

September 5, 2005

MEMORANDUM FOR: Benefits Processing Staff

FROM: NPSC Coordination Team

SUBJECT: Occupancy Verification

### **Overview**

The Code of Federal Regulations (CFR) does not define “**occupancy.**” However, it does define “**occupant**” to mean a resident of a housing unit. Legally, to be considered an occupant, an applicant needs only to satisfy his residency in the household; thus to prove occupancy, the applicant must prove that they were a resident of the household at the time of the disaster.

### **Guidance**

The following types of documents should be accepted as verification of proof of occupancy for an applicant’s primary residence. Most of the listed documents must pre-date the incident period for the declaration. Those documents that are not subject to this requirement are identified with the following label “Post Declaration Acceptable.”

Please note: The ACE palm pad lists six options (documents) to verify occupancy. Those options (documents) are listed in order of preference, with the most conclusive form of verification listed first.

1. **Utility Bill:** The utility bill (preferably electricity, gas, water or sewer) should be dated within 90 days prior to the incident and should show an amount of usage that would indicate that the dwelling was lived in full time. *For instance*, a \$5 monthly electrical bill for a 3,000 square foot home would not be adequate to prove occupancy by itself (assuming the home doesn't have a significant number of solar panels, etc.). No comment is required on the actual nature of the utility bill used.
2. **Landlord:** (Post Declaration Acceptable) If a renter is unable to prove occupancy with a utility bill, the inspector should talk to the landlord to verify occupancy. When Landlord is used to verify occupancy, a brief comment is required with the name of the landlord and phone number. Landlord may also be used for the owner of a mobile home on a leased space. Again, the landlord's name and phone number are required. Landlord is also used to represent public officials such as the police chief, mayor, etc. when verbal verification is provided. A very clear comment is required in this case.

3. **Merchant's Statement:** Merchant's statement refers to first class mail such as credit card bills, delivery notices, or other mail addressed to the applicant and showing the damaged dwelling address. These items should be dated within 90 days of the incident. This method should only be used if the applicant is unable to provide a utility bill or landlord's statement.
4. **Employer's Statement:** Employer's statement refers to pay stubs and similar documents sent to the employee's home address. As in the merchant's statement, the pay stub must be addressed to the applicant and show the damaged dwelling address.
5. **Driver's license:** The driver's license is used only if the applicant is unable to verify occupancy with a utility bill or landlord statement. The driver's license must be current (not expired).
6. **Voter's Registration:** The same guidance applies to voter's registration as for driver's license.
7. **Phone book:** You may also verify occupancy for inaccessible Applicants by viewing name and address from a current year phone book of the area. If this process is used you must list in comments the name of the Current Year Phone book used for verification.  
Note: In addition to the phone book, you may also use Superpages.com to do a reverse look-up using the damaged property phone number to verify the address.
8. **Declarative Statement:** A Declarative Statement is a written, signed and dated statement from the applicant certifying that he normally occupies the residence for the major portion of the calendar year (more than 6 months). The statement must note the address of the damaged dwelling. If an applicant is unable to establish occupancy with any of the above documentation, a declarative statement may be submitted as proof of occupancy. This type of verification should be used as a last resort for only a small group of applicants (e.g., applicants living in a largely unpopulated area such as a moored boat or dwelling in a rural area). **If there is conflicting information in the applicant's file that suggests that the applicant does not occupy the dwelling, then this statement should not be requested or accepted.**

The statement must, for the most part, include the following declarative statement in one form or another: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct."