

The Blue Acres / FEMA Acquisition Process

Your Homework

Before you leave tonight:

- Complete the ***Notice of Voluntary Interest*** form.
(Each owner listed on the title must sign a form.)
- Complete the ***Declaration and Release*** form.
(Only one member of the household must sign a form.)

When you get home:

- Complete a ***Blue Acres Program – Application for Sale***, if you have not already.
- Send the following documentation to your Case Manager, whose name is written on the bottom of the page:
 - Deed, if you have not already sent it
 - Title policy, if you have not already sent it
 - National Flood Insurance Program claims
 - Receipts for repairs and clean up
- Complete the ***Environmental Questionnaire***, which you will receive in the mail.
- Line up an attorney for closing. Send his/her contact info to your Case Manager.
- Request a Payoff Statement from your mortgage lender for April 1, 2014. A Payoff Statement shows the amount needed to pay off a loan in full by a particular date. Send this document to your Case Manager.

Don't forget to:

- Continue to pay your taxes and mortgage throughout the buyout process.
- Continue your participation in the National Flood Insurance Program throughout the buyout process.

STEPS TO CLOSING

- Kick-Off Meeting:** Before you leave the meeting, fill out these three forms and give them to any Blue Acres staff person:
 - Notice of Voluntary Interest Form
 - Department of Homeland Security - FEMA Declaration and Release
 - Contact Information Update
- Documentation:** Begin your Duplication of Benefits review by sending your Case Manager copies of all cancelled checks, receipts, statements, and contractor invoices for cleanup and repairs from Superstorm Sandy. Also, send copies of documentation showing disaster assistance you received, including a Proof of Loss Statement if applicable. Request a Payoff Statement from your mortgage lender for April 1, 2014, and send it to your Case Manager. A Payoff Statement specifies the amount needed to pay off a loan in full by specified date.
- Environmental Hazard Review:** An Environmental Questionnaire will be mailed to you. Please complete and return it quickly. The environmental hazard review also includes an inspection of your property. We may request that you be available to give us access to your basement or crawl space.
- Appraisal:** Blue Acres will send you a letter with the name of the appraisal professional who will conduct an appraisal of your home. The appraisal firm will contact you to set up an appointment.
- Offer Meeting:** Your Case Manager will meet with you in person to make you an offer to purchase your home, and to give you an opportunity to review the appraisal report.
- Written Offer:** Your Case Manager will send you the offer in writing by certified mail. ***The letter gives a 30-day deadline to reply in writing.*** If you accept the offer, you must hire an attorney to represent you. If you turn down the offer, the process ends.
- Contract:** Your Case Manager will prepare a purchase agreement and will send it to your attorney.
- Closing:** Once the purchase agreement has been fully executed, the closing documents will be prepared by your attorney under the direction of a State Deputy Attorney General. Closing will happen by mail. On the day of closing, payment will be sent directly to your attorney via overnight mail, and either you or your attorney must deliver all house keys to the identified municipal official.

New Jersey Department of
Environmental Protection

Chris Christie, Governor
Bob Martin, Commissioner



NJDEP Blue Acres Program

Mail Code 501-01 P.O. Box 420
Trenton, NJ 08625
Tel: 609-633-2944
Fax: 609-777-1325

Notice of Voluntary Interest

Blue Acres Acquisition Program

(New Jersey Department of Environmental Protection – Green Acres Program)

Homeowner Interest Sign-up Sheet and Voluntary Interest Notice

Please complete this form if you would like to learn more about reducing your flood losses by selling your house to the State of New Jersey. Signing this form does **not** commit you to any action.

Property Address:

Owner(s) Mailing Address:

Owner(s) Name(s):

Contact Telephone Number:

The State of New Jersey is required by the Federal Emergency Management Agency (FEMA) to inform you that your participation in this project for open-space acquisition is voluntary. The New Jersey State government will not use eminent domain authority to acquire your property for open-space purposes if you choose not to participate in the Blue Acres Buyout Program, or if negotiations fail.

Owner's Signature

Date

Owner's Signature

Date

Owner's Signature

Date

DEPARTMENT OF HOMELAND SECURITY
 FEDERAL EMERGENCY MANAGEMENT AGENCY
DECLARATION AND RELEASE

O.M.B. No. 1660-0002

DECLARATION AND RELEASE

In order to be eligible to receive FEMA Disaster Assistance, a member of the household must be a citizen, non-citizen national or qualified alien of the United States. Please read the form carefully, sign the sheet and return it to the Inspector, and show him/her a current form of photo identification. Please feel free to consult with an attorney or other immigration expert if you have any questions.

I hereby declare, under penalty of perjury that (check one):

- I am a citizen or non-citizen national of the United States.
- I am a qualified alien of the United States.
- Print full name and age of minor child: I am the parent or guardian of a minor child who resides with me and who is a citizen, non-citizen national or qualified alien of the United States. Print full name and age of minor child: _____

By my signature I certify that:

- * Only one application has been submitted for my household.
- * All information I have provided regarding my application for FEMA disaster assistance is true and correct to the best of my knowledge.
- * I will return any disaster aid money I received from FEMA or the State if I receive insurance or other money for the same loss, or if I do not use FEMA disaster aid money for the purpose for which it was intended.

I understand that, if I intentionally make false statements or conceal any information in an attempt to obtain disaster aid, it is a violation of federal and State laws, which carry severe criminal and civil penalties, including a fine up to \$250,000, imprisonment, or both (18 U.S.C. §§ 287, 1001, and 3571).

I understand that the information provided regarding my application for FEMA disaster assistance may be subject to sharing within the Department of Homeland Security (DHS) including, but not limited to, the Bureau of Immigration and Custom Enforcement.

I authorize FEMA to verify all information given by me about my property/place of residence, income, employment and dependents in order to determine my eligibility for disaster assistance; and

I authorize all custodians of records of my insurance, employer, any public or private entity, bank financial or credit data service to release information to FEMA and/or the State upon request.

NAME (print)	SIGNATURE	DATE OF BIRTH	DATE SIGNED
INSPECTOR ID NO. NA	FEMA APPLICATION NO. NA	DISASTER NO. NJ - DR - 4086	
ADDRESS OF DAMAGED PROPERTY	CITY	STATE	ZIP CODE

PRIVACY ACT STATEMENT

AUTHORITY: The Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended, 42 U.S.C. § 5121 -5207 and Reorganization Plan No. 3 of 1978; 4 U.S.C. §§ 2904 and 2906; 4 C.F.R. § 206.2(a)(27); the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193) and Executive Order 13411. DHS asks for your SSN pursuant to the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3325(d) and § 7701(c) (1).

PRINCIPAL PURPOSE(S): This information is being collected for the primary purpose of determining eligibility and administering financial assistance under a Presidentially-declared disaster. Additionally, information may be reviewed internally within FEMA for quality control purposes.

ROUTINE USE(S): The information on this form may be disclosed as generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in DHS/FEMA - 008 Disaster Recovery Assistance Files System of Records (September 24, 2009, 74 FR 48763) and upon written request, by agreement, or as required by law.

DISCLOSURE: The disclosure of information on this form is voluntary; however, failure to provide the information requested may delay or prevent the individual from receiving disaster assistance.

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 2 minutes per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0002) **NOTE: Do not send your completed form to this address.**

NJDEP Blue Acres Hurricane Sandy Property Acquisition

UPDATE TO CONTACT INFORMATION - PLEASE PRINT CLEARLY

If you would like to update the information you provided on your Blue Acres application, please do so below

How would you like us to contact you? You may check more than one option.

Name of Property Owner: _____

Address of damaged home: _____

How would you like us to contact you? You may check more than one option.

Property Owner #1: _____

Phone (work): _____

Phone (home): _____

Phone (cell): _____

Email: _____

Regular Mail (if address different than above):

Property Owner #2 (Co-Owner): _____

Phone (work): _____

Phone (home): _____

Phone (cell): _____

Email: _____

Regular Mail (if address different than above):

Designated Representative: _____

Phone (work): _____

Phone (home)

Phone (cell): _____

Email: _____

Regular Mail (if address different than
above): _____



UNDERSTANDING DUPLICATION OF BENEFITS

As part of the Superstorm Sandy Blue Acres Acquisition Program (Blue Acres), the New Jersey Department of Environmental Protection is required by the Federal Emergency Management Agency (FEMA) to determine if and how homeowners have spent any assistance money targeted for the repair of the home.

- Homeowners are not required to spend disaster assistance received, but only to keep documentation of how any such money is spent.
- Duplication of Benefits (DOB) is the term to describe when assistance from more than one source is used for the same purpose - for example, if the homeowner receives insurance for a damaged home and also receives public funds to purchase the same home.
- Blue Acres will deduct all assistance received by the homeowner from the pre-storm certified market value, the appraised value of the home, and then add back the expenses paid for eligible repairs and cleaning. This is how Blue Acres establishes the home's purchase offer. The total offer amount cannot exceed the certified market value. The last page of this fact sheet shows some examples.
- Blue Acres staff and Case Managers will work closely with affected homeowners to make sure they receive as close to the home's appraised value as their documentation justify. To do that, homeowners need to provide ALL receipts, invoices, cancelled checks and other documentation of the repairs and clean-up related to damage from Superstorm Sandy, as well as details about the financial assistance received from ALL sources used for those purposes. Assistance is the general term used for money received for home repair from federal programs, private insurance, charitable gifts, etc.
- Financial assistance used for repairing storm-related **structural damage** and **cleaning the home** can be credited back towards the certified market value. Funds used to pay for personal items such as furniture, food, clothing and most appliances **cannot** be credited back towards the certified market value. In some cases, rent paid beyond rental assistance received can also be credited back towards the certified market value. Blue Acres will help homeowners sort through the documentation and will work with each homeowner.
- Receipts or other approved documents of how the money was spent must be provided. If you feel that are other expenses that should be included, we will work with you to evaluate and determine if they can be accepted.

The information above is provided to simplify the DOB process for homeowners; however, it is not an exhaustive view of the DOB process. Details of the FEMA DOB criteria are available in *FEMA's "Hazard Mitigation Assistance (HMA) Tool for Identifying Duplication of Benefits Hazard Mitigation Grant Program, Pre-Disaster Mitigation Program, Flood Mitigation Assistance Program,"* dated October 2012.

Homeowner Documentation for Duplication of Benefits

Documentation to Send

All pages of documentation **indicating financial assistance**, such as copies of checks, correspondence, or insurance proof of loss statements, which may come from the following agencies:

- FEMA
- Insurance Companies
- Charitable Organizations
- State or Local Agencies

Information indicating **areas of the home impacted** by Superstorm Sandy

- All pages of the insurance proof of loss statement
- Any other evaluation performed to assess the damage on the home

Information on **paid expenses for home repair, cleaning, rental, or hotel expenses** as a result of Superstorm Sandy, if any:

- Invoices indicating what work was performed and payment confirmation. Payment confirmation can be achieved through cancelled checks, credit card receipts, or indication of bill payment from the contractor.
- Cancelled checks indicating payment of invoices
- Receipts for purchases

Unnecessary Documentation

These items are **not** eligible for credit under DOB and should not be submitted because they will unnecessarily increase the time associated with the evaluation

- Receipts for “contents” or personal items (clothing, food, furniture)
- Receipts for moving or storage of “contents” (rental of moving trucks, rental of storage units, purchase of storage bins)

When in doubt – send it!

If you are unsure about whether certain documents are relevant to our process, send them to your Case Manager who will review them in detail.

Duplication of Benefits

Possible Scenarios¹

Mr. and Mrs. Smith own a single family home in the floodplain that was substantially damaged during a flood. They have decided to participate in their community's property acquisition project and sell their home to the community. The pre-flood fair market value (FMV)² of their home is estimated to be \$50,000, which Mr. and Mrs. Smith agree is fair and reasonable. Since the disaster, they have received an NFIP real property settlement for \$15,000, a Disaster Housing Program grant for \$10,000, and an IFG Program grant of \$5,000 designated for housing repairs (real property) only.

Scenario 1

Mr. and Mrs. Smith decide to make no repairs to their home and save the \$30,000 they have received in assistance to put toward a new home. Consequently, FEMA considers the \$30,000 as a down payment on their damaged home. The community can offer them no more than an additional \$20,000 ($\$50,000 \text{ FMV} \text{ minus } \$30,000 \text{ DOB} = \$20,000$) for their home.

Scenario 2

Mr. and Mrs. Smith decide to make enough repairs to their home to enable them to live in it until the community buys it. Of the \$30,000, they spent \$10,000 to clean and disinfect the house, remove debris from the house and yard, and make minimum repairs to the foundation. They save all the receipts for the work and, therefore, can prove they used the assistance for its intended purpose. Consequently, the community can offer them an additional \$30,000 ($\$50,000 \text{ FMV} \text{ minus } \$30,000 = \$20,000 \text{ plus } \$10,000 \text{ worth of repairs for which they have receipts} = \$30,000$).

Scenario 3

The National Guard evacuated Mr. and Mrs. Smith and their neighbors from their neighborhood. Their car, which was left in their garage, was damaged beyond repair by the floodwaters. They decide to use \$7,000 of the \$30,000 to pay cash for another car. They make no repairs to their home. Since the flood damaged their car, they assume that buying a replacement car is an appropriate expense for which to use their assistance. They saved the bill of sale and expect the community to offer them \$27,000 ($\$50,000 \text{ FMV} \text{ minus } \$30,000 \text{ DOB} \text{ plus } \$7,000 = \$27,000$). A car is not real property and should be covered by an automobile policy. Despite having a bill of sale, replacing a car is not an appropriate real property assistance expense. The community can offer them no more than an additional \$20,000 ($\$50,000 \text{ FMV} \text{ minus } \$30,000 \text{ DOB} = \$20,000$).

¹ Adapted From FEMA Form II-2, Duplication of Benefits (DOB) Fact Sheet, available at http://www.fema.gov/pdf/government/grant/resources/hbf_ii_2.pdf (created 4/18/2006).

² Fair market value on this FEMA document is the same amount as the Certified Market Value on pages 1 and 2.

Homeowner Resources for Superstorm Sandy Recovery

State of New Jersey Resources

Governor's Office of Recovery and Rebuilding:

<http://www.nj.gov/gorr/>

State of New Jersey Department of Community Affairs, Sandy Recovery Division:

<http://www.nj.gov/dca/divisions/sandyrecovery/info/>

State of New Jersey Department of Banking and Insurance, Sandy Insurance Mediation Program:

http://www.state.nj.us/dobi/division_consumers/insurance/sandymediation.html

State of New Jersey, Division of Consumer Affairs:

<http://www.njconsumeraffairs.gov/>

Resources for Legal Assistance

Volunteer Lawyers for Justice: Legal Clinic and toll-free hotline open to all victims of Hurricane Sandy, regardless of financial status. Services include free lawyers to represent homeowners at closing for Superstorm Sandy Blue Acres buyouts.

<http://www.vljinj.org/programs>

Toll-free Hurricane Sandy Hotline (855) 301-2525

Touro Law Disaster Relief Clinic: Free legal help related to flood insurance.

<http://www.tourolaw.edu/Academics/?pageid=600>

(631) 761-7024

Legal Services of New Jersey: Free legal help for low income households.

<https://lsnjlawhotline.org/HurricaneSandy/>

(888) 222-5765

Resources from Non-Profit and Community Organizations

Middlesex County Long Term Recovery Group: One-on-one assistance for evaluation of available resources for residents of Middlesex County.

<http://middlesexltrg.org/>

(732) 390-7074

Catholic Charities Disaster Response Program: One-on one advice for locating resources.

<http://www.catholiccharitiestrenton.org/cc3/index.php>

(877) 510-6762

New Jersey Hope & Healing: Emotional support, support group meetings.

<http://www.disastermentalhealthnj.com>

(877) 294-4357

United Way: Sandy Relief and Recovery Assistance Guide.

<http://www.uwgmc.org/news/hurricane-sandy-relief-and-recovery-assistance-guide>

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www.nj.gov/dep/greenacres