loan can be used to cover items such as real property, machinery, equipment, fixtures, inventory, supplies, and leasehold improvements. BPDLS to repair or replace real property or leasehold improvements may be increased by as much as 20% to protect the damaged property against possible future disasters of the same type.

A BPDL will only be made for specific and designated purposes, and you will be required to keep records of all BPDL expenditures for three years.

Exclusions: Second homes, personal pleasure boats, airplanes, recreational vehicles, and similar property are *not* eligible for a BPDL unless you can demonstrate that they were used for business purposes. SBA funds cannot be used to expand or upgrade a business, unless city or county building authorities and codes require such upgrades.

I already have a mortgage or other lien on my business's real estate or other assets, and I can't afford to pay off a disaster loan and my current loan at the same time. Can the SBA refinance my current loan?

In certain cases, yes. The SBA can refinance all or part of prior mortgages or liens on real estate, machinery and equipment that are evidenced by a recorded lien, if you (1) do not have credit available elsewhere; (2) have suffered substantial uncompensated disaster damage (40% or more of the value of the property or 50% or more of the value of the structure); and (3) intend to repair the damage. Business owners may be eligible for refinancing of mortgages or liens on real estate, machinery, and equipment up to the amount of the loan for the repair or replacement of such real estate, machinery, and equipment.

If my business is completely destroyed, will the SBA lend me money for relocation?

Yes, in certain circumstances, limited relocation costs can be included in the BPDL loan amount and depend on whether you relocate voluntarily or involuntarily. Whenever relocation is involved, you should contact the SBA Disaster Office before making any commitments.

What information should I include with my BPDL application?

The BPDL application form asks for the same information about your business and its principal owners and managers as is generally required for a bank loan. The required information is specified in the loan application and includes (i) Business Loan Application (SBA Form 5); (ii) a separate IRS Form 4506-T signed by the business, each principal owning 20% or more of the applicant business, each general partner or managing member, and any owner who has more than a 50% ownership in an affiliate business (affiliates include parents, subsidiaries, and/or businesses with common ownership or management); (iii) a complete copy of the business's recent federal income tax returns (including all schedules); and (iv) a schedule of liabilities listing all fixed debts (SBA Form 2202 may be used). The SBA may also request (a) a complete copy of the most recent federal income tax returns (including all schedules) of each principal owning 20% or more of the business, each general partner or managing partner, and each affiliate when the owner has more than 50% ownership; (b) if the most recent federal income tax return has not been filed, a year-end profit and loss statement and balance sheet for the tax year; (c) a current year-to-date profit and loss statement; and (d) additional filing requirements (SBA Form 1368), including providing monthly sales figures.

Am I required to submit a personal financial statement with my BPDL application?

Yes. The SBA must review your personal financial statements and the financial statements for each partner, officer, director, and stockholder with 20% or more ownership. The SBA requires the principals of the business to personally guarantee repayment of the loan and, in some instances, to secure the loan by pledging additional collateral.

ECONOMIC INJURY DISASTER LOANS FOR SMALL BUSINESSES

What is the deadline for applying for an EIDL?

The deadline to file an application for an EIDL involving wildfire-related losses sustained due to the Summer 2021 Wildfires is currently **May 24, 2022**.

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Is my business eligible for an EIDL?

Your business may be eligible for an EIDL if the following conditions are met:

1. Your business is a small business, small agricultural cooperative, small business engaged in aquaculture, or a private non-profit organization of any size (under most circumstances);
2. Your business has suffered “substantial economic injury” (defined on the next page) as a result of the wildfires, regardless of physical damage;
3. Your business is located in a declared disaster area or in a jurisdiction located next to a disaster area (*i.e.*, as of the publication of this handbook, the jurisdictions include the following counties: Butte, El Dorado, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, and Yuba in California; and Washoe in Nevada); and
4. The business and its principals do not have credit available elsewhere.

The SBA defines a “**small business**” either in terms of the average number of employees over the past 12 months or average annual receipts over the past three years. In addition, the SBA defines a small business as a concern that:

- (i) is organized for profit;
- (ii) has a place of business in the United States;
- (iii) operates primarily within the United States or makes a significant contribution to the U.S. economy through payment of taxes or use of American products, materials, or labor;
- (iv) is independently owned and operated; and
- (v) is not dominant in its field on a national basis.

The business may be a sole proprietorship, partnership, corporation, or any other legal form. In determining what constitutes a small business, the definition varies to reflect industry differences, such as size standards. For industry size guidelines, see <https://www.sba.gov/contracting/getting-started-contractor/make-sure-you-meet-sba-size-standards>.

Certain categories of businesses are **not** eligible for an EIDL. These include some non-profits, religious organizations, businesses that derive one-third of their annual income from legal gambling, and agricultural enterprises (other than small nurseries and small agricultural cooperatives). Individuals are **not** eligible for EIDLs.

The SBA defines “**substantial economic injury**” as the inability of a business to meet its obligations as they come due or to pay its ordinary and necessary operating expenses due to the disaster. Loss of anticipated profits or a drop in sales is not sufficient to establish substantial economic injury. Indicators of economic injury might be a larger than normal volume of receivables, a lower sales volume, or the development of delinquencies in debt payments.

Your business must be located in a declared disaster area or certain counties or other political subdivisions that are contiguous to a declared disaster area.

EIDL working capital loans are meant to help eligible businesses meet their ordinary and necessary financial obligations that cannot be met as a direct result of the disaster and are intended to assist through the disaster recovery period. If the amount of the EIDL loan is over \$25,000, you will be required to pledge collateral (including real estate) to the extent it is available. The SBA generally will not decline a loan for lack of collateral, but you may be required to pledge available collateral for repayment of the loan. In addition, the SBA requires the principals of the business to personally guarantee repayment of the loans.

If I can borrow from a bank, am I still eligible for an EIDL?

Private credit sources must be used as much as possible to overcome the economic injury. The SBA can provide EIDL assistance only to the extent the business (and its principals) cannot recover by using its own resources and normal lending channels with non-governmental sources.

What are the amounts of EIDLs?

EIDLs are generally capped at \$2 million, and loan amounts cannot exceed the verified uninsured or otherwise uncompensated disaster loss. Although you may receive both a BPDFL and an EIDL, the combined assistance is capped at \$2 million for the business and its affiliates for each disaster. The SBA can waive this cap in certain circumstances (for example, if the business is a major source of employment).

You may request an EIDL for the amount of economic injury and operating needs, but not in excess of what your business could have paid had the wildfire not occurred. In determining the eligible amount, the SBA will look at (1) the total of your debt obligations; (2) operating expenses that mature during the period affected by the wildfire, plus the amount you need to maintain a reasonable working capital position during that period; and (3) expenses you could have met and a working capital position you could have maintained had the wildfire not occurred.

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The amount of your economic injury does not automatically represent the dollar amount of your loan eligibility; the actual amount of each loan is limited to the economic injury determined by the SBA less business interruption insurance and other recoveries up to the administrative lending limit.

What interest rate will apply to my EIDL? What are the repayment terms?

The interest rates are fixed for the term of the loan. For the Summer 2021 Wildfires (Disaster # CA-00340), the annual interest rate for EIDLs for businesses is 2.880%. If your business is an eligible non-profit organization, the annual interest rate for EIDLs is 2.000%.

<https://disasterloanassistance.sba.gov/ela/sfc/servlet.shepherd/version/download/068t000000RwIAaAAJ> The maximum term of an EIDL is 30 years. The actual term will be determined by the SBA based on your business needs and your ability to repay the loan.

Are there any limitations on the use of an EIDL?

Yes. An EIDL is intended to help you maintain a secure financial condition until your business is back to normal by, for example, providing operating funds until your business recovers. You may use an EIDL to make payments on short-term notes, accounts payable, and installment payments on long-term notes to the extent you could have made these payments had the wildfires not occurred. Your loan will be made for specific and designated purposes, and you will be required to keep records of all EIDL expenditures for three years.

You may **not** use EIDL funds to (1) pay cash dividends or other disbursements to owners, partners, officers, or shareholders not directly related to the performance of services for the business; (2) refinance long-term debts or provide working capital that was needed by the business prior to the wildfire; (3) make payments on loans owed to another federal agency or Small Business Investment Company (as defined by the Small Business Investment Act); (4) pay any obligations resulting from a federal, state, or local tax penalty (resulting from negligence or fraud) or any non-tax criminal fine, civil fine, or penalty for non-compliance with a law or regulation; or (5) repair physical damage.

What documents should I use to show my losses when applying for an EIDL?

To enable the SBA to compare your financial condition and operating results before the wildfires with those during and after the wildfires, you must furnish balance sheets and operating statements for both pre-wildfire and post-wildfire periods of time. The specific requirements are contained in the EIDL application form and include (i) Business Loan Application (SBA Form 5); (ii) a separate IRS Form 4506-T signed by the business, each principal owning 20% or more of the applicant business, each general partner or managing member, and each affiliate when any owner has more than a 50% ownership in the affiliate business (affiliates include parents, subsidiaries, and/or businesses with common ownership or management); (iii) a complete copy of the business's three most recent Federal income tax returns (including all schedules); (iv) a schedule of liabilities listing all fixed debts (SB Form 2202 may be used); and (v) additional filing requirements (SBA Form 1368), including providing monthly sales figures. The SBA may also request (a) a complete copy of the most recent federal income tax returns (including all schedules) of each principal owning 20% or more of the business, each general partner or managing partner, and each affiliate when the owner has more than 50% ownership; (b) if the most recent federal income tax return has not been filed, a year-end profit and loss statement and balance sheet for the tax year; and (c) a current year-to-date profit and loss statement.

Am I required to submit a personal financial statement with my loan application?

Yes. The SBA must review your financial statement and the financial statements of each partner, officer, director, and stockholder with 20% or more ownership in your business. The SBA requires the principals of the business to personally guarantee repayment of the loan and, in some instances, to secure the loan by pledging additional collateral.

BUSINESS INTERRUPTION

As you read below, you will see that many of the answers to the questions addressed are fact dependent: in other words, the answer is “it depends.” That is not because there is no answer, but rather because to reach the answer, you will need to apply the law to your specific and individual facts—what happened to you. When legal questions arise, we strongly recommend that you seek the advice of an attorney before deciding what to do. If you do not have an attorney, consult the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

CONTRACTS

Performance Excused

Sometimes, if performance of a contract becomes impossible or impracticable, you are legally excused from performing. If you think that you may need to breach a contract by not performing, your best course is to contact an attorney first. If you do not have an attorney, consult the **Lawyer Referral Services & Legal Aid** chapter of this handbook. The below questions and answers are not legal advice but are intended to identify issues that you may want to consider.

If my business was physically destroyed or damaged by the recent wildfires, must I still perform my contracts for goods and services?

It depends. A party will generally be relieved from its obligation to supply goods or perform services if, without the party's fault, performance of the contract has become impossible, but the impossibility must be “objective” in the sense that no one can perform the contract. For example, a contract to clean houses that have burned to the ground would be impossible to perform. If a reasonable alternative means for performance of the contract is available, the impossibility doctrine probably will not apply, although other legal doctrines may provide relief.

My business is in the affected area but has not been physically affected by the recent wildfires; however, my business has substantially deteriorated since the fires. Must I still perform my contracts for goods and services?

Yes, in most cases. Typically, impossibility excuses a party's performance only when the destruction of the subject matter of the contract or the means of performance renders performance impossible. Although a party may be excused from performing contractual obligations if performance is impracticable, if it is not legally impracticable (even if performance is more burdensome or more expensive), performance is required, and absent performance, a breach may be declared.

If my business has been taken over by police, fire, or another state agency for relief work, are contracts for future performance excused?

Generally, yes. When the government, through its sovereign power, intervenes for the benefit of the public or makes performance of a contract impossible, the contracting parties are generally relieved of further performance obligations. But the fact that new laws or regulations render performance more difficult or expensive does not mean performance is impossible and does not excuse performance. Government intervention may provide for only a delay in performance, not a permanent excuse. Again, you should consult an experienced attorney if you have questions in this area.

Does a “force majeure” clause in a business contract automatically relieve the other party of its liability under the contract?

Not automatically, as this depends on the terms of the force majeure clause and how broadly it is drafted. A “force majeure” clause is a contractual provision excusing a party from performing because of the occurrence of an event beyond the party's control. A force majeure clause may be drafted broadly (to include commonly known “acts of God,” such as natural disasters or “other events beyond its control” or “unavoidable causes”) or more narrowly (listing only specific events). A party may excuse itself from liability under a force majeure clause only by showing that the event preventing its performance is covered by that clause.

Even if the contract does not contain a force majeure clause, or if the clause is not broad enough to include the events surrounding the fires, it is still possible that a contract will not be enforced due to impossibility and impracticability, as discussed above.

If a business owner or key employee is deceased (or incapacitated), must the business still perform contracts for personal service?

This depends on the circumstances and individuals involved. If the act to be performed under the contract can be performed only by the particular individual named in the contract (e.g., delivery of a painting by a particular artist), then the contract will not be enforced due to impossibility. But if the contract is to provide “personal services” that could reasonably be provided by others (e.g., tailors, lawn care, barbers), performance is not impossible and thus is not excused.

BUSINESS INTERRUPTION

What happens to advances received from third parties (or given to third parties) where the performance of the contract is excused?

Generally, if goods or services are not supplied, advances must be returned to the third party (or refunded by the third party, if the advance was paid to the third party).

In a situation where I can no longer deliver or accept goods under my contracts, can someone else perform on my behalf?

Unless your contract has a provision prohibiting assignment or requires performance by specified persons, you may be able to delegate or assign the duties or rights under the contract to someone else. Generally, the rights of the buyer or seller may be assigned unless the assignment would significantly change the duty of the other party, increase the burden or risk imposed on the other party by the contract, or significantly impair the chance of obtaining return performance. Importantly, note that if you delegate or assign duties under your contract(s), you will still be liable under the original contract(s) if there is a failure of performance by the assignee. Also, many commercial contracts provide that duties of the buyer and seller cannot be delegated or assigned without the prior written consent of the other party.

Liability for Damaged Property

What if goods that were paid for by the buyer were destroyed before they could be delivered?

It depends on whether title to the property and thus the risk of the loss had already passed to the buyer at the time of the destruction. If the seller and the buyer have expressly agreed in their contract on the time at which the risk of loss shifts to the buyer, the term of the contract controls. In the absence of a specific provision, risk of loss generally passes from the seller to the buyer according to these rules:

- (1) if a contract requires physical delivery of identified goods to a specific destination, risk of loss passes on tender of the goods at that destination;
- (2) if the contract does not specify a place of delivery but the goods are to be shipped to the buyer, the risk of loss passes at the time and place the goods are delivered to the carrier, or if delivery is to be made without moving the goods, risk of loss passes at the time and place documents of title are delivered; and
- (3) in all other cases, risk of loss passes, if the seller is a merchant, only when the buyer actually receives the goods or, if the seller is not a merchant, on tender of delivery.

Note: special rules apply when the seller was already in breach of the specific contract at the time of destruction. The availability of insurance coverage for the destroyed goods may alter these rules.

If I have equipment that was either leased or purchased on credit and is now destroyed or damaged, am I obligated to continue making payments on the equipment?

The answer usually depends on the terms of the specific contract, lease, or credit agreement. The loss of equipment could be covered by insurance; if not, it is most likely that the lease or loan must be paid in full. You should contact your lender or lessor to discuss your options.

Is my business liable for damage to a customer's property caused by the recent wildfires? For instance, is my dry cleaning or laundry business liable for damage to customers' clothing that was in the store when it was burned? Or is my jewelry or television or watch repair store liable for damages to customers' property that was in the store for repair or maintenance at the time the store was burned?

It depends. When the owner of personal property (a bailor) delivers the property to another (a bailee) for a particular purpose, with the understanding that the property must be returned, a contract is formed. In each of the situations above, a relationship exists for the benefit of both parties because the bailee receives compensation and the bailor receives a service. In that case, the bailee (the service provider) would be liable to the bailor (the property's owner) only for damages to property resulting from the bailee's negligence, not by a natural disaster, such as a wildfire. But note that this is an issue that may be resolved by insurance; as a first step, please contact your insurer to confirm whether and how you/your business may be covered against customer claims in these circumstances.

Lost Checks or Correspondence

Has a contract been formed if, in response to my offer, the offeree sent an acceptance by mail, but I never received it because it was lost or destroyed as a result of the recent wildfires?

Possibly. Assuming the offer did not provide otherwise, acceptance of an offer becomes effective when the acceptance letter is dropped in the mailbox, not upon receipt. (It is for this reason that many pre-printed offer forms provide that a contract is not formed until the acceptance of the offer is received by the person making the offer.)

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If my insurance payment premium was due on September 6, and the payment was sent on September 3, would the policy cover damages that occurred on September 4 even if the payment was not received on the actual due date or was destroyed in the mail?

Unless there is language to the contrary in the policy or the bill for the payment, this is another example of a time the acceptance is effective as of the date it is mailed, in which case the policy should cover damages that occurred on September 4.

Business Licenses

My business was destroyed by the fires. Is my business license still in effect, and what must I do if it needs to be replaced?

For any issues related to business licenses, contact the state or local authority that issued your license.

COVID-19

My business has been experiencing challenges due to COVID-19. Are there any helpful resources?

The California Small Enterprise (CASE) Task Force has compiled a guide that includes a number of resources for small businesses and is updated regularly. A copy of the guide can be downloaded here: <https://case.law.berkeley.edu/>.

REAL ESTATE

This section is designed to provide general information for small businesses that rent their space from a landlord and for landlords who rent space to small businesses. (For questions about landlord-tenant issues for a residence, please refer to the **Housing** chapter of this handbook.) In dealing with specific situations, it is advisable to consult with the business's attorney or a legal aid organization.

Generally, the rights of both the commercial tenant and the landlord will be determined by the provisions of their lease. Leases vary substantially, even for spaces in the same building. This handbook offers only general advice for commercial tenants and landlords regarding property that is damaged or unusable as a result of accidental destruction related to the fires—advice that is based on general principles of California law and some of the form leases commonly used in California. For specific questions, you should consult an attorney.

Commercial Leases

What happens if the building or property that is leased is destroyed? Does the lease automatically terminate? Does the tenant have to continue to pay rent?

Where there is a lease covering this issue. Check your lease to see if there are any specific provisions about what happens if the leased premises are destroyed or damaged. Most commercial leases have something to say about this situation, with definitions distinguishing mere damage from total destruction and provisions about the rights and obligations of the landlord and tenant in both situations. If your lease contains these provisions, the lease will answer these questions. If your lease obligates the landlord to rebuild the premises after a fire or casualty, but does not otherwise address the tenant's right to terminate due to the premises being damaged or destroyed, it may mean that the tenant cannot terminate the lease. You should discuss specific situations with an attorney. If you do not have an attorney, consult the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

Where the lease is silent on this subject or you do not have a written lease. These questions will be answered based on general principles of California law. For example, under California law, unless a lease provides otherwise, the lease automatically terminates when the leased premises are entirely destroyed. Whether the leased premises have been entirely destroyed is a factual determination made on a case-by-case basis.

If the leased premises are not entirely destroyed, but are "substantially damaged," then the tenant has the option to terminate the lease with appropriate notice to the landlord. The leased premises are "substantially damaged" when they are no longer fit for the use for which they were originally leased. This is a factual determination made on a case-by-case basis. The greater the damage, the more likely it will be considered "substantial."

If the landlord can repair the damage to the leased premises in a reasonable period of time, then the leased premises are less likely to be considered substantially damaged and, while there may be a basis for abatement of rent for some period of time, the tenant may not be able to terminate the lease on the basis of that damage. A further factor in determining whether the leased premises were substantially damaged is an understanding of the use for which they were originally leased. For example, if the leased premises are retail stores, damage that results in the leased premises being inaccessible to the public may render the leased premises substantially damaged even if the extent of damage is not that great.

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If the lease is terminated, the tenant is relieved of its obligation to pay rent, but the tenant is not entitled to a refund of any prepaid rent. If the lease is not terminated, depending on whether there is a basis for abatement, the tenant must continue to pay rent.

What degree of damage to the leased premises constitutes “partially damaged” or “entirely destroyed” or “substantially damaged”?

The answer depends on specific factual circumstances. To be considered “entirely destroyed” or “substantially damaged,” the leased premises must generally cease to be fit for the use for which they were leased. While major fire damage will likely result in the leased premises being entirely destroyed or substantially damaged, limited fire damage and damage from smoke and water may only result in the leased premises being considered “partially damaged.” It is important to consider also what constitutes the “leased premises.” For example, in the case of a ground lease in which the tenant leases the underlying land and is responsible for all improvements upon the land, the leased premises are the land itself, not the improvements constructed on the land. In that event, the destruction or damage to the improvements will generally not be considered destruction or damage to the leased premises, and the tenant will not have a right to terminate the lease. If the leased space is a suite within a building or a storefront within a shopping center, then the extent of damage will be determined based on the direct and indirect damage to the specific space and not the damage to the entire building or shopping center.

Is the landlord obligated to rebuild the building?

If there is a lease and it provides for this obligation, the lease controls. Absent an express provision in the lease, while the lease may be terminated or subject to termination, the landlord is not obligated to rebuild the building or leased premises.

If the landlord terminates the lease, is the tenant entitled to a refund of its security deposit?

Yes, unless the express terms of the lease make it non-refundable. According to California law, the landlord must refund the security deposit (less any lawful deductions) within 30 days after the tenant vacates the leased premises.

Is the landlord required to repair and restore the tenant’s furniture and equipment?

Generally, the landlord is not required to repair any damage to the tenant’s furniture or furnishings or any equipment, improvements, or appurtenances that are removable. This damage may be covered by the tenant’s insurance company.

Is the tenant obligated to pay rent during the time the landlord makes repairs on the building?

If the lease is terminated because the premises have been entirely destroyed or substantially damaged, the tenant is relieved of its obligation to pay rent after termination. Under California law, rent reductions for partial damage will be governed by the terms of the lease or, if the lease is silent, on a negotiated resolution with the landlord or through litigation.

Once the landlord completes the restoration of the leased premises, the tenant may still have work to do to repair equipment, phones, office equipment, etc. The tenant will be obligated to pay rent during this period but may be able to cover the cost of that rent from proceeds of the tenant’s business interruption insurance policy.

How long can the landlord take to repair the leased premises?

If the landlord elects or is required to repair the premises under the terms of the lease, the landlord must do so in a reasonably expeditious manner, subject to delays due to the adjustment of insurance claims, labor troubles, and causes beyond the landlord’s control.

Can the tenant withhold rent if the landlord has failed to timely repair the leased premises after the disaster?

Generally, unless the lease provides otherwise, a tenant remains obligated to pay rent if the leased premises are not entirely destroyed or substantially damaged and remain usable. The requirement to pay rent if the premises remain usable is not generally dependent on whether the landlord makes timely repairs unless the lease permits the tenant to terminate the lease on this basis and the tenant affirmatively does so. Commercial leases usually have specific provisions regarding repairs, and those lease provisions will dictate the rights of the landlord and tenant. Refer to your lease for more information.

If the landlord elects to terminate the lease, is the landlord obligated to help the tenant find alternative space or reimburse the tenant for related costs?

No, unless the lease contains a specific provision that creates this obligation.

Can the landlord rent the leased premises to someone else while the tenant is gone?

No, unless the lease expressly provides otherwise, a landlord cannot rent the leased premises to another party unless the lease has been terminated or the tenant has stopped paying rent or has agreed to a sublet or assignment. The landlord has an obligation to make the leased premises available to the tenant for as long as the lease is in effect. The landlord

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cannot impair the tenant's right to use the property unless there has been a default by the tenant and the lease has been terminated.

Condemned Buildings

Can the building be condemned?

Yes. Governmental agencies with jurisdiction over a building may condemn it if the building is not suitable for safe occupancy or for other public purpose reasons. Generally, FEMA, public health and safety agencies, or a local building inspection department have jurisdiction to determine that a building cannot safely be occupied.

If the building is condemned, will the property owner be paid for the loss?

When the government condemns property based on a finding that it is no longer habitable or safe for occupancy, the government is not responsible for paying for the loss of the property. Generally, the government is required to pay for condemned property only when the property is taken by the government for public use. Condemnation of property as unsafe is generally not a "taking" for public use. To the extent the owner cannot recover the lost value of the condemned property, the property owner might be able to recover all or part of the value of the property from the owner's insurance (depending on the terms of that insurance) or obtain financial assistance from FEMA or other relief agencies.

TAX RELIEF

The following discussion addresses some of the tax relief that may be available to you as a result of the Summer 2021 Wildfires. It is just an overview of some potentially applicable tax relief. This handbook does not provide legal or tax advice and does not cover every issue or circumstance that may apply to you or your business. You should consult with a licensed tax professional or attorney to determine your options and the application of the rules to your particular circumstances.

I own a building that was damaged. Is there any relief from my obligation to pay property taxes?

If your taxable business property was damaged or destroyed by the fires, you may be eligible for property tax relief. You may file your applications for reduced assessments with the County Assessor. You should contact your local County Assessor for more information. Contact information for County Assessors and additional tax-related information is provided in the **Housing** chapter of this handbook.

Can I get an extension to file returns and pay my business taxes?

The California Department of Tax and Fee Administration (CDTFA) has granted an extension of up to three months for affected California businesses to file and pay taxes or fees for the following CDTFA-administered programs: alcoholic beverage tax, California tire fee; cannabis tax; childhood lead poisoning prevention fee; cigarette and tobacco products tax; covered electronic waste recycling fee; diesel fuel tax; emergency telephone users surcharge; energy resources surcharge; fire prevention fee; hazardous waste fees (including hazardous waste activity fee, hazardous waste disposal fee, hazardous waste environmental fee, hazardous waste facility fee, and hazardous waste generator fee); integrated waste management fee; interstate user diesel fuel tax; jet fuel tax; lead acid battery fees; lumber products assessment fee; marine invasive species fee; motor vehicle fuel tax; natural gas surcharge; occupational lead poisoning prevention fee; oil spill response, prevention, and administration fee; prepaid mobile telephony services surcharge; regional railroad accident preparedness and immediate response fee; sales and use tax; timber yield tax; underground storage tank maintenance fee; use fuel tax; and water rights fee. See <https://www.cdtfa.ca.gov/services/state-of-emergency-tax-relief.htm> for additional information. For more information on requesting relief from the CDTFA, visit <https://www.cdtfa.ca.gov/services/#Request-Relief> or call CDTFA's Customer Service Center toll-free at (800) 400-7115 (Monday – Friday, 8:00 a.m. – 5:00 p.m.).

The Internal Revenue Service (IRS) has also extended certain federal filing and payment deadlines for taxpayers affected by the California wildfires. For taxpayers affected by the Summer 2021 Wildfires in Lassen, Nevada, Placer, and Plumas counties, certain deadlines falling on or after July 14, 2021, and before November 15, 2021, are postponed to November 15, 2021. This includes individual and business tax filers that had a valid extension to file their 2020 federal returns due to expire on October 15, 2021.

For additional information on federal tax relief, see <https://www.irs.gov/newsroom/irs-announces-tax-relief-for-victims-of-wildfires-in-california>.

You also may obtain updated information on the availability of extended federal tax filing and payment deadlines by consulting your accountant or other tax advisor, checking the IRS website at www.irs.gov, or calling the IRS at (800) 829-1040 (Monday – Friday, 7:00 a.m. – 7:00 p.m., local time).

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Do I have to pay interest and penalties if I am late filing and paying various business taxes?

If you have been impacted by the fires in Alpine, Butte, El Dorado, Lassen, Nevada, Placer, Plumas, Shasta, Siskiyou, Tehama, and Trinity counties and are unable to file your California returns and pay your taxes in a timely manner, you may receive relief from state-level interest and penalties. In the case of personal and corporate income taxes, the IRS and the Franchise Tax Board (FTB) will not impose any interest and any late filing or late payment penalties that would otherwise apply for the length of any postponement periods discussed above if you reside in, or your business is located in, Lassen, Nevada, Placer, and Plumas counties. The CDTFA offers relief from interest and penalties for the late filing and payment of the types of tax or fee administered by the CDTFA listed above. For more information on requesting relief from interest and penalties from the CDTFA, visit <https://www.cdtfa.ca.gov/services/state-of-emergency-tax-relief.htm> or call CDTFA's Customer Service Center toll-free at (800) 400-7115 (Monday – Friday, 8:00 a.m. – 5:00 p.m.).

Can I get copies of Franchise Tax Board tax returns and California Department of Tax and Fee Administration tax records lost in the fires?

You may request copies of your California tax returns filed with the FTB at no charge to replace lost or damaged tax returns. To obtain a copy, complete Form FTB 3516, Request for Copy of Tax Return (https://www.ftb.ca.gov/forms/misc/3516.pdf?preview=true&site_id=312), and print the name of the specific disaster, your county, and the year of the incident (e.g., “Dixie Fire, Lassen County, 2021”) in red ink at the top of the form. You can download the form at the link above or request one by calling (800) 852-5711 (Monday – Friday, 8:00 a.m. – 5:00 p.m.).

You may request replacements of CDTFA tax records lost in the fires free of charge. To obtain copies of such records, including prior tax returns filed with the CDTFA, audits, and permit application forms, call (800) 400-7115 (Monday – Friday, 8:00 a.m. – 5:00 p.m.).

EMPLOYMENT/TREATMENT OF EMPLOYEES

This section assumes that the affected employees are not covered by collective bargaining agreements and do not have employment agreements with their employers other than agreements for an at-will relationship. If affected employees are covered by a collective bargaining agreement or an employment agreement for a relationship other than at-will employment, the employer should consult the terms and conditions of those agreements. Also, if the employer has established employment policies, the employer should consult and comply with those policies.

The information in this section addresses general situations; for specific questions, consult a qualified lawyer or legal aid organization. Please see the Lawyer Referral Services & Legal Aid chapter for a listing of available legal resources.

Salary and Leave

Does an employer have to pay its employees for the days the business was closed as a result of the fires?

The answer to this question depends on whether the employee is an “exempt” employee (generally, a salaried employee) or a “non-exempt” employee (generally, someone paid by the hour) for purposes of federal and state wage and hour laws, and whether the employee performed work for the employer during the pay period in question. Exempt employees are not entitled to premium pay for overtime hours worked, but non-exempt employees are entitled to premium pay for overtime hours worked. In general, an employer is not required to pay its non-exempt employees for any days or hours the employees did not work because the business was closed during the fires. On the other hand, exempt employees should receive their full salary for any workweek in which they performed any work without regard to the number of days or hours worked unless an employee is voluntarily absent for one or more full workdays. Thus, if an exempt employee worked on Monday, August 23, 2021, and was available for work the rest of the week but worked no other days during that workweek because the business shut down due to fire, the employer should pay the exempt employee’s full salary for that workweek. The employer may, however, require the employee to use accrued vacation, PTO, or sick leave for the absence as permitted or required under company policy.

To the extent employees perform work for the employer during the wildfires, the employer should continue to pay those employees for their work at least twice each calendar month, whether or not the employer’s offices are closed due to the wildfires.

Once an employer reopens its business, does the employer have to pay its employees for the days on which a transportation problem or some other obstacle prevented them from reporting to work?

The answer depends on whether the employee is exempt or non-exempt. The employer is not required to pay a non-exempt employee for any days or hours the employee was absent from work due to a transportation problem or some other obstacle that prevented him or her from reporting to work. If an exempt employee is absent from work for a full day because he or she is unable to report to work due to a fire-related problem, the employer is not required to pay the employee for the day. If an exempt employee misses a partial day of work for the same reason, the employer must still pay the employee for the day. The employer may, however, require the employee to use accrued vacation or PTO or

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permit the employee to use accrued sick leave to cover the partial-day absence if the employer has an existing policy requiring exempt employees to use accrued vacation or PTO or permitting them to use accrued sick leave for partial-day absences.

Can an employer require its employees to use their accrued vacation, PTO, or sick leave to cover their absences from work due to the wildfires?

Once the employer reopens its business, if employees are unable to report to work due to the wildfires, the employer may require those employees to use their accrued vacation or PTO or may allow them to use accrued sick leave to cover their absences, provided that this requirement or permission is consistent with the employer's leave policies.

In most cases, if an employee's absence qualifies as a leave under the federal Family Medical Leave Act (FMLA) or its California counterpart, the California Family Rights Act (CFRA), or Pregnancy Disability Leave under the California Fair Employment and Housing Act (FEHA), the employer may require or permit the employee to substitute PTO, vacation, or sick leave for unpaid leave. There are some exceptions to this rule for employees on Pregnancy Disability Leave, who are using CFRA leave for baby bonding, or who are receiving disability benefits. Employers who have questions as to whether they may require or permit an employee who cannot come to work to use accrued PTO, vacation, or sick leave should seek the advice of a qualified attorney. If the employer cannot afford an attorney, it should contact a legal aid provider through the resources outlined in the **Lawyer Referral Services & Legal Aid** chapter of the handbook.

Generally, the FMLA applies only to employers with 50 or more employees (for each working day in each of 20 or more calendar workweeks in the current or preceding calendar year). CFRA applies to all employers with five or more employees. An employee is entitled to FMLA or CFRA leave if the employee (1) has been with the employer for at least 12 months, (2) logged at least 1,250 hours of service during the 12-month period immediately preceding the start of the leave, and (3) in the case of FMLA, is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite. FMLA or CFRA leave may be taken to care for the employee's spouse (or spouse's child), child, or parent with a serious health condition, or because of the employee's own serious health condition that renders the employee unable to perform the functions of the employee's position. Additionally, under CFRA (but not FMLA), leave may be taken to care for the employee's domestic partner or registered domestic partner (or partner's child), grandparents, grandchildren, and siblings with a serious health condition.

Does an employer have to provide an employee with either paid or unpaid leave if the employee is unable to work as a result of an injury suffered during the fires?

Employers may be required to provide employees with unpaid leave (1) under the FMLA or CFRA if the employee or a member of his or her immediate family (as defined above) is suffering from a serious health condition; (2) under the FEHA for pregnancy, childbirth, or related medical conditions; or (3) under the Americans with Disabilities Act (ADA) or the FEHA if the employee is disabled and if the leave would serve as a reasonable accommodation for the employee's disability.

In addition, under California's Healthy Workplaces, Healthy Families Act of 2014 (HWHFA), employers must provide all employees who worked in California for at least 30 days within a year of starting employment and satisfied a 90-day employment period (similar to a probationary period) with specified amounts of paid sick leave benefits for diagnosis, care, or treatment of an existing medical condition of the employee or the employee's family member (defined as a child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling). For more information regarding compliance with the HWHFA, see <https://www.dir.ca.gov/DLSE/ab1522.html>. Some cities in California also provide paid sick leave to employees for similar reasons. California employees who cannot work or telework due to certain COVID-19-related reasons are eligible for up to 80 hours of California COVID-19 Supplemental Paid Sick Leave as explained here: <https://www.dir.ca.gov/dlse/COVID19Resources/FAQ-for-SPSL-2021.html>. If an employee is injured while working on behalf of the employer, the employer must notify the employee of his or her right to file a claim for workers' compensation benefits and should provide the employee with a claim form (Form DWC-1) and must notify its workers' compensation carrier of the injury.

Leave Under the FMLA and CFRA. The FMLA and CFRA permit covered employees to take off up to 12 weeks of unpaid leave during a 12-month period. FMLA or CFRA leave may be taken to care for the employee's spouse, registered domestic partner, minor child, or parent, or the employee's spouse's or registered domestic partner's child or parent with a serious health condition, or because the employee's serious health condition renders the employee unable to perform the functions of the employee's position. Leave may also be taken for certain reasons related to military service. In addition, under CFRA, employees may also take leave to care for an adult child, and a child of a domestic partner, grandparent, grandchild, or sibling, with a serious health condition. During the leave period, the employer must maintain the employee's health benefits and must guarantee that the employee will be reinstated to the same or an equivalent position. FMLA and CFRA leaves are unpaid unless the employer has elected to pay employees during the leave or requires or permits the employee to use vacation, PTO, or sick leave. For more information regarding compliance with the FMLA, see <https://www.dol.gov/whd/fmla/fmla-faqs.htm>. For more information regarding compliance with CFRA, see <https://www.dfeh.ca.gov/family-medical-pregnancy-leave/> and

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<https://www.dfeh.ca.gov/employment/family-care-medical-leave-guide/a>. Employees may also be eligible for disability benefits under the California State Disability Insurance (SDI) program during a qualifying FMLA or CFRA leave or, in the case of work-related injuries, for worker's compensation benefits.

Pregnancy-Related Leave Under FEHA. Under the FEHA, employers with five or more employees must allow female employees to take up to four months of leave for periods of disability due to pregnancy, childbirth, or related medical conditions. The employee may choose to use accrued vacation or PTO and may be required to substitute sick leave or any other accrued leave made available by the employer to temporarily disabled employees. Pregnancy-related leave under the FEHA is unpaid unless the employer has elected to pay employees during the leave. The employer must continue to provide the same benefits or privileges of employment granted by that employer to other employees. For more information regarding the FEHA, check the following website: https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2020/12/Pregnancy-Disability-Leave-Fact-Sheet_ENG.pdf and <https://www.dfeh.ca.gov/employment/pdf-bonding-guide/>.

Disability Leave Under the ADA and FEHA. Under certain circumstances, an employer may be required to provide an employee with leave under the ADA and FEHA. In certain circumstances, the ADA and FEHA require employers to provide reasonable accommodations to employees with a disability. A reasonable accommodation may include providing an employee with an unpaid or paid leave of absence.

FEHA generally provides broader protections than its federal counterpart, the ADA. Though the ADA applies only to those employers with 15 or more employees (for each working day in each of 20 or more calendar workweeks in the current or preceding calendar year), the FEHA applies to employers with five or more employees. Under the ADA, an employee is "disabled" if the employee has a physical or mental impairment that *substantially* limits a "major life activity" of an individual, including activities such as walking, seeing, hearing, speaking, breathing, learning, working, sitting, standing, lifting, or reaching. Under the FEHA, an employee is "disabled" if he or she has a physical or mental impairment that limits a "major life activity." Generally, under the ADA, temporary impairments are not considered protected disabilities. However, FEHA's coverage of protected disabilities is intended to be broader than the ADA, so some temporary impairments may be considered protected disabilities.

For additional information about the FEHA, see <https://www.dfeh.ca.gov/peoplewithdisabilities/>. For additional information about the ADA, see <https://www.eeoc.gov/disability-discrimination>.

Are employees entitled to paid or unpaid leave to enable them to care for children or family members injured by the fires?

As described above, employees may be entitled to FMLA or CFRA leave to care for children or family members injured in the fires. If employees are entitled to this FMLA or CFRA leave, the employer must allow them to take it. This leave is unpaid, unless the employer has elected to pay employees during the leave or permits employees to use their accrued vacation, PTO, or sick leave for the absence. Employees may also be eligible to receive benefits under the California Paid Family Leave (CPFL) program during a qualifying FMLA or CFRA leave if the leave is taken to care for a seriously ill family member (defined as child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner). If the employer has a policy providing for leave under such circumstances, the employer will be required to comply with its policy.

For more information regarding the California Paid Family Leave program, see <https://edd.ca.gov/disability/paid-family-leave/>. If an employee requests leave to care for a seriously ill family member, the employer is required to provide the employee with a pamphlet describing the CPFL program, which can be found at http://www.edd.ca.gov/pdf_pub_ctr/de2511.pdf.

Is an employee entitled to paid or unpaid leave if, as a result of the fires, the employee is too afraid or emotionally traumatized to return to work?

If an employee is suffering from post-traumatic stress or another mental condition, the employer may be required to provide the employee with unpaid leave under the FMLA or CFRA or as an accommodation under the ADA or FEHA—but the employee will have to meet the applicable requirements of the FMLA, the CFRA, the ADA, or the FEHA as set forth above. The leave will be unpaid, although the employee should be able to use any accrued vacation, PTO, or sick time for the leave. The employee may be required to give the employer a medical certification of his or her need for leave.

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What can employers do to help their employees recover psychologically from the trauma of the wildfires and their aftermath?

An employer's health plan may experience an increase in mental health claims, as well as more requests for assistance under employee assistance programs (EAPs). Employers should advise their employees of both the availability and the importance of counseling for themselves and their families. If an employer does not offer an EAP, counseling and other related services are available on a fee-paying basis. If employees are veterans, assistance may be available from the Department of Veterans Affairs at <https://www.veteranscrisisline.net/> or by calling the Veterans Crisis Line (800) 273-8255 (press 1).

Employers should consider telling their employees about the free National Disaster Distress Hotline staffed by trained mental health counselors. It is available to help those coping with the emotional consequences of the fires. The toll-free Helpline is available 24 hours a day, seven days a week. Call or text (800) 985-5990 (press 2 for Spanish). For more information, see <https://www.samhsa.gov/find-help/disaster-distress-helpline>. Deaf and hard of hearing individuals can connect directly to an agent in American Sign Language by clicking "ASL Now" button on the samhsa.gov link in the previous sentence or by calling (800) 985-5990 from a videophone.

In addition, employers should consider informing employees that if they or someone they know is having thoughts of suicide, the National Suicide Prevention Lifeline provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, seven days a week, across the United States. Employees can call (800) 273-8255 or click the button to Chat with Lifeline at <https://suicidepreventionlifeline.org/>. Services are available in English, Spanish, and for the deaf and hard of hearing.

What are employers' obligations to continue the health insurance coverage of terminated employees under COBRA?

Employers with 20 or more employees that maintain health plans are required to offer continuation coverage under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) to qualified beneficiaries (participating employees and their dependents) who lose health coverage due to a "qualifying event" (such as the death of the covered employee, termination of employment, or reduction of hours sufficient to cause the loss of medical coverage). Smaller employers (with two to 19 employees) with health plans are required by California's Continuation Benefits Replacement Act (Cal-COBRA) to provide COBRA-like coverage to their eligible employees. Under both COBRA and Cal-COBRA, employees must pay for this medical coverage themselves, although employees may be eligible for COBRA premium payment subsidies through September 30, 2021, under the American Rescue Plan Act of 2021 (ARPA).

Once an affected employee experiences a qualifying event, the employer must notify its plan administrator within 30 days of a qualifying event. Qualified beneficiaries must be informed of their right to continued health insurance coverage under COBRA within 44 days of a qualifying event. (Specifically, the employer must notify the plan administrator within 30 days, and the plan administrator must then notify eligible dependents within 14 days.) All required notices regarding COBRA should be timely and carefully documented. Generally, the qualified beneficiary has 60 days from (a) the date of termination of coverage or (b) his or her receipt of a COBRA notice, whichever is later, to elect to continue coverage. COBRA coverage can continue for up to 36 months under applicable California and federal law.

Employers may extend certain non-mandated COBRA benefits in the wake of the wildfires (such as offering to pay for COBRA premiums for a certain length of time). Employers with an established severance pay practice or plan providing for payment for COBRA premiums should follow the terms of that plan or practice.

Damage to Office and Records

If an employer's records were destroyed as a result of the wildfires and their aftermath, what basic payroll records should the employer try to recreate?

Under applicable federal law, every employer must establish, maintain, and preserve employee records, including the following information for each employee:

- employee's full name, as used for Social Security purposes, and, on the same record, the employee's identifying symbol or number if it is used in place of a name on any time, work, or payroll records;
- address, including zip code;
- birth date, if younger than 19;
- sex and occupation;
- time and day of week when employee's workweek begins;
- hours worked each day and total hours worked each workweek;
- basis on which employee's wages are paid (e.g., "\$15 per hour," "\$600 a week," "piecework");
- regular hourly pay rate;
- total daily or weekly straight-time earnings;
- total overtime earnings for the workweek;

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- all additions to or deductions from the employee's wages;
- total wages paid each pay period, including money paid in cash; and
- date of payment and the pay period covered by the payment.

If an employer has been impacted by a federally declared disaster, the employer may receive free copies of previously filed tax returns by submitting Form 4506 (<https://www.irs.gov/pub/irs-pdf/f4506.pdf>) in order to try to recreate employee records.

Under California law, payroll and personnel records must be maintained by the employer, and the employer must make certain records available to the employee upon request. An employer's failure to have these records in its possession may subject the employer to liability in the form of penalties under the California Labor Code and possible civil liability.

If the records have been destroyed by the wildfires, these and other circumstances suggesting impossibility of performance may help to relieve the employer of this obligation. In any event, the employer should attempt to recreate as many of the records as possible within a reasonable period. The EDD can provide employers with copies of previously filed reports, which may serve as a basis for recreating their records. For further information or to request copies of previously filed reports, call the Taxpayer Assistance Center at (888) 745-3886.

When must an employer pay its workers if the employer's payroll records were destroyed?

California requires timely payment of wages according to a regularly set schedule established by the employer, in compliance with the requirements of the California Labor Code. In most cases, employees must be paid at least twice per calendar month, with payment for wages earned between the 1st and the 15th of the month paid no later than the 26th day of the month during which the labor was performed, and payment for wages earned between the 16th and last day of the month paid no later than the 10th day of the following month. Other payroll periods such as weekly, biweekly (every two weeks), or semimonthly (twice per month), when the earning period is something other than between the 1st and 15th and between the 16th and last day of the month, must be paid within seven calendar days of the end of the payroll period within which the wages were earned. If records are not available because of the wildfires, the employer should make a reasonable effort to determine the hours worked by the employees and make payment accordingly as promptly as possible.

If an employer has employees working from home because the employer's offices were destroyed, what does the employer need to know and how does the employer get the needed information?

Generally, the same rules apply when employees work from a remote location as when they work in the employer's place of business. For example, workers paid by the hour should be required to keep track of all hours worked for payroll and overtime purposes. Employees who incur work-related expenses in the course and scope of performing their work for their employer should keep records of their expenditures and must be reimbursed.

Does an employer have to reimburse its employees for the destruction or loss of any of their personal items, such as personal computers or cars they may have used for business purposes?

Employers should consult their insurance providers to determine whether the loss of employees' personal property is covered by any insurance policy. Ordinarily, employers need not reimburse employees for loss or damage to the personal property an employee brings to the worksite.

Are employers able to obtain extensions for filing payroll taxes due to the fires?

Employers may request an extension to file their state payroll taxes and deposit state payroll taxes with the California Employment Development Department (EDD) without penalty or interest where the employer's delay can be attributed to the wildfires. A written request for an extension under section 1111.5 of the California Unemployment Insurance Code must be received by the EDD within 60 days after the original due date of the payment or return. For this purpose, state payroll taxes include unemployment insurance, employment training tax, state disability insurance (including Paid Family Leave), and California personal income tax. For the most updated information regarding extensions, employers should contact the EDD by visiting the EDD's website at https://edd.ca.gov/Payroll_Taxes/Emergency_and_Disaster_Assistance_for_Employers.htm#EIDoradoAugust2021 or by calling the EDD Taxpayer Assistance Center at (888) 745-3886.

Layoffs and Closing the Business

If an employer determines it is necessary to lay off employees, does the employer have to provide its employees with any prior notice of the layoff?

Employers with established policies requiring prior notice before layoffs generally are required to comply with their policies—but due to the emergency circumstances of the wildfires, an employer may be relieved of its notice obligations. Employers without an established policy requiring prior notice likely will not be required to provide any notice before layoffs due to the emergency circumstances of the fires. Large employers covered by the state and federal WARN Acts (Worker Adjustment and Retraining Notification Acts) typically are required to give notice before mass layoffs and plant

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closings, but the federal WARN Act has an exception from the notice requirement if the layoff or shutdown is the result of a natural disaster, and the Cal-WARN Act has an exception from the notice requirement in the event of a physical calamity. The federal WARN Act generally applies to employers with 100 or more employees, and Cal-WARN generally applies to employers with 75 or more employees.

For information regarding the federal WARN Act, see <https://www.dol.gov/general/topic/termination/plantclosings>. For information about Cal WARN, see https://edd.ca.gov/Jobs_and_Training/Layoff_Services_WARN.htm.

Does an employer have to provide its employees with severance pay if the employer decides to lay off employees?

No, provided the employer does not have a plan, policy, or practice providing for the payment of severance benefits. Neither California nor federal law requires employers to provide severance pay to departing employees.

Is a self-employed small business owner eligible to receive unemployment insurance benefits?

No. Self-employed small business owners (sole proprietorships and members of a partnership or limited liability company) as well as independent contractors are not eligible for unemployment insurance benefits—but persons denied unemployment insurance benefits may be eligible for Disaster Unemployment Assistance (DUA), if the federal government makes it available. For more information about DUA, see https://www.edd.ca.gov/unemployment/disaster_unemployment_assistance.htm and see the **Unemployment Benefits** section of the **Employment and Related Benefits** chapter of this handbook.

Is an employer personally liable for its employees' wages if the failing business is unable to make payroll?

Individual company owners, board members, and executives can be personally liable for failure to pay wages. Under California law, employers are liable for various wage and hour violations, and an employer is defined to include a natural person who is an owner, director, officer, or managing agent of the employer entity. In addition, under the federal Fair Labor Standards Act (FLSA), an employer is broadly defined as “any person acting directly or indirectly in the interest of an employer in relation to an employee.” If an employer is unable to make payroll, the employer should seek the advice of a qualified attorney. If the employer cannot afford an attorney, it should contact a legal aid provider through the resources outlined in the **Lawyer Referral Services & Legal Aid** chapter of the handbook.

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What should I do first to address my personal finances?

If you have not already done so, one of the first things to do is to file a claim with your insurance company. The next thing to do is to register for assistance with FEMA. See the **FEMA** chapter of this handbook for information on eligibility and how to register. Registering online at www.DisasterAssistance.gov or through the [FEMA mobile app](#) is the quickest way to register for FEMA assistance. Once you have created an account as part of the application process, each time you log in to your account, you will get a prompt to request a secure access code. This is an automatically generated code that adds an extra level of security to your account. You can request to receive the code by email or text. If you are unable to access the Internet, you can call (800) 621-3362. **As noted elsewhere in this handbook, you should register with FEMA as soon as possible, but no later than October 25, 2021.**

The www.DisasterAssistance.gov website provides a lot of helpful information on mortgages for rebuilding, how to replace paper savings bonds, student loans, and many other valuable references. Also, save all receipts for expenses incurred due to the wildfires, including receipts for travel, lodging, clothing, temporary living expenses, and replacement of household goods. This is important for insurance, taxes, and assistance programs.

DEALING WITH CREDITORS, BANKS, AND CASH NEEDS

What should I do if I am not able to pay some or all of my bills on time, including my mortgage or other loan payments?

You should immediately contact creditors, financial institutions, and any other parties to whom you owe or will owe money in the short term to alert them that you have been affected by the wildfires, discuss your specific circumstances with them, and request that payments be reduced or delayed while you try to recover and get back on your feet. Many banks and lenders already have a hardship or natural disaster plan in place that they can apply to your account to allow you to delay payment for a few months without affecting your credit rating. Some credit card companies may have similar mechanisms and may agree to provide increases to your credit limits to help your recovery efforts. In all events, consider whether you need to update your contact information so that your creditors and financial institutions can reach you. Each financial institution will have different policies, so take detailed notes about the name of the person with whom you speak and what you are told, and follow up any conversation with a letter or email confirming the substance of your conversation and any agreements reached during the conversation. Keep a complete file of your dealings with each creditor. If you are not able to obtain payment delays, consider paying the minimum amount to avoid fees. If you are charged fees and interest due to late payments, you should contact the lender and request that they remove the fees and interest.

If you do not have your mortgage lender's contact information, your monthly mortgage statement, or your coupon book with you, you can search the Mortgage Electronic Registration Systems (MERS) (www.mers-servicerid.org/sis/) or call toll-free (888) 679-6377 to find the company that services your mortgage. In some cases, your mortgage may be serviced by the original lender, for example, First Republic Bank. Deed and mortgage records are maintained by the Clerk-Recorder's Office for the county where the property is located. If the deed or mortgage was recorded, it will be accessible there. (For contact information for County Recorder's Offices, see the **Document & Record Replacement** chapter of this handbook.)

Depending on the type of loan you have, your lender may be willing to temporarily reduce or suspend your payments (this reduction or suspension is called *forbearance*). You may contact your lenders to see whether forbearance relief has been or will be granted as a result of the wildfires. If you have an FHA mortgage, you can contact the U.S. Department of Housing and Urban Development (HUD) at https://www.hud.gov/program_offices/housing/sfh/fhairesourcectr. You can read more about HUD disaster relief at https://www.hud.gov/press/press_releases_media_advisories. You should ask whether interest accumulates during the forbearance period and if the interest is added to your principal loan balance. You may also be able to obtain additional forbearance time once the initial period expires.

If you have a California Department of Veterans Affairs (CalVet) loan and have suffered property damage caused by the wildfires, contact CalVet at (800) 626-1613 or www.calvet.ca.gov. CalVet homeowner insurance provides for temporary living expenses for evacuations.

If you have student loans, ask your student loan servicer if you qualify for a temporary forbearance. Federal student loan borrowers may be eligible for up to 12 months of forbearance.

You can also contact the National Foundation for Credit Counseling at (800) 388-2227 or online at www.nfcc.org to obtain credit counseling services.

My credit card, ATM card, checks, and related statements were destroyed in the wildfires. What should I do?

If you don't have a debit card or your checks or credit cards have been destroyed, the first step should be to contact a branch of your bank. Most banks and credit card companies have toll-free numbers to report lost or stolen cards. If you need replacement debit cards, credit cards, checks, or bank statements but have no identification, you should go to the

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branch where you opened the account. For your bank's contact information or information on how to gain access to your funds, or to obtain additional information, you can call the Federal Deposit Insurance Corporation (FDIC) on its toll-free hotline from 8:00 a.m. – 8:00 p.m. ET, Monday – Friday, or from 9:00 a.m. – 5:00 p.m. ET, Saturday and Sunday; at (877) ASK-FDIC or (877) 275-3342; or visit its website at www.fdic.gov.

If your personal documents and credit cards are unaccounted for, you should be particularly on guard against identity theft. Please see the **Consumer Tips & Fraud Prevention** chapter of this handbook. In addition, you may want to add a free fraud alert or credit freeze to your credit report. To do this, contact TransUnion: (800) 680-7289 (www.transunion.com/fraud-victim-resource/place-fraud-alert), Experian: (888) 397-3742 (www.experian.com/fraud/center.html), and Equifax: (888) 766-0008 (<https://www.equifax.com/personal/credit-report-services/>).

The Federal Trade Commission's website has an FAQ on how a credit freeze works, and this information can help you decide whether it makes sense to freeze your credit at this time; see <https://www.consumer.ftc.gov/articles/0497-credit-freeze-faqs>.

What happens if my bank has lost my records?

Banks must have extensive contingency plans for all types of disruptions to operations, including natural disasters, and should therefore have backup systems of records and other built-in duplications housed in safe locations so financial records can be reconstructed and restored. Therefore, do not assume that your bank has lost your financial information even if your bank branch was destroyed. These days many banks offer online access to bank statements. If you are unable to contact your bank, call the Federal Deposit Insurance Corporation (FDIC) at (877) 275-3342 (TTY (800) 925-4618) or visit its website at www.fdic.gov.

The local banks (or banks where I do not have an account) will not cash my checks or let me withdraw money from teller stations; what can I do?

If you do not have a prior relationship with a bank, it may be concerned about whether there are sufficient funds in your account at your bank. Ask the local bank to call your bank to verify your account balance. You can also establish a new account with the local bank and then contact your existing bank and wire funds from your existing account to the new account. Many banking apps provide the ability to transfer funds. If you do not have the documents traditionally required to open a new account, such as a driver's license, you can ask a local bank if it has instituted any special programs for victims of the wildfires or you can call the FDIC hotline for more information at (877) 275-3342 (TTY (800) 925-4618) or visit its website at www.fdic.gov.

How can I deposit or cash any insurance checks I receive?

If you receive checks, such as insurance payments, your bank should be able to receive the check or cash the check for you even if your bank or its local branches have been affected by the wildfires. If your bank or its local branches are still not ready to receive checks, arrangements likely will be made with neighboring banks to help you. Alternatively, you can contact another bank and ask about establishing a new account so you can deposit or cash your checks through that new account. Many banking apps provide the ability to deposit checks electronically.

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

Yes, your money is still insured by the FDIC. Deposits with an FDIC-insured bank or savings institution will continue to be protected up to \$250,000 per account.

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

Deposit insurance does not cover safe deposit boxes, but you should check your homeowner's insurance policy to see if it does. Also, most safe deposit boxes are held in the banks' vaults, which are fireproof and waterproof. If possible, contact the branch or office where your box was located to find out the condition of your box.

My regular direct deposit is not showing up in my bank account, and I need money. How can I clear this up with the bank?

Sometimes there are delays in the processing of transactions, including direct deposits, as banks activate backup plans. The banks will process the transactions once these backup plans are implemented, and your direct deposit may be among the transactions waiting to be processed. You should contact your bank to ask about your pending direct deposit. You can also contact the individual or entity that is making the deposit to ask whether it has any information about the delay or can provide you with an alternative payment method.

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

If your ATM card will not work, it may be because your bank's verification system is not working, so check with your bank to determine if that is the case or whether the bank can otherwise assist you. You can consider other options such as cashing a check in the area where you are located or, if need be, using a credit card. You may be able to obtain a cash

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advance from your credit card, but beware that there are often fees and high interest rates for this service. You can also contact one of the emergency service organizations, such as FEMA or the Red Cross, to request assistance.

I need cash immediately, and my ATM card is lost or stolen or destroyed. Will the bank let me get cash?

You should call your bank to ask how you can access your account without an ATM card. Your bank may be able to wire transfer money to another financial institution that is convenient for you and can arrange to send you a replacement ATM card (if you have an address to receive a new card).

I have access to my bank account through an ATM, but the amount of money I can withdraw each day is limited. How can I withdraw more than the daily limit?

Call or go to your bank, let them know you have been affected by a wildfire, and ask a manager about increasing your daily ATM withdrawal limit.

I have my bills set up to automatically deduct payments from my account. I do not have enough money to cover those deductions. How do I go about stopping these payments?

By law, you must call or write your bank requesting a stop on an automated debit at least three business days before the scheduled payment is to be issued. (You may also be able to stop automated debits through your banking app.) If you make an oral request, the bank may require you to confirm it in writing within 14 days of your call. You should confirm your oral request in writing as quickly as possible even if not required by the bank. Because of the wildfires, your bank may be willing to waive the three-business-day notification period or waive overdraft fees. Notify your bank and credit card company about any errors within 60 days of the statement showing the error.

Should I continue to pay utilities and similar expenses if my house is damaged or destroyed?

If your home is temporarily uninhabitable or totally destroyed, you should notify the utility company and other service companies, such as phone, water, garbage, cable, home security, and Internet service providers, so they can stop providing service and associated billing immediately. You may be able to have calls to your home phone forwarded to another number such as your cell phone. You should continue to address prior bills and make insurance, mortgage, and other payments.

What should I do if I need general financial assistance because I don't have enough money to pay for necessities?

Please see the **Social Security, Unemployment, CalFresh, and Other Regular and Special Government Program Benefit Payments** chapter of this handbook.

What should I do if I don't receive my Social Security payment?

Please see the **Social Security, Unemployment, CalFresh, and Other Regular and Special Government Program Benefit Payments** chapter of this handbook.

What can I do if I can't afford a down payment to replace a home lost in the wildfires?

If you lost your home due to the wildfires, you may be able to use an insured mortgage to finance the purchase or reconstruction of a single-family home that will be your principal residence.

The Federal Housing Administration (FHA) Section 203(h) program offers features that make recovery from a disaster easier for some homeowners (see https://www.hud.gov/program_offices/housing/sfh/ins/203h-dft for more information):

- No down payment is required. You must pay closing costs and prepaid expenses in cash or through premium pricing, or the seller can pay them, subject to a 6% seller concessions limit.
- FHA mortgage insurance is not free. Lenders collect an up-front insurance premium from the borrowers (which may be financed) at the time of purchase, as well as monthly premiums that are not financed but are added to the regular mortgage payment.
- HUD limits the amount that may be insured and the dollar value of the mortgage to make sure that its programs serve low- and moderate-income people. You can view the current FHA mortgage limits at <https://entp.hud.gov/idapp/html/hicostlook.cfm>. These figures vary over time and by location, depending on the cost of living and other factors (higher limits exist for two to four family properties).

In addition, see the **Housing** chapter of this handbook.

Who do I contact if I have questions related to Veterans Affairs (VA) benefits?

If you need information regarding VA death benefits, pensions, insurance settlements, or other information related to the VA, contact the Federal Department of Veterans Affairs (VA) at (800) 827-1000 or (800) 698-2411, or visit its Inquiry Routing and Information System (IRIS) website at <https://iris.custhelp.com/app/home>.

OTHER CONSIDERATIONS

I do not have a permanent address at this time. Can I still receive replacement documents or monthly account statements?

If you are no longer at your home, you can have replacement documents mailed to you if you have a new fixed address. To file a mail-forwarding request, go to Quick Tools on the U.S. Postal Service website, www.usps.com, visit any post office, or call (800) 275-8777 (TTY call (800) 877-8339 and ask for (800) 275-8777). In Quick Tools, you have the option to place your mail and package delivery to your old address on hold. You can also put delivery of packages by FedEx and UPS on hold or redirect delivery to a new address through their websites. To find out whether your local post office is open and whether you will receive mail delivery, see <https://www.usps.com/>.

Can I file for bankruptcy as a result of the wildfires?

The wildfire has not changed the requirements for filing for bankruptcy, so the answer really depends on the circumstances of your personal situation. Bankruptcy generally allows you to get rid of most of your debts, but it also requires you to use almost all of your assets (bank accounts, savings, cars, stocks, etc.) to pay off as many of (and as much of) your debts as possible. Other options currently include keeping your assets but rescheduling your debts to pay them off over time. Although a bankruptcy filing can provide certain benefits, it is not without its costs; a bankruptcy filing will affect your credit score for a long time, may make it more difficult to get a mortgage or other loans, and usually does not wipe out fines, certain taxes, and most student loan obligations.

Bankruptcy is a serious decision that should be made only after careful consideration, preferably with the help of a lawyer qualified to give advice concerning bankruptcy issues. If you want to contact an attorney about bankruptcy and are unsure about who to contact, State Bar-certified lawyer referral services are listed in the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

Am I entitled to a modification/reduction of my child support obligations because of my losses due to the wildfires?

Possibly. An uninsured catastrophic loss may be a basis for requesting a reduction in the child support you pay or for requesting an increase in the child support you receive. The change in your child support is not automatic and must be approved by a court or through court-approved procedures. You must file a motion to request it. If you have an attorney for your child support case, you should contact him or her immediately. If you do not have an attorney, you may obtain assistance through the Office of the Family Law Facilitator. Use this website to get more information about the Family Law Facilitator in your county: <https://www.courts.ca.gov/selfhelp-facilitators.htm?rdeLocaleAttr=en>.

If you need to contact County Child Support Services, call the statewide phone number, (866) 901-3212.

What if I need legal services and can't afford them?

Disaster Legal Services (DLS), part of FEMA, provides legal assistance to low-income individuals who are unable to secure legal services adequate to meet their disaster-related needs. Legal advice is limited to cases that will not produce a fee (in other words, legal advice is limited to cases where attorneys are not paid part of a settlement or judgment that is awarded by the court). Other cases, including those that may generate a fee, are turned over to the local lawyer referral service.

The assistance that local lawyers provide typically includes, among other things:

- help with insurance claims for doctor and hospital bills, loss of property, loss of life, etc.;
- preparing new wills, powers of attorney, and other legal documents lost in the wildfire;
- help with home repair contracts and contractors; and
- advice on problems with landlords.

For more information, call (800) 621-3362 (TTY (800) 462-7585) or see <https://www.disasterassistance.gov/get-assistance/forms-of-assistance/4464>. If you do not have a lawyer or cannot afford one, see the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

TAXES

The following discussion addresses the tax relief available for presidentially declared disasters, as well as California governor-declared disasters. It is just an overview of some potentially applicable tax relief. This handbook does not provide legal or tax advice and does not cover every issue or circumstance that may apply to you. You should consult with a licensed tax professional or attorney to determine your options and the application of the rules to your particular circumstances.

Can I apply for tax relief as a result of the fires?

In general, federal tax relief from the Internal Revenue Service (IRS) is available only for presidentially declared disasters. Governor-declared disasters are eligible for California state tax relief from the California Franchise Tax Board (FTB), but are not eligible for federal tax relief unless they are also declared to be a disaster by the President.

The President has declared that a disaster exists in Lassen, Nevada, Placer, and Plumas counties. As a result, if you live in or have a business in one of these counties, you may qualify for federal income tax relief from the IRS. For more information and an up-to-date list of counties where the President has declared a disaster exists, go to: <https://www.irs.gov/newsroom/irs-announces-tax-relief-for-victims-of-wildfires-in-california>.

In June, July, and August 2021, the California governor declared disasters in the following counties: Alpine, Butte, El Dorado, Lassen, Nevada, Placer, Plumas, Shasta, Siskiyou, Tehama, and Trinity. As a result, if you reside in or have a business in one of these counties, you may qualify for California state tax relief from the FTB, as discussed in more detail below. For more information and a complete list of all disasters declared by the California governor, go to <https://www.ftb.ca.gov/file/business/deductions/disaster-codes.html> and <https://www.cdtfa.ca.gov/services/state-of-emergency-tax-relief.htm#counties>.

Can I defer filing my tax returns and paying taxes as a result of a disaster?

If you live in Lassen, Nevada, Placer, or Plumas counties, you may be able to defer filing of your federal and California state income tax returns as a result of a disaster. Additionally, if you reside or have a business in one of those counties, you may be eligible for an extension of time to pay your federal and California state income taxes. If you were affected by the Summer 2021 Wildfires in those counties, and your original filing deadline fell between July 14, 2021, and November 15, 2021, you may be eligible for an extension until November 15, 2021. This applies to you even if you had a valid extension to file your 2020 federal returns, which was due to expire on October 15, 2021. See <https://www.irs.gov/newsroom/irs-announces-tax-relief-for-victims-of-wildfires-in-california> for more details.

You can obtain updated information about federal tax deadlines by consulting your accountant or other tax advisor, checking the IRS website at www.irs.gov, or calling the IRS at (800) 829-1040 (Monday – Friday, 7:00 a.m. – 7:00 p.m., local time).

If you live in a California county with a federal postponement, you generally will be eligible for a California postponement as well. California interest and penalties that normally would apply to late filing and payment generally will not apply. If, however, you live in a county where the governor of California, but not the president, has declared a disaster, you may be eligible for state, but not federal, relief. For more information, go to www.ftb.ca.gov.

My property was damaged. Does this reduce how much federal income tax I will owe?

If your property was damaged, you may be eligible to claim “casualty loss” deductions for property damaged or destroyed due to the California wildfire disasters in areas where the President has declared a disaster. The amount of your deduction depends on your adjusted gross income, whether you use the property for personal or business purposes, your tax basis in the property, and, in the case of business-use property, whether the property is completely destroyed. Because the relevant rules are complex, you should consult your accountant or tax advisor. You also may contact the IRS at (800) 829-1040 (Monday – Friday, 7:00 a.m. – 7:00 p.m., local time) or the FTB at (800) 852-5711 (Monday – Friday, 8:00 a.m. – 5:00 p.m.) for assistance.

If your property is covered by insurance (regardless of whether it is personal-use or business-use property), you should file a timely insurance claim for reimbursement of the loss. If your personal-use property is covered by insurance, but you fail to file an insurance claim, you will not be able to deduct the amount of the sustained loss. However, this rule applies only to the portion of the loss that would have been covered by insurance (*i.e.*, loss amounts in excess of insurance coverage could be eligible for deduction).

According to the IRS, you may claim disaster-related casualty losses on your federal income tax return for either the year in which the event occurred or the prior year. See <https://www.irs.gov/pub/irs-pdf/p2194.pdf>. Claiming such casualty losses on an amended return for the previous year may qualify you for a refund sooner, but waiting to claim the losses on your current year tax return could result in a greater tax saving, depending on other income factors. If you claim a casualty loss on an amended 2020 return, related to the Summer 2021 Wildfires, you should put the Disaster Designation “California, Summer 2021 Wildfires” at the top of the form so that the IRS can expedite the processing of your refund.

For more information on casualty losses, please refer to IRS Publication 2194, “Disaster Resource Guide for Individuals and Businesses,” which contains information about IRS tax services, forms, and publications to assist you with your loss. In addition, you may also need the following forms and publications:

- Form 1040X, “Amended U.S. Individual Income Tax Return”
- Form 1120X, “Amended U.S. Corporation Income Tax Return”
- Form 4684, “Casualties and Thefts”

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- Topic 507, “Casualty and Theft Losses”
- Publication 536, “Net Operating Losses (NOLs) for Individuals, Estates, and Trusts”
- Publication 547, “Casualties, Disasters, and Thefts”
- Publication 584, “Casualty, Disaster, and Theft Loss Workbook (Personal-Use Property)”
- Publication 584B, “Business Casualty, Disaster, and Theft Loss Workbook”

You may download and print IRS forms and publications from the IRS website at www.irs.gov. You should consult an accountant or other tax advisor, as the rules governing casualty loss deductions are complex and may be affected by changes in legislation.

Note: *With regard to property taxes on real property damaged or destroyed in the disasters in Lassen, Nevada, Placer, and Plumas counties (and any other presidentially declared disaster areas), see the **Housing** chapter of this handbook. With regard to California state income taxes, see the next question immediately below. To determine whether insurance proceeds are taxable, see the second question below (“Will I be taxed on my insurance proceeds?”).*

Can I take a deduction on my California state income taxes for my personal property that has been lost, damaged, or destroyed?

Taxpayers may claim a deduction on their California state income tax returns for a disaster loss sustained in an area proclaimed by the governor to be in a state of emergency. For a complete list of all disasters declared by the governor, see the “List of Disasters” on FTB’s website at <https://www.ftb.ca.gov/file/business/deductions/disaster-codes.html>. Additional information and instructions are available in FTB Pub. 1034 at <https://www.ftb.ca.gov/forms/misc/1034.pdf>, “How to Claim a State Tax Deduction for Your Disaster Loss.” You should contact a licensed tax professional or attorney to determine the best course for your particular circumstances.

California disaster loss rules apply to victims in governor-declared or presidentially declared disaster areas. You may claim a disaster loss in one of two ways: (1) you may claim a disaster loss in the tax year the disaster occurred or (2) you may claim the loss in the tax year before the disaster occurred by filing an amended tax return. The advantage of claiming the disaster loss in the prior tax year is that the FTB can more quickly issue a refund. However, waiting to claim the losses on your current year tax return could result in a greater tax saving, depending on other income factors. To expedite your refund, you should print “Disaster,” the name of the disaster in the governor’s state of emergency proclamation, and the year the loss occurred (for example, “Disaster – Dixie Fire – 2021”) in red ink at the top of side one of the return. If you e-file your tax return, you should follow the software instructions to enter the information above when prompted.

If your losses exceed your income, you may qualify to carry over 100% of any excess disaster loss for up to 20 years. If you have both disaster loss carryovers and net operating loss carryovers, you must use the losses in the order in which they were incurred. For the latest information, please check the California Franchise Tax Board’s website at www.ftb.ca.gov or call (800) 852-5711.

Will I be taxed on my insurance proceeds?

It depends. You may be able to offset proceeds from insurance relating to property damage against the adjusted tax basis of the damaged property (generally, your adjusted tax basis will equal the price you paid for the property and any improvements minus any depreciation deductions). In that case, you would be taxed only to the extent your insurance proceeds exceed your adjusted tax basis, and you may be able to defer recognition of that income (*i.e.*, defer paying taxes on it) if you use the proceeds to purchase similar property within a specified time period. If you receive insurance proceeds for a loss for which you have already claimed a casualty loss deduction, the insurance proceeds generally will be taxable in the year you receive them (assuming you use the cash method of accounting). Additional rules apply if the amount you received exceeds the amount of the deduction you claimed. Because the rules relating to insurance recoveries are complex, you should consult a tax advisor when filing tax returns for periods during which you receive insurance proceeds or for which you may elect to defer gain.

Will I be taxed on a grant from a federal or state program, charitable organization, or employer to cover medical, transportation, or temporary housing expenses?

Generally, no, but other types of relief payments may be taxable (see the following question). If you live or have a business in a presidentially declared disaster area, you generally do not have to include any of the following receipts in your federal gross income, unless the same expenses are also reimbursed to you through insurance or otherwise:

- grants for reasonable and necessary personal, family, living, or funeral expenses incurred as a result of the disaster;
- grants for reasonable and necessary expenses incurred for the repair or rehabilitation of a personal residence, or for the repair or replacement of its contents, to the extent attributable to the disaster; and
- payments made by a federal, state, or local government in connection with the disaster.

PERSONAL FINANCES & TAXES

Are other relief payments taxable?

Generally, yes. You generally must include in gross income the following relief payments:

- grants or other relief payments for expenses for which you are also reimbursed by insurance or otherwise; and
- payments in the nature of income replacement, such as payments for lost wages, unemployment compensation, and business income replacement.

Where can I get more tax-related information?

- The IRS: www.irs.gov or (800) 829-1040 (individuals), (800) 829-4933 (businesses), (800) 829-4059 (TTY).
- The State of California Franchise Tax Board: www.ftb.ca.gov or (800) 338-0505 (automated help) or (800) 852-5711 (live help).
- The State of California Board of Equalization: www.boe.ca.gov or (800) 400-7115, and see <https://www.boe.ca.gov/proptaxes/disaster-relief.htm#FAQs> for FAQs on Disaster Relief.

Note that although the information provided in this handbook is based on the general tax provisions applicable to presidentially declared disasters, it is possible that more specific administrative or legislative guidance will be released in the future that alters the information presented here. We strongly urge you to obtain updated information by consulting your accountant or other tax advisor, checking the IRS website at www.irs.gov, or calling the IRS at (800) 829-1040 (individuals) or (800) 829-4933 (businesses) (Monday – Friday, 7:00 a.m. – 7:00 p.m. local time).

SOCIAL SECURITY, UNEMPLOYMENT, CALFRESH, AND OTHER REGULAR AND SPECIAL GOVERNMENT PROGRAM BENEFIT PAYMENTS

SOCIAL SECURITY

For direct deposit:

If your Social Security check is automatically deposited into your bank account, your Social Security payment will be deposited into your account as usual. If you experience any difficulty getting your payment (for example, if you do not receive your regularly scheduled payment from Social Security as a result of the wildfires), please contact your local Social Security office immediately. As of the date of this publication, local Social Security offices are open to the public for in-person service by appointment only due to the COVID-19 pandemic; however, the Social Security Administration (SSA) is still open to provide critical services via phone, fax, and online. The Social Security Administration currently recommends using the online services if applicable, before calling. The online services portal for the Social Security office is available at the following website: <https://www.ssa.gov/online/services/>. You can find the office phone number for your local Social Security Office at <https://secure.ssa.gov/ICON/main.jsp>. For general information regarding your Social Security benefits, you can call (800) 772-1213 (TTY (800) 325-0778), Monday – Friday, 7:00 a.m. ET – 7:00 p.m. ET (automated telephone services are available outside of those hours). Information and services can also be found on the SSA website at: <http://www.socialsecurity.gov/emergency>.

If you have moved to a new area and want to open a new account with a local bank to receive your Social Security payment, contact the SSA with the routing information for your new account. The staff at the bank where you open the new account should be able to help you make this change. Alternatively, you can create a “my Social Security” account and start or change direct deposit online at <https://www.ssa.gov/myaccount/>.

If you do not have a bank account and would like to receive payments directly to a debit card: You can sign up for the Direct Express card program. With Direct Express, deposits from federal payments, including Social Security payments, are made directly to the card account on a monthly basis. You can use the card to make purchases at stores and online that accept Debit MasterCard, withdraw cash from ATMs, and get cash back when you make purchases (certain services may be subject to service fees – see <https://www.usdirectexpress.com/faq.html> for more information). You can also use the Direct Express debit card to make payments online and to buy money orders at the U.S. Post Office. See <https://www.ssa.gov/agency/emergency/> and <https://www.usdirectexpress.com/faq.html> for more information on the program and enrollment procedures. If you are currently receiving Social Security and wish to sign up for the Direct Express debit card program, you can call the Direct Express card enrollment center at (800) 333-1795 or visit your local federal paying agency.

If you receive your check by mail: If you have permanently relocated to a fixed address, you should contact the U.S. Postal Service at www.usps.com/move (the fastest method to make the address change) or call its toll-free 24-hour hotline, (800) ASK-USPS, to file a forwarding address. You may also go to your local post office and request a Mover’s Guide® packet. Inside the packet is a PS Form 3575. Fill out the change-of-address form and give it to a postal worker behind the counter, or drop it into the letter mail slot inside the post office. You should receive a confirmation letter at your new address within five business days.

For temporary relocations, you can also ask the USPS to forward your mail to a temporary new address for 15 days to one year, or hold it at your local post office for a limited time (for three to 30 days). Please see the following website for more information: <https://www.usa.gov/post-office#item-213659> or <https://faq.usps.com/s/article/USPS-Hold-Mail-The-Basics>. If your change of address will be long-term, you should report it to the SSA.

You can create a “my Social Security” account and change your address online at <https://www.ssa.gov/myaccount/>. Note that this service is not currently available to people who receive Supplemental Security Income (SSI) or do not have a U.S. mailing address. However, you can still check your address on record with the SSA using this website.

You can also do the following with a “my social security” account:

- Request a replacement Social Security card (<https://www.ssa.gov/myaccount/replacement-card.html>)

If you are not receiving benefits:

- Get personalized retirement benefit estimates (<https://www.ssa.gov/myaccount/retire-calc.html>)
- Get estimates for spouse’s benefits (<https://www.ssa.gov/myaccount/spousal-benefits.html>)
- Get proof that you do not receive benefits (<https://www.ssa.gov/myaccount/proof-of-benefits.html>)
- Check your application status (<https://www.ssa.gov/myaccount/application-status.html>)
- Get your Social Security Statement (<https://www.ssa.gov/myaccount/statement.html>)

If you are receiving benefits:

- Set up or change direct deposit (<https://www.ssa.gov/myaccount/direct-deposit.html>)

SOCIAL SECURITY, UNEMPLOYMENT, CALFRESH, AND OTHER REGULAR AND SPECIAL GOVERNMENT PROGRAM BENEFIT PAYMENTS

- Get a Social Security 1099 (SSA-1099) form (<https://www.ssa.gov/myaccount/replacement-SSA-1099.html>)
- Opt out of mailed notices for those available online (<https://www.ssa.gov/myaccount/opt-out.html>)
- Print a benefit verification letter (<https://www.ssa.gov/myaccount/proof-of-benefits.html>)
- Change your address (<https://www.ssa.gov/myaccount/change-of-address.html>)

If you get SSI, do not have a U.S. mailing address, or are otherwise unable to change your address online, you can change your address by contacting a local Social Security office (find your local office's phone number at the following website: <https://secure.ssa.gov/ICON/main.jsp> or by calling (800) 772-1213 (TTY (800) 325-0778), Monday – Friday, 7:00 a.m. – 7:00 p.m.).

Expedited Payments. You may be eligible to receive expedited SSI benefits in certain limited circumstances, including (1) an emergency advance payment option and (2) an immediate payment option.

To qualify for a one-time, emergency advance payment, you must be due SSI benefits (including presumptive disability or presumptive blindness benefits) that are delayed or not received, **and** are facing a “financial emergency,” such as needing money right away due to a threat to health or safety (such as not having enough money for food, clothing, shelter, or medical care). For an emergency advance payment, SSA will subtract the emergency payment from the payments already due to you and pay you the difference. If you are not due past payments, SSA will subtract the emergency advance payment from your current monthly benefits in up to six monthly installments. Please contact your local field office to apply or see the following website for more information: <https://www.ssa.gov/ssi/text-expedite-ussi.htm>.

To qualify for an immediate payment, you must be (a) initially applying for SSI benefits or already receiving SSI benefits; (b) due SSI benefits (including presumptive disability or presumptive blindness benefits) that are delayed or not received; **and** (c) facing a “financial emergency,” such as needing money right away due to a threat to health or safety (such as not having enough money for food, clothing, shelter, or medical care). If you qualify, SSA will subtract the immediate payment from the first regular payment due to you. It is up to the SSA to decide if you are eligible for an immediate payment, and there is no formal option to appeal the SSA's decision if they deny your request. The immediate payment cannot be higher than \$999.00. Please contact your local field office to apply or see the following website for more information: <https://www.ssa.gov/ssi/text-expedite-ussi.htm>.

EMPLOYMENT

The state of California provides special assistance to people who are affected by wildfires *and* are unemployed or lose their jobs. For information about Unemployment Insurance and Disaster Unemployment Assistance, see the **Employment and Related Benefits** chapter of this handbook. For more information, you can also call (800) 300-5616 (English), (800) 326-8937 (Spanish), (800) 547-3506 (Cantonese), (866) 303-0706 (Mandarin), (800) 547-2058 (Vietnamese), or (800) 815-9387 (TTY) or visit

https://www.edd.ca.gov/unemployment/Disaster_Unemployment_Assistance.htm and https://www.edd.ca.gov/About_EDD/Disaster_Related_Services.htm. There is currently no state disability unemployment assistance for individuals who do not qualify for benefits under California's unemployment insurance program, such as individuals who are self-employed.

Following the Governor's Emergency Proclamations for these wildfires, the one-week waiting period for individuals seeking unemployment benefit payments through California's Unemployment Insurance (“UI”) program has been waived for claims filed between certain time periods. The waiver is county-specific, so check the below website to confirm the relevant information for your county. The UI program provides partial wage replacement benefits to workers who lose their jobs, or have their hours reduced, through no fault of their own. The one-week waiver means that individuals can be paid UI benefits for the first week they are unemployed due to the wildfires. See the following website for more information: https://www.edd.ca.gov/About_EDD/Disaster_Related_Services.htm#WaitingWeek.

Additionally, employers directly affected by the wildfire disasters may request up to a 60-day extension of time, in writing, from the California Employment Development Department (EDD) to file their state payroll reports and/or deposit state payroll taxes without penalty or interest. For more information on how to request an extension and other employer assistance available, please refer to the following website: https://www.edd.ca.gov/Payroll_Taxes/Emergency_and_Disaster_Assistance_for_Employers.htm.

ELECTRONIC BENEFITS TRANSFER (EBT) CARDS

EBT Cards are used for federal unemployment insurance benefits, as well as for certain state benefits such as CalWorks and CalFresh. For help in obtaining a replacement EBT card, call (877) 328-9677. The system will prompt you twice to enter a card number, but do not enter any number. After the second prompt, you will have an opportunity to report your card as lost or stolen. Once reported, your old EBT card will be disabled and you will be told how to get a new card. It is

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important to call customer service as soon as possible if you determine that your EBT card is permanently missing, as the benefits currently on the card may not be replaced. For additional information, see the FAQs on the following website: <http://www.ebtproject.ca.gov/Clients/clientfaq.html> as well as <https://www.cdss.ca.gov/ebt-card>. For victims of fraud, there is now an EDD fraud hotline (800) 229-6297 (or fax (866) 340-5484).

FOOD STAMP (CALFRESH) RECIPIENTS

If you need food, even if you are not currently receiving CalFresh benefits, you may qualify for Disaster CalFresh (also known as D-CalFresh), which can provide a temporary, 30-day benefit to households who may have been impacted by the wildfires and who are not normally eligible for CalFresh. If you already receive CalFresh but do not receive the maximum allotment for your household size, you can request supplemental CalFresh benefits up to the maximum amount. You may call the county social services offices for more information. The numbers are listed below. You may qualify for “expedited service” and receive CalFresh benefits within three days if you are homeless or have less than \$150 in monthly income and less than \$100 in liquid resources, your expenses are more than the sum of your monthly liquid resources and gross income, or if you are a victim of domestic violence within certain parameters.

If you are already a recipient of CalFresh (federally known as the Supplemental Nutrition Assistance Program (SNAP)), which provides monetary allotments based on household size, you may be eligible for benefits to replace food lost due to fire, loss of electricity, etc. For general information on how to apply for the CalFresh program, please see the following website: <https://www.cdss.ca.gov/calfresh>. CalFresh recipients whose food spoiled due to power outages may request a replacement of CalFresh Food benefits by contacting their local county office for help. The food loss must be reported within 10 days to the CalFresh office by phone or in person. To replace the destroyed food, the CalFresh office can give up to the maximum monthly CalFresh allotment (based on household size), although whether to provide full or partial replacement is determined on a case-by-case basis. If the household recently received retroactive benefits (from correction of an underissuance) the office can replace the food bought with those benefits as well. There is no limit to the number of times you can get this help.

If you live in the counties listed below and are already a SNAP/CalFresh recipient, you can contact the following county social services departments for additional information:

Lassen County

Department of Community Social Services: (530) 251-8128 (Health and Social Services)

Website: <http://www.lassencounty.org/dept/health-and-social-services/health-social-services>
<http://www.lassencounty.org/dept/community-social-services/community-social-services>

Lassen County Food Bank
1545 Bunyan Rd.
Susanville, CA 96130
(530) 257-4884

Nevada County

Health and Human Services Agency: (530) 265-1627

Website: <https://www.mynevadacounty.com/416/Health-Human-Services-Agency>
Email: hhsa@co.nevada.ca.us

Social Services Department & Public Assistance: (530) 265-1340

Website: <https://www.mynevadacounty.com/879/Social-Services> &
<https://www.mynevadacounty.com/902/Public-Assistance>

Email: dss@co.nevada.ca.us

CalFresh: <https://www.mynevadacounty.com/892/CalFresh---Food-Assistance>

Public Health: (530) 265-1450

Website: <https://www.mynevadacounty.com/551/Public-Health>

Email: public.health@co.nevada.ca.us

Women, Infants & Children (WIC);

<https://www.mynevadacounty.com/867/Women-Infants-Children-Program>

Food Bank of Nevada County: (530) 272-3796

Placer Food Bank: (916) 783-0481

<https://placerfoodbank.org/>

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Placer County

Human Services: (888) 385-5160
Website: <https://www.placer.ca.gov/2096/Human-Services>
Email: humanservices@placer.ca.gov
Rocklin Office: (916) 784-6000
Auburn Office: (530) 889-7610
North Lake Tahoe Office: (530) 546-1912

CalFresh:
<https://www.placer.ca.gov/2103/CalFresh-Food-Stamps>

Women, Infants, & Children (WIC):
<https://www.placer.ca.gov/2918/Women-Infants-Children-WIC>

Placer Food Bank: (916) 783-0481
<https://placerfoodbank.org/>

Plumas County

Plumas County Social Services,
<https://plumascounty.us/94/Social-Services>
270 County Hospital Rd., Ste. 207
Quincy, CA 95971
Phone: (530) 283-6350 or (800) 242-3338
Fax: (530) 283-6368

In addition, you can connect to your local county office, by calling (877) 847-3663 (FOOD), or by visiting your local county office using the online office locator tool at <https://calfresh.dss.ca.gov/food/officelocator/>. Please call before making an in-person visit, as many agencies have restrictions due to COVID-19. Additional information on automatic supplementation, deadlines, locations, and disaster supplementation can be found on the Disaster CalFresh website at <http://www.cdss.ca.gov/inforesources/CalFresh/Disaster-CalFresh> and at <https://www.fns.usda.gov/disaster/california-disaster-nutrition-assistance>.

If you are a qualified immigrant, you may be eligible for CalFresh benefits. Qualified immigrants may also qualify for the California Food Assistance Program (CFAP). California provides state-funded food stamps through CFAP for non-citizens who do not qualify for federal benefits. CFAP benefits are issued through the same case as federal food stamp benefits. See <https://www.cdss.ca.gov/inforesources/calfresh/california-food-assistance-program>. If you are not a qualified immigrant, you cannot get CalFresh (or CalWORKS) for yourself, but you should be able to obtain CalFresh (including D-CalFresh, if available, and CalWORKS) for your children or family members if they are U.S. citizens or qualified immigrants. Please see the following website for more information and to help determine benefit eligibility: https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf.

Please also refer to the following website for a listing of food banks by county: <https://www.cdss.ca.gov/food-banks>. Food banks throughout California provide families with emergency food assistance at no cost, regardless of immigration status.

CALWORKS RECIPIENTS

If your family currently receives assistance from CalWORKs and you were impacted by the fires, you may be eligible for additional assistance, including a one-time, non-recurring special needs assistance payment of up to \$600; however, the amount of benefit awarded will vary by the type of need, as each need has its own individual cap. The county can also provide used goods and resources instead of cash. To qualify for this special payment, you must have an emergency need due to sudden and unusual circumstances beyond your control and \$100 or less in liquid resources. If you qualify for a special needs assistance payment, the money can be used to repair or replace clothing or household items, provide assistance for damage to your home, including moving or storage payments due to such damage, or pay for interim shelter if your home is destroyed or made uninhabitable or inaccessible. You should contact your caseworker for additional information.

If you are homeless, you may apply for temporary and permanent housing assistance. Applicant families who have received homeless assistance in the last 12 months and who have been impacted by the wildfires may be entitled to an exception to the once-every-12-months limit – this can include payments for temporary housing or permanent housing assistance. Alternatively, you may be eligible for an immediate needs payment of up to \$200 if you have \$100 or less in liquid resources (for example, cash). You may be able to get immediate needs payments within one to three days. Please note that CalWORKs regulations exclude counting of federal disaster and emergency assistance for eligibility.

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determination purposes; thus, FEMA relief, American Red Cross relief, and D-CalFresh will not impact your eligibility for CalWORKs.

If you do not wish to receive CalWORKs on an ongoing basis, consider applying for CalWORKs diversion payments, which are short-term, non-recurring benefits designed to deal with a specific crisis or item of need and may be appropriate for some displaced families.

For additional information regarding CalWORKs benefits, contact your county's social services agency:

- Lassen County: <http://www.lassencounty.org/dept/community-social-services/community-social-services>
- Nevada County: <https://www.mynevadacounty.com/1544/Employment-Services>
- Placer County: <https://www.placer.ca.gov/2111/CalWORKs-Employment-Services>
- Plumas County: <https://www.plumascounty.us/242/Employment-Services>

For a complete list of CalWORKs offices, visit <http://www.cdss.ca.gov/County-Offices>.

VETERANS' BENEFITS

If you currently receive benefit payments from the U.S. Department of Veterans Affairs (VA) via electronic funds transfer, payment will be made to your account as usual. For information, call (800) 827-1000 or visit the nearest VA benefits office. To find your closest VA benefits office, visit <https://www.va.gov/find-locations/>. Before making an in-person visit, call in advance to confirm the office is open for in-person visits. Information about your benefits can also be obtained at <https://benefits.va.gov/benefits/>.

The Veterans Benefits Administration (VBA) may be able to assist eligible veterans with accelerated claims processing, temporary housing, and suspended debt payments. Veterans who are experiencing chronic homelessness or homelessness due to the fire can find information about housing assistance for veterans at <https://www.va.gov/homeless/housing.asp>.

IMMIGRATION

This chapter provides some general answers to basic immigration questions and related issues of concern to persons who have been impacted by the recent wildfires. Individuals with specific immigration-related questions are strongly encouraged to consult an attorney because this is a complicated area of law, and it is changing frequently. For legal services available in your area, please see the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

ELIGIBILITY FOR RELIEF

Do I have to be a U.S. citizen or a lawfully present immigrant to apply for disaster relief?

There are some forms of disaster assistance everyone is eligible for, regardless of immigration status. The California Department of Social Services has created the “Disaster Assistance Guide for Immigrant Californians,” to provide basic information to individuals trying to determine their eligibility for assistance, and it is available in English at <https://www.cdss.ca.gov/Portals/13/DisasterAssistanceGuideforImmigrantCaliforniansFinal.pdf?ver=2017-10-24-121156-427> and in Spanish at <https://www.cdss.ca.gov/Portals/13/DisasterAssistanceGuideforImmigrantCaliforniansSpanishFinal.pdf?ver=2018-11-15-160401-747>.

FEMA non-emergency monetary disaster assistance and unemployment assistance programs are available only to U.S. citizens, non-citizen nationals, and “qualified aliens” (people with lawful permanent resident status with a Permanent Resident Card, referred to as a Green Card, refugee or asylum status, as well as certain other immigrants). The **FEMA** chapter of this handbook describes these programs in detail. If any member of the household is eligible, including a minor child, the household may be eligible.

All individuals affected by the disasters, regardless of their immigration status, may qualify for certain short-term, non-monetary emergency assistance from FEMA when necessary to prevent injury or death, including evacuation, emergency medical care, emergency shelter, search and rescue, and emergency food, water, and medicine.

Given that people fleeing a disaster like the recent wildfires may not have their paperwork with them, agencies should be flexible about what they are willing to accept from disaster survivors. Under California law (Gov. Code § 8596 (c)), state employees are required to provide assistance to survivors of a disaster without asking for information or documents that are not strictly necessary to determine eligibility under state or federal law. Private and non-profit organizations, such as the American Red Cross, should provide services to all survivors regardless of immigration status. If you have questions, contact the Red Cross at <http://www.redcross.org/get-help> or one of the legal services organizations in the **Lawyer Referral Services & Legal Aid** chapter of this handbook. In the past, some private organizations have specifically raised money to assist undocumented individuals affected by wildfires, but as of August 30, 2021, we were unable to find any specific information regarding similar efforts in connection with the current wildfires.

I am undocumented, but my child was born in the United States. Is my child eligible to receive FEMA disaster relief?

If you have a minor child who is a U.S. citizen (or otherwise qualified, as noted above), you can apply for FEMA assistance on your child’s behalf. As of August 30, 2021, FEMA’s website indicates that they will not ask for the citizenship status of an adult (e.g., parent or guardian) who is applying for benefits for an eligible minor child. More information on this topic can be found at <https://www.disasterassistance.gov/help/faqs>.

I’ve heard that receiving government benefits may prevent me from becoming a permanent resident. Can I still request disaster relief if I’ve been affected by the recent wildfires?

Disaster relief funds are exempted from the “public charge” ground of inadmissibility that affects some who are applying for visas or to become permanent residents through a family member or their employment. The acceptance of disaster relief funds will not be counted against you if you are subject to the “public charge” rule. Furthermore, as of March 9, 2021, the updated “public charge” prohibitions enacted under former President Trump are no longer in effect. More information on the “public charge” rule can be found at <https://www.uscis.gov/policy-manual/volume-8-part-g>, or <https://www.ilrc.org/public-charge>

LOST DOCUMENTATION AND INTERACTION WITH USCIS

During special situations, U.S. Citizenship and Immigration Services (USCIS, formerly known as INS) has discretion to change deadlines and procedures, including for individuals impacted by natural disasters. USCIS has detailed some of those arrangements on its website at <https://www.uscis.gov/humanitarian/special-situations>. You, or your attorney, can contact USCIS to determine whether any of these changes apply to your situation. You can reach USCIS customer service at (800) 375-5283.

IMMIGRATION

My Green Card was damaged or destroyed by the wildfires. How can I replace it?

If your Green Card was damaged or destroyed, you should replace it as soon as possible by completing a USCIS Form I-90. **Note: If you have been arrested since your Green Card was last approved, you should consult an attorney before applying for a replacement.**

To fill out this form, you must use your complete name, Alien Registration Number (also known as an A-number), and date of admission into the United States. If you do not have this information, you can make an appointment to see a USCIS officer by calling USCIS at (800) 375-5283. If you no longer have access to your A-number, we recommend that you contact an attorney or a legal services organization for assistance. For legal services available in your area, please turn to the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

Once you have this information, you can fill out Form I-90. Form I-90 is available at <https://www.uscis.gov/i-90>. If you have a credit card in your name or your spouse's name, the Form I-90 may be filed electronically online at <https://www.uscis.gov/forms> or in paper form by mail. You cannot file your Form I-90 online if you are seeking a fee waiver. All paper I-90 forms must be mailed to **one** of these addresses (based on which carrier you choose): (A) for the U.S. Postal Service – USCIS, P.O. Box 21262, Phoenix, AZ 85036; and (B) for FedEx, UPS, and DHL – USCIS, Attention: I-90, 1820 E. Skyharbor, Circle S, Fl. 1, Ste. 100, Phoenix, AZ 85034. These addresses are subject to change, so you should always check USCIS's website for the latest filing addresses. USCIS recommends that you set up an online account and file those forms online. To create an online USCIS account, you or your attorney should visit https://myaccount.uscis.gov/users/sign_up. Once you have created an account, you will be able to file your completed Form I-90 electronically online at <https://www.uscis.gov/i-90>.

As of August 30, 2021, the filing fee for the I-90 is \$540, which includes an \$85 biometric (fingerprint) fee. (You should check the USCIS website for any updated fee amounts.) Checks and money orders should be made payable to the U.S. Department of Homeland Security. Alternatively, you may file a Form I-912 fee waiver (available at <https://www.uscis.gov/i-912>) if you are eligible for a complete or partial fee waiver based on annual income or receipt of means-tested benefits (e.g., SNAP/CalFresh, TANF/CalWORKs, or SSI) and can demonstrate financial hardship. If your Form I-90 is accompanied by a Form I-912 fee waiver request, it must be filed by mail.

Once a paper Form I-90 has been received by USCIS via mail (see (A) and (B) above), a receipt will be mailed to you within one to two months. If you file Form I-90 electronically, the receipt will be generated immediately. Typically, a biometric appointment will be scheduled for you within two months of submitting Form I-90 (by mail or electronically). When you go to this biometric appointment, be sure to bring an identity document such as a driver's license, passport, or a copy of another document containing your name, date of birth, photograph, and signature. As of August 30, 2021, the total processing time for the Form I-90 is estimated to be seven to 13 months.

How can I obtain temporary proof that I am a lawful permanent resident while my Form I-90 is being processed?

Once you have the Form I-90 filing receipt, you may request an "I-551 stamp," which is legal proof of your lawful permanent residency status and valid for both travel and employment purposes. **Please note that an I-551 stamp is valid for one year only and is required for travel outside the United States.** To request this stamp, contact USCIS at (800) 375-5283 to make an appointment. Bring your passport to your appointment so the USCIS officer can place the stamp on your passport. If you don't have a valid passport at the time of your appointment, bring two passport photos taken within 30 days of your appointment. The USCIS officer will create an I-94 document with the I-551 stamp, which will serve as temporary proof of lawful permanent residency status for a period of one year from issuance. You will not be charged a fee for the I-551 stamp.

My Naturalization Certificate was destroyed by the wildfires. How do I replace it?

If your Naturalization Certificate or Citizenship Certificate ("Citizenship Paper") was destroyed, you must replace it as soon as possible by filing a USCIS Form N-565 by mail or electronically at the USCIS website. Form N-565 is available online at <https://www.uscis.gov/n-565>. Use your full name, A-number, and Certificate Number to fill out the N-565 form. If you do not have this information, make an appointment with a USCIS officer by calling (800) 375-5283.

All paper N-565 forms must be mailed to **one** of these addresses (based on which carrier you choose): (A) for the U.S. Postal Service – USCIS, P.O. Box 20050, Phoenix, AZ 85036; and (B) for FedEx, UPS, and DHL – USCIS, Attention: N-565, 1820 E. Skyharbor Circle S, Ste. 100, Phoenix, AZ 85034. Two identical passport-size photos of yourself taken within 30 days of filing must be included with your form. As of August 30, 2021, the filing fee for Form N-565 is \$555. (Addresses and fees may change, so it is best to check USCIS's website for updated information.) Checks and money orders should be made payable to the U.S. Department of Homeland Security. You may file a Form I-912 fee waiver with your Form N-565 if you are eligible for a complete or partial fee waiver based on annual income, receipt of means-tested benefits (e.g., SNAP, TANF, or SSI), and can demonstrate financial hardship.

A receipt will be mailed to you within one to two months of receipt of your Form N-565 by USCIS. As of August 30, 2021, the total processing time for Form N-565 is estimated to be nine and a half to 12 months, depending on the USCIS service

IMMIGRATION

center location, but can be expedited in certain emergency situations. If you have an emergency and would like to request expedited processing, contact USCIS at (800) 375-5283.

How do I replace a lost work permit?

To replace a lost work permit, complete and submit Form I-765 by mail. Form I-765 may not be filed online. A copy of the form is available online at <https://www.uscis.gov/i-765>. With the completed form, include a photocopy of any applications or documents that entitle you to obtain a work permit such as an application for asylum, suspension of deportation, or adjustment of status. Please check the USCIS website at <https://www.uscis.gov/i-765-addresses> to determine the proper mailing address for your particular immigration status. For further information regarding the replacement of your lost work permit, contact USCIS at <https://www.uscis.gov> or call (800) 375-5283 (TTY (800) 767-1833). As of August 30, 2021, the total processing time for Form I-765 is estimated to be six and a half to 14 and a half months but can take longer depending on your reason for applying. Form I-765 can be expedited in certain emergency situations. If you have an emergency and would like to request expedited processing, please contact USCIS at (800) 375-5283. Make sure to have your Form I-765 filing receipt and any papers you have from your employer available when you contact USCIS.

Depending on your status, you may also have to pay a \$410 filing fee (and an additional \$85 fee for biometric services may apply in certain circumstances), or, alternatively, you may file a Form I-912 fee waiver if you are eligible for a complete or partial fee waiver based on annual income or receipt of means-tested benefits (e.g., SNAP, TANF, or SSI), and can demonstrate financial hardship. To determine whether you are eligible for a fee waiver, you or your attorney should visit <https://www.uscis.gov/forms/filing-fees/additional-information-on-filing-a-fee-waiver>.

Do I need to inform USCIS that I have moved as a result of the disaster?

All non-U.S. citizens are required to promptly notify the USCIS of any change of address by filing a Form AR-11, which is available at <https://www.uscis.gov/ar-11>. Form AR-11 may be filed by mail or electronically at <https://egov.uscis.gov/coa/displayCOAForm.do>. If you complete a paper Form AR-11, the completed form must be mailed to U.S. Department of Homeland Security, Citizenship and Immigration Services, Attn: Change of Address, 1344 Pleasants Dr., Harrisonburg, VA 22801. In most cases, filing this form will update the information for any case you have pending, but you should check the USCIS website for confirmation. There is no fee for filing a Form AR-11.

If you have pending immigration court proceedings, file Form EOIR-33/IC (Alien's Change of Address Form/Immigration Court), available at <https://www.justice.gov/eoir/list-downloadable-eoir-forms>, with the appropriate immigration court. You are required to inform the court of a change in address within five days. Be sure to serve a copy of the Form E-33 on counsel for DHS. If you do not have a permanent address as a result of the wildfires, provide the address of a trusted family member or friend.

For any issues/questions related to the various documents discussed above (I-90, I-551, N-565, I-765, AR-11, and EOIR-33/IC), it is strongly recommended that you contact a lawyer for assistance. For legal services available in your area, please turn to the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

Where is my local USCIS office?

For residents of Lassen, Nevada, Placer, and Plumas counties, the nearest USCIS field office is located in Sacramento.

Sacramento Field Office
650 Capitol Mall
Sacramento, CA 95814

To confirm the location of your nearest USCIS field office, you should either contact USCIS by calling (800) 375-5283 or visit <https://www.uscis.gov/about-us/find-a-uscis-office/field-offices> and search for your nearest USCIS field office using your zip code or visit <https://www.uscis.gov/sites/default/files/document/data/7%20117%20-%20Domestic%20Map%2001042021%20%28002%29.pdf> to search for the nearest USCIS field office by using the map.

You must have a pre-scheduled appointment to visit a USCIS field office. Appointments can be made by calling (800) 375-5283 and requesting an Infopass appointment. More information on visiting USCIS field offices can be found at <https://www.uscis.gov/about-us/find-a-uscis-office/field-offices>. To obtain the most up-to-date information about local USCIS field operations, COVID-19 related restrictions, and information for those affected by the Summer 2021 Wildfires, you or your attorney should call USCIS directly at (800) 375-5283.

I missed my USCIS appointment due to the recent wildfires. What should I do?

If you missed your USCIS appointment, you or your attorney should contact USCIS right away. You can typically reschedule an appointment online, by mail by following instructions on your USCIS notice that provided your appointment time, by calling the telephone number on the back of your appointment notice, or by going into the office where your appointment was originally scheduled with the appointment notice. Please ensure that you contact the office where your appointment was originally scheduled, and check the USCIS website for any updates related to the wildfires or restrictions in light of COVID-19.

DOCUMENT & RECORD REPLACEMENT

A number of my personal records and identification cards were destroyed as a result of the wildfires. What should I do?

Social Security Card

You can apply to the Social Security Administration for a replacement Social Security card online if you:

- are a U.S. citizen age 18 years or older with a U.S. mailing address;
- are not requesting a name change or any other change to your card (e.g., if you are requesting a replacement card with no changes to the card); and
- have a driver's license or a state-issued identification card from a participating state.

If you have an out-of-state driver's license or identification card from any of the following states, you will not be able to replace your Social Security card online: Alaska, Minnesota, Nevada, New Hampshire, Oklahoma, and West Virginia.

If you meet the criteria above, you can apply for the replacement Social Security online by creating a "my Social Security account" at <https://www.ssa.gov/myaccount/>.

If you cannot apply for a replacement card online, you can still apply by submitting the following documents by mail or by bringing them to your local Social Security office:

- completed Form SS-5, available at your local Social Security office, online at <https://www.ssa.gov/forms/ss-5.pdf>, or it can be mailed to you upon request by calling (800) 772-1213;
- one document to establish your identity, such as your U.S. driver's license, U.S. state-issued non-driver identification card, or U.S. passport. If you do not have one of these forms of identification, the Social Security Administration may also accept other documents such as a U.S. military identification card, Certificate of Naturalization, employee identification card, certified copy of medical records (uncertified may be acceptable for young children), health insurance card, Medicaid card, school identification card or school record, or final adoption decree; and
- (A) evidence of U.S. citizenship, such as your U.S. birth certificate or U.S. passport, Consular Report of Birth Abroad (CRBA), Certificate of Citizenship or Certificate of Naturalization; or (B) if you are not a U.S. citizen, evidence of your current lawful immigration status issued to you by the Department of Homeland Security showing your current immigration status, such as Form I-551, I-94, or I-766, and your foreign passport with biographical information or a photograph.

The documents presented as evidence of your identity must be either originals or certified copies (the documents can be certified by the issuing agency). Uncertified or notarized photocopies will not be accepted (except as noted above). Requests usually take two to three weeks to process. In addition, the documents presented must be current (and not expired). If you cannot provide the necessary documents, call (800) 772-1213 (TTY (800) 325-0778) for assistance. There is no fee for requesting a replacement Social Security card.

To find your local Social Security office, visit <https://secure.ssa.gov/ICON/main.jsp> or call (800) 772-1213.

Medicare Card

If your Medicare card was lost or destroyed, you should also apply to the Social Security Administration for a replacement card. There is no fee for this service. A replacement card can be requested at your local Social Security office, online by following the instructions at <https://faq.ssa.gov/en-us/Topic/article/KA-01735>, or by telephone at (800) 633-4227 (TTY (877) 486-2048). Requests to receive a new Medicare card usually take 30 days to process, and the new card will be mailed to the address that the Social Security Administration has on file for you, unless you indicate that it be sent to a different address at the time of the request. If you need proof right away that you have Medicare, you can get your Benefit Verification Letter online via the instructions in the link listed above. You can also contact your local Social Security office or call the toll-free number noted above, and the office can provide you with proof of coverage for use until you receive your replacement Medicare card.

Federal Income Tax Returns

Copies of your federal income tax returns may be obtained from your tax preparer or the IRS. Alternatively, transcripts of your federal income tax returns may also be obtained from the IRS. (Transcripts are computer-created records of returns that include most of the line items as filed with the IRS, including any accompanying forms and schedules.)

To apply for a copy of a tax return from the IRS, complete Form 4506, Request for Copy of Tax Form (<https://www.irs.gov/pub/irs-pdf/f4506.pdf>), write "California Wildfires (DR-4610)" in bold letters at the top of the form, and send it to the address indicated in the instructions on the form. To apply for a transcript of a tax return from the IRS, complete Form 4506-T, Request for Transcript of Tax Return (<https://www.irs.gov/pub/irs-pdf/f4506t.pdf>), write "California Wildfires (DR-4610)" in bold letters at the top of the form, and send it to the address indicated in the instructions on the

DOCUMENT & RECORD REPLACEMENT

form. Both forms may be obtained online at the links listed above or by calling (866) 562-5227. Copies and transcripts of tax returns from the IRS are free and expedited for affected taxpayers.

State Income Tax Returns

To get a free copy of your lost or damaged California state returns, complete Form FTB 3516, Request for Copy of Personal Income or Fiduciary Tax Return (<https://www.ftb.ca.gov/forms/misc/3516.pdf>). Write the name of the specific disaster, your county, and the year of the incident at the top of the request (e.g., "Dixie Fire, Plumas County, 2021"). You may download the form at the link above or order one by calling (800) 852-5711 (TTY (800) 822-6268). There is a \$20 fee for each tax return you request, but there is no charge if you are requesting a return for a tax year in which you were a victim of a designated California state or federal disaster. It may take up to four weeks from the date of your request to receive a copy of your return.

Passport

Information and forms for replacing lost U.S. passports are available at <https://travel.state.gov/content/travel/en/passports/after/lost-stolen.html> or through the U.S. Passport Information Center at (877) 487-2778 (TTY (888) 874-7793). You must file a statement regarding the lost or stolen passport with Form DS-64, available to download at <https://eforms.state.gov/Forms/ds64.pdf>, as well as file for a new passport with Form DS-11, available to download at <https://eforms.state.gov/Forms/ds11.pdf>. If you have your passport but it is damaged, you must submit a signed statement explaining the damaged or mutilated condition of the passport, and the damaged passport should be submitted with Form DS-11. Follow the instructions on Form DS-64 and Form DS-11 to submit those forms. While Form DS-64 can be submitted online to report your passport lost or stolen, in order to replace your passport, you will need to submit Form DS-11 in person. If a country other than the United States issued your passport, you should contact that country's consulate and file an application for a replacement passport.

Immigration Documents

For information on how to replace your Green Card or certain other immigration documents, please see the **Immigration** chapter of this handbook.

California Driver's License/ID Card/Vehicle Documents

For a limited time, you may be able to replace the following items at no cost if they are lost or damaged due to the wildfires: driver's licenses, state identification cards, vehicle registrations and titles, and disabled person parking placards. In addition, you can acquire substitute license plates and stickers, vehicle disposal paperwork, and driver record printouts, as well as process a change of address. You can receive help by calling DMV customer service at (800) 777-0133 (TTY (800) 368-4327) during regular business hours or by visiting your local DMV field office and identifying yourself as a wildfire victim. DMV offices hours may be affected by COVID-19, so check with your local DMV office before visiting in person. Find your local DMV field office by visiting https://www.dmv.ca.gov/portal/dmv/detail/fo/offices/toc_fo.

To replace your California driver's license or state identification card, make an appointment to visit any local DMV office either online at <https://www.dmv.ca.gov/portal/dmv/detail/portal/foa/welcome> or by calling (800) 777-0133 (TTY (800) 368-4327). You must submit application Form DL 44 to apply for a driver's license or identification card (available at your local DMV, or order by phone at (800) 777-0133 (TTY (800) 368-4327), or available for online submission at <https://www.dmv.ca.gov/portal/dmv/detail/forms/dl/dl44>), with a fingerprint scan and, unless waived due to the wildfires, the application fee (\$30.00 for duplicate driver's license, \$33.00 for state ID card, or free for a senior citizen ID card). Information regarding application fees can be found on the DMV website: <https://www.dmv.ca.gov/portal/driver-licenses-identification-cards/licensing-fees/>. When you submit your application, you will be issued an interim license or receipt for your state ID card that is valid for 90 days. The DMV will mail the replacement driver's license or state ID card to you within 60 days of your application.

When getting a replacement driver's license, the DMV is giving most applicants the option of choosing a REAL ID driver's license/ID card. (Those with an AB 60 driver's license are not eligible for a REAL ID driver's license.) Existing California driver's license/ID cards will be accepted by the TSA when you are entering a secured area for a domestic flight and by federal agents when you are entering secure federal facilities until May 3, 2023. After that date, individuals will need a REAL ID, or other federally approved identification, for these purposes. You do not need to obtain a REAL ID at this time, but if you choose to do so when replacing your driver's license or ID card, you will be required to present additional documentation in person at your local DMV. Information about REAL IDs and their requirements can be found on the DMV website: <https://www.dmv.ca.gov/portal/driver-licenses-identification-cards/real-id/>.

DOCUMENT & RECORD REPLACEMENT

To obtain a replacement certificate of title, you must complete an Application for Duplicate or Paperless Title REG 227 (<https://www.dmv.ca.gov/portal/uploads/2020/06/reg227.pdf>), attach the damaged title if mutilated, and, unless waived due to the wildfires, pay the duplicate title fee of \$23.00 (\$15.00 for boats and other vessels). REG 227 may be obtained online at the link listed above or at your local DMV office. You may submit the application either in person at your local DMV office or mail it to:

Department of Motor Vehicles
Registration Operations
P.O. Box 942869
Sacramento, CA 94269-0001

Instructions are available at <https://www.dmv.ca.gov/portal/how-to-apply-for-a-duplicate-california-certificate-of-title-htrv-10/>.

To obtain a replacement registration card for a highway vehicle, you may complete an online application (<https://www.dmv.ca.gov/wasapp/rsrc/start.do>) or complete an Application for Replacement Plates/Stickers/Documents REG 156 (<https://www.dmv.ca.gov/portal/file/application-for-replacement-plates-stickers-documents-reg-156-pdf/>), to submit either in person at your local DMV office or by mail to the address above. Unless waived due to the wildfires, payment of the duplicate registration fee of \$23.00 will be required.

To obtain a replacement registration card for a vessel, boat, or off-highway vehicle, you must complete an Application for Replacement Plates/Stickers/Documents REG 156 (<https://www.dmv.ca.gov/portal/file/application-for-replacement-plates-stickers-documents-reg-156-pdf/>) and, unless waived due to the wildfires, pay the duplicate registration fee of \$23.00. You may submit the application either in person at your local DMV office or mail it to the address above.

Instructions are available at <https://www.dmv.ca.gov/portal/vehicle-registration/online-replacement-sticker-or-registration-card/>.

Birth Certificates, Marriage Certificates, Death Certificates, and Divorce Decrees

Certified copies of birth, marriage, and death certificates can be obtained from the County Recorder's office in the county where the birth, marriage, or death occurred. A list of the addresses and phone numbers of County Recorders' offices in Lassen, Nevada, Placer, and Plumas is provided at the end of this chapter.

To obtain copies of these types of records, you must fill out an application with information such as the full name of the person, date, and place of event. You will need to submit a sworn statement that you were impacted by these wildfires along with your application. Call your County Recorder or visit their website for updated information, including county-specific requirements. If you need the documents quickly, you may be able to go directly to the County Recorder's office to apply for them. Check with the County Recorder's office before planning an in-person visit.

Certified copies of birth, marriage, and death certificates can also be obtained from the Office of Vital Records by submitting a request online at <https://www.cdph.ca.gov/Programs/CHSI/Pages/Obtaining-Certified-Copies-Online.aspx> or by mailing your request to:

California Department of Public Health
Vital Records – MS 5103
P.O. Box 997410
Sacramento, CA 95899-7410

Instructions and forms for requesting such certified copies from the Office of Vital Records are available at <https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records.aspx>. Unless waived due to these wildfires, a fee of \$25.00 for a birth certificate, \$15.00 for a marriage certificate, and \$21.00 for a death certificate is required for requests by mail. Online requests will likely require higher fees. You can check the following website for an estimate on processing times for these requests: <https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx>. Note that all marriage certificates issued from 2000 through 2008 must be requested through a County Recorder's office.

To replace a divorce decree or judgment, contact the clerk of the superior court in the county where the judgment was issued. Procedures and fees vary from court to court. To find the location, phone number, and website of the applicable superior court, visit <http://www.courts.ca.gov/find-my-court.htm>.

Military Service Records

Instructions for requesting military service records can be found at <https://www.archives.gov/veterans/military-service-records>. Military service records can be requested online using eVetRecs at the same link, by mail, or by fax.

For priority service to replace a separation document (usually DD Form 214 or equivalent), write "Natural Disaster" in the "Comments" section of eVetRecs or in the "Purpose" section of Form SF-180, Request Pertaining to Military Records, then fax your request to customer service at (314) 801-0764.

DOCUMENT & RECORD REPLACEMENT

Immunization Records

Immunization records for yourself or your child may be obtained from the California Immunization Registry (CAIR). Go to <http://cairweb.org/wheres-my-immunization-record/> for more information. To request a record, begin by filling out this form to search the CAIR system for the patient: <https://cairforms.cairweb.org/AuthorizationToRelease/Cair2Search>. If a matching record exists, you can then complete the full request. For questions related to your request, you can call the CAIR Help Desk at (800) 578-7889, Monday – Thursday, 9:00 a.m. – 4:00 p.m., and Friday, 10:00 a.m. – 4:00 p.m.

If your immunization records are not found in CAIR, look for copies kept by the physician or medical group that administered the immunizations, at your local health department, or at your child's school.

As a result of the wildfires, records related to real property I own (such as the deed to my house) were destroyed. What should I do?

Certified copies of deeds to real property may be obtained from the County Recorder's office in the county where the property is located. To apply, you will need the name of the owner of the property as it appears on the deed, property address, and, if possible, the recorded year of the deed and the title of the document (or document number). Unless waived due to the wildfires, copy fees vary from county to county. A list of County Recorders' offices is provided at the end of this chapter.

As a result of the wildfires, my will or family trust document was destroyed. What should I do?

If the will or family trust was prepared by an attorney, you may be able to obtain a copy of the document by contacting the attorney who prepared it. If you do not have the attorney's current address, search for it at <http://members.calbar.ca.gov/fal/membersearch/quicksearch> or contact the State Bar of California at (415) 538-2000. If the attorney does not have a copy of the document, you should consider whether the document may have been recorded and check with the appropriate County Recorder's office by using the contact information provided below. Otherwise, you should have a new will, trust, or other document prepared. If you do not have an attorney, you may want to consult the **Lawyer Referral Services & Legal Aid** chapter of this handbook.

As a result of the wildfires, my insurance policy, premium notice, or other insurance-related document was destroyed. What should I do?

If insurance documents are destroyed, contact your insurance agent or insurance company to obtain new copies. A list of insurance companies and their phone numbers is included in the **Insurance** chapter of this handbook.

County Assessor and Recorder Offices

Lassen County Assessor / County Clerk Recorder

<http://www.lassencounty.org/dept/assessor/assessor>

<http://www.lassencounty.org/dept/county-clerk-recorder/county-clerk-recorder>

Assessor: (530) 251-8241

107 S. Roop St.

Susanville, CA 96130

Email: assessorsoffice@co.lassen.ca.us

County Recorder: (530) 251-8234

220 S Lassen St., Annex

Susanville, CA 96130

Email: lcclerk@co.lassen.ca.us

DOCUMENT & RECORD REPLACEMENT

Nevada County Assessor / County Clerk-Recorder

<https://www.mynevadacounty.com/163/Assessor>
<https://www.mynevadacounty.com/235/Clerk-Recorder>

Nevada County Assessor:
950 Maidu Ave., Ste. 290
Nevada City, CA 95959
Email: assessor@co.nevada.ca.us

Nevada County Clerk-Recorder:
950 Maidu Ave., Ste. 210
Nevada City, CA 95959
Email: nc.recorder@co.nevada.ca.us

Assessor: (530) 265-1232, Clerk-Recorder: (530) 265-1221

Placer County Assessor / County Clerk-Recorder

<https://www.placer.ca.gov/5800/Assessor>
<https://www.placer.ca.gov/1709/Clerk-Recorder>

Placer County Assessor Offices:
Auburn:
2980 Richardson Dr.
Auburn, CA 95603
Roseville:
10810 Justice Center Dr., Ste. #190
Roseville, CA 95678
Tahoe:
775 N Lake Blvd., Ste. 204
Tahoe City, CA 96145
Email: assessor@placer.ca.gov

Placer County Clerk-Recorder:
2954 Richardson Drive
Auburn, CA 95603
Email: clerk@placer.ca.gov

Assessor: (530) 889-4300, (800) 488-4308, x. 4300
County Clerk Recording: (530) 886-5600; County Clerk: (530) 886-5610

Plumas County Assessor / Clerk-Recorder

<https://www.plumascounty.us/75/Assessor>
<https://www.plumascounty.us/80/County-Clerk---Recorder>

Plumas County Assessor:
1 Crescent St.
Quincy CA 95971

Plumas County Clerk-Recorder:
520 Main St., Room 102
Quincy, CA 95971
Email: clerkrecorder@countyofplumas.com

Assessor: (530) 283-6380; Recorder: (530) 283-6218

CONSUMER TIPS & FRAUD PREVENTION

Could I become a victim of fraud?

Unfortunately, after a disaster, some people try to take advantage of victims by engaging in financial scams and frauds. In some cases, these individuals and companies claim to be offering help by engaging in what appear to be or may be legal acts, but, in reality, their “assistance” results in additional financial hardship to those who are already suffering. In the aftermath of the Summer 2021 Wildfires, you should be on the lookout for potential financial scams and con artists.

What should I do to prevent fraud or a financial scam?

The old saying applies: *Things that sound too good to be true usually are.* In light of the wildfires, you may need to hire services from contractors or others as part of the repair and rebuilding process.

In general, when hiring or contracting with anyone, you should:

- (1) verify that the company or person is licensed with the appropriate regulatory agencies if the counterparty’s industry is subject to state or local licensing;
- (2) obtain several estimates of the cost of the service to be performed from different sources so that you know whether you are getting a fair price;
- (3) obtain all estimates in writing;
- (4) ask for references, including contact information, so that you can speak directly with prior customers to determine whether they are satisfied;
- (5) ask for identification when individuals show up at your home in order to verify that they are who they say they are;
- (6) carefully read and be sure you thoroughly understand all contracts and service agreements before signing; and
- (7) file complaints with the appropriate regulatory agencies if confronted with potential fraud or abuse.

Whenever you have telephone calls with any person at a company or agency, keep a log of the calls for your records. You should note the name of the person you spoke with, the date and time of the call, their telephone number, and the subject matter of the call—just jot down a few notes to help you remember the call.

Very importantly, beware of con artists who seek to gather your personal information in a time of crisis. In addition to the risk of identity theft described below, some con artists may use your personal information to commit you to products or services (such as an emergency loan, cash advance, or a form of insurance) during a time of crisis, later claiming that you agreed to accept such products or services. Con artists often use haste and urgency as a weapon, pressuring victims to act quickly to avoid further misfortune. Wherever possible, gather written information about products and services, consult with others about the products and services, and take the necessary time to research the products and services before committing yourself. Gather the contact information of the person trying to sell you the products or services so you have a way of contacting him or her after you have made a decision. Some con artists can be quickly exposed if they refuse to provide you with a means of contacting them in the future and do not respect your desire to think before acting. You should not do business or communicate further with anyone who does not answer your questions in a forthright manner or gives excuses or explanations that don’t sound legitimate to you.

If you believe someone is attempting to defraud you, contact the California Department of Consumer Affairs at (800) 952-5210 or file a complaint online at <https://www.dca.ca.gov/consumers/complaints/consumer.shtml>.

What if someone asks me to sign something?

You should not be pressured to immediately sign a contract, and you should think twice about working with anyone who is in a hurry to have you sign a document or contract. If someone tells you that you must sign right away to get a low price, a special deal, or even an early start date, don’t believe them. A person or company that is trying to assist victims or provide legitimate services will not make such demands and will respect and appreciate your need to read and understand what you are signing. Most importantly, read everything before you sign it, and make sure you understand what you are signing. Do not be afraid to ask questions about the meaning of the contract. Consider getting the assistance of an attorney (if you do not have your own attorney, see the **Lawyer Referral Services & Legal Aid** chapter of this handbook). You should ask for copies of the documents you are being asked to review before you sign them (and give yourself sufficient time to look them over). Also, be sure to obtain and keep complete copies of everything you sign at the time of signing. Contracts and agreements should be signed by both you and the service provider.

Be careful about signing a contract containing language that you are unable to read or understand. Do not sign a contract in a language you do not understand unless you have a trusted individual who is fluent in that language (such as a friend, adult family member, or attorney) to translate the contract for you. If you have already signed a contract in a language you do not understand, consider consulting an attorney. (See the **Lawyer Referral Services & Legal Aid** chapter of this handbook.) California law requires that an accurate translation of a contract be given to the consumer by a person in a

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trade or business who negotiates primarily in the Spanish, Chinese, Tagalog, Vietnamese, or Korean languages. This protection does not apply if the consumer has an interpreter (a fluent adult, not provided by the seller) assist in the negotiation, and it also does not apply to home improvement contracts or contracts involving a seller who is not engaged in a trade or business. You can read more about these protections at https://www.dca.ca.gov/publications/legal_guides/k_4.shtml, but if you find yourself in a situation where you have signed a contract you do not understand, you should consult an attorney.

What is a public insurance adjuster, and what should I look for if I decide to hire one?

A public insurance adjuster is someone who evaluates property loss on behalf of policyholders and helps them file insurance claims in exchange for a fee or a percentage of your claim. Many public insurance adjusters will claim they can maximize your insurance benefits by finding damage that an insurance company adjuster may not find, but it is important to note that your insurance company may provide an independent insurance adjuster to you at no charge, so you may not need the services of a public adjuster. If you use the insurance company's adjuster and then are not confident in his or her findings, you still have the right to hire a public adjuster to help you. Before you hire a public adjuster, be sure you understand the fee to be charged and how it will be calculated. It is always a good idea to rely on referrals to determine which public adjusters are legitimate. If you do hire a public adjuster, it is important to make sure beforehand that he or she is licensed. Call the California Department of Insurance (CDI) at (800) 967-9331 or visit the CDI's website at <https://www.insurance.ca.gov/>. Click on "Consumers" and then "Check License Status" for licensing verification and other information regarding public adjusters.

What do I need to consider if I am offered a home loan?

Before you get a loan to rebuild your house, speak with several lenders to determine which one offers the best interest rates and the lowest fees. Also, before getting a loan from a private lender, check to see if you qualify for any government assistance programs, such as FEMA, SBA, and HUD programs, or assistance from the state of California. (For further information on these government programs, please see the **Housing** chapter of this handbook.) Be on the lookout for "guaranteed loans" (where a person contacts you and guarantees you an "offer" of a loan regardless of your credit situation in exchange for an upfront fee). Legitimate lenders do not guarantee that you will qualify for a loan before you complete an application and the lender runs a credit check. Legitimate lenders may charge a small application fee, but they do not promise that you will get the loan until they complete their review. Make sure that you are dealing with a licensed lender and that you understand the terms of any loan that you are offered. The California Department of Financial Protection and Innovation licenses most lenders, and you should check with that Department to determine whether the lender is legitimate; the Department can be reached at (866) 275-2677 or online at <https://docqnet.dfpi.ca.gov/>.

What should I look for when hiring contractors to do repair work on my house?

Problems with home repair contractors, such as abandonment and shoddy work, are common, especially after disasters. Watch out for door-to-door offers of repair services and never provide a contractor with a cash deposit based on a handshake. You should get a written contract detailing every aspect of the work to be done and the cost to completion, as well as a performance and payment schedule. Before signing a contract, consider whether you should consult an attorney to help you review and understand the contract, and be sure to check the contractor's license status and references. You can easily check licenses online on the California Contractor State License Board (CSLB) website at <https://www2.cslb.ca.gov/onlineservices/CheckLicenseII/checklicense.aspx>. You can file complaints online at http://www.cslb.ca.gov/Consumers/Filing_A_Complaint/. The CSLB has a hotline where disaster survivors can obtain more information: (800) 962-1125 (Monday – Friday, 8:00 a.m. – 5:00 p.m.). Take photos of the condition of your property before, during (if you can safely do so), and after any home repair.

The Federal Trade Commission website also has a helpful article outlining the steps for finding and hiring a contractor and spotting scams: <https://www.consumer.ftc.gov/articles/0242-hiring-contractor>.

Is loan consolidation a good idea?

Although the decision whether to consolidate loans or transfer loans to a new finance company depends on your particular situation and the terms offered, you should be aware that some financial companies may try to take advantage of your situation in the wake of a disaster. Because of the disaster, you may not be able to pay your creditors on time, and finance companies may contact you promising to consolidate your home mortgage, credit card debt, car loans, and repair loans, claiming consolidation will lower your monthly payments and give you more time to pay the debt. It is a good idea to check with your existing lenders or financial institutions about accommodating your situation due to the wildfires. They may be willing to agree to postpone payments due and waive interest charges or otherwise agree to a modified payment schedule. If you decide to deal with a new lender or refinancing company, be aware that these companies may try to pressure you to sign loan agreements without giving you a chance to review the documents or consult with another person or an attorney. Don't let them do so. In many instances, these refinancings result in high fees and interest rates and payments to bogus creditors, and they can cost you significantly more over time and damage your credit rating. You should carefully review the terms of any refinancing, make sure that the company you are dealing with is legitimate and

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licensed, and check referrals from previous customers. If you can, have an attorney review the documents and provide advice. Do not agree to any refinancing or consolidation in a hurry.

Can I do anything about being hassled by a collection agency?

Creditors are not required to let you know that they are referring your account to a collection agency, but you have certain legal rights to protect you from harassment by a collection agency. For example, debt collectors may call only between 8:00 a.m. – 9:00 p.m. (They can, however, contact your employer for certain information, as well as contact you at your work.) Debt collectors cannot use obscene or profane language or make threats to harm you or your property. There is no law limiting the number of calls that an agency can make, but repeated calls over a short period of time are prohibited if they would constitute harassment.

You can obtain more information about your rights with regard to collection agencies by consulting the California Attorney General's website at <http://oag.ca.gov>. On the Home screen, under About, "What We Do," choose the topic "Consumer Protection." The topic of "Debt Collectors" is in the list at the bottom of the page. You can also file a complaint with the Federal Trade Commission online at https://www.ftccomplaintassistant.gov/?utm_source=takeaction#crnt&panel1-1 or by telephone at (877) FTC-HELP/(877) 382-4357 (TTY (866) 653-4261).

What if I am the victim of identity theft?

Identity thieves steal personal information and use it to obtain credit cards, loans, or bank accounts in other people's names. When the bills are not paid, the victims may or may not be held responsible for some or all of the charges.

Identity theft can happen anytime, including after a disaster, because people are often required to evacuate in a hurry (leaving their homes and information exposed) or exercise less care in giving out information amidst the confusion and concern caused by the disaster. In trying to reestablish their lives, those affected by disasters can make their personal information vulnerable, especially when it gets communicated over the internet. Identity thieves may pose as authority figures to try to steal personal information, and they may even impersonate disaster victims to try to obtain checks or other emergency services. FEMA has reported that, in the wake of previous natural disasters, scam artists posed as FEMA inspectors asking for personal information or trying to charge for services, such as damage inspections or contractor repairs.

You should never give your complete Social Security number, bank account number, or credit card information to anyone unless you are certain the person is actually a representative of a legitimate organization. If you have any doubt, check with the organization, and do not rely on the person's word. Federal and state workers do not ask for or accept money. FEMA staff do not charge applicants for disaster assistance, home inspections, or help with filling out applications. All FEMA representatives carry laminated photo IDs.

If you believe that you are a victim of identity theft, you should:

- (1) contact the fraud department of one of the three major credit reporting companies to request a free (and renewable) 90-day fraud alert; you can call Experian at (888) 397-3742, Equifax at (866) 349-5191, or TransUnion at (800) 680-7289; once you ask one of three credit reporting companies for a fraud alert, they must tell the other two companies;
- (2) contact your local police and report the identity theft; be sure to obtain a copy of the police report and forms to use to request account information from creditors;
- (3) fill out an identity theft report at www.identitytheft.gov; and
- (4) contact your creditors to request information about the fraudulent accounts, close accounts that have been used fraudulently, and have the creditor report to the credit bureaus that they have been "closed at consumer's request."

You can use the police report and identity theft report to help prove that you were the victim of identity theft. For more information, visit the California Attorney General's website at www.oag.ca.gov/idtheft and FEMA's website at <https://www.fema.gov>.

In the wake of other recent disasters, some individuals have applied for FEMA help using identities that are not their own. If you learn someone has used your identity to apply for FEMA assistance, a FEMA representative can help you file a new application and will provide information for you to file a complaint. (If you decide not to file an application, the representative will confirm you do not want to access FEMA benefits.)

You should also contact the DHS Office of the Inspector General (OIG) at (800) 323-8603 (TTY (844) 889-4357). You can file a complaint online at <https://hotline.oig.dhs.gov/#step-1> and fax a complaint to (202) 254-4297, or mail a complaint to DHS Office of Inspector General/Mail Stop 0305, Attention: Office of Investigations – Hotline, 245 Murray Lane SW, Washington, D.C. 20528-0305.

In addition, those with information related to this type of fraud can call FEMA's Office of the Chief Security Officer (OCSC) tip line at (866) 223-0814 or email FEMA-OCSO-Tipline@fema.dhs.gov. If you suspect suspicious activity or fraud,

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contact the National Center for Disaster Fraud Hotline by phone at (866) 720-5721 or file a complaint at <https://www.justice.gov/disaster-fraud/ncdf-disaster-complaint-form>.

What should I look for when hiring a moving company?

When hiring an unfamiliar moving company, you should:

- (1) ask for and review customer references before contracting for services;
- (2) make sure the mover is licensed, insured, and in good standing with the California Public Utilities Commission;
- (3) get an estimate in writing of the cost of the move (after inspection of the goods to be moved) and how long it will take (a written cost estimate is binding, but oral or internet estimates are not) in advance;
- (4) know that the moving company must provide a “not to exceed” price for all household moves in an agreement for moving services; and
- (5) make sure you understand the moving company’s insurance limits and consider whether you should purchase additional insurance. Take photos of your property before allowing it to be moved.

More information, including how to verify a moving company is licensed, how to file a claim for loss or damages, and several consumer-protection resources, is available online at <https://oag.ca.gov/consumers/general/moving> and <https://bhgs.dca.ca.gov/consumers/movers.shtml>.

You can also call (916) 999-2041 to check if a mover is licensed. You can file a complaint against a moving company by following the instructions at <https://bhgs.dca.ca.gov/consumers/index.shtml> or by calling (916) 999-2087. Loss or damages claims must be filed in writing within nine months after your goods have been delivered.

What should I look for when hiring a storage company?

Before you turn your belongings over to anyone for storage, make sure that (1) the storage company is legitimate and reputable by talking with people who have used their services; (2) you have a written agreement with the storage company listing what will be provided, the cost to you, and the property you are turning over for storage; and (3) you have considered whether and how to insure the contents of your storage unit (your homeowners or renters insurance may or may not already cover some of the items). Take photos of your property before turning it over to a storage company.

What should I look for when hiring an attorney?

If you can, get a referral from a trusted source. If you do not have a trusted friend or family member who can refer you to an attorney, you can talk to a local lawyer referral service certified by the State Bar of California. Certified referral services are listed in the **Lawyer Referral Services & Legal Aid** chapter of this handbook. To obtain a full listing of the State Bar-certified Lawyer Referral Services Directory, you can call the State Bar lawyer referral services at (866) 442-2529 (in California) or (415) 538-2250 (outside California) or look them up on the internet at www.calbar.ca.gov/lrs. You may want to review the State Bar’s consumer legal guides, “Before Selecting an Attorney” and “Resolving Problems,” located online at www.calbar.ca.gov. Click the “Public” link, and then the “Legal guide pamphlets” link. You could also find additional information on “Finding free legal help” by clicking that link on the “Public” page.

To file a complaint against an attorney, contact the State Bar of California at (800) 843-9053 or visit its website at www.calbar.ca.gov and click on the “How to file an attorney misconduct complaint” link.

After a disaster, can a seller of products radically increase its prices to make a quick buck?

After the government declares a state of emergency, it is illegal for businesses to increase the cost of certain goods by more than 10%, unless they can prove the increase was based on an increase in their suppliers’ price or directly attributable to additional costs for labor or materials to provide the services. The prohibition on price gouging applies to: food, emergency and medical supplies, gasoline, repairs, housing (including hotel rooms), transportation, and reconstruction. The prohibition generally extends for 30 days after a declaration of emergency, although for reconstruction services and emergency cleanup services, the ban is extended for 180 days. Please see California Penal Code Section 396 for more information.

At the time of this writing, the president and governor have declared a state of emergency in certain California counties as a result of the disasters. Lassen, Nevada, Placer, and Plumas counties have been declared state and federal disaster areas. These declarations have activated the prohibition described above against price gouging.

If you suspect price gouging, contact your local district attorney or the California Attorney General’s Office at (800) 952-5225, or report it online at <https://oag.ca.gov/report>. You can also refer to the FAQs about price gouging during disasters on the California Attorney General’s website at <https://oag.ca.gov/consumers/pricegougingduringdisasters>.

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GENERAL SUPPORT AND RESOURCES

Suffering the loss of a loved one is one of the most difficult experiences we face and one only made more difficult when the loss occurs in the tragic and unexpected circumstances of a disaster, such as the Summer 2021 Wildfires. This chapter contains general information to help those coping with the loss of a friend or a family member.

I'm suffering emotionally due to the loss of loved ones in the wildfires. Is there anywhere I can turn to for help?

It is not unusual to have symptoms of anxiety, distress, or depression after a major disaster, especially when you have lost friends or family. If you need someone to talk to, you can call the Disaster Distress Helpline at (800) 985-5990. This national hotline is always available and is dedicated to providing immediate crisis counseling for people who are experiencing emotional distress related to any disaster. The hotline is toll-free and multilingual. If you would rather text, you can also connect to a trained crisis counselor by texting TalkWithUs to 66746. For assistance in Spanish, call (800) 985-5990 and press 2, or text Hablanos to 66746. All services are confidential. Additional mental health resources are listed in the **Other Resources** chapter of this handbook.

A close family member passed away, but I have no financial resources to cover the costs of his burial. Are there funds available to assist me?

There may be. Under certain circumstances, the Federal Emergency Management Agency (FEMA) Individual and Households Program (IHP) may provide assistance to help with funeral and related costs for an immediate family member whose death is attributed to a major disaster, such as the recent disasters in Lassen, Nevada, Placer, and Plumas counties. The FEMA website contains details regarding covered costs and eligibility criteria, <https://www.disasterassistance.gov/get-assistance/forms-of-assistance/4473>. You can read more about obtaining FEMA benefits generally in the **FEMA** chapter of this handbook. California's State Supplemental Grant Program (SSGP) may supplement eligible costs not already covered by FEMA IHP, including funeral or burial expenses. FEMA automatically transmits information to the California SSGP if an individual exhausts their FEMA IHP assistance. Therefore, an individual must complete the FEMA IHP application to be eligible for California SSGP funds.

If your deceased family member was a veteran, or an immediate family member of a veteran, certain burial benefits may be available. Benefits are provided by the U.S. Department of Veterans Affairs (VA) and depend on factors related to the veteran's service record. The following website contains general information about these benefits and provides links to where you can find the relevant criteria, https://www.cem.va.gov/cem/burial_benefits/.

Finally, you or another family member may be eligible for a one-time payment of \$255 from the Social Security Administration. The response to the next question contains additional information on how to get more information regarding potential Social Security benefits.

My spouse is deceased, and we relied on his or her social security payments for living expenses. What do I do now?

You should let the Social Security Administration know as soon as possible when a family member dies. Under certain circumstances, a surviving family member may be eligible to collect Social Security benefits that were earned by the deceased. For more information, you can contact the Social Security Administration at <https://www.ssa.gov/> or by calling (800) 772-1213 (TTY (800) 325-0778). The Social Security Administration answers calls from 8:00 a.m. – 5:30 p.m. and has automated information available 24 hours a day, seven days a week. The Social Security Administration's website also contains additional information on this topic, <https://www.ssa.gov/benefits/survivors/>.

PROPERTY TRANSFERS; WILLS AND PROBATE

The rules regarding property transfers at death vary among states. In general, the relevant rules will be those of the state in which the person who died (the decedent) usually resided at the time of death even if he or she died in another state, but, in some cases, the rules of other states in which the decedent owned assets may also be relevant. This section provides a general description *based on California law*, but there may be some variations in the rules involving other states. In addition, special rules not discussed below may apply in certain circumstances, such as where spouses pass away at nearly the same time or where a missing person is presumed dead. The following is an outline of some provisions of California law and is not legal advice for any particular matter or facts. Accordingly, it is advisable to consult an attorney or seek assistance from a legal aid organization.

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Who will get ownership of my deceased loved one's assets?

Certain types of assets will pass automatically by contract or law regardless of the existence or content of a will. For example, jointly owned (joint tenancy) assets pass on the death of one of the owners to the surviving joint owner(s). Certain other assets (such as life insurance proceeds and retirement plan benefits) pass by their terms to designated beneficiaries. Assets held in a revocable trust are disposed of in accordance with the trust instrument following the death of the person who established the trust.

The assets described above are usually not part of a decedent's estate and are not subject to probate court proceedings unless the decedent's estate itself has been designated as a beneficiary. Other assets owned by a decedent at the time of death will make up that person's "estate" and will pass to that person's successors. Generally, succession depends on whether the decedent left a will. A person who died without a will is said to have died "intestate."

If a person dies with a valid will, his or her estate will be distributed according to the will, subject to any overriding state laws, such as community property (California is a community property state) and forced heirship statutes. If a person died intestate (without a will), the decedent's estate will be distributed according to the intestacy laws of the state in which the decedent resided or possibly the state in which the assets are situated if the assets are located in a state other than the decedent's state of residence.

Generally, an intestate decedent's spouse, children, parents, or siblings will receive the assets, but every state has different rules governing intestate succession.

My loved one left a will. What do I need to do?

A will usually names an executor. If not, an executor (the person responsible for administering the estate) will be appointed by the probate court. The executor's job is to collect the decedent's assets, pay the decedent's debts (such as taxes, bills, loans, and expenses of administering the estate), and distribute any remaining assets according to the provisions of the will and relevant state statutes.

The executor typically files a petition for probate with the appropriate state court, along with the original will and death certificate, and obtains letters testamentary (documents issued by the probate court to authorize the executor to take control of the estate). The petition for probate must contain pertinent information about the decedent and his or her family, debts, and assets. This filing usually must be done in the court in the county where the decedent resided (even if he or she died in a different county), and it must be filed promptly (generally within 30 days) after the executor becomes aware of the death. The petition required for California courts is at <http://www.courts.ca.gov/documents/de111.pdf>. Because a petition for probate is a proceeding involving the court system, the executor typically engages a lawyer or contacts a legal aid organization to assist with the filing of the petition and the administration of the decedent's estate.

In California, in addition to an executor, any person who was given custody of the decedent's original will while the decedent was living is technically required, within 30 days of becoming aware of the decedent's death, to deliver the will to the court of the county in which the decedent resided and mail a copy of the will to the named executor (or to a named beneficiary if the executor's whereabouts are not known), unless a petition for probate has already been filed as described above. Other states may impose a similar requirement.

Once the letters testamentary have been granted by the court, the executor may begin to pay the decedent's debts and distribute the remaining assets to the beneficiaries of the decedent's estate.

For self-help resources regarding probate court in California, including "Steps to Take if the Case Belongs in Probate Court," visit <http://www.courts.ca.gov/8865.htm> and websites for the Superior Court in the relevant county:

- Lassen: <https://www.lassencourt.ca.gov/>; https://www.lassencourt.ca.gov/self_help/index.shtml
- Nevada: <http://nccourt.net/divisions/probate.shtml>
- Placer: <http://www.placer.courts.ca.gov/division-probate-main.shtml>
- Plumas: <http://www.plumascourt.ca.gov/index.htm>

What if I know that my loved one left a will, but I cannot find it?

There are several places to check for a decedent's will. First, if you know the lawyer who prepared the will, you can ask the lawyer whether he or she kept the original or at least a copy. You can check with the local probate court, just in case the will was filed with the local court. Another place to check is the County Recorder's office because some people record their wills in the public record. A list of County Recorders' offices can be found in the **Document & Record Replacement** chapter of this handbook.

In certain cases, a copy of a will can be probated if the original cannot be found. If the will is lost, you may be able to prove the contents of the will in probate court depending on the requirements of state law regarding lost wills.

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My loved one did not leave a will or none can be found. What do I need to do?

If there is no will or no will can be found, an administrator of the decedent's estate has to be appointed by the probate court to pay the decedent's debts and distribute the remaining assets to the beneficiaries based on the rules of intestate succession. The appointed administrator will generally be selected in the following order (assuming the potential administrator is competent and is at least 18 years old):

- the decedent's spouse or domestic partner;
- one or more of the decedent's children;
- one or more of the decedent's grandchildren;
- one or more of the decedent's other issue;
- either or both of the decedent's parents;
- one or more of the decedent's brothers and sisters;
- one or more of the issue of the decedent's brothers and sisters;
- one or more of the decedent's grandparents; or
- one or more of the issue of the decedent's grandparents.

The California rules list a number of other potential administrators in the event none of the above persons is appointed. If necessary, the administrator may be an heir of the estate who is not related to the decedent, or may be one or more creditors of the estate.

The proposed administrator must file a petition for letters of administration in the appropriate state court along with a death certificate. Similar to the petition for probate, this petition lists pertinent information about the decedent and his or her family and assets. Once letters of administration have been granted by the probate court, the administrator may begin paying the decedent's debts and making the proper distributions to the beneficiaries of the estate in accordance with the laws of intestacy.

GUARDIANSHIPS OF MINORS AND INCOMPETENT ADULTS

I know a child who lost his or her only parent or both parents in the disaster. Under the parent's will, I am supposed to become the caretaker of the child. What steps do I need to take to become the child's legal guardian?

A guardian is a non-parent to whom the court gives authority to take responsibility for the care of a child. If the parent's will specified you as the child's guardian, you must complete guardianship proceedings in the appropriate California county. For more information, see the Guardianship Pamphlet for the Guardianships of Children in the Probate Court at <http://www.courts.ca.gov/documents/gc205.pdf>. The petition for appointment of a guardian is available at <http://www.courts.ca.gov/documents/gc210p.pdf> and <http://www.courts.ca.gov/documents/gc210.pdf>. The other documents required when filing a guardianship are usually listed on the court's website, under the Probate Division, including any local court forms that may be required. The proper venue for beginning a guardianship proceeding is either the county where the child lives or such county as may be in the best interests of the child. The parent's will must be admitted to probate. California courts have Self-Help Centers to provide legal information and assistance on issues, such as guardianships to people who do not have attorneys. You can find the Self-Help Center in your county here: <https://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>.

The deceased parent did not specify another person to care for his or her child. What do I do if I want to become the child's legal guardian?

If you are currently taking care of a child and have the ability and want to take responsibility for the child, you can petition the court to be appointed as the guardian of the child and the child's property. A guardianship appointment may be permanent or temporary and generally expires when the child reaches the age of 18.

A petition for guardianship is filed in the state court in the county where the child resides or such county as may be in the best interests of the child. The court clerk will provide the necessary legal forms (see the list of county courts above). If the court appoints you as guardian, you will receive letters of guardianship, which you will need to enroll the child in school, for hospital emergencies, and similar matters. Letters of guardianship are only valid in the state where they are issued.

Because guardianship involves a court assignment of responsibilities, you should consult an attorney or legal aid organization before proceeding to petition for it. Other potential alternatives to guardianship, not covered here, are adoptions and custody arrangements. In California, a caregiver can also complete a Caregiver's Authorization Affidavit to enroll a child in school and authorize certain types of medical care without a guardianship. A fillable Caregiver's Authorization Affidavit is available at <http://www.courts.ca.gov/documents/caregiver.pdf>.

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What if the child of deceased parents inherits a sum of money or receives funds from an organization?

Funds received by a child through inheritance or award will be administered by a guardian of the child's property. The child's assets or income must be invested as directed by the court for the child's benefit. The court may require the guardian to post a bond to ensure compliance with rules of the court and laws regarding the investment of a child's assets. If there are assets, the best scenario may be for the guardian of the child to be appointed as the guardian of the assets. Usually, the funds are turned over to the child on the child's 18th birthday, at which time the guardianship is typically ended. For more information, see the Judicial Branch of California's resource page on guardianship, which is available at <http://www.courts.ca.gov/1212.htm>.

What if I am responsible for the care of a child who has received funds and I need to spend money on the child's behalf?

With the permission of the court, as guardian of the child's property, you may pay certain expenses on behalf of the child using funds held by you on the child's behalf. The court will decide each request based on the best interests of the child. You must petition the court for approval of each expense in advance, or, if the court deems it appropriate, you may be able to obtain a monthly stipend for regular expenses. While courts approve spending on a case-by-case basis, typically approved expenses include education, medical, and other support costs.

What if I now have to take care of an adult who is incompetent? Is a guardianship appropriate in that circumstance?

A similar protective proceeding—known as a conservatorship—may be appropriate for an incompetent adult or an adult who is unable to care for his or her personal needs or property. You can file a petition to become a conservator of an adult and his or her property in the court in the county where the incompetent adult resides. Again, because this involves judicial proceedings, you should consult with an attorney or legal aid organization before proceeding.

TAXES FOR MISSING OR DECEASED FAMILY MEMBERS

Should federal income tax returns be filed on behalf of my missing relatives?

If your missing relative has not been officially declared dead, you should consult a professional tax advisor about filing his or her returns. If a death certificate has not been issued, filing regular tax returns may be required on the missing person's behalf. You can also call the IRS for assistance: (800) 829-1040.

Should federal and California income tax returns be filed on behalf of my deceased relatives? If so, when?

Final returns (IRS Form 1040 and FTB Form 540) should be filed for the year of death and for any prior years for which required returns were not filed before death. If not filing a joint return, a final federal and California income tax return should be filed by the court-appointed executor, the "personal representative," or another administrator of the estate of the decedent, appointed by the court. The word "**DECEASED**," the name of the deceased, and the date of death should be written across the top of the return. If it is a joint return, the name and address of the decedent and the surviving spouse should be written in the name and address space. If it is not a joint return, the name of the decedent should be written in the name space and the name and address of the estate administrator or another person filing the return should be written in the remaining space. Generally, the final income tax return for a decedent who was a calendar-year taxpayer is due on April 15 following his or her death. Income tax returns may also be required on behalf of the estate of the decedent. It is advisable to consult an accountant, tax lawyer, or other tax advisor with regard to these issues.

Can I file a joint tax return with my missing or deceased spouse?

Yes, unless you remarry before the end of the year of your spouse's death. If filing a joint return with your missing or deceased spouse, you should indicate at the top of the return that you are doing so. Consult an accountant, tax lawyer, or other tax advisor for additional information.

Should a federal or California estate tax return be filed? If so, when and by whom?

Most relatively simple estates (*e.g.*, consisting of cash, publicly traded securities, small amounts of other easily valued assets, and no special deductions or elections or jointly held property) with a total value of approximately \$11,700,000 or less and a date of death in 2021 do not require the filing of a federal estate tax return. (For this purpose, the value of lifetime taxable gifts made by a decedent during or after 1977 is treated as part of the estate.)

The determination of whether a federal estate tax return must be filed can nevertheless be complicated, and you should consult a professional tax advisor regarding the need for this return. In some cases, filing an estate tax return may be advisable, even if not required, in order to make certain favorable elections. In general, a federal estate tax return (Form 706) must be filed within nine months after the date of death in order to be timely. Extensions for filing can be sought, but any expected taxes due should be paid on time to avoid interest and penalty charges. Federal estate tax returns should generally be filed by the person administering the decedent's estate.

LOSS OF LIFE

There is no requirement to file a California estate tax return for deceased individuals with a date of death in 2021.

Are life insurance proceeds taxable?

Generally, life insurance proceeds are not subject to California or federal income tax when paid to beneficiaries, but they may be subject to estate tax in certain instances. The taxation of life insurance proceeds is complex, and consulting a professional tax advisor regarding this matter is encouraged.

HEALTHCARE

Written By Alicia Emanuel, National Health Law Program

For non-emergency medical needs, if you do not already know if you have health insurance, you should check with your employer or former employer, the county human services agency (<https://www.dhcs.ca.gov/services/medi-cal/Pages/CountyOffices.aspx>), or Covered California (<https://www.coveredca.com>). You can also check with the Social Security Administration at (800) 772-1213 to see if you have Medicare coverage.

Medi-Cal offers free or low-cost health coverage for individuals with limited income. Generally, individuals and families with income up to 138% of the federal poverty level (FPL) who meet other eligibility criteria (and children with income up to 266% of the FPL) qualify for Medi-Cal (<https://www.coveredca.com/PDFs/FPL-chart.pdf>). Individuals with disabilities who are working may qualify for Medi-Cal at a higher income level.

Free local assistance may be available for individuals struggling to get or keep health coverage or to access medical care. The Health Consumer Alliance (HCA) offers free health advocacy online, over the phone, or in person at independent, community-based offices throughout California. The HCA can be contacted at (888) 804-3536 or <https://healthconsumer.org>.

Medi-Cal

How do I enroll in Medi-Cal?

You can apply for Medi-Cal year round by contacting your county human services agency in person, online, or by mail, fax, or telephone. You can also apply online at www.coveredca.com/apply/.

After a natural disaster, Medi-Cal application requirements are less restrictive. County eligibilty workers must accept telephonic applications and telephonically recorded and electronic signatures. If you are unable to provide necessary verifications due to unusual circumstances like a fire, flood, or other natural disaster, you can provide an affidavit in place of the requested documentation for all verifications except citizenship and immigration status. If you are experiencing homelessness, a written statement on your Medi-Cal application is sufficient to establish residency.

What do I do if I need immediate medical assistance?

If you are applying for Medi-Cal and have an immediate medical need, the county must expedite your eligibility determination whenever possible. If you have severe or immediate medical needs, you may also obtain expedited Medi-Cal through Presumptive Eligibility (PE) programs available through some hospitals, PE providers for pregnant women, and Child Health Disability Prevention (CHDP) Program providers.

If you have questions about your coverage after you are enrolled in Medi-Cal, contact your county human services agency. If you need help obtaining non-hospital-based medical assistance, contact your doctor, your pharmacy, or your Medi-Cal managed care plan.

How do I keep my Medi-Cal?

Medi-Cal terminations must be delayed during and after natural disasters if you are unable to provide required documentation. Monthly premium payments for the Medi-Cal Access Program (MCAP), Medi-Cal Access Infant Program (MCAIP), and the Optional Targeted Low Income Children Program (OTLICP) will be suspended in counties affected by a state or federally declared public health crisis or natural disaster. The Department of Health Care Services (DHCS) cannot discontinue your Medi-Cal for failure to pay monthly premiums during a natural disaster.

If you lost your Medi-Cal Benefits Identification Card (BIC), contact your county human services agency to request a replacement card.

How do I access care through my Medi-Cal managed care plan?

If you are enrolled in a Medi-Cal managed care plan, contact your plan directly to access care. The customer service phone number for your plan should be on the back of your benefits card or may be on your plan's website.

If you have been displaced due to a natural disaster and are currently residing in a different California county, you do not need to reapply for Medi-Cal. Instead, request an inter-county transfer. Contact the Medi-Cal Managed Care Office of the Ombudsman at (888) 452-8609 for assistance. Your county worker should also help you with your health plan change, if needed.

If your providers are unavailable after a disaster, your Medi-Cal managed care plan is still required to provide adequate provider networks, including by authorizing out-of-network care if no providers are available in-network. Plans must make urgent care that does not require prior authorization available within 48 hours (and within 96 hours when prior authorization is required). Non-urgent physician appointments must be available within 10 business days, and specialty appointments must be available within 15 business days.

HEALTHCARE

How do I access my prescription drugs?

You can contact your prescribing provider, pharmacy, and/or managed care plan to request a refill. Medi-Cal beneficiaries are also entitled to at least a 72-hour fill of prescription drugs in an emergency situation.

How do I replace removable dental appliances?

Removable dental appliances (orthodontic retainers, space maintainers, partial and full dentures, and temporomandibular joint appliances) may be replaced under special expedited procedures. Here is existing guidance:

https://www.dental.dhcs.ca.gov/MCD_documents/providers/provider_bulletins/Volume_37_Number_17.pdf.

Covered California

How do I enroll in coverage through Covered California?

Covered California's open enrollment is November 1, 2021, through January 31, 2022. See Covered California's Shop and Compare tool at <https://apply.coveredca.com/lw-shopandcompare/> to review your coverage options and determine whether the doctor you want to see is in a plan's network.

You can enroll in coverage outside the Covered California open enrollment period if you experience a "qualifying life event" (QLE), which entitles you to a special enrollment period (SEP). Examples of qualifying life events include loss of health insurance, a permanent move to or within California, having a baby or adopting a child, getting married, or becoming a citizen or permanent legal resident. If you need help enrolling or have questions about whether you are entitled to an SEP, call Covered California's Service Center. The Service Center is open Monday – Friday, 8:00 a.m. – 6:00 p.m. The number is (800) 300-1506 (TTY: (888) 889-4500). You can enroll online at www.coveredca.com or contact a Certified Insurance Agent or Certified Enrollment Counselor for enrollment assistance. Search for an enrollment assister by zip code and language at <https://apply.coveredca.com/hix/entity/locateassister/searchentities>.

Note: For the duration of the COVID-19 public health emergency, you can enroll in a Covered California plan even if you have not experienced a qualifying life event like the ones listed above.

A declared state of emergency in California, due to a wildfire, flood, or other natural disaster, gives affected individuals an SEP for 60 days from the declared state of emergency, which includes the right to change plans if the disaster causes displacement. To see if you are eligible, contact Covered California.

Do I qualify for financial assistance?

You may qualify for financial help to receive health insurance through Covered California. Eligible consumers may receive two forms of financial assistance, Advanced Premium Tax Credits (APTCs), and Cost-Sharing Reduction payments (CSRs). APTCs reduce your monthly premium costs, and CSRs reduce out-of-pocket costs (such as copays, coinsurance, and deductibles). You may still qualify for premium assistance even if you have other health coverage (such as COBRA, student health insurance, Medicare Part A that requires you to pay a premium, or veteran's coverage).

Beginning January 1, 2020, consumers became eligible for additional financial help from the state of California to lower the cost of premiums. Additionally, the American Rescue Plan builds on California's financial assistance program to provide even lower premiums for plan years 2021 and 2022.

What do I do if I need additional assistance?

If you need medical assistance, contact your doctor, your pharmacy, or your health plan. Covered California plans are required to provide individuals who have been displaced by a state of emergency access to medically necessary health care services by taking action, such as suspending prescription refill limits or granting care out-of-network. Plans must make urgent care that does not require prior authorization available within 48 hours (and within 96 hours when prior authorization is required). Non-urgent physician appointments must be available within 10 business days, and specialty appointments must be available within 15 business days. Contact your plan for more information.

If you have questions about your premium or payment due dates, contact your health insurance company. For a list of phone numbers for Covered California health insurance plans, see www.coveredca.com/find-help/health-plans/.

If you lost your membership ID card, call your health insurance company directly to request a replacement ID card.

COVID-19 HEALTHCARE POLICY CHANGES

Medi-Cal

Medi-Cal covers medically necessary COVID-19 testing, screening, and treatment at no cost to the beneficiary. You do not need to get this care approved in advance.

HEALTHCARE

The Department of Health Care Services (DHCS) has implemented various flexibilities to make it easier to enroll in Medi-Cal and to access Medi-Cal services during COVID-19. For a complete list of policies, go to <https://www.dhcs.ca.gov/> and look for “COVID-19 Latest Updates.”

DHCS implemented a COVID-19 Uninsured Group Program (<https://www.dhcs.ca.gov/services/medi-cal/eligibility/Pages/COVID-19-Presumptive-Eligibility-Program.aspx>) to cover the cost of COVID-19 diagnostic testing, testing-related services, and treatment services, including hospitalization and all medically necessary care at no cost for individuals with no insurance, or individuals with private insurance that does not *fully* cover diagnostic testing, testing-related services, and treatment services. Coverage is available regardless of immigration status, income, or resources. Individuals can enroll in the program retroactively.

DHCS launched a 24-hours-per-day, seven-days-a-week advice line that connects you with a nurse to discuss your COVID-19 symptoms and helps connect you with local resources. Call the Medi-Nurse Line at (877) 409-9052. Learn more at <https://www.dhcs.ca.gov/Pages/DHCS-COVID-19-Medi-Nurse-Line.aspx>.

Medi-Cal Managed Care and Private Insurance

The California Department of Managed Health Care (DMHC) and the California Department of Insurance (CDI) require plans to cover screening and testing for COVID-19. In most cases, testing is available at no cost to the consumer. Plans may not require prior authorization for services related to testing and screening. For more information, call your health plan or go to the CDI (<https://www.insurance.ca.gov/>) and DMHC (<https://www.dmhc.ca.gov/>) websites.

LAWYER REFERRAL SERVICES & LEGAL AID

Who can help me understand all these legal issues?

It is advisable to consult a qualified attorney about a number of the issues you may face as the result of the Summer 2021 Wildfires, including, but not limited to, obtaining benefits from your insurance policies. If you already have a personal, family, or business attorney, you may want to reach out to him or her for advice and/or a referral.

For those without a prior relationship with an attorney, California has a number of legal referral services and legal services organizations. The referral services listed below have been certified by the State Bar of California. Check out the State Bar's lawyer referral web page, <http://www.calbar.ca.gov/Public/Need-Legal-Help/Lawyer-Referral-Service>, to get a complete listing of certified lawyer referral services in all California counties or call (866) 442-2529 (toll free in California) or (415) 538-2250 (from outside California). The State Bar of California also publishes a consumer pamphlet, "What Consumers Should Know Before Hiring an Attorney," which can be obtained online at <https://www.calbar.ca.gov/Public/Free-Legal-Information/Legal-Guide-Pamphlets> or by calling (866) 442-2529 or (415) 538-2250.

The legal services organizations listed below work in the affected areas and primarily serve low-income individuals. A full list of California's legal aid and self-help resources can be found on the website **LawHelpCA.org** at <http://www.lawhelpca.org/>. This website also has information about legal help related to "Disaster Assistance and Recovery," which can be viewed at <http://www.lawhelpca.org/subtopics/disaster-assistance-and-recovery?page=0>. The **National Disaster Legal Aid Resource Center** also has information for those who need legal assistance, as well as for legal aid professionals and attorneys seeking to volunteer their time. The website is <https://www.disasterlegalaids.org/>.

LEGAL HELPLINE NUMBERS AND REGIONAL REFERRALS

During the COVID-19 pandemic, hours and services of the courts and organizations listed below may be limited. Call or check websites for updated COVID-19 restrictions and health safety measures, including whether in-person services are available.

<p>Disaster Legal Assistance Collaborative Legal Assistance Hotline (888) 382-3406 https://disasterlegalservicesca.org/</p> <p>Provides legal help for California wildfire survivors and to Californians affected by COVID-19.</p>	<p>California Rural Legal Assistance, Inc. (CRLA) (800) 337-0690 http://www.crla.org/office-listing</p> <p>Provides free legal services to low-income Californians in rural areas. Get help in English or Spanish.</p>
<p>Free Legal Answers is a virtual legal advice clinic that serves California residents. Individuals can post questions relating to wildfires and/or COVID-19. The website is: https://ca.freelegalanswers.org/.</p>	<p>Disability Rights California 1831 K St. Sacramento, CA 95811 (800) 776-5746; (916) 504-5802 http://www.disabilityrightsca.org/</p>
<p>California Indian Legal Services 117 J St., Ste. 201 Sacramento, CA 95814 (800) 829-0284; (916) 978-0960 http://www.calindian.org/</p> <p>Serves California Indian communities with no-cost and low-cost legal services.</p>	<p>Legal Aid at Work 180 Montgomery St., Ste. 600 San Francisco, CA 94104 (415) 864-8848 https://legalaidatwork.org/</p> <p>Offers information and self-help resources for workers, as well as a Workers' Rights Clinic helpline at (866) 864-8208.</p>

LAWYER REFERRAL SERVICES & LEGAL AID

<p>United Policyholders 381 Bush St., 8th Fl. San Francisco, CA 94104 (415) 393-9990 http://www.uphelp.org/</p> <p>Non-profit organization that provides information to consumers of all types of insurance.</p>	<p>Start Small Think Big 1000 Broadway, Ste. 290 Oakland, CA 94607</p> <p>2800 Zanker Rd., 2nd Fl. San Jose, CA 95134 (415) 966-2187 https://www.startsmallthinkbig.org</p> <p>Provides free legal services to eligible “under resourced” entrepreneurs in California. Consult the website for details regarding eligibility. https://www.startsmallthinkbig.org/legal</p>
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Lassen County	
<p>Legal Services of Northern California 1370 West St. Redding, CA 96001 (800) 822-9687(toll free) https://snc.net/office/redding</p> <p>For legal questions resulting from the wildfires, call (800) 660-3458 or email disasterhelp@snc.net.</p>	

Nevada County	
<p>Legal Services of Northern California 190 Reamer St. Auburn, CA 95603 (800) 660-6107(toll free) https://snc.net/office/auburn</p> <p>For legal questions resulting from the wildfires, call (800) 660-3458 or email disasterhelp@snc.net.</p>	

Placer County	
<p>Legal Services of Northern California 190 Reamer St. Auburn, CA 95603 (800) 660-6107(toll free) https://snc.net/office/auburn</p> <p>For legal questions resulting from the wildfires, call (800) 660-3458 or email disasterhelp@snc.net.</p>	

LAWYER REFERRAL SERVICES & LEGAL AID

Plumas County	
<p>Legal Services of Northern California 541 Normal Ave. Chico, CA 95928 (530) 345-9491 (800) 345-9491 (toll free) http://lsnc.net/office/chico</p> <p>For legal questions resulting from the wildfires, call (800) 660-3458 or email disasterhelp@lsnc.net.</p>	

DISASTER HELP CENTERS

After major disasters, such as the Summer 2021 Wildfires, state and federal authorities typically set up temporary centers where survivors can go to get in-person assistance with applying for disaster relief. The most common types of these centers are described below. Due to the COVID-19 pandemic restrictions, in-person services are currently more limited. Below we've provided descriptions of the typical resources provided, as well as contact information so you can determine whether services are being provided virtually or in person. You can also call the legal assistance hotlines provided in the **Lawyer Referral Services & Legal Aid** chapter of this handbook to find services that might be available near you.

FEMA Disaster Recovery Center

A FEMA Disaster Recovery Center (DRC) is a location where disaster survivors can go for information about FEMA programs and other disaster assistance relief and to ask questions about their situation. Representatives from the Governor's Office of Homeland Security and Emergency Preparedness, FEMA, the U.S. Small Business Administration (SBA), volunteer groups, and other agencies are typically at DRCs to answer questions about disaster assistance, including low-interest disaster loans for homeowners, renters, and businesses. They can also help survivors apply for federal disaster assistance. As of September 7, 2021, FEMA has not set up an in-person DRC in California. Consult FEMA's website at <https://www.fema.gov/disaster-recovery-centers>, to determine if that changes. You can also find the closest DRC by sending a text to 43362 with the letters DRC and your ZIP Code (standard message and data rates apply).

FEMA will open in-person Mobile Registration Intake Centers in Placer County to offer information related to the disaster and to assist survivors to register for federal assistance. Residents of both Nevada and Placer counties are welcome to visit these sites. For more information, see <https://news.caloes.ca.gov/mobile-registration-intake-center-open-in-placer-county/> and <https://www.readynevadacounty.org/CivicAlerts.aspx?AID=4152>.

SBA Business Recovery Center

An SBA Business Recovery Center (BRC) provides a range of assistance to businesses impacted by a disaster, including offering information on how to get help from the SBA. Due to the risks of COVID-19, the SBA is conducting a Virtual Disaster Loan Outreach Center and Virtual Business Recovery Center. The hours of operation are Monday – Friday, 8:00 a.m. – 8:00 p.m. ET. Centers may be closed on holidays. Virtual center staff members can be contacted at FOCWAssistance@sba.gov or (800) 659-2955. This press release provides additional detail <https://www.sierrasbdc.com/2021/08/26/sba-wildfire-relief/>.

Local Assistance Center

Local Assistance Centers (LACs) are typically staffed by representatives from the Employment Development Department and other local, state, and federal agencies, as well as nonprofits and other volunteer organizations. Volunteers assist individuals with applying for, and getting information about, disaster assistance programs and services, including unemployment benefits and payroll tax extensions for employers. In addition to calling the legal hotlines set up for these disasters (such as Disaster Legal Assistance Collaborative's hotline at (888) 382-3406), you can check the following website for current information on the disaster help centers near you:

- <https://wildfirerecovery.caloes.ca.gov/>

Even if a county does not provide in-person assistance, many county websites have helpful information. The information below is current as of September 7, 2021:

Lassen County

- As of September 7, 2021, we have not located any information about a virtual or current/upcoming in-person LAC in Lassen County. Check the Lassen County website for the most up-to-date information: <http://www.lassencounty.org/>.

Nevada County

- For a limited time, FEMA will open in-person Mobile Registration Intake Centers to offer disaster information and assist survivors with registering for federal assistance. Residents of both Nevada and Placer counties may visit these centers. For more information, see <https://news.caloes.ca.gov/mobile-registration-intake-center-open-in-placer-county/> and <https://www.readynevadacounty.org/CivicAlerts.aspx?AID=4152>.
- As of September 7, 2021, we have not located any information about a virtual or current/upcoming in-person LAC in Nevada County. Check the Nevada County website (<https://www.mynevadacounty.com/>) and the county's River Fire Recovery website (<https://www.mynevadacounty.com/3300/River-Fire-Recovery>) for the most up-to-date information.

DISASTER HELP CENTERS

Placer County

- For a limited time, FEMA will open in-person Mobile Registration Intake Centers to offer disaster information and assist survivors with registering for federal assistance. Residents of both Nevada and Placer counties may visit these centers. For more information, see <https://news.caloes.ca.gov/mobile-registration-intake-center-open-in-placer-county/> and <https://www.readynevadacounty.org/CivicAlerts.aspx?AID=4152>.
- As of September 7, 2021, we have not located any information about a virtual or current/upcoming in-person LAC in Placer County. Check the Placer County website (<https://www.placer.ca.gov/>) and the county's River Fire Recovery website (<https://www.placer.ca.gov/7497/Fire-Recovery>) for the most up-to-date information.

Plumas County

As of September 7, 2021, we have not located any information about an upcoming in-person LAC in Plumas County. Check the Plumas County website (<https://plumascounty.us/>) and the county's Dixie Fire Recovery Information website (<https://www.plumascounty.us/2871/Resources-and-Assistance>) for the most up-to-date information.

STATE/FEDERAL AGENCY QUICK PHONE LIST

FEMA	(800) 621-3362
TTY line	(800) 462-7585
www.fema.gov	
California Attorney General's Office.....	(800) 952-5225
TTY – English.....	(800) 735-2929
TTY – Spanish	(800) 855-3000
www.oag.ca.gov	
California Contractors State License Board (disaster hotline).....	(800) 321-2752
www.cslb.ca.gov	
California Department of Financial Protection and Innovation (lender licensing).....	(866) 275-2677
Alternative number.....	(916) 327-7585
dfpi.ca.gov/	
California Dept. of Insurance	(800) 927-4357
TTY line.....	(800) 482-4833
www.insurance.ca.gov	
California Dept. of Insurance (licensing issues).....	(800) 967-9331
www.insurance.ca.gov	
California Dept. of Motor Vehicles (DMV).....	(800) 777-0133
TTY line.....	(800) 368-4327
www.dmv.ca.gov	
California Dept. of Social Services.....	(916) 651-8848
www.cdss.ca.gov	
California Dept. of Toxic Substances Control	(800) 728-6942
Alternative number.....	(916) 324-2439
www.dtsc.ca.gov	
California Employment Development Office	(800) 300-5616
SDI benefits.....	(800) 480-3287
TTY line.....	(800) 815-9387
www.edd.ca.gov	
California Franchise Tax Board	(800) 338-0505
Alternative number.....	(800) 852-5711
TTY line.....	(800) 822-6268
www.ftb.ca.gov	
California Office of Emergency Services	(916) 845-8510
(disaster assistance division)	
Alternative number.....	(916) 657-9494
www.caloes.ca.gov	
Small Business Administration (SBA).....	(800) 827-5722
https://www.sba.gov/	
State Bar of California (attorney contact information).....	(415) 538-2000
www.calbar.ca.gov	
State Bar of California (lawyer referral service)	(866) 442-2529
www.calbar.ca.gov	
United States Citizenship & Immigration Services.....	(800) 375-5283
TTY line.....	(800) 767-1833
www.uscis.gov	
United States Internal Revenue Service	(800) 829-1040
www.irs.gov	
United States Social Security Administration.....	(800) 772-1213
TTY line.....	(800) 325-0778
www.ssa.gov/	

OTHER RESOURCES

CALIFORNIA STATE

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov/>

California Wildfires Statewide Recovery Resources: <http://wildfirerecovery.org/>

CALIFORNIA COUNTIES

Is assistance with my disaster-related concerns available in my local county?

Many county agencies and other organizations may be able to offer assistance directly, or by referral, to other appropriate agencies. Contact information, organized by county, is set forth below.

Lassen County: <http://www.lassencounty.org/>

Agricultural Commissioner: <http://www.lassencounty.org/dept/agricultural-commissioner/agricultural-commissioner>

Animal Control: (530) 257-9200, <http://www.lassencounty.org/dept/animal-control/animal-control-home>

Assessor: (530) 251-8241, <http://www.lassencounty.org/dept/assessor/assessor>

Clerk-Recorder: (530) 251-8217, <http://www.lassencounty.org/dept/county-clerk-recorder/county-clerk-recorder>

Department of Child Support Services: (866) 901-3212, <http://www.lassencounty.org/dept/department-child-support-services/child-support-services>

Environmental Health: (530) 251-8528, <http://www.lassencounty.org/dept/environmental-health/environmental-health>

Health & Human Services: (530) 251-8128, <http://www.lassencounty.org/dept/health-and-social-services/health-social-services>

Health and Social Services: (530) 251-8128, <http://www.lassencounty.org/dept/health-and-social-services/health-social-services>

Office of Emergency Services: (530) 257-8504, <http://www.lassencounty.org/dept/office-emergency-services/office-emergency-services>

Planning & Building Services: (530) 251-8269, <http://www.lassencounty.org/dept/planning-and-building-services/planning-and-building-services>

Public Health: (530) 251-8183, <http://www.lassencounty.org/dept/public-health/public-health>

Public Works / Roads: (530) 251-8288, <http://www.lassencounty.org/dept/public-worksroads/public-worksroads-home>

Sheriff's Office: (530) 251-8013, <http://www.lassencounty.org/dept/sheriffs-office/sheriffs-office>

Treasurer / Tax Collector Tax Collector: (530) 251-8221, <http://www.lassencounty.org/dept/treasurertax-collector/treasurertax-collector-main>

Dixie Fire Evacuation Status And Information: <http://www.lassencounty.org/government/news/sheriffs-office/20210827-8272021-dixie-fire-evacuation-status-and-information>

2-1-1 Lassen County: <https://www.211lassencounty.org/>

Lassen Cares (COVID-19 and Dixie Fire evacuation news): <https://lassencares.org/home-1>

Facebook (Sheriff's Office): <https://www.facebook.com/LassenSheriff/>

Twitter (CALFIRE Lassen-Modoc): <https://twitter.com/CALFIRELMU>

Nevada County: <https://www.mynevadacounty.com/>

Agricultural Commissioner: (530) 470-2690, <https://www.mynevadacounty.com/982/Agricultural-Commissioner>

Animal Control: (530) 265-1471, <https://www.mynevadacounty.com/208/Animal-Control>

Assessor: (530) 265-1232, <https://www.mynevadacounty.com/163/Assessor>

Clerk-Recorder: (530) 265-1221, <https://www.mynevadacounty.com/235/Clerk-Recorder>

Environmental Health: (530) 265-1222 Option 3, <https://www.mynevadacounty.com/1470/Environmental-Health>

Farm Advisor Division: (530) 273-4563, <https://www.mynevadacounty.com/1660/Farm-Advisor-Division>

Fire Districts: <https://www.mynevadacounty.com/1314/Fire-Districts>

Housing & Community Services (Community Development Agency): (530) 265-1645,

<https://www.mynevadacounty.com/539/Housing-Community-Services>

Office of Emergency Services: (530) 265-1515, <https://www.mynevadacounty.com/1182/Office-of-Emergency-Services>

Permits: (530) 265-1222, <https://www.mynevadacounty.com/179/Permits>

Public Health: (530) 265-1450, <https://www.mynevadacounty.com/551/Public-Health>

Public Works: (530) 265-1411, <https://www.mynevadacounty.com/218/Public-Works>

Sheriff Coroner Public Administrator Sheriff's Office: (530) 265-1471, <https://www.mynevadacounty.com/150/Sheriff-Coroner-Public-Administrator>

Social Services: (530) 265-1340, <https://www.mynevadacounty.com/879/Social-Services>

OTHER RESOURCES

Treasurer / Tax Collector Tax Collector: (530) 265-1285, <https://www.mynevadacounty.com/348/Treasurer-Tax-Collector>
River Fire Recovery: <https://www.mynevadacounty.com/3300/River-Fire-Recovery>
2-1-1 Nevada County: <http://211connectingpoint.org/>
Facebook (Nevada County): <https://www.facebook.com/NevadaCountyCA/>
Facebook (Office of Emergency Services): <https://www.facebook.com/NevadaCountyOES/>
Facebook (Sheriff's Office): <https://www.facebook.com/nevadacountysheriffsoffice/>
Twitter (Sheriff's Office): <https://twitter.com/NevCoSheriff>
Twitter (Nevada County): <https://twitter.com/NevadaCountyCA>
Twitter (Office of Emergency Services): <https://twitter.com/NevCoOES>

Placer County: <https://www.placer.ca.gov/>

Agricultural Commissioner: (530) 889-7372, <https://www.placer.ca.gov/1505/Agricultural-Commissioner>
Behavioral Health: (530) 889-6785, <https://www.placer.ca.gov/1973/Behavioral-Health-Managed-Care>
Code Compliance Services: (530) 745-3050, <https://www.placer.ca.gov/2309/Code-Compliance>
Facility Management: (530) 886-4900, <https://www.placer.ca.gov/1527/Facilities-Management>
Farm & Home: (530) 889-7385, <https://www.placer.ca.gov/1513/Farm-Home>
Fire Department: (530) 823-4904, <https://www.placer.ca.gov/1525/Fire-Department>
Information Technology: (530) 889-4200, <https://www.placer.ca.gov/1853/Information-Technology>
Public Administrator: (530) 886-2900, <https://www.placer.ca.gov/2515/Public-Administrator>
Public Works: (530) 745-7591, <https://www.placer.ca.gov/1492/Public-Works>
Sherriff's Office: (530) 889-7800, <https://www.placer.ca.gov/1680/Sheriffs-Office>
Treasurer / Tax Collector: (530) 889-4120, <https://www.placer.ca.gov/1384/Treasurer-Tax-Collector>
River Fire Recovery: <https://www.placer.ca.gov/FireRecovery>
2-1-1 Placer: <https://211connectingpoint.org/placer-county/>
Facebook (Placer County): <https://www.facebook.com/PlacerCA>
Facebook (Sheriff's Office): <https://www.facebook.com/PlacerSheriff>
Twitter (Placer County): <https://twitter.com/PlacerCA>
Twitter (Sherriff's Office): <https://twitter.com/PlacerSheriff>

Plumas County: <https://www.plumascounty.us/>

Agricultural: (530) 283-6365, <https://www.plumascounty.us/73/AgricultureWeights-Measures>
Behavioral Health: (530) 283-6307, <https://plumascounty.us/87/Behavioral-Health>
Code Enforcement Department: (530) 283-7002, <https://www.plumascounty.us/79/Code-Enforcement>
County Administrator: (530) 283-6446, <https://www.plumascounty.us/2618/County-Administrator>
Facility Services: (530) 283-6299, <https://www.plumascounty.us/83/Facility-Services>
Farm Advisor/UCCE Cooperative Extension: (530) 283-6270, <https://www.plumascounty.us/84/Farm-Advisor>
Information Technology: (530) 283-6263, <https://www.plumascounty.us/86/Information-Technology>
Public Works: (530) 283-6268, <https://plumascounty.us/92/Public-Works>
Sherriff / Coroner: (530) 283-6375, <https://plumascounty.us/587/Sheriff-Coroner>
Treasurer / Tax Collector: (530) 283-6260, <https://plumascounty.us/95/Treasurer-Tax-Collector>
Beckwourth Complex Fire Information: <https://www.plumascounty.us/2867/Beckwourth-Complex-Fire-Information>
Dixie Fire Information: <https://www.plumascounty.us/2868/Dixie-Fire-Information>
Twitter (Plumas County): <https://twitter.com/plumascountycyca?lang=en>
Facebook (Plumas County): <https://www.facebook.com/Plumas-County-CA-134327853253250/>
Facebook (Sheriff's Office): <https://www.facebook.com/plumascountysheriff>
Facebook (USDA Forest Service Plumas): <https://www.facebook.com/USFSPlumas>
Twitter (Quincy CHP): https://twitter.com/chp_quincy?lang=en
Twitter (USDA Forest Service Plumas): <https://twitter.com/USFSPlumas>

TOPICS BY SUBJECT MATTER

AGRICULTURE

U.S. Department of Agriculture Rural Development:
<https://www.rd.usda.gov/>
U.S. Department of Agriculture, Farm Service Agency, Disaster Assistance Programs:
<https://www.fsa.usda.gov/programs-and-services/disaster-assistance-program/index>
U.S. Department of Agriculture, Farm Service Agency, State Offices, California:
<https://www.fsa.usda.gov/state-offices/California/index>

OTHER RESOURCES

INSURANCE

United Policy Holders, a nonprofit organization that works with consumers of all types of insurance: (415) 393-9990, <https://www.uphelp.org/>

MENTAL HEALTH AND HEALTHCARE

Health Consumer Alliance: Free assistance is available if you are struggling to get or maintain health coverage or to access medical care. The Health Consumer Alliance offers free assistance online, over the phone, or in-person at independent, community-based offices throughout the state. Contact the Health Consumer Alliance at (888) 804-3536 or at <https://healthconsumer.org>.

Disaster Distress Helpline: (800) 985-5990 is a 24-hours, seven-days-a-week, 365-day-a-year, national hotline dedicated to providing immediate crisis counseling for people who are experiencing emotional distress related to any natural or human-caused disaster. This toll-free, multilingual, and confidential crisis support service is available to all residents in the United States and its territories. Stress, anxiety, and other depression-like symptoms are common reactions after a disaster. Call or text (800) 985-5990 to connect with a trained crisis counselor. For assistance in Spanish, call or text (800) 985-5990 and press 2.
<https://www.samhsa.gov/find-help/disaster-distress-helpline>

National Suicide Prevention Lifeline: (800) 273-8255

The Lifeline provides 24 hours, seven days a week, free, and confidential support for people in distress, prevention and crisis resources for you or your loved ones, and best practices for professionals.
<https://suicidepreventionlifeline.org/>

Red Cross Collection of Resources for Coping with a Disaster:

<http://www.redcross.org/get-help/disaster-relief-and-recovery-services>

Red Cross, Safe and Well:

List yourself as “safe and well,” or, alternatively, search for family/friends to confirm they have listed themselves as “safe and well.” <https://www.redcross.org/about-us/news-and-events/news/Learn-More-about-Red-Cross-Safe-and-Well-App-Feature-and-Website.html>

Find Your Words: Kaiser Permanente’s publicly available website established to provide resources on depression.
<https://findyourwords.org/>



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