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Bill Would Alter FEMA Policy to Assist Co-ops and Condos

By MIREYA NAVARRO

A group of New York and New Jersey legislators plan to introduce a bill in Congress this week seeking to change a longstanding Federal Emergency Management Agency policy that they say discriminates against the owners of cooperative and condominium apartments.

After Hurricane Sandy, thousands of homeowners in damaged co-ops and condos were surprised to learn that they were largely barred from federal disaster assistance given to single-family homes. Under [FEMA policy](#), co-ops, as well as condominium and other homeowners' associations, are considered business entities not eligible for assistance that can reach up to \$30,000 per household.

As a result, the buildings have not been able to obtain grants for damages to lobbies, roofs and other common areas.

New York, with its high concentration of co-ops and condos, was particularly hard-hit by the policy. Hundreds of buildings with tens of thousands of units sustained flooding to ground floors and utility rooms with boilers and other expensive equipment.

FEMA officials said they were sympathetic but were bound by a federal disaster law known as the [Stafford Act](#), which leaves out co-ops and condos. They could not change the law, they said, but Congress can.

"I'm trying to correct an inequity," said Representative Steve Israel, Democrat of New York, who is sponsoring the legislation and planned to announce it at a news conference on Monday in Queens.

Co-ops were most affected because of their unique form of ownership, in which tenants own shares in a building. While condo owners can get federal assistance to fix walls and floors in their individual units, owners of co-ops cannot, because their apartments' walls and floors are usually the legal responsibility of the building.

The bill would make condos and residential cooperatives eligible for FEMA assistance by adding them to the Stafford Act. The bill would remove the \$30,000 cap in aid for co-op and condo associations but does not impose a new one, stating that it would need "to be determined by the rule-making process."

But the bipartisan bill, which counts Representative Peter T. King, a Republican of New York, as a co-sponsor, is only the first step in what may be a difficult road to passage.

“We have a lot of educating to do,” Mr. Israel said. “There will be many members of Congress that would say, ‘I don’t have co-ops in my district; why should I support this?’ My response would be, I don’t have tornadoes, but I support your assistance.”



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