

Other Tips

- Contact FEMA and/or your insurance company as soon as possible to see if your losses are covered or if there is assistance available.
- Try to document your losses if it is safe to do so by taking pictures of the damage and making a list of any property that was damaged or destroyed. Try to include a description of the item, the date you purchased it, what it cost at the time, and what you think it would cost to replace it.
- If you have trouble dealing with your insurance company or if you think they improperly denied your claim, you can make a complaint with the S.C. Department of Insurance by calling (800) 768-3467.

Resources

Other Free Legal Services in a FEMA-disaster county:

SC Bar at 1.877.797.2227 ext. 120 (Toll Free) or 1.803.576.3815 (Local) or Email at DisasterInfo@SCBar.org

Food

- Harvest Hope Food Bank - 803.254.4432
- Lowcounty Food Bank - 843.747.8146

United Way/2-1-1 Information and Referral - 866.892.9211

National Resources for the American Red Cross - 866.438.4636

FEMA - 800.621.3362 or www.DisasterAssistance.gov

Additional information may be found at:

LawHelp.org/SC

South Carolina's guide to free legal resources

Housing Cases Accepted

Access to Quality Housing
Evictions
Foreclosures
Heirs Property
Landlord/Tenant Issues
Public Housing
Security Deposit Returns
Utility Cutoffs

Other Legal Representation

Consumer & Bankruptcy
Education
Employment
Family
Federal Income Tax
Housing
Migrant Farm Workers
Probate

This brochure was prepared by South Carolina Legal Services and is provided as a public service.

Copyright retained by
South Carolina Legal Services

Printed October 2015



South Carolina
BAR FOUNDATION
Lawyers Sustaining Justice



**South Carolina
Legal Services**

Balancing the Scales of Justice

WHAT RENTERS NEED TO KNOW IN A DISASTER



Our Mission

South Carolina Legal Services is a statewide law firm that provides civil legal services to protect the rights and represent the interests of low-income South Carolinians.

For Free Services

1 (888) 346-5592

contactus@sclegal.org

www.sclegal.org / www.lawhelp.org/sc

www.probono.net/sc



What can I do if the home I am renting is damaged or destroyed in a natural disaster?

If the home you are renting is damaged or destroyed by a natural disaster and normal use and occupancy of the home is “substantially impaired”, you have a couple of options:

1. You can continue to live in the home. This is true only if it is legal to do this. If the home has been condemned or has been deemed unsafe it may not be legal for you to continue living there. If part of the home is unusable but the rest is ok, then you can move out of the part that is damaged and continue to use the rest. If you do this, then your rent should be reduced because you cannot use the entire home you were paying for. You should try to negotiate this reduction with your landlord, but you may want to speak with an attorney if you cannot come to an agreement.

If you continue to live in the home, it may be in need of some repairs. For more information on how to get your landlord to make repairs, take a look at our brochure “Getting Your Landlord to Make Repairs”.

If your landlord won’t make repairs, there are a couple of things that you should not do without talking to an attorney first:

- You should not stop paying rent;
- You should not make the repairs yourself and deduct the cost from rent.



- 1. You can immediately move out and terminate your lease.** If you decide to do this, you should notify your landlord in writing that you intend to terminate the lease. As long as you notify your landlord in writing within seven days after you move out, your lease will terminate effective the day you moved out. You should keep a copy of the letter for your records and, ideally, send it by certified mail so that you have evidence of when it was sent and when it was received. Sending notice by e-mail or text message may or may not be effective and you should rely on that only if there is no way to get a letter to your landlord.

If you do terminate your lease, your landlord should return your security deposit and any rent you have paid in advance. Your landlord has 30 days from the time you move out to return your deposit and prepaid rent. Your letter should list a forwarding address so that your landlord knows where to send your security deposit. If your landlord makes any deductions from your deposit - such as unpaid rent or damage you caused - then they should send you an itemized list of those deductions along with the remainder of your deposit, if there is any. Your landlord should not deduct the cost of repairing damage from the disaster unless somehow you caused it or allowed it to happen.

My property was also damaged in the disaster, is there anything I can do?

- If you have renter’s insurance, you should contact your insurance company as soon as possible to see if the damage is covered.
- Renter’s insurance will often cover damage or loss from a fire, theft, or tornado, but it will not normally cover damage from a flood.
- Your landlord may have hazard insurance on the property, but that usually covers just the building and not damage to your belongings. Still, you should check with your landlord to be sure.

What if I don’t have insurance or my insurance doesn’t cover the damage to my property?

- If the damage to your property is not covered by insurance, you may be able to get assistance from the Federal Emergency Management Agency (“FEMA”).
- You can find out if FEMA assistance is available and apply for it by calling 1-800-621-3362 or going to www.DisasterAssistance.gov.

