

# Whatcom, Skagit, and Snohomish County Flood Recovery Guide

*Absent Federal Emergency Declaration*



**The Office of Congresswoman Suzan DelBene  
Washington's 1<sup>st</sup> Congressional District**



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## ••• A NOTE FROM CONGRESSWOMAN SUZAN DELBENE •••

In this Resource Guide, I have compiled a number of resources available to Washingtonians impacted by recent severe weather systems. In this guide you will find information about Federal Emergency Management Agency (FEMA) disaster assistance, filing claims for your property or small business, and contacting local, state, and federal officials.

Also, please note that this is a general resource guide and the information within is not exhaustive. This guide is a compilation of existing federal resources and is not intended to be the sole resource upon which those impacted by the disaster should rely. Because the situation is constantly evolving, please check my website ([delbene.house.gov](http://delbene.house.gov)) or call my office in Kirkland at 425-485-0085 for additional assistance. If you think you need legal support, please call the American Bar Association Disaster Hotline at 1-844-676-4366 or visit

[http://www.americanbar.org/groups/committees/disaster/resources/disaster\\_legal\\_hotlines.html](http://www.americanbar.org/groups/committees/disaster/resources/disaster_legal_hotlines.html).

**You can also call my Kirkland office at 425-485-0085 if you have problems with a federal agency and need additional assistance.**

Please know that my staff and I are here to help.

Sincerely,

Suzan DelBene  
U.S. Representative

## ••• A NOTE FROM THE WASHINGTON MILITARY DEPARTMENT •••

The [Governor's Office](#) issued an emergency [proclamation](#) on Nov. 15, 2021 for 14 Washington counties due to significant flood and wind damage.

Events leading up to this emergency include a severe wind and rainstorm system that began on Nov. 12, and is forecast to last several days, which is producing extensive flooding in these counties. In addition, a weather pattern that began on Oct. 27, has resulted in saturated soils, which, when combined with the significant precipitation during the event that began on Nov. 12, has created flooding conditions on multiple rivers, and forecast rain along with anticipated rain and snow at mountain elevations are expected to exacerbate flooding conditions.

The severe storm with floods, landslides, mudslides, and the potential for straight-line winds is causing road closures, the need to establish alternate transportation routes, evacuations, impacts to local utility services including significant power outages, localized reductions in available drinking water, and damage to homes and other public and private property and infrastructure. These storms are causing hazardous conditions for the people of Washington, homes, property, businesses, agriculture, transportation systems, and the economy of Washington State.

This severe weather emergency order directs that the plans and procedures to the Washington State Comprehensive Emergency Management Plan be implemented. State agencies and departments are directed to utilize state resources and to do everything reasonably possible to assist affected political subdivisions in an effort to respond to and recover from the event. Additionally, the Washington State Military Department, Emergency Management Division, with the support of the Washington National Guard available resources, is instructed to coordinate all incident-related assistance to the affected areas.



## ●●● QUICK GUIDE ●●●

**For an immediate, life-threatening emergency, call 911**

**For non-emergency assistance, call 211**

**American Red Cross:**

Disaster and Emergency Assistance: <https://www.redcross.org/get-help.html>

**FEMA Region X (Alaska, Idaho, Oregon, and Washington):**

425-487-4600; online at <https://www.fema.gov/region-x-ak-id-or-wa>

**Substance Abuse and Mental Health Services Administration:**

Disaster Distress Helpline: **1-800-985-5990**

Floods Resource Page: <https://www.samhsa.gov/find-help/disaster-distress-helpline/disaster-types/floods>

**Small Business Administration (SBA) Disaster Assistance Center:**

1-800-659-2955; online at <http://www.sba.gov/content/disaster-assistance>

**WSDOT:** For updated transportation information related to severe winter weather and road closures, please visit: <https://www.wsdot.com/traffic/weather/>

**Washington State Emergency Management Division**

800-562-6108, or (253) 512-7000; online at <https://mil.wa.gov/emd-contact-us>

**Washington State Department of Revenue (DOR):** WA DOR has established a web page with information for property owners and businesses impacted by natural disasters:

<http://dor.wa.gov/Content/GetAFormOrPublication/PublicationBySubject/TaxTopics/DisasterRelief.aspx>

**Whatcom County River and Flood Division:**

360-778-6230; online at <https://www.whatcomcounty.us/593/River-Flood>

**Whatcom County Sheriff's Office Division of Emergency Management:**

360-676-6681; online at <http://www.co.whatcom.wa.us/201/Emergency-Management>

For assistance please contact any of my offices, or visit my website at [www.delbene.house.gov](http://www.delbene.house.gov)

**Kirkland Office:**

450 Central Way, Ste 3100  
Kirkland, WA 98033  
(425) 485-0085

**Mount Vernon Office:**

204 W. Montgomery St.  
Mount Vernon, WA 98273  
(360) 416-7879

**Washington, DC Office:**

2330 Rayburn HOB  
Washington, DC 20515  
(202) 225-6311

## ●●● FEMA FLOOD ASSISTANCE ●●●

### **National Flood Insurance Program**

The National Flood Insurance Program aims to reduce the impact of flooding on private and public structures. It does so by providing affordable insurance to property owners, renters and businesses and by encouraging communities to adopt and enforce floodplain management regulations. These efforts help mitigate the effects of flooding on new and improved structures. Overall, the program reduces the socio-economic impact of disasters by promoting the purchase and retention of general risk insurance, but also of flood insurance, specifically. For more information on this program, visit [www.FloodSma\rt.gov](http://www.FloodSma\rt.gov).

**If you are insured through National Flood Insurance Program, be aware of available options *if there is or is not* a Presidential Disaster Declaration after a flood event that causes flood damage to your property.**

**Flood insurance claims can be paid with or without a Presidential Disaster Declaration, so if you have flood damage go ahead and [start your flood insurance claim](#). If you need help finding your insurance carrier, please call the NFIP Call Center, at 1-800-427-4661.**

### **What to Do Right Away After a Flood**

#### **Step 1 – Contact your insurance agent or company promptly to report your loss.**

Make sure you know the name of your insurance company, your policy number, and a phone number or email address where your insurer can contact you prior to reaching out. If you are unable to remember the name of your insurance company, call the NFIP's Help Center at 1-800-427-4661.

#### **Step 2 – File a notice of loss with your insurer.**

All flood insurance policies require you to give prompt written notice of flood-related damage. Contact your insurance agent or company representative as soon as possible if you have questions about filing a loss notice. You must send written notice to your insurance company including your policy number if you cannot file a notice of loss directly because you are unable to contact your insurance agent.

#### **Step 3 – Separate your property.**

Your policy requires separation of damaged property from undamaged property. Do not discard anything before an adjuster sees it, unless local law requires you to discard it, or the damaged item presents a health hazard. In case you discard property, take photographs before disposing of the item and keep samples for the adjuster to see (e.g., cut out and keep a piece of flood-damaged wall-to-wall carpet). Make every effort to protect undamaged property. Move things you want to save to a safe, dry place, such as the second story of your property or outdoors. The longer these items sit in water, the more damaged they become; do not delay cleaning up after flood. Consult with your adjuster or insurer on covered cleaning or repair services.

#### **Step 4 – Make a list of damaged personal property.**

Homeowners, renters, and businesses that purchased personal property coverage should make a list of damaged personal property and include any related details or documents. Be sure to note the following:

- Quantity of each item
- Description
- Brand name
- Where you purchased each item
- Approximate age
- Purchase price of each item
- Model and serial number
- The amount it will cost to replace the item with like kind and quality at current pricing.

Attach any relevant documents (e.g., bills, receipts, photos) to your list of damaged personal property.

#### **Step 5 – List areas of structural damage.**

Make a list of any areas of structural damage you want to point out to the adjuster as you examine your property.

## •• HOW TO FILE A CLAIM FOR NFIP ASSISTANCE ••

The Insurance Claims Handbook can be found **HERE**:

<https://www.fema.gov/media-library/assets/documents/6659>

### How Do I Contact My Insurance Company?

Find the toll-free phone number for your [insurance company](#). **If you need help finding your insurance carrier, please call the NFIP Call Center, at 1-800-427-4661.** Representatives at the Call Center can tell you who your insurance provider is and how to contact them, if you're not sure, as well as answer other questions you may have.

**STEP 1: Contact your insurance agent or company to report your flood loss.** Your flood insurance policy requires you to give prompt written notice of your loss. Generally, your adjuster will contact you within 24-48 hours after you report your claim. However, depending on local conditions and the severity of flooding, it may take more time. When reporting the claim ask about getting an Advance Payment to help you start recovering. Advance payments are deducted from the final claim payment.

Be ready to provide this information when reporting your claim:

- The name of your insurance company;
- Your policy number; and
- A phone number and/or e-mail address where you can be reached.
- The name of any mortgage company(s) (applicable if the insured property is mortgaged)

### STEP 2: Prepare for Your Inspection

Before entering, make sure it's safe to re-enter the building. Take photographs and videos of the damaged property, including items you plan to discard. As much as possible, your photos and videos should document the structural damage; standing floodwater levels (both inside and outside); and damage to appliances, furniture, and other items before moving, removing, or discarding anything. Your adjuster will need evidence of the damage to your home and possessions to prepare your repair estimate.

- For items like washers and dryers, hot water heaters, kitchen appliances, televisions, and computers, make sure you take a photograph of the make, model, and serial number.
- For your building items, keep some samples (swatches) and also photograph items like water-damaged carpet (and or other flooring), wallpaper, and drapes before disposing of them so you can show them to your adjuster during the inspection.
- Immediately throw away flooded content items that pose a health risk, such as perishable food items, clothing, cushions, pillows, etc. after photographing them.



- Contact repair services if the building’s electrical, water, or HVAC systems are damaged. It’s important to consult your adjuster or insurance company before you sign any agreement/contract with a cleaning, remediation, or maintenance contractor.
- Contact your community building department and floodplain administrator to get information about:
  - Whether your property was substantially damaged;
  - Tips on how to better protect or repair your home; and
  - Obtaining a building permit. This is a very important thing to do so you build or repair in compliance with local ordinances.

**Flood loss avoidance is a protective action you take to minimize flood damage and losses to your buildings and personal property before a flood occurs. So speak with your claims adjuster if you took loss-avoidance measures. National Flood Insurance Program policies will cover up to \$1,000 in reasonable expenses incurred to protect your insured property, and up to \$1,000 to move your insured property away from a flood or imminent danger of a flood.**

### **STEP 3: Work with Your Adjuster**

When your claims adjuster arrives, they should show you their official identification (Driver’s License and Company ID or Flood Control Number [FCN card]). They should also provide you with their contact information, such as their name, email, phone number, and the name of their adjusting firm, and their telephone number. When meeting with you, your adjuster should cover the following:

- An explanation of the NFIP Flood Claims Process.
- An inspection of your property—during which he/she will scope your loss by taking measurements and photos.
- An explanation of what an advance payment is and how or if you can get one.
- Information about how you should present your loss to your insurance company and a discussion about your policy coverage.

Other things to know, do and or discuss with your adjuster:

- The insurance carrier, not the adjuster, has the authority to approve your claim.
- If you haven't already done so, ask the adjuster about getting an Advance Payment to help you start recovering.
- Be sure to provide your current mailing address and phone number if you are displaced.
- Ask your adjuster about [Increased Cost of Compliance](#).
- The adjuster should never ask you for money or collect your deductible amount.

At the end of your inspection, your adjuster should provide you with information about what you need to do and what will happen next.

#### **STEP 4: Document your Loss and Receive Payment**

Your adjuster will help you document your flood damage for the claim. Here are some things you can do to support the claims process so it goes smoothly:

- Speak with your agent about your insurance policy, what it covers and read the [Claims Handbook](#).
- Provide the photos and videos of your flood loss to your adjuster. It can be helpful to organize these by room.

The adjuster will work with you to submit an estimate of your flood loss. Be sure you ask your insurance company about any important deadlines you need to meet. This will help ensure you receive a claim payment that reflects your flood loss, within your policy limits.

### **Questions?**

- The NFIP Help Center can answer general inquiries about flood insurance, call **1-800-427-4661**.
- Contact [Ask the Expert](#) by email, at [floodsmart@fema.dhs.gov](mailto:floodsmart@fema.dhs.gov).
- If after using the above resources and or others available to you (i.e. insurance agent, insurance company, etc.), you still need help and answers, please contact the [The Advocate's Office](#) for assistance.

## ••• FAQs ABOUT DISASTER ASSISTANCE •••

**What happens if a federal disaster is declared?** When a federal disaster is officially declared, FEMA allocates additional funds to affected areas to mitigate damages and assist residents and businesses that have been affected. Many federal relief programs, such as FEMA assistance to individual households, are not accessible until a federal disaster is declared.

**What is the process for federal emergency or major disaster declaration?**

The [Stafford Act \(§401\)](#) requires that: "All requests for a declaration by the President that a major disaster exists shall be made by the Governor of the affected State."

The Governor's request is made through the [regional FEMA office](#). State and Federal officials conduct a [preliminary damage assessment \(PDA\)](#) to estimate the extent of the disaster and its impact on individuals and public facilities. This information is included in the Governor's request to show that the disaster is of such severity and magnitude that effective response is beyond the capabilities of the State and the local governments and that Federal assistance is necessary. As part of the request, the Governor must take appropriate action under State law and direct execution of the State's emergency plan.

Based on the Governor's request, the President may declare that a major disaster or emergency exists, thus activating an array of Federal programs to assist in the response and recovery effort. Not all programs, however, are activated for every disaster. The determination of which programs are activated is based on the needs found during damage assessment and any subsequent information that may be discovered.

Some declarations will provide only [individual assistance](#) or only [public assistance](#). [Hazard mitigation](#) opportunities are assessed in most situations.

**Who should I contact in the absence of a federal emergency or disaster declaration?**

In the case of a local disaster, you should first be in contact with local emergency management officials at the city and county levels. They will escalate calls for assistance as appropriate. See the Quick Guide at the beginning of this resource for contact information.

**What is the difference between FEMA and the SBA?** FEMA coordinates the Federal Government's role in preparing for, preventing, mitigating the effects of, responding to, and recovering from all domestic disasters. SBA, on the other hand, is the Federal Government's primary source of money for the long-term rebuilding of disaster-damaged private property. SBA helps homeowners, renters, businesses, and non-profit organizations repair or replace real estate, personal property, machinery and equipment, inventory, and business assets that have been damaged or destroyed in a declared disaster. These disaster loans cover uninsured and

uncompensated losses and do not duplicate benefits of other agencies or organizations. For information about SBA programs, applicants may call 1-800-659-2955 (TTY 1-800-877-8339).

## ••• IRS IDIVIDUAL AND BUSINESS ASSISTANCE •••

Information on filing an extension here: <https://www.irs.gov/forms-pubs/extension-of-time-to-file-your-tax-return>

### Please be aware that:

- An extension of time to file your return does not grant you any extension of time to pay your taxes.
- You should estimate and pay any owed taxes by your regular deadline to help avoid possible penalties.
- You must file your extension request no later than the regular due date of your return.

Please contact Congresswoman DelBene's office if you are looking for a free low-income tax preparer in your area. You may also use the IRS's VITA/TCE locator here:

<https://www.irs.gov/individuals/free-tax-return-preparation-for-you-by-volunteers>

### Re-Ordering Tax Forms

The best way to request a replacement W-2 or 1099 form is to contact the employer or authority who issued the initial form. They should be able to provide a replacement form to you. This same rule applies for 1099s for interest income (contact the issuing bank) and K-1 forms (contact the issuing partnership).

If you exhaust your options with your employer and you have not received your W-2, call the IRS at 800-829-1040. You'll need the following when you call:

- Your name, address, Social Security number and phone number;
- Your employer's name, address and phone number;
- The dates you worked for the employer; and
- An estimate of the amount of wages you were paid and federal income tax withheld in the previous year. If possible, you can use your final pay stub to figure these amounts.

### Former Year Transcripts

There are many reasons why you may need a copy of your tax return information from a prior year. Transcripts are free and available for the most current tax year after the IRS has processed the return. You can also get them for the past three tax years. If you don't have your copy, the IRS can help. Here are the types of transcripts to choose from:

- **Tax Return Transcript.** A return transcript shows most line items from your tax return just as you filed it. It also includes any forms and schedules you filed with your return. However, it does not reflect changes made to the return after you filed it. If you are applying for a mortgage, most mortgage companies require a tax return transcript and participate in

our Income Verification Express Service program. If you are applying for financial aid, you can use the [IRS Data Retrieval Tool](#) on the FAFSA website to import your tax return information to your financial aid application. In both of these cases, you won't have to request a transcript directly from the IRS.

- **Tax Account Transcript.** This transcript shows any adjustments made by you or the IRS after you filed your return. It shows basic tax return data, like marital status, type of return, adjusted gross income and taxable income, and other transactions such as payments you made.

### Here's how to get a transcript:

- **Order Online.** The fastest way to get a Tax Return or Account transcript is through the '[Get Transcript](#)' tool available on IRS.gov. Although the IRS temporarily stopped the online viewing and printing of transcripts, Get Transcript still allows you to order your transcript online and receive it by mail. Just click the "Get Transcript by Mail" button to have a paper copy sent to your address of record.
- **Order by phone.** You can also order by phone at 800-908-9946 and follow the prompts.
- **Order by mail.** To order your tax return transcript by mail, complete and mail either [Form 4506-T](#) or [Form 4506T-EZ](#). Form 4506-T can also be used to request other tax records: tax account transcript, record of account, wage and income and verification of non-filing.

If you need an actual copy of your tax return, they are generally available for the current tax year and as far back as six years. The fee per copy is \$50. Complete and mail [Form 4506](#) to request a copy of your tax return. Mail your request to the IRS office listed on the form for your area. If you live in a federally declared disaster area, you can get a free copy of your tax return. Visit IRS.gov for more [disaster relief information](#).

### Casualty, Disaster, and Theft Losses

Generally, you may deduct casualty and theft losses relating to your home, household items, and vehicles on your federal income tax return if the loss is caused by a federally declared disaster declared by the President. You may not deduct casualty and theft losses covered by insurance, unless you file a timely claim for reimbursement and you reduce the loss by the amount of any reimbursement or expected reimbursement.

**Casualty Losses** - A casualty loss can result from the damage, destruction, or loss of your property from any sudden, unexpected, or unusual event such as a flood, hurricane, tornado, fire, earthquake, or volcanic eruption. A casualty doesn't include normal wear and tear or progressive deterioration.

If your property is personal-use property or isn't completely destroyed, the amount of your casualty loss is the lesser of:

- The adjusted basis of your property, or
- The decrease in fair market value of your property as a result of the casualty

If your property is business or income-producing property, such as rental property, and is completely destroyed, then the amount of your loss is your adjusted basis.

## **Capital Gain**

If you have a personal casualty capital gain for the tax year, you may be able to deduct the portion of the personal casualty loss not attributed to a federally declared disaster area to the extent the loss doesn't exceed the personal capital gain.

## **Claiming the Loss**

Individuals are required to claim their casualty and theft losses as an itemized deduction on [Schedule A \(Form 1040 or 1040-SR\), Itemized Deductions \(PDF\)](#) (or Schedule A in [Form 1040-NR \(PDF\)](#), if you're a nonresident alien). For property held by you for personal use, you must subtract \$100 from each casualty or theft event that occurred during the year after you've subtracted any salvage value and any insurance or other reimbursement. Then add up all those amounts and subtract 10% of your adjusted gross income from that total to calculate your allowable casualty and theft losses for the year. Report casualty and theft losses on [Form 4684, Casualties and Thefts \(PDF\)](#). Use Section A for personal-use property and Section B for business or income-producing property. If personal-use property was damaged, destroyed or stolen, you may wish to refer to [Publication 584, Casualty, Disaster, and Theft Loss Workbook \(Personal-Use Property\)](#). For losses involving business-use property, refer to [Publication 584-B, Business Casualty, Disaster, and Theft Loss Workbook \(PDF\)](#). These workbooks are helpful in claiming the losses on Form 4684; keep them with your tax records.

## **When to Deduct**

Casualty losses are deductible in the year you sustain the loss, which is generally in the year the casualty occurred. You have not sustained a loss if you have a reasonable prospect of recovery through a claim for reimbursement. If you have a casualty loss from a federally declared disaster that occurred in an area warranting public or individual assistance (or both), you can choose to treat the casualty loss as having occurred in the year immediately preceding the tax year in which you sustained the disaster loss, and you can deduct the loss on your return or [amended return](#) for that preceding tax year. See [Revenue Procedure 2016-53 \(PDF\)](#) for guidance on the time and manner of making and revoking an election under Code Section 165(i). Review [Disaster Assistance and Emergency Relief for Individuals and Businesses](#) for information regarding timeframes and additional information to your specific qualifying event.

## **When Your Loss Deduction Exceeds Your Income**

If your loss deduction is more than your income, you may have a net operating loss (NOL). You don't have to be in business to have an NOL from a casualty. For more information, refer to [Publication 536, Net Operating Losses \(NOLs\) for Individuals, Estates, and Trusts](#).