



Winter Storm Uri Consumer Resource Guide

This guide contains a list of frequently asked questions and resources
for persons affected by Winter Storm Uri

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The information in this guide has been aggregated from multiple sources including FEMA, Lone Star Legal Aid, the Red Cross, and media outlets. This guide is not exhaustive, and some of the information contained herein is subject to change as various governmental agencies continue to evolve their response to this disaster. This guide provides general information only that may or may not be applicable in individual circumstances. It is not intended as legal advice. For legal advice in specific circumstances, please consult your own lawyer.

01 INSURANCE

GENERAL INFORMATION AND STEPS

(Adapted from materials provided by Lone Star Legal Aid)

Certain damages and losses to property, vehicles, and even health may be covered by insurance. Below are some steps you might consider if you think that insurance has a role in your disaster recovery.

1. Find a copy of your policy, or contact your agent if you need to get a copy of your policy.
 - Think about all insurance policies that might apply.
 - This includes property, car, health and, if applicable, umbrella policies.
2. Carefully read your policy, whether it be your homeowner's insurance policy, renter's insurance policy, automobile insurance policy, or some other policy.
 - Be especially mindful of deadlines, such as those related to giving notice of loss to your insurance company, and the appropriate way to notify the company.
 - Companies often want written notice. If that is true in your case, find the address for sending the notice and what information you need to provide in your notice.
 - Check your insurance policy for deadlines or special requirements; follow all the rules listed in your policy as closely as you can.
3. Provide your insurer with a timely notice of loss. It often is a good idea to call the company as soon as it is safe to do so, then follow up with a written notice.
4. Document everything that may be relevant to your claim.
 - Take photos and videos of property damage, if possible, before making repairs.
 - Keep in mind that in some cases, you may have a duty to mitigate (reduce or diminish) further damage in certain cases.
 - Find out if you need to get approval before spending any money on replacements or repairs or making any contracts.
 - Make a list of damaged or lost items, along with estimated values before the damage.
 - Keep receipts for any expenses to repair your property and any extra living costs such as hotels and meals away from home.
 - Ask your insurance agent about any specific required forms. Make sure to fill out those forms.
5. Give information to your insurance company, including a listing of all expenses. This often is required to obtain coverage and payments from the insurance company. Request partial or advance payments from your insurance company as needed.
6. Keep notes whenever you talk with your insurance company, agent, or broker. This includes the dates and times and names of the people in the conversation.

7. Keep copies of all letters, emails, etc. that are sent to or received from your insurance company or agent. If you mail anything, send it by certified mail, return receipt requested, or by FedEx or another service that provides delivery confirmation.
8. Review checks, payments, letters, emails, etc. from your insurance company.
 - Make sure there is not any language releasing, waiving, or giving up any claims.
 - Discuss with your agent if you are in doubt.
 - You also may need to talk to an attorney.
9. Follow up with your insurance company about your claim.
10. Consider getting legal help if you believe you are being treated unfairly.

WHAT IS HOUSE BILL 1774 AND TO WHAT TYPE OF INSURANCE DOES IT APPLY?

(Adapted from materials published by the Texas Department of Insurance)

- House Bill 1774 requires policy holders to provide notice before filing suit, and makes changes to the requirements for inspections related to lawsuits, recovering attorneys' fees, and statutory penalty interest. The bill does not change the process for filing claims.
- House Bill 1774 does not apply to NFIP or Texas Windstorm Insurance Association (TWIA) claims.
- House Bill 1774 does apply to claims made under an insurance policy providing coverage for real property and claims under the Fair Access Insurance Requirements Plan Association.

You can find out more at tdi.texas.gov/consumer/storms/hb1774.html

02 RENTER'S RIGHTS

(Adapted from materials provided by Lone Star Legal Aid)

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 may be able to cancel the lease.

- If you cannot live in any part of your rental unit, you must give your landlord written notice that you are canceling 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 any refund.

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. Talk to your landlord and work out a deal.
- If you cannot, then you may be able to file a lawsuit and seek a court order reducing your rent. Consider retaining an attorney to advise you on this strategy.

WHAT DO I DO IF I LOST MY JOB BECAUSE OF THE DISASTER AND CAN'T PAY RENT?

Seek legal assistance to navigate this situation, unless your landlord and you can reach an agreement, because many factors may affect your rights. These factors include whether your housing is subsidized by the government, whether the rented property was purchased using a government-backed mortgage, and rules and programs implemented because of the COVID-19 pandemic.

CAN MY LANDLORD MAKE ME MOVE IMMEDIATELY IF I CAN LIVE IN MY HOME?

No. Normally, 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.

- If your lease is expired, your landlord may be able to force you to move by giving you a 30-day 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.”

Because of rules and programs implemented because of the COVID-19 pandemic, seek legal assistance on handling this situation if you cannot resolve it with your landlord.

CAN MY LANDLORD MAKE ME MOVE SO THEY CAN MAKE REPAIRS?

- Check the terms of your lease. If you can still live in the home, you may 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.

WHAT DO I DO IF I AM SERVED WITH AN EVICTION LAWSUIT?

- Carefully read the papers and be sure to show up to the court date and tell your side of the story.
- You have the right to represent yourself. You also can call a legal services provider for information or to see if they can 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 Justice of the Peace Court.

WHAT DO I DO IF MY LANDLORD DOES NOT REFUND MY SECURITY DEPOSIT OR PRE-PAID RENT?

Wait until 30 days after you gave the landlord your new address in writing. Make a second demand. Then you can contact an attorney or legal aid for help.

Additional information about tenant's rights from the Texas Attorney General: [texasattorneygeneral.gov/cpd/tenant-rights](https://www.texasattorneygeneral.gov/cpd/tenant-rights)

03 HOME REPAIRS & AVOIDING FRAUD

(Adapted from the CDC and previous HBA materials)

HOW TO GO ABOUT A HOME REPAIR

1. Make sure the area is safe before starting home repairs; be especially careful if there is water near electrical outlets, since a live outlet could electrocute you.
2. Assess what home repair projects you need to accomplish. Prioritize the ones that have to get done immediately to make your home livable, and then consider undertaking the remaining projects at a later date.
3. Find a repair person. You often can get a good referral from family, friends, and co-workers.
4. If appropriate, talk to your employer about your situations, since some employers have disaster relief funds that might be available to assist you in making repairs.

HOW DO I HANDLE A BURST PIPE?

Call a plumber to help fix the problem as fast as possible. But, in the meantime, here are some tips.

1. Locate your water meter. It usually is in the front yard near the street.
 - You can use it to shut off all water to your home, which might be necessary if you cannot stop water from flowing out of a burst pipe.
 - If you need to cut off your home's water, turn off the supply on the side of the meter closest to your home – that's your cutoff; the other one is the city's cutoff.
2. Turn off your water, either to the affected pipe or your entire house.
 - You may need a wrench or a screwdriver.
 - If you can, fill a bathtub with water before cutting the supply off in case it takes a few days for the repair to get done.

3. If you are not sure a pipe burst, stop, look, and listen for signs.
 - If you have low water pressure, ask your neighbors if they are experiencing the same thing.
 - Listen for the sound of running water in your home when there is no faucet running.
 - Look for bubbling paint or wet patches and unexplained puddles.

If you turn off the water to your home, it often is a good idea to run hot and cold faucets for five to ten minutes once it is restored. If you have been asked to conserve water, consider delaying when you restore water pressure to your home until after those measures are no longer in effect.

HOW DO I HANDLE MOLD IN MY HOME?

(Adapted from materials published by the CDC)

After a water event, mold will grow in your house fast and can make you sick. You have to clean your house quickly to stop mold from setting in and spreading. Here are some tips:

- Take things that were wet for 2 or more days outside, as they probably have mold growing on them even if you cannot see it.
- Take out items made of cloth, unless you can wash them in hot water. Also, take out items that cannot be cleaned easily (like leather, paper, wood, and carpet).
- Use bleach to clean mold off hard things (like floors, stoves, sinks, certain toys, counter tops, flatware, plates, and tools).

Follow These Steps:

1. Never mix bleach with ammonia or other cleaners.
2. Wear rubber boots, rubber gloves, goggles, and N-95 masks.
3. Open windows and doors to get fresh air when you use bleach.
4. Mix no more than 1 cup of bleach in 1 gallon of water.
5. Wash the item with bleach and water mixture.
6. If the surface of the item is rough, scrub the surface with a stiff brush.
7. Rinse the item with clean water.
8. Dry the item or leave it out to dry.

HOW TO AVOID HOME REPAIR SCAMS

(Adapted from previous HBA disaster recovery materials)

Get several bids.

Try to get written bids or estimates from at least three different contractors.

Check out the contractor.

- 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.
- Even an online search of the contractor can provide useful information or might help reveal bad past performance.
- Be careful when dealing with contractors who have out-of-state license plates.

Get it in writing.

- Get a written contract.
- Specify the work to be done.
- Specify the price.
- Don't sign anything you don't understand.

Control the money.

- Do not pay for the entire job up front.
 - 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 had 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 bbb.org
- Texas Attorney General texasattorneygeneral.gov/cpd/home-remodeling-and-repair and (800) 621-0508
- the local district attorney

04 PRICE GOUGING

(Adapted from materials published by the Attorney General of Texas)

Price gouging is illegal, and the attorney general may prosecute any business that engages in price gouging after a disaster has been declared by the governor or president. The attorney general has issued stern warnings about price gouging to businesses in times of disaster. But, keep your guard up because the warning sometimes goes unheeded and consider reporting price gougers.

WHAT IS PRICE GOUGING?

§17.46(b) of the Texas Deceptive Trade Practices-Consumer Protection Act provides that it is a false, misleading or deceptive act or practice to take advantage of a disaster declared by the governor under Chapter 418, Government Code, or the president by:

1. Selling or leasing fuel, food, medicine, lodging, building materials, construction tools, or another necessity at an exorbitant or excessive price; or
2. Demanding an exorbitant or excessive price in connection with the sale or lease of fuel, food, medicine, lodging, building materials, construction tools, or another necessity.

IF PRICES ARE HIGH, DOES THAT MEAN THAT THERE IS PRICE GOUGING?

Not necessarily. High prices alone do not mean that price gouging has taken place, as businesses are generally allowed to determine the prices for their products. The issue is whether the prices charged were raised to “exorbitant” or “excessive” levels after a disaster has been declared by the Governor of Texas or the President. If you think this happened, consider filing a complaint with the Texas Attorney General.

WHERE DO I FILE A COMPLAINT?

You may file a consumer complaint with the Texas Attorney General: texasattorneygeneral.gov/consumer-protection/file-consumer-complaint. If you prefer, you can also print forms from the website and mail them to the following address:

Office of the Attorney General
Consumer Protection Division
PO Box 12548
Austin, TX 78711-2548

05 AVOIDING SCAMS

(Adapted from publicly available news sources)

BEWARE OF SOCIAL MEDIA SCAMS AND SCAM PHONE CALLS SEEKING PERSONAL INFORMATION AND/OR PAYMENTS.

ERCOT reports that there is a scam circulating on social media asking customers to text their private account numbers. Do not send anyone claiming to be from ERCOT your personal information or money. ERCOT has stated that it does not need this information, and it is a scam. (See twitter.com/ERCOT_ISO/status/1361712314911772683)

Be aware that some scammers have been posing as representatives of electricity companies and asking people to disclose personal information and/or to send payments over the phone for allegedly unpaid utility bills. (See businessinsider.com/scammers-targeting-texans-after-winter-storm-feds-warn-2021-2)

THE U.S. ATTORNEY'S OFFICE FOR THE EASTERN DISTRICT OF TEXAS HAS ISSUED A SCAM ALERT IN THE WAKE OF THE STORM.

A U.S. Attorney warns that weary homeowners may fall prey to unsolicited calls regarding insurance claims, home warranties, or bogus government grants and advises that “If you did not solicit the call, hang up.” (See justice.gov/usao-edtx/pr/scam-alert-feds-warn-residents-about-fraudsters-seeking-profit-disaster)

Please refer to the “Home Repairs & Avoiding Fraud” section of this guide for additional guidance on avoiding scams and fraud.

06 DISASTER DECLARATION & FEMA RELIEF

(Adapted from materials published by FEMA, TWC, and HUD)

WHAT IS FEMA?

FEMA is the Federal Emergency Management Agency. When the President of the United States makes a Declaration of Disaster, which has happened for 77 counties in Texas affected by Storm Uri, FEMA administers disaster relief efforts including providing assistance to individuals and business owners who sustained damage and losses.

SHOULD I APPLY FOR ASSISTANCE?

- If you have sustained damage or loss because of Storm Uri, you should apply for assistance.
- File for FEMA assistance even if you don't think you need it at this time. This can help document your damage in case you later need FEMA help.
 - Assistance can include grants for temporary housing and home repairs, low-cost loans to cover uninsured property losses and other programs to help individuals and business owners recover from the effects of the disaster.
- Before you apply for assistance, below are the steps you need to take to start your recovery process:
 1. Take photos of your damaged home and belongings.
 2. Make a list of damaged/lost items.
 3. If you have insurance, you must file a claim with your insurance company. If you do not have insurance, you can still apply with FEMA.

See [fema.gov/assistance/individual/program#apply](https://www.fema.gov/assistance/individual/program#apply) for more information.

HOW DO I APPLY FOR ASSISTANCE?

- Registering online at [DisasterAssistance.gov](https://www.DisasterAssistance.gov) is the quickest way to register for FEMA assistance.
- You can also use the FEMA mobile app, which can be downloaded at [fema.gov/mobile-app](https://www.fema.gov/mobile-app).
- If you are unable to access the internet, you can also call (800) 621-3362 or (800) 462-7585 (TTY).

WHAT INFORMATION DO I NEED TO APPLY FOR ASSISTANCE?

- Proof of ID
- Proof of occupancy or ownership
- Social security number
- Current and pre-disaster addresses
- Telephone number
- Insurance information
- Household income
- Routing and account number from bank for direct deposit of disaster assistance funds

WHICH COUNTIES HAVE BEEN DESIGNATED ELIGIBLE FOR INDIVIDUALS TO RECEIVE ASSISTANCE FROM FEMA?

As of February 19, 2021, the designated counties are:

- Angelina, Aransas, Bastrop, Bee, Bell, Bexar, Blanco, Brazoria, Brazos, Brown, Burlison, Caldwell, Calhoun, Cameron, Chambers, Collin, Comal, Comanche, Cooke, Coryell, Dallas, Denton, DeWitt, Ellis, Falls, Fort Bend, Galveston, Gillespie, Grimes, Guadalupe, Hardin, Harris, Hays, Henderson, Hidalgo, Hood, Jasper, Jefferson, Johnson, Kaufman, Kendall, Lavaca, Liberty, Madison, Matagorda, Maverick, McLennan, Montague, Montgomery, Nacogdoches, Nueces, Orange, Palo Pinto, Panola, Parker, Polk, Rockwall, Sabine, San Jacinto, San Patricio, Scurry, Shelby, Smith, Stephens, Tarrant, Travis, Tyler, Upshur, Van Zandt, Victoria, Walker, Waller, Wharton, Wichita, Williamson, Wilson and Wise.

Additional counties may be added, so if you or friends or family members are located in other counties, you should continue to monitor the FEMA website to see if your county has been added.

CAN FEMA HELP ME WITH TEMPORARY HOUSING?

- Yes. FEMA can help reimburse you for your short-term lodging expenses.
- In limited circumstances where adequate temporary housing resources are not available within a reasonable commuting distance, FEMA may provide a temporary housing unit directly to homeowners and renters.

CAN FEMA HELP ME WITH RENT?

Yes. FEMA can provide financial assistance to rent temporary housing while disaster-caused repairs are made to your primary residence, or while transitioning to permanent housing.

CAN FEMA HELP ME REPAIR MY HOME?

- Yes, if you own your home. FEMA can provide financial assistance for homeowners to repair uninsured home damage caused by the disaster. The assistance is intended to repair the home to a safe, sanitary and functioning living condition.
- FEMA can also provide financial assistance for homeowners who must replace or rebuild their primary residence as a result of the disaster.

CAN FEMA HELP ME REPLACE MY PERSONAL BELONGINGS?

- Yes. FEMA can give you money to replace common household 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.

CAN FEMA HELP ME WITH OTHER EXPENSES CAUSED BY A DISASTER?

- Yes. FEMA can help you with 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 need to get a note from your doctor that says your medical or dental expenses are necessary and were caused by the disaster.
 - You may also need to provide receipts for any other expense caused by a disaster.
- FEMA cannot reimburse you for food lost due to a power failure.

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. You may also need to show that you made a claim with your insurance.
 - FEMA will not cover your insurance deductible.
 - You will need to pay FEMA back after you receive your insurance money.
- FEMA cannot provide assistance for losses that are covered by insurance.

WHAT ELSE?

- Be sure to claim the total value of your damaged house or property even if it's more than FEMA or insurance limits.
- 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.
- Keep all papers received from FEMA, and all receipts showing how you spent the money from FEMA, for at least three years.

- Consider applying for other benefits such as disaster unemployment benefits and disaster food stamps if possible to supplement the FEMA money.
 - For information about disaster unemployment assistance, please visit twc.state.tx.us/jobseekers/disaster-unemployment-assistance
- You can also apply for foreclosure relief from the U.S. Department of Housing and Urban Development (HUD).
 - For more information, see the HUD website: hud.gov/info/disasterresources
 - If you do not have access to the internet or need additional assistance, call (800) 304-9320 or email recovery@hud.gov

Information about FEMA's relief program is also available in many other languages, including Spanish, Russian, Arabic, Chinese, Korean, Vietnamese, etc. These brochures are available for download here: fema.gov/assistance/individual/brochure

07 OTHER RESOURCES

LEGAL AID

- State Bar of Texas legal hotline: (800) 504-7030
- Lone Star Legal Aid: lonestarlegal.org
- Houston Volunteer Lawyers: makejusticehappen.org or (713) 228-0735
- Legal Services Corporation: lsc.gov/what-legal-aid/find-legal-aid

SNAP AND OTHER TEXAS-SPECIFIC BENEFITS

- yourtexasbenefits.com
- hhs.texas.gov/services/financial/disaster-assistance/receiving-disaster-assistance

DISASTER DISTRESS HELPLINE

- Call (800) 985-5990 or text **TalkWithUs** to **66746** if you are in emotional distress from disaster.
- samhsa.gov/find-help/disaster-distress-helpline

INTERNAL REVENUE SERVICE

- The IRS is providing tax relief and assistance for victims of the winter storm irs.gov/newsroom/irs-announces-tax-relief-for-texas-severe-winter-storm-victims

HELP WITH PRICE GOUGING AND SCAMS

- Attorney General's Consumer Protection Toll-Free Hotline: **(800) 621-05058** or texasattorneygeneral.gov/consumer-protection/file-consumer-complaint

FEMA DISASTER RESPONSE

- fema.gov/disaster/4586

AUSTIN
BRUSSELS
DALLAS
DUBAI
HONG KONG
HOUSTON
LONDON
MOSCOW
NEW YORK
PALO ALTO
RIYADH
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