

LawHelpNewMexico

Advancing Fairness and Justice for All

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Wildfire Disaster and Frequently Asked Questions (FAQ's)

Frequently Asked Questions and Wildfire Assistance

What can New Mexico Legal Aid help me with if I'm a Wildfire/Flood victim?

Please contact us at 1-833-LGL-HELP (1-833-545-5357) if you need help with the following:

- FEMA applications, including denials and appeals
- FEMA disability-related assistance
- SBA applications, including denials
- Assistance for agricultural producers and/other small businesses
- Document replacement
- Denial of Disaster SNAP (D-SNAP)
- Denial of Disaster Unemployment benefits
- Identify theft (for example, people applying in your name for FEMA/SBA assistance)
- Insurance property claims/denials
- Consumer/Predatory Lending Issues

How do I apply for financial assistance?

- HPFAA (will be updated after Nov. 14, 2022)
- FEMA: <https://www.disasterassistance.gov/>
- SBA (Small Business Administration): <https://www.sba.gov/funding-programs/loans>

What do I need to know about flood insurance?

- <https://www.floodsmart.gov/why-buy-flood-insurance>

Who carries flood insurance for New Mexico?

- https://www.floodsmart.gov/flood-insurance-provider?field_femaflsm_ip_states_value=New%20Mexico%20-%20NM&items_per_page=50

I need help with food-what do I do?

- <https://www.hsd.state.nm.us/lookingforassistance/apply-for-benefits>

I need help paying for my utilities-what do I do ?

- https://www.hsd.state.nm.us/lookingforassistance/low_income_home_energy_assistance_program/

I am a small agriculture producer-are there resources for me?

- Disaster Assistance Programs:

<https://www.fsa.usda.gov/programs-and-services/disaster-assistance-program/index>

- Livestock Forage Assistance Program:

<https://www.fsa.usda.gov/programs-and-services/disaster-assistance-program/livestock-forage/index>

- Livestock Indemnity Program

<https://www.fsa.usda.gov/programs-and-services/disaster-assistance-program/livestock-indemnity/index>

What do I need to be on the lookout for with regards to contractors?

1. Demands for upfront payment.

2. Door-to-door sales (sign-on-the-spot contracts).
3. Cash only or wire transfer payments.
4. Anything that sounds too good to be true.
5. Offers that assign insurance or federal benefits.
6. Requests for exchanging or transferring money.
7. Transaction(s) involving a benefit or thing that I never signed up for.

I am worried that I hired a bad contractor-what can I do?

- <https://www.rld.nm.gov/construction-industries/>

What does the Hermits Peak Fire Assistance Act Say?

- (link to text of HPFAA)

Are there any community resources for long term recovery?

- San Miguel/Mora Long Term Recovery
1. <https://ourmora.org/event/mora-san-miguel-long-term-recovery-community-outreach/>
 2. <https://hermits-peak-calf-canyon-fire-resources-nmhu.hub.arcgis.com/pages/ltrg>

- Neighbors Helping Neighbors

1. <https://www.facebook.com/groups/443345577555768/>

I've lost vital documents, what can I do?

Replacement EBT Card

For lost EBT card replacements call the 24-hour Fidelity Information Services (FIS) Customer Service Help Desk at 1-800-843-8303. Online: <https://www.hsd.state.nm.us>

Vital Records

1. Bureau of Vital Records & Health Statistics at 1-866-534-0051 or 505-827-0121. Online: <https://www.nmhealth.org>
2. Colfax County 226 E. 4th Ave. Raton, NM 87740; 575-445-3601
3. Lincoln County 111 Kansas Road, Ruidoso, NM 88345; 575-258-3252
4. Mora County / San Miguel County / Valencia County Vital Records not available except through main office in ABQ: 1-866-534-0051
5. VitalChek for online or phone orders: 1-877-284-0963 or <https://www.vitalchek.com/v/vital-records/new-mexico/new-mexico-vital-records?ScenarioName=ScenarioWebPlatformRedirect>. Birth certificate: \$26-\$44.50 fee. Death certificate: \$21-\$39.50 fee. Fees depend on processing and shipping. They can also replace marriage and divorce records.
6. For records of events that occurred outside NM: https://www.cdc.gov/nchs/w2w/index.htm?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fnc

Social Security Card

Social Security 800-772-1213 or www.ssa.gov

Lost Green Card

Go to www.uscis.gov and complete Form I-90, Application to Replace a Permanent Resident Card, and file it online or by mail. Call 800-375-5283 to check application status.

New Mexico Driver License

Visit an MVD field office to complete an application. The fee is \$18.00 for a four-year license or \$34 for an eight-year license. Drivers who are 79 years old or older are not charged a replacement fee. Online: <https://www.mvd.newmexico.gov>

Bank Checks, ATM/Debit Cards or Safe Deposit Boxes

Contact your financial institution or get contact information from the Federal Deposit Insurance Corporation by calling 877-275-3342 or going to www.fdic.gov.

What if I've lost my Credit Cards ?

Contact the issuing institution:

- American Express 800-992-3404 or www.americanexpress.com
- Discover 800-347-2683 or www.discover.com/credit-cards/help-center/
- Master Card 800-627-8372 or www.mastercard.com/cgi-bin/emergserv.cgi
- Visa 800-847-2911 or www.usa.visa.com
- Credit Report
- Equifax, Experian or TransUnion 877-322-8228 or www.annualcreditreport.com

If I receive FEMA money, can I still be a member of a Class Action Law Suit?

- The short answer is yes, but the amount you receive in damages from a lawsuit might be reduced by the amount of FEMA benefits you received. Let's look at two common examples:

1. For example, if FEMA gave you \$20,000 towards repairing your home but you have a total of \$150,000 in damages to your home, you could potentially recover the remaining \$130,000 in repair costs in a lawsuit against the federal government. You could not receive the full \$150,000 from the lawsuit because then the federal government would have paid you \$170,000 for \$150,000 in damages.

2. On the other hand, if you received FEMA assistance for temporary housing the answer is different. Let's say your home, valued at \$150,000 to replace, was completely destroyed and FEMA paid you \$10,000 for emergency or temporary housing. The \$10,000 you received for temporary housing should not be deducted from the replacement cost of \$150,000 that you could obtain from the federal government in a lawsuit. This is because the \$10,000 was for you to have a roof over your head after your home was destroyed; not to replace or rebuild your home.

If I receive FEMA money, can I still receive money from the Hermits Peak Fire Assistance Act (HPFAA)?

1. The short answer is yes. Keep in mind that the HPFAA has still not been passed by Congress, so Congress could change its rules before it becomes federal law. As the HPFAA currently reads, it would allow someone who has received FEMA benefits to receive compensation under the HPFAA, but the bill specifically states that total compensation would be reduced by the amount of benefits previously received.
2. For example if someone has \$100,000 in loss, but FEMA only provided for \$37,000, this individual should receive \$63,000 from the HPFAA (because 37,000 and 63,000 equals 100,000, which is the total amount of their loss).

If I receive compensation from the HPFAA can I also receive damages in a lawsuit against the federal government?

- No. The bill as currently written states that by accepting compensation under the HPFAA you waive (give up) your right to sue the federal government for damages resulting from the fire.

FEMA will not provide any benefits to me because the damage was not to my primary residence. Are there any benefits or payments I can receive now before the HPFAA or the lawsuit is finalized or settled?

1. Yes. It could take several years before any money is distributed from a lawsuit or the HPFAA. In the meantime, if FEMA will not provide any money to you because the damage

to your property or land was not considered eligible by FEMA you should consider a loan from the Small Business Administration (“SBA”) or aid that is available from the U.S. Department of Agriculture.

2. The SBA is providing disaster relief loans to cover some losses that are not covered by FEMA. These are low interest rate loans. It may be a difficult time to take on debt, but you should know that the HPFAA specifically states that compensation provided under the HPFAA cannot be reduced by the amount of an SBA loan. What this means is that you can take out a loan from the SBA now and then receive HPFAA compensation to pay it off later.

3. The USDA provides loans, grants, or monetary payments to farmers and ranchers whose property has been damaged by natural disaster under several programs. They are the Emergency Conservation Program (ECP) and Emergency Forest Restoration Program (EFRP).