

Legal Aid Society

ATTORNEY GUIDE FOR COMMON LEGAL PROBLEMS FACED BY DISASTER SURVIVORS

CONSUMER/CONTRACTOR ISSUES

- Does the person need to hire a contractor to make repairs on his or her home?
- Is there a written contract for the work, the cost of repairs and supplies, and a completion date?
- Is the contractor licensed and insured?
- Has the contractor performed the work or is there difficulty getting the work started or completed?
- Does the contractor have proper permits for the work?
- Have the repairs passed city inspection (noncompliance with city codes)?
- Is the work satisfactory?

CONSUMER/DEBT ISSUES

- Does the individual have a loan(s) related to property destroyed by the disaster?
- Is there an obligation to continue to pay loan(s)?
- Is he or she unable to pay debts due to the disaster?
- Has he or she been sued or been threatened with suit on any of this debt?
- Has any property such as a car been repossessed due to the disaster?
- Are there problems with car insurance?
- Will insurance cover rental or replacement cars?

EDUCATION ISSUES

- Did the family lose their housing due to the disaster but would like their children to remain at the same school?
- Is the family having difficulty registering their children at their old school or at a new school?
- Is the family having difficulty getting to school?

GOVERNMENT BENEFITS

- Has the person applied for benefits?
- Have benefits been denied? If benefits have been awarded, is the award acceptable?
- Should the denial of benefits or the amount awarded be appealed?
- Has the person received a notice of overpayment (or recoupment)?

EMPLOYMENT

- Did the individual lose his or her job due to the disaster?
- Are there any questions about unemployment benefits?
- Has the individual applied for and been denied benefits?
- Should the award of benefits be appealed?
- Did the individual receive their last paycheck?

INSURANCE ISSUES

- Does the person have homeowner's or renters insurance?
- Has someone offered to help the person work with the insurance company in order to receive insurance proceeds faster for a fee?
- Has the individual submitted a claim with their insurance company?
- Was coverage denied? Is the amount the insurance company is offering to pay acceptable?
- Does the individual need help with an appeal of a denial of coverage or the amount being offered by the insurance company?



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HOUSING (RENTERS)

- Does the rental unit need repairs?
- Is the landlord making repairs in a timely manner?
- Is the rental unit uninhabitable?
- Does the individual need advice on whether there is a right to terminate the lease or rental agreement if the unit has been damaged?
- Does the person need assistance in working with a landlord?
- Does the person need help getting a security deposit back?
- Are there any problems with the renters insurance company (see insurance above)?
- Has the person prepaid rent on a unit that has been destroyed?
- Has the person been discriminated against due to his or her status in one of these protected categories: race, color, religion, national origin, gender, familial status, or medical issues?
- Does the person need accommodations to the property due to medical issues?
- Is the person being treated differently due to his or her status as a victim of domestic violence?
- Does the person need a support animal for a medical issue where animals are not allowed?

FAMILY LAW ISSUES:

- Is the support obligation the person is paying or receiving too high or too low as a result of the disaster?
- Are children living with a different parent or relative as a result of the disaster?
- Does the parent having custody of the children need to relocate more than 50 miles from their home?
- Have the parents of children been contacted by DCS about their living situation?

HOUSING (OWNERS)

- See Consumer/Contractor Issues
- Does the homeowner have a mortgage? If so, is the homeowner having trouble paying the mortgage? Does the homeowner need help working with the mortgage company?
- Is the individual buying a house pursuant to a real estate contract? Is the person having trouble making payments on the contract? Does he or she want to continue with the contract?

LOST IDENTIFICATION DOCUMENTS

- Does the person need assistance replacing a driver's license, Social Security card, or EBT card?
- Does the person need assistance replacing immigration documents?

These are common legal problems experienced by those affected by a disaster. However, there are many other legal problems that can occur. Please refer any disaster survivor with a legal problem to Legal Aid of Middle Tennessee. **Starting 3/10/20, you can call 1-844-HELP4TN for immediate legal advice. To apply for legal assistance, please call Legal Aid Society at 1-800-238-1443 or visit www.las.org for more information.**

