

1. Get several bids.

- Try to get written bids or estimates, and warranties from at least three different contractors. Check out the contractor.
- For the 2021 Texas Winter Storm, Governor Abbot waived certain regulations for certain registered and qualified Plumber's Apprentices in Texas. These waivers allow a Plumber's Apprentice, who has met all other qualifications to temporarily perform plumbing repairs without 'direct' supervision by a licensed plumber so long as the Plumber's Apprentice works under the general supervision of a responsible Master Plumber.¹
- Try to use only licensed trade contractors and request proof of a current license.
- FEMA does not certify contractors.²
- The Texas State Board of Plumbing Examiners does not regulate prices charged by plumbers.³
- Find out whether or not the estimate is for one price for the complete and final job or an hourly rate.
- Make sure that you understand exactly what work is to be performed and how the company expects to be paid.

2. Get the contractor's full name, address, and phone number.

- Ask for references and call them.
- Check with the Better Business Bureau and courthouse for criminal history and civil cases against the contractor.
- For repairs that cost more than \$10,000, ask the contractor for a copy of their Certificate of Registration with the Texas Residential Construction Commission.
- Be careful when dealing with contractors who have out-of-state license plates. Get it in writing.
- Obtain the name of the Responsible Master Plumber for the company

¹ Texas State Board of Plumbers Examiners: <https://tsbpe.texas.gov/latest-updates/>

² FEMA.gov: <https://www.fema.gov/press-release/20210222/dont-get-scammed-protect-yourself-contractor-fraud>

³ Texas State Board of Plumbers Examiners: <https://tsbpe.texas.gov/consumer-information/>

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- Check for licensed plumbers
here: <https://tsbpe.texas.gov/consumer-information/> ⁴
- Check for licensed electricians, HVACS professionals
here: <https://www.tdlr.texas.gov/LicenseSearch/> ⁵

3. Get a written contract.

- Read the contract carefully.
- Specify the work to be done.
- Specify the price:
- Identify the costs for both labor and materials.
- Don't sign anything you don't understand.

4. Control the money.

- Do not pay for the entire job up front before the work has been completed.
- Try to pay as little as possible up front.
- It is against the law for contractors in disaster areas to take any money up front unless they have a local office in your county or one county over for at least one year.
- Insist on waiting to pay the full amount until after the work is finished.
- You are protected by special rules if the contractor does not have a local office in your county or the next county over.
- Do not make the final payment until you have inspected the work. Make sure you are completely satisfied with the repairs.
- Do not pay in cash.

Report bad contractors to Better Business Bureau, the Texas Attorney General, the local district attorney, and Lone Star Legal Aid.

Disaster Legal Assistance Hotline: 1-800-504-7030

⁴ Texas State Board of Plumbers Examiners: <https://tsbpe.texas.gov/portfolio/find-a-license-registration/>

⁵ Texas Department of Licensing and Regulation: <https://www.tdlr.texas.gov/LicenseSearch/>

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INSURANCE STEPS

1. If your home was damaged due to a broken water pipe, downed tree limbs, or other winter damage, contact your insurance company or agent to file a claim as soon as possible.
2. Take steps to protect your home from further damage by turning off water, or covering holes in your roof, or ceiling if possible.
3. Find a copy of your policy. Your agent can provide one if needed. Carefully read your policy. Know the deadlines for giving notice of loss to your insurance company.
4. Look at your policy. Go to your insurance carrier's website and find out whether you may file your claim online, by phone, or find the address where you may send a written notice of your loss or claim.
5. File a claim by reporting the loss to your insurance company. It is a good idea to contact the insurance company immediately. Keep a record of each person that you speak to. Be sure to follow-up with a written notice.
6. Take photos and videos of the property damage if possible, before making repairs.
7. Make a list of damaged or lost items. Ask your insurance agent about any specific required forms.
8. Keep receipts for any expenses to repair your property. Keep receipts for any extra living costs such as hotels and meals away from home.
9. Give your insurance company a list of all expenses. Find out if you need to get approval before spending any money or signing any contracts.
10. Check your insurance policy for deadlines or special requirements. You must follow all the rules listed in your policy as much as you can.

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11. Ask about additional living expenses if you cannot live in your home due to the damage. Your insurance may cover some of those expenses.
12. Send in proof and other papers the policy requires to obtain coverage and payments from the insurance company. This includes photos and receipts.
13. Try to be available when the adjuster visits your home and point out all damage.
14. Request partial or advance payments from your insurance company as needed.
15. Keep notes whenever you talk with your insurance company, agent, adjuster, or broker. This includes the dates and times and the people in the conversation.
16. Keep copies of all letters, emails, etc. that you send to your insurance company or agent.
17. Review checks, payments, letters, emails, etc. from your insurance company. Keep copies of the documents or emails. Make sure there is not any language releasing or giving up any claims against the contractor. Discuss with your agent if you are in doubt.
18. Follow up with your insurance company about your claim.
19. Get legal help if you believe you are being treated unfairly.

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TEXAS

ACCESS to JUSTICE
FOUNDATION



EQUAL
JUSTICE
WORKS



BOB WOODRUFF
FOUNDATION



RENTER'S RIGHTS

In February 2021, the effect of Winter Storm Uri in Texas, during the COVID-19 worldwide pandemic creates a unique challenge for renters of single family and multi-family units. Find out your rights as a renter when a disaster strikes, within a disaster.

Your Rights as a Tenant

As a tenant of a single family (free-standing home) or multi-family unit (apartment/townhome) you have certain rights under the Texas Property Code:

1. The right to live in a dwelling free from conditions that would materially affect your physical health and safety;
2. Repair or remedy of certain conditions by your landlord; or
3. Termination of a lease if the repair or remedy of material conditions affecting the health and safety of an ordinary tenant have not been made within a reasonable time.

If your home was damaged during Winter Storm Uri, your landlord has a duty to repair or remedy certain conditions. Check your lease for specific provisions. To request repair of certain conditions such as burst pipes, heating and cooling (HVAC), or structural damage you should:

1. Contact your landlord immediately. Make a phone call to your landlord and make a request in writing to the place where your rent is normally paid, or where your lease specifies to provide repair requests. Send your written request by a traceable method, certified mail with green return receipt card, UPS or Fed EX with tracking (no texts or emails!);
2. Your rent must be current when the repair request to your landlord is given; and
3. The condition materially affects the physical health and safety of an ordinary tenant.

Your landlord must make the repairs within a reasonable time after the request has been made. A reasonable time period is usually 7 days. Considering the storm's affect and lack of plumbers and supplies, this time period may be longer.

Here are some frequently asked questions about Renter's Rights during the current disaster:

1. *Can I get out of my lease if my home is damaged?*
If your lease says you can or if you cannot live in any part of your rented home because of damage, you can cancel the lease. If you cannot live in any part of your rental unit, you must give your landlord written notice that you are cancelling your lease. You should also ask in writing for a refund of your security deposit and any pre-paid rent from your landlord. You must give your new address to your landlord in writing to receive a refund.
2. *Does my landlord have to lower my rent if my home is damaged?*
No. You cannot reduce your rent unless your landlord agrees or your lease gives you that right.

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Talk to your landlord and work out a deal. If you cannot, then you have the right to file a lawsuit and seek a court order reducing your rent.

3. *What do I do if I lost my job because of the disaster and can't pay rent?*
If you do not pay rent, your landlord can give you a notice to move. Your landlord may later file an eviction case against you. In September 2020, the President issued a moratorium on evictions through the Center of Disease Control (CDC) to help prevent the spread of COVID-19. If you meet certain qualifications, you may be eligible to sign a declaration to prevent eviction for non-payment of rent during the Coronavirus pandemic. If eligible, you may sign this declaration and provide a copy to your landlord to avoid eviction. As of the time of this update, the moratorium on evictions is valid until March 31, 2021. If your rent is subsidized by the government, you are entitled to have your part of the rent reduced. You should contact the agency that helps you with your rent to get a reduction.
4. *Can my landlord make me move immediately if I can live in my home?*
No. A landlord can only make you move by giving you a notice telling you to get out by a certain date and then filing a lawsuit after that date. You cannot be evicted without a reason. If your lease is expired, your landlord may be able to legally give you a notice to vacate and then seek a court order if you do not move by the deadline in the notice. If your landlord locks you out and refuses to give you a key, contact your local justice of the peace. The justice of the peace may order your landlord to immediately unlock your door by signing a "writ of re-entry."
5. *Can my landlord make me move so they can make repairs?*
If you can still live in the home, you do not have to move until the lease is over. If you have a written lease, it may cover this situation. If not, your landlord can only make you move if your home is not safe to live in. The landlord can move you temporarily while making extensive repairs but must move you back if your lease is not over.
6. *What do I do if I am served with an eviction lawsuit?*
Carefully read the papers and be sure to show up to tell your side of the story. You have the right to represent yourself. You can also call Lone Star Legal Aid for information or to represent you if you qualify. In some types of eviction cases you can take a friend to help. You have the right to appeal even if you lose in the Justice of the Peace Court.
7. *My furniture and clothes were ruined when my pipes burst. Is my landlord responsible for these items?*
No. Your landlord is not responsible for loss or damage to your personal belongings. You may file a claim against your renter's insurance if you have it, or you may be eligible for disaster assistance to replace damaged personal property through FEMA.
8. *What do I do if my landlord does not refund my security deposit or pre-paid rent?*
Wait until 30 days after you moved and gave the landlord your new address in writing. Then you can contact legal aid for help.
9. *Is there assistance available for Renters who need to relocate or have suffered loss of personal items?*
Renters may be eligible to receive assistance from FEMA during this disaster. The Individuals and Household Program (IHP) provides financial assistance and direct services to those who are uninsured and underinsured. Disaster survivors in need of assistance may apply to FEMA online at www.disasterassistance.gov or by calling 1-800-621-3362.

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TEXAS





TEXAS WINTER STORM 2021

SNAP REPLACEMENT

Winter Storm Assistance for SNAP recipients whose food was lost or destroyed.

SNAP customers can request a benefit replacement for food lost or destroyed due to the winter storm in February 2021 by calling 2-1-1 or sending in Form H1855. You do not need to go to an HHSC local office.

Call 2-1-1, select a language, and then choose Option 2.

To request a benefit replacement using form H1855:

Complete Form H1855, Affidavit for Nonreceipt or Destroyed Food Stamp Benefits and submit it by mail or fax.

<https://hhs.texas.gov/laws-regulations/forms/1000-1999/form-h1855-affidavit-nonreceipt-or-destroyed-food-stamp-benefits>

- English version of H1855 (PDF):
<https://hhs.texas.gov/sites/default/files/documents/laws-regulations/forms/H1855/h1855.pdf>
- Spanish version of H1855 (PDF)
<https://hhs.texas.gov/sites/default/files/documents/laws-regulations/forms/H1855/h1855-s.pdf>

Mail: Texas Health & Human Services Commission, PO Box 149027, Austin, TX 78714-9027

Fax: 1-877-447-2839

Hot Foods

Texans who get SNAP food benefits can buy hot food such as rotisserie chicken and prepared foods from a store's deli at retailers who accept SNAP.

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TEXAS



EQUAL JUSTICE WORKS



WHAT CAN FEMA DO FOR ME?

- 1. Can FEMA help me with temporary housing?**
Yes. FEMA can help you with your hotel bill. In some cases, FEMA will pay the hotel bill for you. You can check for a list of those hotels at www.femaevachotels.com . If your hotel is not a participating hotel, save your hotel bill to ask for FEMA reimbursement after you check out.
- 2. Can FEMA help me with rent?**
Yes. FEMA can help you out with rent at a new place if your home was damaged by a disaster.
- 3. Can FEMA help me with rent if I rented my damaged home?**
Yes. FEMA can help you with at least one month's rent at a new place.
- 4. Can FEMA help me repair my home?**
Yes. If you own your home, FEMA can provide homeowners with a limited amount of help to make your residence safe, sanitary, and functional. Homeowners who have good credit and enough income to pay off a loan may also get a government-backed loan to fully repair their home. You may need to clear up ownership of your property if you do not have a deed in your name by the time you register with FEMA.
- 5. Can FEMA help me replace my personal belongings?**
Yes. FEMA can give you money to replace personal belongings that were damaged or destroyed during the disaster. Things that FEMA can help you replace include vehicles, furniture, appliances, and other important personal property.
- 6. Can FEMA help me with other expenses caused by a disaster?**
Yes. FEMA can help you with the medical expenses, dental expenses, funeral expenses, transportation expenses, and other serious needs caused by the disaster. FEMA will not cover these expenses unless you can show that they were caused by the disaster. You may also need to provide receipts for any other expense caused by a disaster.
- 7. Can FEMA help me if I have insurance?**
Yes. FEMA can help you with needs that are not covered by your insurance or give you money while you are waiting on insurance money. You may need to give FEMA a copy of your insurance policy. FEMA will not cover your insurance

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deductible. You will need to pay FEMA back after you receive your insurance money.

8. **How do I ask FEMA to help me?**

Call or go online at: 1-800-621-FEMA (3362) or <http://www.femagov> or m.fema.gov for smartphones.

Important:

- Considering filing for FEMA help even if you don't think you need it at the time. This can help document your damage in case you later need FEMA help.
- Keep all papers you get from FEMA.
- Keep receipts showing how you spend the money FEMA gives you. Keep these receipts for three years.
- When FEMA gives you money, they will tell you how you should use it.
- Only use FEMA money for the things FEMA tells you to spend it on.
- Apply for other benefits, such as disaster unemployment and disaster food stamps if possible, so you won't be tempted to use FEMA money for living expenses.
- Be sure to claim the total value of your damaged house or property even if it's more than FEMA or insurance limits.
- You can contact Lone Star Legal Aid if you have any problems with FEMA.

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