

Avaltroni, Robert

From: Gair, Brad [Brad.Gair@fema.gov]
Sent: Monday, February 03, 2003 5:15 PM
To: Robert Avaltroni (E-mail)
Subject: FW: 114 Liberty

Bob,

As we discussed, we need 114 Liberty cleaned before the end of March. I hope that Mark Lanahand is with the program.

Brad Gair
 Federal Recovery Officer
 FEMA WTC Office
 646.746.1888 (Office)
 917.842.7947 (Mobile)

----- Original Message-----

From: Phillips, Gloria
Sent: Monday, February 03, 2003 5:11 PM
To: Gair, Brad
Cc: Trytten, Dana
Subject: 114 Liberty

Brad

On Friday Mark called Rep. Silver's office and left a message relaying your comments below.

Rep. Silver staffer Yvonne Morrow left a voice mail message for Mark today. The purpose of her call was to conduct a conference call with FEMA and DEP Representative (Mark Lanahand) who states that it will be at least the end of March before DEP can complete the cleaning at 114 Liberty. Rep Silver's office has constituents living in 114 Liberty and would like for the Rental Assistance Program to be extended beyond Mar 10. Please advise.

----- Original Message-----

From: Gair, Brad
Sent: Tuesday, January 28, 2003 1:19 PM
To: Harper, Mark; Van de Water, Barbara; Phillips, Gloria
Cc: Trytten, Dana; McIntyre, James; Melnick, Walter
Subject: RE: 408a vs 408b - 114 Liberty and 125 Cedar

Mark,

Let's stick with the plan. Our position is that we are prepared to fully fund the cleaning 114 Liberty to the same standards as we did 125 Cedar, which has since been reoccupied by its residents. If the 114 Liberty condo association accepts the offer to clean in the near future, the EPA/NYC DEP team will still have sufficient time to clean the building and permit re-occupancy prior to the end of the benefit period. NYC DEP will send the condo association a final offer letter this week and Walter Melnick will get a copy for our files.

Brad Gair
 Federal Recovery Officer
 FEMA WTC Office
 646.746.1888 (Office)
 917.842.7947 (Mobile)

----- Original Message-----

From: Harper, Mark
Sent: Tuesday, January 28, 2003 1:24 PM
To: Harper, Mark; Van de Water, Barbara; Phillips, Gloria; Gair, Brad

Cc: Erytten, Dana; McIntyre, James
 Subject: RE: 408a vs 408b - 114 Liberty and 125 Cedar

Brad,

I spoke the CIO staff regarding the 114 Liberty Street response we discussed: The benefit period will not be extended; 114 Liberty Street occupants were given the same cleaning option as the 125 Cedar residences; these residents have not returned to their dwellings because of a dispute with the city over cleaning verses gutting the building.

Barbara the caseworker assigned to Silver's office informed me that that the condo association is planning on going to the media to voice their concerns regarding not being able to return to their residence. She is concerned that the information on not extending the benefits might be used against FEMA in the media.

Please advise should we go with our original course of action:

There are no plans to extend rental assistance individuals with unique situation can appeal the termination of their benefits after Mar 11 on a case by case basis.

Or..

Postpone giving the office a response until near the end of the week pending media coverage of the story.

Please let me know your thoughts

Mark

----- Original Message-----

From: Harper, Mark

Sent: Monday, January 27, 2003 5:07 PM

To: Van de Water, Barbara; Phillips, Gloria; Gair, Brad

Cc: Erytten, Dana; McIntyre, James

Subject: RE: 408a vs 408b - 114 Liberty and 125 Cedar

Brad,

Assembly Speaker Silver's office continues to press Barbara regarding 114 Liberty. The two part question is (1) are we going to extend the benefits period past 18 months for these 9 individuals and (2) should they register for assistance even though their insurance covers them through September of this year (at least for some of these individuals).

My understanding is that (1) 408 (a) rental assistance is for 18 months after the date of the major disaster declaration, period. (2) While we encourage anyone who thinks they may be eligible to apply, are we creating false expectations for these individuals (we may encourage and use the standard "case by case" language).

Any guidance you can provide is appreciated.

Mark

----- Original Message-----

From: Van de Water, Barbara

Sent: Monday, January 27, 2003 4:12 PM

To: Phillips, Gloria; Harper, Mark

Cc: Erytten, Dana; McIntyre, James

Subject: RE: 408a vs 408b - 114 Liberty and 125 Cedar

Importance: High

You both have probably deleted this - but Brad's original email on this dates to Jan 3, 2003 in response to Gloria's initial inquiry on 12/11/2003 (initiated by an earlier meeting w/Congressional and volag). Below in the bottom of this text, Dave Hart list the participants of 1114 Liberty and a breakdown of their individual cases.

I spoke again to Yvonne Morrow of Assembly Speaker Silver's office who said she thinks this is going to the press tomorrow. That it is the only building that remains uninhabitable since 9/11 (that's the angle of the story).

I told her the matter was being reviewed by FEMA specifically addressing the concerns of 114 Liberty.

Barbara Van de Water

Congressional Liaison

WTC Federal Recovery Office

646-16-1852

646-16-1890 fax

-----Original Message-----

From: Harper, Mark
Sent: Friday, January 03, 2003 8:50 AM
To: Van de Water, Barbara; Pojanowski, Bryan
Cc: Phillips, Gloria
Subject: FW: 408a vs 408b - 114 Liberty and 125 Cedar

FYI

-----Original Message-----

From: Gair, Brad
Sent: Friday, January 03, 2003 7:11 AM
To: Hart, David; Melnick, Walter
Cc: Harper, Mark; McIntyre, James; Zensinger, Larry; Dannels, Donna
Subject: RE: 408a vs 408b - 114 Liberty and 125 Cedar

Dave,

Based upon the newspaper articles below, we should be able to clear all of the residents of 114 Cedar from our Temporary Housing program(s). Please check on this.

Walter,

Please contact NYC DEP and/or EPA and find out how quickly 114 Liberty will be cleared and ready for re-occupancy.

Thank you.

New York Post
January 3, 2003

HOME SWEET HOME
By ADAM MILLER

BACK WHERE THEY BELONG: [NL]Andy Jurinko and wife Pat Moore are thrilled to be living in their apartment again after their building at 125 Cedar St. was decimated by the Sept. 11 attacks. [NL]N.Y. Post: Michael Norcia

January 3, 2003 -- Nearly 16 months after the Sept. 11 attacks, the displaced residents of 125 Cedar St. - the closest apartments to the Twin Towers - are finally back in their home.

And the 39 tenants of the charming, century-old 12-story building that stands 300 feet from Ground Zero couldn't have been more ecstatic yesterday about finally reclaiming their beloved loft apartments.

Andy Jurinko and his wife, Pat Moore, were in their third-floor apartment when the two hijacked planes slammed into the World Trade Center.

The tower collapse blew out 15 windows in their apartment and left chunks of debris - including parts of one of the planes and a blasted-out computer monitor - along with mounds of dirt and dust.

"It feels wonderful and exciting to be back in our home," said Jurinko, 63, a painter.

"It is such a relief. We've been through so much. Our loft was like a minefield of glass, rocks, debris and dust. It was like a war zone."

Moore, a fashion designer, added: "It's fabulous to be back home. We've waited a long time for this day. It's amazing. We're just so grateful because we didn't know if we'd ever be allowed back."

Mark Scherzee, 51, a resident of the building since 1978, moved back into his penthouse apartment last week.

"It's great to be back because it feels like the end of uncertainty," said Scherzee, a lawyer. "I feel so relieved. But there's still a lot of cleaning to do."

The grateful tenants yesterday made state Assembly Speaker Sheldon Silver (D-Manhattan) an "honorary resident" for his work fighting to ensure the building will remain standing regardless what is built on Ground Zero.

At a press conference yesterday, Silver said the residents would be the "pillars of building a new community in downtown New York."

Many of the tenants, including Jurinko, were the original pioneers who took the once-derelict office building and turned it into a residential jewel with large lofts and low rents 25 years ago.

"This is a dream come true," said Gail Langsner, who moved back into her apartment Dec. 15.

"I'm just so glad to be back home. The force of the blast was tremendous. It was like an earthquake."

Mary Sierickx, who returned to her 11th-floor apartment Dec. 28, said she's "thrilled to be back."

"After all we've been through, it's terrific to be home," she said. "It's unbelievable."

New York Daily News - <http://www.nydailynews.com>

Back at home on Cedar St. [NL][NL]Friday, January 3rd, 2003 [NL][NL]Chased from their homes by a storm of World Trade Center debris, the tenants of the closest apartment building to Ground Zero were kept out for 15 months by a blizzard of bureaucratic bungling. [PARA]Their wait finally has ended. [PARA]In recent weeks, anxious and optimistic tenants of 125 Cedar St. received permission to return to the 12-story building on the southern perimeter of the Trade Center site. Five of the building's 23 families have returned. All are expected to move back within the next month. [PARA]"This has been our home for 22 years," said Ed Serrapede, 58. "It's not like the normal building in New York City. We know everyone here." [PARA]The building was one of the first in the Financial District to be converted from offices into apartments. The tenants, who have rent-stabilized apartments, did the work themselves. [PARA]Yesterday, many of them gathered in a dusty loft to thank the person they credit with getting them back home: Assembly Speaker Sheldon Silver. [PARA]Last year, Silver (D-Manhattan) pulled the building's management, utility companies and representatives of various city, state and federal agencies into one room to resolve the problems keeping the building closed. [PARA]Electricity was restored, insurance claims were completed and the building was cleaned by the City Department of Environmental Protection. [PARA]For his help, Silver was named an honorary tenant, prompting him to joke, "As long as you keep the refrigerator stocked and I get the remote when I'm here, we'll get along fine." [PARA]Greg Gittrich

Brad Gair
Federal Recovery Officer
FEMA NYC
WTC Federal Recovery Office
(646) 746-1888
(917) 842-7940 (cell)

-----Original Message-----

From: Hart, David
Sent: Tuesday, December 17, 2002 4:29 PM
To: Gair, Brad
Subject: RE: 408a vs 408b

Hi Brad,
114 Liberty St. has a few folks waiting to get back in that are on our roles. Some have insurance and some had businesses there. I have been unable to ascertain whether EPA has this on their list or not, conclusively.

** = cases that need your attention.

This is what I have so far:

**Steven Abramson - [PII] last recert for rental assistance was 9/11/02. \$47,399.04 to date. States it may be another 9 months before they can re-occupy.

Giuseppe Agostino - [PII] This was a business address for this applicant. App lived in Whitestone. We paid 8 months MRA back in April 2002 and have not heard back. No action needed on this one.

Nayan Contractor - [PII] App has been paid 16 months (\$31,608) of MRA on her home in NJ. Liberty St was a business address for her. We will deal with her on the MRA side of things. No further action needed on this app.

Rosa Corujo - [PII] Same as above. Business at 114 Liberty, relocated after event. \$2400 MRA good through October 2002. Never heard back on recert. No further action needed.

**James Fernandez - [PII] Paid rental assistance after insurance ALE ran out. \$4800 per month x 3 months = \$14,400, good through December 2002.

Sonia Kashuk - [PII] App was made ineligible due to insurance coverage. No contact from app in over 1 year. No action needed.

**Steven Kerr - [PII] An inspection was attempted in September 2002. No contact. He apparently had insurance that has expired. I have made a contact with the app and waiting to hear back from him to get an inspection performed. There still may be insurance issues, but I have put this on your list to address with EPA.

**Sarah Lee - [PII] - App had insurance that ran out. We have paid her \$58,000 rent (\$6000/Month). Letter in her file dated August 20, 2002, states 114 Liberty won't be ready for several months?
 Mladen Mladenov - [PII] - App has been paid MRA through August 2002 at an address at 58th St. 114 Liberty was a business address for this applicant. No action needed.
 **Rhonda Woo - [PII] - We have paid this app, are you sitting down, \$101,242.00 for rental assistance. Paid through October 2002 and we haven't heard back from them? I don't know why they didn't come back for more.
 Brad, there is evidence the "building" is insured and that may be the holdup.
 Dave

-----Original Message-----

From: Gair, Brad
 Sent: Friday, December 13, 2002 9:18 AM
 To: Hart, David
 Subject: RE: 408a vs 408b

Dave

As I said before, get me the names and addresses, and I will get them done immediately. I can help EPA with their priorities.
 Brad Gair
 FEMA WTC
 646.746.1888 (office)
 917.842.7947 (mobile)

-----Original Message-----

From: Hart, David
 Sent: Friday, December 13, 2002 9:17 AM
 To: Gair, Brad
 Subject: RE: 408a vs 408b

Brad
 Just had a call from another EPA contact. He says there are scattered folks around in this situation. It may take a little time to get these coordinated and here to the DFO, but we will get them and review them and get them to you when appropriate. 114 Liberty is the only other "building" we are aware of right now and TX reports said they would have me that list this morning.
 Dave

-----Original Message-----

From: Gair, Brad
 Sent: Thursday, December 12, 2002 12:17 PM
 To: Hart, David; Curtin, Ken; McIntyre, James
 Subject: RE: 408a vs 408b

Dave,

Someone get me the names of our 408a customers who are just waiting to get their apartments cleaned by EPA and then they can move in and get off our rolls and I will get them expedited.
 Thank you.

Brad Gair
 FEMA WTC
 Federal Recovery Office
 646.746.1888 (office)
 917.842.7947 (mobile)

-----Original Message-----

From: Hart, David <David.Hart@fema.gov>
 To: Curtin, Ken <Ken.Curtin@fema.gov>; McIntyre, James <James.McIntyre@fema.gov>
 CC: Gair, Brad <Brad.Gair@fema.gov>
 Sent: Thu Dec 12 11:29:58 2002
 Subject: FW: 408a vs 408b

Do we have a good POC @ EPA? Ken, I know you and I spoke with someone regarding this clean-up effort a while back. Would they be the ones I need to speak with? If so, who were they? Thanks

Dave

PS I have reports running the other stuff for me.

-----Original Message-----

From: Phillips, Gloria
 Sent: Wednesday, December 11, 2002 5:21 PM
 To: Hart, David; McBarnette, Joan
 Cc: Harper, Mark; Pojanowski, Bryan; Van de Water, Barbara; Rennegarbe, Patricia; Dannels, Donna; Gair, Brad; Lowe, Kathy; Price, Warren; Hallstead, Carl; Porter, David; Jones, Berl; Romick, Michael; Normand, Donald; Overbey, George; Howell, Cindy; McIntyre, James
 Subject: RE: 408a vs 408b

Per conference call today with Rep. Nadler's staffer, Brad, CLO, PIO. Brad asked us to request you to run a query that would identify applicants who are receiving rental assistance for the following reasons: Waiting on EPA cleaning and moved from pre-disaster dwelling for reasons such as, e.g., damaged dwelling, lower rental payments because of loss of income. He informed Rep. Nadler's staffers that he was very concerned if there were individual who are still out of their homes waiting on EPA cleaning. He informed the staffers that he would call EPA tomorrow and have those individuals moved to the top of the list for cleaning. Brad informed Rep. Nadler's staffers that our staff is looking into other applicants that may have been changed from 408b to 408a that are approaching the end of their eligibility.

-----Original Message-----

From: Hart, David
 Sent: Wednesday, December 11, 2002 2:32 PM
 To: Phillips, Gloria; McBarnette, Joan
 Cc: Harper, Mark; Pojanowski, Bryan; Van de Water, Barbara; Rennegarbe, Patricia; Dannels, Donna; Gair, Brad; Lowe, Kathy; Price, Warren; Hallstead, Carl; Porter, David; Jones, Berl; Romick, Michael; Normand, Donald; Overbey, George; Howell, Cindy
 Subject: RE: 408a vs 408b

Hello Gloria,

Rep. Nadler's office has a valid concern. Some clarifications, in the first paragraph below, the number may be few comparatively speaking, but there are many many applicants in this situation. Also in the first paragraph, a 408A decision doesn't come from HQ, it is standard processing right now. Your third bullet below is another matter and I am dealing with it here and the folks from 125 Cedar should not have any troubles. Now, the matter at hand, it is a problem we identified back in early September and was referred to HQ for guidance at that time. In the past, Northridge and other large scale disasters have indeed had the 408A program extended. We/I recommended back in September we (FEMA) mirror the 408B program in length of assistance, rights to reimbursement, etc. That way, it is only semantics and the program would run pretty much the same, without anything noticeable to the applicant. We have several cases who will run out of 408A and will be getting this letter this month, December as a "final" recert. I don't have the statistics at hand, but most will receive far less than the 18 months allotted to the 408B applicants. Yes, problematic. Unless we get an extension, this is it. Thanks for your inquiry Gloria.

Dave

-----Original Message-----

From: Phillips, Gloria
 Sent: Wednesday, December 11, 2002 12:58 PM
 To: McBarnette, Joan; Hart, David
 Cc: Harper, Mark; Pojanowski, Bryan; Van de Water, Barbara; Rennegarbe, Patricia
 Subject: 408a vs 408b

Hello Joan

A couple weeks ago I discussed the above subject with you. After receiving an inquiry from

Rep. Nadlers office on individuals receiving assistance under 408a that qualified under 408b. You indicated that the Rental Assistance the (408a) Program ends 18 months from the date of the disaster and the Mortgage and Rental Assistance (408b) Program provided assistance is up to 18 months from the date of eligibility. You informed me that the number was so few and the individuals that had been transferred from one 408b to 408a were approved on a case by case basis because they had to move from their pre-disaster residence and the only way that assistance could be provided was after reviewing the uniqueness of their situations was to pay them under (408b). You indicated that approvals came from the highest level in headquarters.

Joan this issue has resurfaced via the constituent Adriana Kamfner, [PII] it has been reported that there are numerous other applicants in similar situations who were reportedly processed under 408b and later changed to 408a, that have been informed that there eligibility will expire 18 months for the date of disaster. Rep. Nadlers offices have reported that a number of their constituents believe that they are entitled to a full 18 months eligibility. In addition to the primary questions above the following are some other comments that have surfaced:

- * Some are individuals who were evicted before FEMA could assist, individuals who moved because of air quality or damage to their homes, individuals who moved because their landlords did not renew leases (due to no fault on the applicant's part). If we cut these individuals off on what they (applicants, and offices) would consider a technicality this can create a very strong backlash. However, IG would consider the law and apparently the law says 18 months after declaration date.

- * Please keep in mind that the concern above is for those who also sustained a 25% loss of income, not those who simply are in 408A without a loss of income.

- * Also, there is the question of people who were in 408A then moved back into their predisaster dwelling and likewise into 408B (because not only was their house inaccessible, but also they have a loss of income.) I cannot say that I have seen a lot, however this could be the situation of people in 125 Cedar, 106 Greenwich Street.

I understand that Carole Vanover is looking into this issue and discussing a proposed course of action with HQ. Request guidance from you and David on how we can best address this issue with congressional offices.

Thanks in advance
Gloria J. Phillips
646-746-1854