

# Condemning Property is Done by Local Jurisdictions, not FEMA

---

Release Date: 9? 16, 2021

The severe storms and flooding on Aug. 21 left almost 300 houses destroyed in Hickman and Humphreys counties. FEMA may provide financial assistance to replace and/or relocate a residence, but by law the agency cannot condemn a property.

- **FEMA does not have the legal authority to condemn or demolish houses or buildings.**
  - FEMA provides contractors to inspect disaster-related damage to homes and property, but they do NOT condemn property.
- **Local jurisdictions can tell you who has the legal authority to condemn your home as well as provide information on the demolition process.** In most cases, the homeowner or, if applicable, the insurance company, will ultimately bear the demolition and debris removal expense. In Humphreys and Hickman counties, call your city or county building inspector for information on local ordinances, laws and your responsibilities.
- **Know your rights. If possible, talk with an attorney. If you do not have the money to hire an attorney, FEMA provides this service** to low-income survivors through an agreement with the Young Lawyers Division of the American Bar Association (ABA). Call 1-844-435-7486 to get assistance. The Tennessee Alliance for Legal Services also operates a Disaster Relief Hotline. That number is 1-888-395-9297, with additional information available online at <https://www.tals.org/node/199/disaster-relief-hotline>.
- **You may apply for FEMA assistance before you consider having your house condemned and demolished.**
  - If a FEMA inspector initially determined that the home was destroyed by the disaster, survivors can follow up with the agency and submit condemnation notices and demolition receipts and the expense may be reimbursed by the agency.



**FEMA**

Page 1 of 2

- **If the initial FEMA inspector did not indicate that the home was destroyed by the disaster, the applicant may appeal.**
  - Residents must submit supporting documentation from the local authorities which may include condemnation notices, demolition orders or substantial damage letters.
  - However, FEMA does not base its determination to pay demolition costs solely on local condemnation documents because the local order could be based on non-disaster-related damage. After reviewing the documentation submitted for appeal, FEMA may send another inspector to the property again to assess and verify the damage was caused by the disaster. If so, the survivor may receive reimbursement for the cost of demolition.

For more information on Tennessee's disaster recovery, visit <http://www.tn.gov/tema.html> and [www.fema.gov/disaster/4609](http://www.fema.gov/disaster/4609). You may also follow FEMA on [www.facebook.com/fema](https://www.facebook.com/fema) and [Twitter @FEMARegion4](https://twitter.com/FEMARegion4).

