

# Citizens Not Serfs

**"Together We Can Save the Keys"**

June 27, 2013

## **FEMA's Downstairs Enclosure Pilot Inspection Program Has Been Terminated!**

For the past decade, FEMA had used a "pilot" or "test" program to demolish "downstairs enclosures" (the area below base flood elevation in elevated homes) by requiring invasive home inspections. Unincorporated Monroe County was the only NFIP community in the United States that was being forced by FEMA to endure these inequitable home inspections where FEMA demanded that homeowners pay for the removal of entire levels of residents' homes if they were deemed to be noncompliant.

On June 4<sup>th</sup> 2013 FEMA responded to the demands of Monroe County homeowners when they terminated the downstairs enclosure Pilot Inspection Program. Having unpermitted habitable living space in downstairs enclosures is still illegal in the Florida Keys and in every other floodplain community in the United States. However, there are currently not any triggering moments when a Keys homeowner will be threatened with code enforcement or criminal penalties, the inability to purchase flood insurance, or the inability to pull a building permit if they do not allow a FEMA inspector inside of their homes. Our home values will be significantly protected as a result of the termination of these devastating inspections.

Citizens Not Serfs have dedicated themselves to securing the end of FEMA's one-of-a-kind Pilot for the Florida Keys and are pleased to announce that Monroe County is once again being treated like all of the 20,000+ NFIP communities around the United States.

Citizens Not Serfs began the process of ending these programs when we drafted and successfully lobbied for the passage of a Florida law making it illegal to require inspections of downstairs enclosures as a result of a homeowner's applying for a building permit. Citizens Not Serfs then successfully convinced the Monroe County Commission to exclude all code enforcement and criminal penalties for failure to secure a home-inspection when a homeowner elects to sell his/her home. Our organization (with the assistance of some excellent lawyers and lobbyists) spent the last 18 months developing economic analyses, engineering studies, community surveys, and other advocacy data that was presented to Senators Rubio and Nelson, and Representative Garcia's offices with a bid to gain their support in ending the Pilot. The legislators in turn contacted FEMA with the recommendation that the Pilot Program end immediately. Due to this unified pressure from our congressional delegation, FEMA had no alternative but to the end the program. Without the intervention of United States Senators Bill Nelson and Marco Rubio and Congressman Joe Garcia with FEMA, we simply could not have got this done.....please drop them a note and tell them "Thanks" for representing us all so magnificently in all of this in Washington. After June 28<sup>th</sup>, 2013, all homeowners that have not yet requested inspections will be able to reapply for flood insurance without an inspection just like homeowners in every other community in the United States.

In closing, we would certainly be remiss if we did not thank and remember our fearless friend and leader, the late Phil Shannon. Phil was our primary funder, our advocate, our master strategist, and anything else we needed him to be throughout this effort. Unfortunately, Phil did not make it to the end of this effort, but his spirit has been there urging us on. After Phil's passing, Mary Shannon very graciously continued the funding of

the project started by her late husband and we thank her for her commitment. The Advisory Board for Citizens Not Serfs throughout all these years, whom guided the direction of the effort and provided invaluable counsel, included Joe Chernay, Randy Chapman, Kelly Koch, & Terry McGee.

Just think for a moment where we have been to accomplish our goal.....from the Monroe County Government Building to the halls of the Florida Legislature to the halls of the Congress of the United States. Citizens Not Serfs were able to defend our property values and our right to equal protection under the law at a time when the tide seems to have turned sharply against individual rights. If interested in making a contribution send a check for any amount payable to Citizens Not Serfs, to 1045 Flagship Dr - Summerland Key, FL 33042 . Our organization intends to continue to monitor FEMA and Monroe County to ensure that nothing like this program occurs in Monroe County again. If you have additional questions or concerns, you can reach Kelly Koch, membership coordinator at 305-797-0835 or [citizenkelly@bellsouth.net](mailto:citizenkelly@bellsouth.net).