

**Temporary Housing and Shelter Assistance Program
Expedited Temporary Housing Assistance
Waiver of Land Use/Permitting Form**

Frequently Asked Questions

Note: GOHSEP is developing administrative rules for the full Temporary Housing and Shelter Assistance Program, which includes the Expedited Temporary Housing Assistance and its Waiver of Land Use/Permitting Form. As we go through the rule making process, we will ensure coordination with the local governing authorities.

1. If a parish/municipality does not waive land use/permitting requirements, does that disqualify them from the Expedited Temporary Housing Assistance (ETHA) for any resident after a disaster?
 - Not waiving land use/permitting requirements will disqualify a parish/municipality from future participation in the ETHA.
2. Can a parish/municipality opt in after this deadline?
 - Yes.
3. Can a parish/municipality opt in or opt out during the same calendar year?
 - To be determined upon rulemaking.
4. Does this new law only apply to “expedited temporary housing assistance” through the new state program? How will this affect any federal assistance regarding housing?
 - GOHSEP’s interpretation of the law is that “expedited temporary housing assistance” is one component of the larger program and the waiver process is specific to this component and not the larger program. If a parish/municipality opts out of the waiver, does not qualify or disqualify those declared parishes/municipalities from receiving federal assistance.
5. If we opt in to waive land use/permitting requirements, whatever the State does will also be adopted and waived by the FEMA and NFIP program?
 - No, the waiver applies to the state run ETHA only. The waiver does not guarantee that FEMA will adopt and waive any federal requirements.
 - GOHSEP suggests that the local governing authority consider aligning their land use/permitting requirements between state and federal programs in order to expedite assistance.
6. What would happen if we could not get permission from the council before September 1, 2022 deadline?
 - A parish/municipality may submit their response after the September 1, 2022 deadline.

- Due to time constraints, GOHSEP recommends the response be submitted as early as possible.
7. Is this temporary housing only for existing residents on their property or does this apply to all land in a parish/municipality? What about renters?
 - The ETHA land use/permitting waiver will apply to the parish/municipality permitting for mobile homes, recreational vehicles, and other temporary housing directly adjacent to the survivor's damaged dwelling to allow for expedited temporary housing assistance in the parish. Renters would be included in other areas of the Temporary Housing and Shelter Assistance Program.
 8. What is the time period for the waiver? Does the waiver only apply during a declared emergency?
 - The time period for the waiver is one year, which will be annually submitted by September 1st. The waiver will only apply during a presidential declared major disaster or emergency for ETHA, and if implemented by GOHSEP.
 - GOHSEP will make the list of parishes/municipalities that have submitted the certification or opted out of participating in the ETHA accessible to the public on our website on September 30, 2022.
 9. If a parish/municipality opts out for the waiver, does that mean that residents in parish/municipality cannot get any help from FEMA if their dwelling is damaged?
 - This waiver only references the state run ETHA. If a parish/municipality opts out of the waiver, it does not qualify or disqualify those declared parishes/municipalities from receiving federal or other assistance.
 10. Does a parish/municipality have to show the change in regulations by police jury/council adoption?
 - La. R.S. 39:1304(2) states that a parish or municipal governing authority is defined as "the body which exercises the legislative functions of the political subdivision." Therefore, a parish/municipality legislative governing body must approve the waiver.
 11. Who is required to sign this waiver form?
 - The authorized official of a parish/municipality governing authority.
 12. If we pass a resolution to waive any land use regulations, will that mean anytime there is a declared disaster, by default those land use regulations are automatically waived? Even though the type of disaster does not warrant any temporary housing?
 - The time period for the waiver is one year, which will be annually submitted by September 1st. The waiver will only apply during a presidential declared major disaster or emergency for ETHA, and if

implemented by GOHSEP, and upon request and coordination with the local governing authority.

13. Would the waiver override a subdivision HOA guidelines that prohibit RV's in a yard/driveway?
 - The waiver is only applicable to the local governing authority's land use regulations.
14. Would it be a requirement for them to pass a resolution/ordinance or can they just sign it? Curious because your renewing it each year.
 - La. R.S. 39:1304(2) states that a parish or municipal governing authority is defined as "the body which exercises the legislative functions of the political subdivision." Therefore, a parish/municipality legislative governing body must approve the waiver. This would be done annually.
15. Can we opt out at any time and then opt in when needed
 - To be determined upon rulemaking.
16. Is there any special rules if the Private insurance is the issuer of the trailer?
 - The waiver process is specific to the state program. It would be up to the local governing authority to decide how to handle other similar situations such as FEMA Direct Housing, insurance, or utilizing a unit that is donated or already owned by the survivor.
17. Is there an expiration set for trailers on property? Or is that up to the municipality/Parish?
 - GOHSEP intends to utilize the September 1st deadline as the end date for any units deployed under the state program subject to the waiver process, and will work with the local governing authority to address any revisions or extensions beyond that date.
18. How does this align with state permitting requirements for floodplain and sewer systems?
 - The waiver process does not address this. The State would work with the local governing authority to address as part of the implementation process.
19. Will the permit fees be waived? What about the 3rd party inspection company fees that are contracted through the parish? Inspections, building permits, sewage permits are all required by the electrical companies to connect power.
 - The waiver process does not address this. The State would work with the local governing authority to address as part of the implementation process.
20. How does this address mobile home parks? Will it allow property adjacent to the property be utilized?

- The waiver process only addresses any land-use regulations that would prohibit the installation of a temporary housing unit directly adjacent to the survivor's damaged dwelling. To the extent that a mobile home park would fall into this category, the waiver would apply. In most cases, the existing land use regulation likely allows for the program to be implemented in mobile home parks without a waiver.

21. Since this will mainly be used for hurricanes, would it be better next year if the waiver was submitted on June 1, 2023 so it covers the entire hurricane season and the months after that are needed to recover?

- The current law requires submission annually by September 1st. This however is a good point and GOHSEP will work to amend current law and would prefer the deadline of March 31st of each year to align with other required annual reporting submitted by the Parish OHSEP Director.

22. Will the resident have the option to purchase the housing provided by the state like they do under FEMA's program? If so, how does that work to then ensure they meet the normal permitting and inspection requirements?

- To be determined upon rulemaking.
- GOHSEP is supportive of allowing this transaction. This would require approvals from the local governing authority, State Administration, and the State's Property Assistance Office

23. What if a new septic system needs to be installed to handle the temporary housing? Who would be responsible for the cost?

- The waiver process does not address this. The State would work with the local governing authority to address as part of the implementation process. To the extent possible, the State would avoid a situation that results in costs being incurred by the local governing authority or the survivor.