

On joint motion of all Councilmembers present, the following resolution was offered:

RESOLUTION NO. 107353

A resolution endorsing the Citizens' Road Home Action Team (CHAT) Proposed Road Home Bill of Rights, and to provide for related matters. (Parishwide)

WHEREAS, the Citizens' Road Home Action Team (CHAT) has proposed a Road Home Bill of Rights; and

WHEREAS, the New Orleans City Council recently endorsed the proposed Road Home Bill of Rights, with minor modifications; and

WHEREAS, the St. Bernard Parish Council is considering endorsing the proposed Road Home Bill of Rights; and

WHEREAS, the Jefferson Parish Council desires to endorse the proposed Road Home Bill of Rights:

NOW, THEREFORE, the Jefferson Parish Council, acting as the governing authority of the Parish of Jefferson, Louisiana, hereby resolves that:

SECTION 1. The following Citizens' Road Home Action Team (CHAT) Proposed Road Home Bill of Rights is hereby endorsed by the Jefferson Parish Council:

Proposed Road Home Bill of Rights

I. The right to the complete rules of the program.

It is the responsibility of the RHP to make current, updated rules available to applicants, to notify them of any changes, and to make those changes retroactive for those who have gone to grant closing. None of the rules or procedures for determining grant awards or affordable loans should be vague or subjective. Some examples of vague descriptions are those for determination of the percentage damage; criteria for affordable loans (which should include a link to the median area income for each parish, <http://www.huduser.org/datasets/il/il06/index.html>); the quantitative definition of "within an acceptable range" for the statement that the a homeowner-ordered Louisiana certified appraisal obtained after the storm will not be used if it is not in an acceptable range of the RHP Broker Price Opinion (BPO), a much less accurate form of home evaluation. The rulebook should include several examples for each formula for determining grants and affordable loans because the formulas are sometimes confusing to RHP personnel as well as to applicants.

II. The right to timely processing of applications.

There needs to be a timeline for processing applications. Inessential verification steps that are bottlenecks to awarding grants should be removed or done after grant closing, since the state will have a lien on the homes of most grantees.

III. The right to a fair and swift resolution of errors, disputes, and appeals.

There needs to be a timeline for dispute resolution and appeals and a special division to deal with long delays in resolving these matters. Simple computer input or calculation errors should be fast-tracked. The appeals process should be mandated in the rules to involve a written point-by-point response to all questions raised by applicants in their appeal.

IV. The right to a fair and accurate calculation of your benefits and tender of your award (acceptance of grant money without losing the right to dispute resolution and appeal).

If a homeowner does not have a pre-Katrina appraisal but does order a Louisiana certified appraisal after the storm, the latter should be accepted as the primary determinant of pre-storm value.

It is essential to immediately post that awards will be made with unconditional tender of grants, especially given the large number of acknowledged mistakes in award letters and the great delays in dispute

resolution.

V. The right to simple, fair, and easily understood closing papers.

VI. The right to simple and fair rules for lenders to administer grant funds (disbursement accounts) that make it easier to rebuild, not more difficult.

VII. The right to accurate information about the status of applications by informed and trained personnel within 24 hours of your request.

There should be a separate phone number or extension for information about processing of grants that is slower than a standard, posted timeline (II, above) so that within 24 hours applicants can speak to someone empowered to help them. Applicants are often told for many weeks or for months that their application is "in verification." Specific information should be given about the nature of any prolonged verification.

VIII. The right to reasonable residency requirements for grants and loans and fair rules for grant benefit assignment or compensation for applicants who must sell their home.

It is unfair that the covenant requirement for affordable loans for those of modest incomes is 5 years and not transferable while the grant has only a 3-year requirement and is transferable. In addition, it is unfair to subtract 40% for moving out of Louisiana from the pre-storm value instead of the grant total. The no-insurance penalty of 30% is properly subtracted from the grant total, so the policy is inconsistent. The 40% penalty for moving out of state should be subtracted from the grant total and should not be applied to those with storm-destroyed homes who can live in Louisiana, but only in rental housing. It should be stated explicitly in the rules that in case of a disaster affecting the grantee's home, the covenant will be waived.

IX. The right to receive sufficient affordable or forgivable loans to enable you to rebuild or repair if you have a low pre-storm appraised value.

It is not fair that those of middle income with moderate-appraisal houses are less likely than other income groups to get enough RHP money to rebuild. Forgivable loans should be made available to those with 120% or less of the median area income, instead of just to those with 80% or less of the median area income.

X. The right to have realistic elevation awards to encourage applicants to rebuild really safer, stronger, and smarter.

Allowances limited to \$15 per square foot are a "one size fits all" approach and will often be inadequate to elevate new homes to safe levels. Road Home Program elevation allowances should be calculated according to the "real cost" used by NFIP's ICC except that the total cost limit should be set at \$60,000 with funds available for elevation under ICC drawn first. NFIP claim processes could be used to verify that funds are actually spent and that elevation practices are reasonable and appropriate.

XI. The right to have the disposition of RHP-acquired properties benefit grantees and the neighborhoods in which such properties are located, with neighborhood input in the process.

It appears that the Road Home Program will "run out" of money before all eligible applicants have received their fair grant award. Therefore, the Board of Directors of the Road Home Corporation (RHC) and then the LRA Board of Directors should mandate that any profit from the sale of properties should be used to complete the program payout. The RHP should provide current information on the status of available funds vs. forecast expenditures. In addition, the LRA should stipulate that the public must be given adequate notice of meetings of the RHC and that representatives of citizen groups from the affected districts should be

allowed to participate in discussions about setting policy for land- use decisions about RHC-acquired property.

. **SECTION 2.** The Council Clerk is hereby directed to forward a copy of this resolution to the LRA Board of Directors.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: 6

NAYS: None

ABSENT: (1) Lee

The resolution was declared to be adopted on this the 28th day of February, 2007.