

**Mississippi Development Authority**  
**Homeowner Assistance Program**  
**Modification Number 8 – Phase I**  
**Elevation Certificates**

# MISSISSIPPI DEVELOPMENT AUTHORITY

## PARTIAL ACTION PLAN

### FOR

## HOMEOWNER ASSISTANCE PROGRAM

### MODIFICATION NUMBER 8 – PHASE I ELEVATION CERTIFICATES

#### **Background and Scope**

The Mississippi Development Authority (MDA) submits this Homeowner Assistance Program (HAP) Partial Action Plan Modification Number 8 of the Final Plan approved by HUD on April 1, 2006. MDA has determined that this represents a major modification to the plan requiring formal submission to HUD and submittal for public comment. HAP's policies on the eligibility of homes elevated above the base flood elevation are clarified by this amendment.

#### **Overview**

During Phase I of the Homeowner Assistance Program, many applicants who were disqualified for the program because their homes were located inside the pre-Katrina FEMA 100 year flood zone provided supplemental documents in order to attempt to qualify themselves. One of the most commonly presented pieces of documentation were FEMA elevation certificates, which showed that the lowest floor of living space of the home was elevated above the Base Flood Elevation (BFE) for the home's location.

These elevation certificates established two distinct circumstances of elevation. In some cases, the applicants' homes were constructed on either natural features or man-made fill dirt that raised them above the BFE.

Many applicants expressed that they should qualify for the HAP grant because their homes were elevated above the BFE and that their elevation conformed to the National Flood Insurance Program's (NFIP) elevation construction standards for each respective zone. The methods of elevation included foundation walls, shear walls, posts, piers, pilings or columns. In effect, they believed that they mitigated the risk against a 100-year storm and that they had elevated themselves out of (i.e. above) the flood zone. This belief stemmed from review of NFIP materials, reliance on statements from their lending institutions, or other information obtained by the applicants. Therefore, many of these applicants were often underinsured against the flood loss imposed by Hurricane Katrina.

By elevating their homes, applicants showed a good-faith desire to mitigate potential flood losses. However, they often still remained underinsured. Phase I's goal was to close the insurance coverage gap of homeowners outside the pre-Katrina FEMA 100-year flood zone who obtained insurance coverage based on recommendations from NFIP and suffered surge damage. MDA believes that qualifying for Phase I grants applicants inside the 100-year flood zone who mitigated potential flood losses by elevating their homes is consistent with the goals and intent of the program. Therefore, MDA proposes qualifying all applicants for Phase I who can prove their homes were elevated above the BFE, subject to the restrictions listed below.

### **Eligibility for Assistance**

The eligibility requirements remain the same as are normally required in Phase I. Specifically, applicant homes must have:

1. Been located in Hancock, Harrison, Jackson, or Pearl River counties, Mississippi.
2. Been located outside the FEMA 100 year flood zone or meet the elevation requirement listed below.
3. Incurred flood surge damage caused by Hurricane Katrina.
4. Been covered under an insurance policy (homeowners, wind, or flood insurance) at the time of the storm.
5. Been owner-occupied as primary residence by the applicant on August 29, 2005.

With regards to the flood zone requirement, MDA proposes the following modification to allow properly and certified elevated homes inside the 100-year flood zone to qualify for the Phase I program:

1. The applicant must provide a FEMA standard elevation certificate.
2. The certificate must show that the lowest bottom floor of living space is at a greater height than the FEMA 100 year base flood elevation requirement. The certificate must be completed and sealed by a licensed surveyor or engineer.
3. Actual home elevation must have met the National Flood Insurance Program's flood zone construction standards and requirements.
4. Detached structures on the property must also meet all of these eligibility requirements to be considered for elevation.

### **Appeal Policy**

Any homeowner may appeal the decision (including, but not limited to, eligibility, damage assessment, amount of assistance and offsets) made by MDA with respect to the Homeowner Assistance Program. The final appeal policy is included in Modification Number Three.

### **Solicitation of Public Comments**

MDA is publishing this draft modification to solicit public comment. Copies are available on the internet at [www.mississippi.org](http://www.mississippi.org) or upon request to MDA via the public comment submission process noted below. Written comments regarding this proposed modification may be mailed to MDA, Post Office Box 849, Jackson, MS 39205, Attention: Disaster Recovery, or sent via facsimile to (601) 359-9280. Comments may also be submitted online to

**hoacomment@mississippi.org**. Comments must be received no later than July 13, 2007 at 5:00 p.m. Central Standard Time. Changes may be made at that time and the final amendment to the Action Plan will then be submitted to HUD for approval.

### **Environmental**

Due to the nature and design of the Homeowner Assistance Grant Program, the State has determined through its environmental review that project level actions are categorically excluded and not subject to related laws for compensation grant programs.

### **Substantial Amendments**

The State recognizes that any change, which changes the nature, purpose, or scope of the programs contained herein, will constitute a substantial amendment requiring public comment and approval by HUD. Additions or deletion of program activities or changes in beneficiaries would also constitute the need for a program amendment requiring public comment and HUD approval.

### **Waivers**

All waivers received from the original action plan and prior amendments and modifications are considered to be effective for this modification.