



CYBER LEGAL ADVOCACY BRIEF

A Preventive Law Series
Cyber Center of Excellence Office of the Staff Judge Advocate
Legal Assistance Division, Fort Eisenhower



GEORGIA INFORMATION AND LAW FOR HOMEOWNERS AND RENTERS AFTER A NATURAL DISASTER

EMERGENCY RESOURCES

- If you need immediate medical or safety assistance, call 911.
- For emergency shelter, contact:
 - The local Red Cross at 706-724-8481 or online at <https://www.redcross.org/local/georgia/about-us/locations/east-central-georgia.html>
 - The local Salvation Army at 706-826-7933 or online at <https://www.salvationarmyusa.org/usn/provide-shelter/>
 - FEMA at 800-621-3362 or online at <https://www.fema.gov/> or you can text SHELTER and your zip code to 4FEMA. You can also download the FEMA mobile app at <https://www.fema.gov/about/news-multimedia/mobile-products>
- For other emergency help, contact your local Georgia Emergency Management Agency at <https://gema.georgia.gov/locations>
- If you are active duty military, contact your chain of command for any available on-base emergency housing options.

FOR HOMEOWNERS

- **Paying your mortgage.** You are responsible for paying your mortgage even if your house is damaged during a disaster. This is true even if you are unable to live in it.
 - **Filing with your insurance.** Before you can get help from most government agencies, you must first file an insurance claim.
 - Most insurance companies will only reimburse for reasonable repair costs. Your claim will only be approved if it does not exceed your policy limits. If you do repairs at an inflated price, you may reach your maximum policy limit quickly. If prices quoted for repairs appear inflated, get another estimate and obtain the insurance company's agreement to the cost before undertaking repairs.
 - **Filing for FEMA housing grant.** You have the right to apply for FEMA housing grant if:
 - You have needs that your insurance doesn't cover, and
 - Your area has been declared a federal disaster area.
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FOR RENTERS

- **Read your lease.** Read your lease to find out what it says about natural disasters. Look for portions about:
 - Rent abatement. This will tell you if you are able to stop paying or only pay partial rent until the damage is fixed.
 - Lease termination. This will tell you under what circumstances you can terminate the lease, if any.
- **Paying your rent.** In general, you should not have to pay rent if your rental home is not livable. But this may not be the case. Always talk to your landlord before you stop paying rent. If you and your landlord cannot agree, you should seek legal advice prior to stopping rent payments.
 - If the unit is damaged, but you can still live there, you will likely still be responsible for paying your rent.
 - If the unit is uninhabitable, you will likely not be responsible for paying your rent. Remember, what you consider uninhabitable and what your landlord considers uninhabitable may be different. Any time you stop paying rent without the landlord's permission, you are assuming some level of risk.
- **Notify your landlord of damage.** If your unit is damaged, you need to notify the landlord of the damage verbally and in writing as soon as possible. Take pictures of all damage.
 - Your landlord must make any necessary repairs to the unit. Georgia law says they have a "reasonable amount of time" to make those necessary repairs. Again, what you believe is reasonable and necessary and what your landlord believes may be different.
 - Generally, a landlord will not be required to pay you damages if part of your home is unusable temporarily. However, you can still ask your landlord for compensation for your loss and inconvenience.
- **Ask for a release from your lease.** If you want to move, ask the landlord to give you a written document terminating the lease and listing any final charges for which you are responsible, if any.
- **Contact the housing code inspector.** If your landlord does not make necessary repairs within a reasonable amount of time, you might want to notify your county housing code inspector. A landlord must comply with applicable local housing codes.
- **Filing with your insurance.** If you have renter's insurance for your personal property, contact your insurer immediately. Again, take pictures of any damage.

This information and more is available at <https://www.georgialegalaid.org/resource/what-should-i-know-about-homeowner-and-renter-rights-after-a-disaster>

This Information Paper from the Fort Eisenhower Legal Assistance Office contains general legal information on a topic upon which Legal Assistance Attorneys typically advise. The information provided is general in nature and does not constitute formal, specific legal advice. If you wish to receive legal advice specific to your situation, please consult an attorney. You may schedule a legal assistance appointment by calling the Fort Eisenhower Legal Assistance Office at 709-791-7812/7813.