

1
2
3
4
5
6
7
8

Section III Asset Management

Chapter 11 Presidentially Declared Disaster Guidance

11.1 Introduction

9
10 This chapter addresses details of how the Office of Residential Care Facilities (ORCF) responds
11 to natural or man-made disasters impacting projects insured under the Section 232 Program. As
12 most Section 232 projects are licensed by a state agency, ~~ORCF's~~ORCFs first point of contact
13 will be the state agency and/or its disaster operations center. As state requirements regarding the
14 relocation of residents vary, HUD will attempt to align efforts with local agencies to ensure there
15 is not a duplicate reporting effort to state and federal agencies.
16
17

11.2 Presidentialy Declared Disasters

18
19 A Presidentialy Declared Disaster (PDD) is defined as a “major disaster” or “emergency”
20 declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as
21 amended (42 U.S.C. 5121 et seq.). (See 13 CFR 300.3). FEMA recommends that the President
22 declare a major disaster or emergency and coordinates all relief efforts~~.”~~. In the event of a
23 disaster, not all HUD-related projects in a PDD area may be impacted, but all potentially affected
24 projects will be monitored. The ORCF designated staff will contact the Servicing Lender and
25 request updates on the status of projects in the PDD. Projects that require special disaster
26 assistance due to a PDD will receive support from HUD in addition to the normal servicing of
27 the portfolio.
28

29 When a disaster reaches the level of becoming a PDD, ORCF ~~work~~will work immediately to
30 coordinate with the appropriate authorities in each state included in the PDD. ORCF staff will
31 provide requested support and information to state agencies, as directed, and in situations where
32 those agencies may not be able to reach projects impacted by the PDD that are involved in the
33 Section 232 program, ORCF will coordinate with the Servicing Lender to reach out to the
34 projects. In instances where other federal agencies have been activated due to a disaster, ORCF
35 will cooperate as directed in a coordinated federal response.
36

37 If it is necessary to have direct contact with the projects, in the time of a PDD, ORCF ~~work~~will
38 work to minimize its impact on the project~~, and, ORCF will only: 1)~~ seek to ensure ~~the~~staff and

39 residents are safe and secure from the disaster;² 2) inquire about any project needs ~~they may have~~
40 that ORCF can assist with or find additional information about;³ and 3) determine whether
41 ~~they~~the project(s) may be able to assist other affected healthcare projects within the surrounding
42 area.

43
44

11.3

Other Disasters

45
46 There are times when a local disaster may occur, yet not be designated as a PDD. ORCF may be
47 made aware of these disasters through notification directly by an impacted Section 232 project,
48 through news or social media, or other means. In these instances, ORCF will ~~react and initiate~~
49 ~~activities to quickly~~ determine the geographic area covered by the disaster;⁴ and will identify all
50 Section 232 projects within that area.

51
52 Once the PDD is declared, ORCF staff will then coordinate with Servicing Lenders to reach out
53 to all Section 232 projects in the disaster area. This outreach will include ascertaining project
54 damages, ~~their~~project operating status, and ensuring that staff and residents are safe and secure
55 from the disaster.

56
57 ORCF will track and report all information gathered during this process, and provide requested
58 information to the appropriate HUD divisions, as well as any state agencies that may be
59 involved. ~~The Office~~ORCF will work diligently to coordinate efforts with other ~~Federal~~federal
60 agencies (HHS/CMS) and state licensing agencies that regularly survey and inspect these
61 projects and approve evacuation and relocation plans for the residents.

62