National Consumer Law Center
Fighting Together for Economic Justice

WHAT STATES CAN DO TO

Protect Heirs from Disaster Displacement

Disasters can create devastating housing and financial insecurity for working families. In 2023, roughly one in five families were financially harmed by natural disasters or severe weather events, with one in ten adults experiencing property damage from such disasters.

Owners of inherited family homes have a greater need and reduced access to vital disaster assistance funds. Inherited homes are more likely to be older and in physically inadequate conditions, increasing the likelihood that they will suffer damage in a disaster. Nearly one-third of homeowners who have inherited their homes, however, have no homeowners insurance. Black homeowners, who are twice as likely to have inherited their homes, are particularly vulnerable to post-disaster home damage. These heirs, who often own the home informally and collectively with other unknown or absentee heirs, are more likely to live in regions of the country most vulnerable to severe weather events, such as coastal lowlands and Southeastern states.

Nearly 30 percent of people who have inherited their homes report having no home insurance.

FEMA, citing title issues, denied over 80,000 applications in Puerto Rico after Hurricane Maria.

Despite these overlapping vulnerabilities, heirs with informal or fractured home titles are often excluded from disaster assistance and home repair programs. Unable to restore or rehabilitate their homes, these homeowners face displacement from their communities, undermining their financial security, and contributing to abandoned homes and neighborhood blight.

States can establish policies to ensure that heirs and other at-risk homeowners can access much-needed public disaster recovery and resilience programs. See the next page for state solutions to common consumer problems heirs property owners face after disasters.

Additional Resources

For more, see Fractured and Forgotten: Challenging Exclusionary Titling and Co-Ownership Requirements That Displace Heirs Property Disaster Survivors, New York University School of Law Environmental Law Journal in Spring 2026 and Keeping it in the Family: Legal Strategies to Address the Challenge of Heirs Property and Prevent Home Loss.

Establish Inclusionary Proof of Ownership Requirements for Disaster Relief & Home Repair and Rehabilitation Programs

CONSUMER PROBLEMS	STATE SOLUTIONS
Heirs owners are unable to prove ownership to qualify for public home repair, rehabilitation, or rebuilding assistance either before or after a disaster.	Permit heirs, as FEMA does, to certify their ownership interest in a property with a self-declarative statement so they may qualify for public disaster assistance programs.
Working-class heirs experience higher property tax burdens and become vulnerable to foreclosure in gentrifying areas, as climate resiliency investments raise home values.	Allow heirs who certify to having an ownership interest in a property to qualify for the full homestead exemption and other property tax relief options.
Even when self-declarative statements are permitted, heir-applicants are unaware of what information, documents, or language is required to prove heirship status.	Provide applicants with a sample form to self-declare their heirship status, and clearly state all documents required for a complete application.

Promote Co-Owner Default Rules That Empower Heir-Occupants

CONSUMER PROBLEMS	STATE SOLUTIONS
Heirs need consent of co-heirs before receiving public disaster assistance grants or loans, even if the co-heirs don't reside in the home or are unknown.	Empower resident heir-owners to act on behalf of absentee/unknown heirs, including taking out a loan to preserve or improve the home.

To find out more about heirs property and disaster relief, contact: Alys Cohen, NCLC Director of Federal Housing Advocacy at acohen@nclc.org.

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The nonprofit National Consumer Law Center® (NCLC®) works for economic justice for low-income and other disadvantaged people in the U.S. through policy analysis and advocacy, publications, litigation, and training.

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