

**Toms River Property Mitigation Program
FAQ (as of 08.24.17)**

General Eligibility

- 1. What's the time period on losses for a structure to be designated as Repetitive Loss?**

The Flood Mitigation Assistance (FMA) program uses a different definition of Repetitive Loss than the standard NFIP definition. As of the enactment of the Biggert-Waters Flood Insurance Reform Act of 2012, there is no claims period or timeline for properties defined as Repetitive Loss for the FMA program.

- 2. Is it possible to use the current funding opportunity to mitigate a new structure, rather than an existing structure?**

This project type – known as mitigation reconstruction – is an eligible activity for FEMA's mitigation grant programs. However, for the current funding opportunity, the Township has limited the activities to property elevation only. This is because of the short timeline to complete and document the grant application, and the current content of the local hazard mitigation plan.

- 3. What Township office has information on building codes? How can someone get a copy of this?**

The Building Department has this information. Some information is available through their website: <http://tomsrivertownship.com/index.php/building-department>.

All other information can be obtained by calling 732-341-1000, ext. 8320. It may be necessary to leave a message and receive a return phone call.

- 4. What Township office has information on the applicable building code at the time the building was constructed?**

The Building Department has this information. Some information is available through their website: <http://tomsrivertownship.com/index.php/building-department>

All other information can be obtained by calling 732-341-1000, ext. 8320. It may be necessary to leave a message and receive a return phone call.

Note that any structure that meets the definition of substantial improvement/substantial damage must be brought into compliance with all currently applicable codes, regardless of compliance at the time of construction. As previously published by the Township, the threshold that triggers compliance with the current code is any damage or improvement that equals or exceeds 50% of the structure's market value.

- 5. Some property owners may have done repair/restoration work themselves, rather than filing an insurance claim or seeking federal assistance. Would they be eligible for assistance under this program?**

Potentially yes, so long as any previous work – and the damages that caused the work to be necessary - can be thoroughly documented and any required permits were obtained. All damages and repair/restoration work performed previously must be documented, regardless of who performed it.

- 6. If a property owner is already in the process of designing their elevation, is it possible that they could be considered for a grant to cover the cost of elevation (but not design)?**

For the current funding opportunity, no. The timeline for application development and submission is simply too short to allow for any other project type. It is possible that these types of projects may be eligible for inclusion in future grant applications.

- 7. If a property owner is already in the process of elevating their structure, but a medical modification is required that has not yet been constructed, is it possible to be considered for a grant to cover this portion of the elevation?**

For the current funding opportunity, no. The timeline for application development and submission is simply too short to allow for any other project type. It is possible that these types of projects may be eligible for inclusion in future grant applications.

- 8. If a property owner plans to demolish the existing structure and rebuild an elevated structure, is it possible to be considered for a grant to cover the costs of the elevated foundation?**

For the current funding opportunity, no. The timeline for application development and submission is simply too short to allow for any other project type. It is possible that these types of projects may be eligible for inclusion in future grant applications.

9. Are elevators included in the eligible access modifications required for those with needs?

Any documented, medically-necessary access modification for ingress and egress to a structure eligible for elevation is an allowable project cost, including elevators. However, no portion of the elevated structure – including access modifications – may violate the Township’s adopted flood damage prevention ordinance, and all properties must be documented to be cost-effective. So long as these conditions are met, and the need is both medically-necessary and properly documented, elevators, ramps, lifts, and the like are eligible project costs.

Application

1. Is the mortgage company (if applicable) listed as a co-applicant on the application?

For property elevation projects, the mortgage company (if applicable) is not listed on the grant application. Notification of the elevation of the mortgaged property to the mortgage company is the responsibility of the property owner.

2. How can a property owner fill out the application?

Property owners cannot apply directly to FEMA’s mitigation grant programs. The Township must act as the eligible applicant, and therefore must complete the application. Property owners that are involved in this upcoming application will be required to provide information and documentation, but will not be required to complete the application.

Those property owners that are prioritized for inclusion in this funding opportunity will be contacted directly.

Funding, Duplication of Benefits, and Cost Shares

1. Why is the Township applying for the funding and not the property owner(s)?

FEMA does not provide mitigation grant funds directly to property owners. All funds are provided to the state (as the Recipient), and from the state to the Township (as the sub-recipient). After grant award, the Township will enter into an agreement with each participating property owner.

2. Who determines whether the property owner can pay the cost share?

The property owner. By voluntarily participating in the grant application (and subsequent project, once awarded), the property is agreeing to pay the non-federal cost share for grant-funded work their property.

3. If the property owner accepted other grants, is this considered duplication of benefits?

Not necessarily. If the previously-accepted grant was for activities other than elevation of the structure, utilities, etc., there is no duplication.

If the previously-accepted grant was for elevation of the structure, utilities, etc. and some work was both accomplished and can be documented, there is no duplication.

If the previously-accepted grant was for elevation of the structure, utilities, etc. and no work was performed and the grant was not repaid, this is a duplication of benefits, and the previously-funded amount will be deducted from the federal share of the project cost and added to the non-federal share of the project cost.

NFIP/ICC

1. What's the current expiration date of NFIP ICC funds?

As of an August 2015 waiver, the deadline for use of ICC funds is October 2018.

You may view the waiver here:

<https://nfip-iservice.com/Stakeholder/pdf/bulletin/w-15038.pdf>

Note that NJOEM is aware that there are multiple property owners who have unexpended ICC funds that are being considered/included in grant applications throughout the state, and that it may be necessary to discuss an additional time extension at some future date.

2. How can a property owner find out if their property has had multiple claims?

Like all personal information held by federal agencies, prior claims information is protected by the Privacy Act, and its availability is tightly regulated. Your insurance agent may be able to provide a loss history report on your property's address, though this information is often for a limited timeframe (such as the previous five-year period), and is almost always limited to the period of time that agency or agent has insured the property.

The Township's Floodplain Administrator receives this information, by address, from the NFIP. While details cannot be provided to individuals, we can confirm whether or not there were prior claims filed and/or paid on an address. The details of this information will be used in the final grant application.

3. Does more than one claim for damages under the same disaster count as multiple flood claims?

For the purposes of this grant application, flood insurance claims are expected to be the primary source of damage documentation. A claim for damages under a flood insurance policy is not necessarily tied to a federal disaster declaration; flood insurance claims may be filed without being included in a federal declaration. If documentation of damages and payments under both options – from the disaster declaration and a flood insurance policy claim – are available, we will request the available documentation from the property owners included in the application.

Most insurers, including the NFIP, consider claims based on the qualifying event – Hurricane Sandy, for example. Therefore, there will usually be a single claim, and all damages are included under that claim and date of loss. If a property owner discovered additional damages and later amended their claim – to include contents, for example, that were not previously identified as damaged – that information will usually be contained within the claim documentation for the original claim and date of loss.

4. Can ICC funds be used to meet the property owner's cost share?

If ICC funds available for use to mitigate a property's grant-funded elevation, those funds must be used towards the project's cost.

For any grant-funded elevation project that has a non-federal cost share, available ICC funds will be applied to the non-federal cost share, so long as the line items in the non-federal cost share are eligible uses of ICC funds.

For any grant-funded elevation project that does not have a non-federal cost share, available ICC funds will be applied to the federal share of the project, thereby reducing the federal share of the project by the amount of ICC funds available for the property. The ICC funds will be applied to line items that are eligible for ICC funding.