



Connecting lawyers, nonprofits, and communities

May 10, 2013

FEMA Public Assistance Grants--Appeals Process

The New York State Office of Emergency Management (“NYSOEM”) and the Federal Emergency Management Agency (FEMA) have begun the process of notifying applicants of denials of applications for Public Assistance Grants.

After an applicant submits a Request for Public Assistance (“RPA”), FEMA will respond by either: accepting the application and connecting the applicant with a Public Assistance Coordinator; requesting missing or incomplete information; or denying the application. If FEMA denies an applicant’s RPA, there will be a denial reason listed in the letter. FEMA may deny a RPA for various reasons, including a finding that the nonprofit is not an eligible organization, the damage sustained to a facility was not caused by the storm, the cost of damage is covered by an insurance policy or a Small Business Administration loan, or if there was insufficient substantiation in the RPA. A complete list of denial reasons can be found here: <http://www.fema.gov/why-am-i-not-eligible-assistance>.

Applicants may appeal a FEMA decision within 60 days from the applicants’ receipt of the FEMA action that it is appealed. Applicants may appeal FEMA’s determination for any reason including: eligibility determinations made by FEMA, a cost determinations made by FEMA, the discovery of new information not known at the time of the initial application, or denial of a requested time extension. The appeal must be in writing and directed to NYSOEM detailing why the decision about the amount or type of assistance received or denied is incorrect. Make sure to include documentation to support the appeal. If the person submitting the appeal is not an officer of the organization a written document authorizing the person to submit the letter on behalf of the organization must be included.

Mail your appeal letters to:

New York State Office of Emergency Management
1220 Washington Avenue
Building 22, Suite 101
Albany, New York 12226-2251

Or by Fax to: Recovery Facsimile: (518) 322-4984

If the first appeal is unsuccessful another appeal can be filed with the NYSOEM. The second appeal will be directed to the Assistant Director at FEMA Headquarters and should be submitted to the address listed above. This second appeal must be filed within 60 days of receipt of the denial of the first appeal.

If you have any questions regarding the appeals process, please contact Lawyers Alliance for New York. *This alert is meant to provide general information only, not legal advice. If you have questions about this alert, please contact Linda Manley at (212) 219-1800 ext. 239 or visit our website at www.lawyersalliance.org for further information.*

Lawyers Alliance for New York is the leading provider of business and transactional legal services for nonprofit organizations that are improving the quality of life in New York City neighborhoods. Our

network of pro bono lawyers from law firms and corporations and staff of experienced attorneys collaborate to deliver expert corporate, tax, real estate, employment, intellectual property, and other legal services to community organizations. By connecting lawyers, nonprofits, and communities, we help nonprofits to develop affordable housing, stimulate economic development, promote community arts, and operate and advocate for vital programs for children and young people, the elderly, and other low-income New Yorkers.