

**HOUSING AND COMMUNITY SERVICES DEPARTMENT**

**DIVISION 813-330**

**WILDFIRE DAMAGE HOUSING RELIEF ACCOUNT**

**813-330-0000**

**Purpose**

OAR chapter 813, division 330 is promulgated to accomplish the general purpose of ORS 458.620 which establishes the Wildfire Damage Housing Relief Account within the Oregon Housing Fund and designates the Housing and Community Services Department as the state agency responsible for administering the Account. The Wildfire Damage Housing Relief Account assists certain persons who have experienced a loss of housing due to wildfire by providing funds.

Stat Auth.: ORS 456.555

Stats. Implemented: ORS 458.620, OL 2015 HB 3148

**813-330-0010**

**Definitions**

(1) “Account” means the Wildfire Damage Housing Relief Account, revolving account within the Oregon Housing Fund created under ORS 458.620.

(2) “Administrative costs” means costs that are incurred in the process of administering the program.

(3) “Department” or “OHCS” means the Housing and Community Services Department for the state of Oregon

(4) “Households of lower income” means persons or families residing in Oregon whose federal adjusted gross income for the tax year preceeding the year in which a loss of housing due to wildfire occurs does not exceed 75 percent of the federal poverty guidelines.

(5) “Wildfire” has the definition as used in ORS 477.089.

Stat Auth.: ORS 456.555

Stats. Implemented: ORS 458.620, OL 2015 HB 3148

## **813-330-0020**

### **Administration**

- (1) The department will directly provide program services and assistance.
- (2) In the event of a wildfire, the department may consider the referral of a household from a local, state, or federal disaster relief agency or human service agency to determine eligibility of the household for program services. The department may also allow households to apply directly for assistance with verification of the loss of housing or eligibility from a local, state, or federal disaster relief agency or human service agency.
- (3) The department may request information including, but not limited to, the scope and location of the wildfire, the type of housing damaged, proof of ownership, and the previous years' household income.

Stat Auth.: ORS 456.555

Stats. Implemented: ORS 458.620, OL 2015 HB 3148

## **813-330-0030**

### **Eligible Applicants**

Services shall be available to households of lower incomes who meet the following criteria:

- (1) The applicant must be an Oregon resident at the time of the loss or damage to housing.
- (2) The loss or damage to housing must have occurred in Oregon on or after July 1, 2015.
- (3) The home lost or damaged due to wildfire must be the household's primary residence.
- (4) The household must own the home that is lost or damaged due to wildfire.
- (5) The home that is lost or damaged due to wildfire may be a stick built home, a site built home, or a recreational vehicle that is the primary residence of the applicant.
- (6) If the home lost or damaged due to wildfire is a recreational vehicle that is the primary residence of the applicant, the applicant must own or rent the land on which the RV was damaged.
- (7) The home damaged by the wildfire is considered uninhabitable unless repaired or replaced.
- (8) To receive assistance, the household must submit an application to the department along with verification of loss, proof of ownership, and proof of income.

(9) The household must apply for grant funds within one hundred and eighty (180) days after the loss of the home.

Stat Auth.: ORS 456.555

Stats. Implemented: ORS 458.620, OL 2015 HB 3148

### **813-330-0040**

#### **Use of Funds**

(1) The funds in the account will only be allocated to households of lower income who have lost their home due to wildfire.

(2) The department may provide assistance in the form of a grant, not to exceed \$5,000, to an eligible applicant.

(3) If approved claims for assistance exceed the available balance of the account, the department may make pro-rata reductions in grant amounts to increase the number of claimants who receive assistance.

(4) The department shall verify eligibility of applicants.

(5) The department shall award a grant to a qualified household within thirty (30) days of receiving a complete application from that household.

Stat Auth.: ORS 456.555

Stats. Implemented: ORS 458.620, OL 2015 HB 3148

### **813-330-0050**

#### **Reporting and Recordkeeping**

The department shall maintain records documenting the applications received for grants distributed through the department as required by its retention schedules.

Stat Auth.: ORS 456.555

Stats. Implemented: ORS 458.620, OL 2015 HB 3148

### **813-330-0060**

#### **Appeal Procedure**

(1) An applicant aggrieved by the department's action with respect to its program obligations

may submit a written request to the department for its review of such contested action and such request must be submitted within thirty (30) days of that action.

(2)Any department review will be in the manner determined appropriate by the department and may include, but shall not necessarily be limited to, review of provided information.

(3)If the department accepts the review request, the requester of the review must produce all information required by the department, including requested affidavits or testimony.

(4)The department may make a determination on a review request and require such remedial action as the department determines, in its sole discretion, to be appropriate.

(5) Department review is a contested case review under ORS chapter 183 unless specifically so stated by the director in writing.

(6) A timely request for department review by an aggrieved person and its completion to final order by the department are requirements for exhaustion of administrative remedies by such aggrieved person.

Stat Auth.: ORS 456.555

Stats. Implemented: ORS 458.620, OL 2015 HB 3148