

SENATE, No. 2825

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED MARCH 12, 2015

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Increases efficiency and transparency in distribution of Superstorm Sandy aid money.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning efficiency and transparency in the distribution
2 of Superstorm Sandy aid money and supplementing Title 52 of
3 the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. The Legislature finds and declares that:

9 In the autumn of 2012, Superstorm Sandy ravaged New Jersey's
10 shoreline, as well as many other communities in the State. The
11 storm destroyed or damaged more than 72,000 of the State's homes
12 and businesses, has driven more than a quarter-million State
13 residents to seek governmental assistance, and has resulted in more
14 than \$36 billion in damage and recovery needs. In addition, due to
15 the time it has taken to distribute recovery aid following Superstorm
16 Sandy, many of those affected by the storm now face the reality of
17 foreclosure on their home mortgages. While New Jersey
18 communities have taken certain important steps toward recovery,
19 the work to rebuild is not yet complete.

20 Recognizing that there are numerous challenges associated with
21 the efficient and expedient distribution of federal recovery
22 resources following a disaster of the scale of Superstorm Sandy, the
23 processes for individuals and communities to obtain governmental
24 assistance has not been as fast as the Governor and the Legislature
25 would like, and can be improved. Although the reasons for delays in
26 obtaining assistance vary, the State has an obligation to those
27 affected by the storm to make the process of obtaining benefits as
28 user friendly and transparent as possible. For these reasons and
29 others, it is necessary for the Governor and the Legislature to codify
30 and expand upon standards and safeguards for the treatment of
31 individuals and communities seeking financial assistance in
32 recovering from Superstorm Sandy.

33
34 2. As used in P.L. , c. (C.) (pending before the
35 Legislature as this bill):

36 "Applicant" means an individual, or business that has applied
37 for, is applying for, or is receiving benefits under a recovery and
38 rebuilding program.

39 "Commissioner" means the Commissioner of Community
40 Affairs.

41 "Department" means the Department of Community Affairs.

42 "FRM" means the Fund for Restoration of Multifamily Housing.

43 "Qualified contractor pool" means a listing of contractors
44 approved by the Department of Community Affairs participating in
45 the RREM program.

46 "Recovery and rebuilding program" means the use of funding
47 provided by the federal government, in an amount \$10 million or
48 greater, for a program intended to help individuals and businesses

1 rebuild and recover from Superstorm Sandy, including, but not
2 limited to, the FRM and RREM programs.

3 "RREM" means the Reconstruction, Rehabilitation, Elevation
4 and Mitigation Program.

5

6 3. Within 30 days of the effective date of P.L. , c. (C.)
7 (pending before the Legislature as this bill), the department shall:

8 a. Develop a timeline setting forth a general estimation of the
9 time in which an applicant can expect to receive assistance through
10 a recovery and rebuilding program, based upon the department's
11 past experience administering funds through recovery and
12 rebuilding programs. The timeline shall track the process of
13 applying for assistance from a recovery and rebuilding program
14 from the time an applicant files his or her application with the
15 department through the completion of the project for which the
16 applicant requested assistance.

17 b. Develop and provide to each applicant for assistance from
18 the RREM program a timeline setting forth an estimation of the
19 time in which the applicant can expect to receive assistance through
20 the RREM program that includes the following information as to his
21 or her individual application:

22 (1) When the applicant should expect to receive 50 percent of
23 the RREM grant money that the department has awarded the
24 applicant;

25 (2) When the applicant should expect to receive 100 percent of
26 the RREM grant money that the department has awarded the
27 applicant;

28 (3) When the applicant should expect the construction or
29 elevation project for which the department disbursed grant money
30 will be completed in compliance with all applicable local, State, and
31 federal building codes and regulations; and

32 (4) When the applicant should expect to receive a final
33 certificate of occupancy and grant closeout.

34

35 4. Within 30 days of the effective date of P.L. , c. (C.)
36 (pending before the Legislature as this bill), the department shall:

37 a. Develop targets for the distribution of assistance to
38 homeowners and renters for reimbursements and repairs through
39 recovery and rebuilding programs. The department shall establish
40 quarterly goals detailing the amount of assistance that the
41 department intends to disburse through recovery and rebuilding
42 programs. These goals shall be based upon the department's past
43 experience administering funds through recovery and rebuilding
44 programs and the experience of other states that have distributed
45 federal funds for disaster recovery.

46 b. Develop special targets for the RREM program that, at a
47 minimum, provide for all applicants to receive 50 percent or more
48 of RREM program funding that the department has awarded them

1 by October 29, 2015 and for all applicants to have completed
2 RREM-funded construction and elevation projects, which meet all
3 applicable local, State, and federal building codes and regulations,
4 by October 29, 2016.

5

6 5. a. Within 60 days of the effective date of P.L. , c.
7 (C.) (pending before the Legislature as this bill), the department
8 shall develop and maintain an Internet website or webpage
9 providing information concerning recovery and rebuilding
10 programs. The information on the website shall be searchable and
11 available as an interactive database, and shall:

12 (1) Allow verified residents of the State to create an account
13 with the website that allows the resident to monitor the status of his
14 or her application for assistance from a recovery and rebuilding
15 program.

16 (2) Provide a plain language explanation of every recovery and
17 rebuilding program, all requirements to apply for and receive
18 benefits, how to file appeals, and a description of the process
19 necessary to correct any deficiency with an application.

20 (3) Provide information about the status of individual
21 applications submitted for assistance from a recovery and
22 rebuilding program, including:

23 (a) the date that the application was received;

24 (b) a checklist of all required documents or other verifications
25 related to the application and the date on which each document was
26 received; and

27 (c) a list of all documents or other verifications still needed to
28 complete the application and the date by which each item must be
29 received.

30 (4) Provide a comprehensive list of all pending and completed
31 appeals to the department concerning the denial of assistance or the
32 manner in which the department distributes assistance from
33 recovery and rebuilding programs, including:

34 (a) the date that the appeal was filed;

35 (b) a list of all documents related to the appeal and the date on
36 which each document was filed;

37 (c) a list of all pending reviews of appeals and any upcoming
38 hearings related to recovery and rebuilding programs scheduled before
39 the department; and

40 (d) the department's final determination.

41 (5) Provide contact information for each builder in the qualified
42 contractor pool, including each builder's telephone number and
43 Internet website address.

44 (6) Provide and update information regarding the expenditure of
45 recovery and rebuilding program funds and related contracts on the
46 Internet website on a monthly basis. A full and current explanation
47 of the criteria and process by which recovery and rebuilding
48 program applications are prioritized shall also appear on the

1 website. Changes to program policy, information on new contractor
2 awards, and the status of work performed pursuant to the contractor
3 awards shall be posted on the Internet website.

4 (7) Provide information on how all recovery and rebuilding
5 program funding has been and will be allocated on the Internet
6 website, including information about the allocation process for all
7 rounds of funding distribution.

8 (8) Provide information on how RREM program funding has
9 been and will be allocated on the Internet website, including:

10 (a) the total number of applications submitted for RREM
11 funding;

12 (b) the number of applicants that has received 50 percent or
13 more of the RREM grant money that the department has awarded
14 them;

15 (c) the number of applicants that has received 100 percent of the
16 RREM grant money that the department has awarded them;

17 (d) the number of applicants that has completed RREM-funded
18 construction or elevation projects in compliance with local, State,
19 and federal building codes and regulations; and

20 (e) the number of applicants that has received a final certificate
21 of occupancy and grant closeout.

22 b. The department shall develop and publish on the Internet
23 website the timeline for the disbursement of recovery and
24 rebuilding program assistance developed pursuant to section 3 of
25 P.L. , c. (C.) (pending before the Legislature as this bill).
26 The department shall make available on its Internet website
27 individualized timelines for the disbursement of RREM program
28 funding, developed pursuant to section 3 of P.L. , c. (C.)
29 (pending before the Legislature as this bill), which applicants may
30 access through their personal accounts with the website.

31 c. The department shall publish on the Internet website its
32 quarterly goals for the disbursement of recovery and rebuilding
33 program assistance developed pursuant to section 4 of P.L. ,

34 c. (C.) (pending before the Legislature as this bill). The
35 department shall publish its goals for the disbursement of RREM
36 program funding, developed pursuant to section 4 of P.L. , c.
37 (C.) (pending before the Legislature as this bill).

38 d. The department shall publish on the Internet website the
39 commissioner's report on the use of Community Development Block
40 Grant Disaster Recovery funds and other funds that may be available
41 for similar purposes for interim assistance submitted to the Governor
42 and Legislature pursuant to section 6 of P.L. , c. (C.)
43 (pending before the Legislature as this bill).

44 e. In addition to publishing the information as required in
45 subsections a. through d. of this section, the department may
46 distribute the information by any other method it deems
47 appropriate.

1 6. a. Within 30 days of the effective date of P.L. , c.
2 (C.) (pending before the Legislature as this bill), the
3 commissioner shall report to the Governor and the Legislature,
4 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), regarding
5 the allocation of Community Development Block Grant Disaster
6 Recovery funds and other funds that may be available for relief efforts
7 associated with Superstorm Sandy. The commissioner shall evaluate
8 and determine the extent to which the department may provide
9 unused Community Development Block Grant Disaster Recovery
10 funds and other funds that may be available for similar purposes to
11 persons, who have submitted an application for assistance from a
12 recovery and rebuilding program that is still pending before the
13 department, as interim assistance for the applicants' mortgage
14 payments and rent. If the commissioner determines that utilizing
15 unused Community Development Block Grant Disaster Recovery
16 funds, other funds that may be available for similar purposes, or both,
17 for interim assistance is inappropriate, then the commissioner shall
18 issue a report to the Governor and the Legislature, pursuant to
19 section 2 of P.L.1991, c.164 (C.52:14-19.1), detailing why the use of
20 these funds for interim assistance is inappropriate. If the
21 commissioner determines that utilizing unused Community
22 Development Block Grant Disaster Recovery funds, other funds that
23 may be available for similar purposes, or both, for interim assistance is
24 appropriate, then the commissioner shall issue a report to the
25 Governor and the Legislature, pursuant to section 2 of P.L.1991,
26 c.164 (C.52:14-19.1), establishing a strategy for the rapid
27 disbursement of unused Community Development Block Grant
28 Disaster Recovery funds, other funds that may be available for similar
29 purposes, or both, for interim assistance.

30 b. The report required by this section shall include:

31 (1) an estimate of the total need for interim assistance among
32 persons who have submitted an application for assistance from a
33 recovery and rebuilding program that is still pending before the
34 department;

35 (2) the portion of the total need for interim assistance that the
36 department intends to meet through the rapid disbursement of unused
37 Community Development Block Grant Disaster Recovery funds and
38 other funds that may be available for similar purposes;

39 (3) the portion of the total need for interim assistance that the
40 department intends not to meet through the rapid disbursement of
41 unused Community Development Block Grant Disaster Recovery
42 funds and other funds that may be available for similar purposes; and

43 (4) the means by which the department will decide which
44 applicants will receive interim assistance if the department determines
45 that it cannot satisfy the full need for interim assistance among persons
46 who have submitted an application for assistance from a recovery
47 and rebuilding program that is still pending before the department.

1 7. This act shall take effect immediately.

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STATEMENT

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6 This bill would increase efficiency and transparency in the
7 disbursement of assistance for residents affected by Superstorm
8 Sandy. This tragic storm inflicted immense damage to this State,
9 and has driven more than a quarter million State residents to seek
10 governmental assistance.

11 The bill requires the Department of Community Affairs to
12 establish a timeline setting forth a general estimation of the time in
13 which an applicant can expect to receive assistance through a
14 recovery and rebuilding program, based upon the department's past
15 experience administering funds through recovery and rebuilding
16 programs. The department must provide to each RREM program
17 applicant, an individualized timeline based upon the applicant's
18 individual application. The bill also requires the department to
19 establish quarterly goals for distributing Superstorm Sandy aid.
20 The bill requires the department to publish the timelines and its
21 funding goals on an Internet website, so the concerned residents of
22 this State can track the department's progress with the disbursement
23 of aid money.

24 In addition to the department's timelines and goals, the website
25 will include other relevant information concerning recovery and
26 rebuilding programs established in the wake of Superstorm Sandy.
27 The Internet webpage will allow verified residents to create an
28 account with the website to track the status of an application for
29 assistance through a recovery and rebuilding program. The Internet
30 website will also include: (1) a plain language explanation of every
31 recovery and rebuilding program available to residents impacted by
32 Superstorm Sandy; (2) a comprehensive list of all pending and
33 completed appeals to the department concerning its disbursement of
34 Superstorm Sandy aid money; (3) a list of builders in the qualified
35 contractor pool; (4) the status of any projects awarded to builders in
36 the qualified contractor pool that involve Sandy aid money; (5) a
37 description of how Sandy aid has been distributed; and (6) a full
38 explanation of the criteria and process through which the
39 department distributes assistance from recovery and rebuilding
40 programs.

41 In addition, this bill requires the Commissioner of Community
42 Affairs to report to the Governor and the Legislature regarding the
43 allocation of Community Development Block Grant Disaster
44 Recovery funds and other funds that may be available for relief efforts
45 associated with Superstorm Sandy. The commissioner must evaluate
46 and determine the extent to which the department may provide
47 unused Community Development Block Grant Disaster Recovery
48 funds and other funds that may be available for similar purposes to

1 persons, who have submitted an application for assistance from a
2 recovery and rebuilding program that is still pending before the
3 department, as interim assistance for the applicants' mortgage
4 payments and rent. The bill further requires the commissioner to
5 submit a report to the Governor and Legislature regarding whether
6 the use of Community Development Block Grant Disaster Recovery
7 and other funds that may be available for relief efforts associated with
8 Superstorm Sandy for interim assistance is appropriate. The report
9 must include information concerning the total need for interim
10 assistance among persons who have submitted an application for
11 assistance from a recovery and rebuilding program that is still
12 pending before the department and how the department intends to
13 satisfy that need.

14 In the autumn of 2012, Superstorm Sandy ravaged New Jersey's
15 shoreline, as well as many other communities in the State. The
16 storm destroyed or damaged more than 72,000 of the State's homes
17 and businesses, has driven more than a quarter-million State
18 residents to seek governmental assistance, and has resulted in more
19 than \$36 billion in damage and recovery needs. Since Superstorm
20 Sandy, numerous challenges associated with the efficient and
21 expedient distribution of Superstorm Sandy aid money have arisen.
22 Consequently, this bill will codify and expand upon standards and
23 safeguards for the treatment of individuals and communities seeking
24 financial assistance in recovering from Superstorm Sandy.