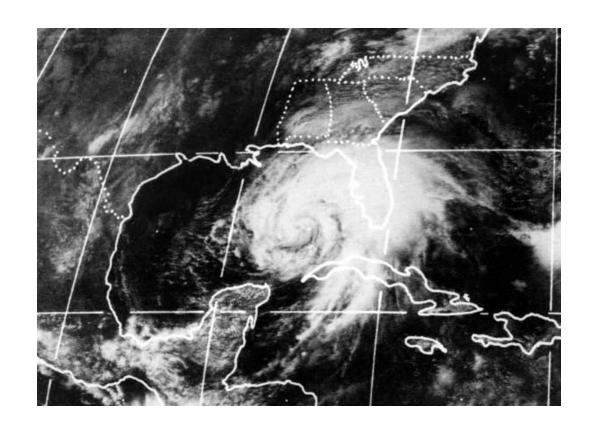
DISASTER RECOVERY ASSISTANCE FOR HISTORIC PROPERTIES

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Senior Preservation Architects Bureau of Historic Preservation





DISASTER RECOVERY ASSISTANCE PROGRAMS FOR HISTORIC PROPERTIES

OBJECTIVE: To educate local government, tribal, private not-for-profit and individual owners of historic properties in Florida on available financial programs to assist in disaster recovery.

PURPOSE: To provide economic and technical assistance for recovery from disaster related damages to qualifying Florida Historic Properties in the form of State and Federal funding programs and professional guidance for preservation, mitigation and restoration efforts.

BENEFITS: A means of funding recovery work by:

- State and Federal grant funding
- Low interest loans
- Federal income tax credits



Pensacola - 1906 Hurricane



10-11-1909 at Simonton and Greene Streets in Key West.



Key West - 1909 Hurricane

DISASTER RECOVERY ASSISTANCE PROGRAMS FOR HISTORIC PROPERTIES - ELIGIBILITY

1. Buildings must be Certified Historic Structures

A building is classified as a *Certified Historic Structure* by the National Park Service, and eligible to be listed in the *National Register of Historic Places*, either individually or contributing to a registered historic district. Individual listings must meet the following three requirements:

- 1. **Age** The building must be at least 50 years old (with exceptions)
- **2. National Register Criteria** The building must meet one or more of the four (4) NPS Criteria for Evaluation
 - **A.** It is associated with events that have made a significant contribution to history; or
 - **B.** It is associated with the lives of significant persons in our past; or
 - **C.** It embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - **D.** It has yielded or may be likely to yield, information important in history or prehistory.
- 3. Integrity The building must retain enough of the historic fabric in its present state.

Further information on National Register requirements can be found at: nps.gov/nr/publications/bulletins/nrb15/ or by contacting the Division of Historic Resources Survey and Registration Section at (850) 245-6333



Key West - 1909 Hurricane



Tallahassee -1913 Hurricane

DISASTER RECOVERY ASSISTANCE PROGRAMS FOR HISTORIC PROPERTIES - ELIGIBILITY

2. All work to be performed must comply with the Secretary of the Interior's Standards for Rehabilitation.

What are the Secretary of the Interior's Standards? They are 10 Standards based on 3 basic principles:

- Retain the historic character, even if use changes
- Retain and repair historic materials, features, spaces to the greatest extent possible
- Design compatible additions, alterations and new construction

Scope of the Standards include:

- Exterior work on the historic building, including attached /detached new construction
- Interior work on the principal public spaces and major circulation features
- Building site work, including historic landscapes and archaeological features



Apopka -1918 Hurricane



Safety Harbor Springs - 1921 Hurricane

RECOVERY PROGRAMS AVAILABLE

Federal Disaster Recovery Programs through FEMA

- Individual Assistance Programs
- Public Assistance Grant Program

*This should be the first option considered, as it is the most broad ranging program and is geared toward expedited assistance, including emergency protective measures

Federal Historic Preservation Tax Credit Programs

- 10% Rehabilitation Tax Credit
- 20% Rehabilitation Tax Credit

State Historic Preservation Grant Programs

- Small Matching Grants
- Special Category Grants







Miami - 1926 "Great Miami" Hurricane

Advantages:

- Faster funding process (within 60 days for immediate needs)
- Can include reimbursements for completed disaster-related work
- May cover costs for hazard mitigation
- Immediate assistance with scope of work formulation, cost estimating and environmental / historical compliance issues
- More eligible expenses to be covered (Sitework, roads, furnishings, recovery cost reimbursements, personal property, etc.)

Disadvantages:

- Eligible work is limited to disaster related recovery or hazard mitigation
- Requires undergoing a Section 106 Review (alternative process)
- Shorter completion time requirements (between 6 and 18 months)
- Requires reductions of funding to account for insurance claim proceeds
- Extensive recordkeeping required
- Insurance coverage of repaired elements is mandatory



Fort Lauderdale - 1926 "Great Miami" Hurricane

Recovery assistance administered by the State of Florida Division of Emergency Management on behalf of FEMA under the *Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288)*

https://www.fema.gov/robert-t-stafford-disaster-relief-and-emergency-assistance-act-public-law-93-288-amended

<u>Individual Assistance Programs – Individuals and Households</u>

- Available to individuals and households under the Individuals and Households Program (IHP) for homes damaged by a major disaster
- Provides up to \$31,900 in funds and direct services for limited restoration to a safe functioning condition of owner-occupied private residences that are uninsured or underinsured
- Full restoration to <u>pre-disaster condition</u> can be funded up to \$200,000 by a home disaster loan from the Small Business Administration. An additional 20% can be loaned for hazard mitigation work
- Other Needs Assistance (ONA) provides assistance for temporary housing (rental assistance), essential household items, utilities, residential infrastructure and debris removal for entrance and exit ways from the home, including private access roads
- Assistance Limit: Annually adjusted amount based on the Consumer Price Index
- Program information:
- https://www.disasterassistance.gov/disaster-assistance/forms-of-assistance/4471/1/805
- http://www.floridadisaster.org/Recovery/IndividualAssistance/Index.htm
- https://www.sba.gov/loans-grants/see-what-sba-offers/sba-loan-programs/disaster-loans/types-disaster-loans/home-and-personal-property-loans



Fort Lauderdale - 1926 "Great Miami" Hurricane



Coral Gables - 1926 "Great Miami" Hurricane

<u>Individual Assistance Programs – Businesses and Not-For Profits</u>

- Available to all businesses and not-for profit entities under the Small Business Administration (SBA), which provides low-interest loans
- Covers full restoration to <u>pre-disaster conditions</u> of damaged real property, fixtures, machinery, equipment, lost inventory and other business assets damaged by a major disaster
- Allows for 20% increase in approved real estate damage loan amount for hazard mitigation
- SBA can assist historic property owners by refinancing an existing mortgage
- Assistance Limit: \$2,000,000 (with exceptions)
- Program information:
- https://www.disasterassistance.gov/get-assistance/forms-of-assistance/4479/0/D05
- $\underline{http://www.floridadisaster.org/Recovery/IndividualAssistance/Index.htm}\\$
- https://www.sba.gov/loans-grants/see-what-sba-offers/sba-loan-programs/disaster-loans/types-disaster-loans/business-physical-disaster-loans





Miami - 1926 "Great Miami" Hurricane

Public Assistance Grant Program - Overview

- Administered by the Florida Division of Emergency Management (FDEM) on behalf of FEMA
- Available to State, Local and Tribal publicly owned facilities and Private Not-For-Profit critical facilities and non-critical community service facilities
- Critical facilities include schools, utilities, communications, medical care and emergency services
- Non-critical community service facilities, such as community centers, educational facilities, museums and libraries, must first apply for an SBA loan. Recovery costs beyond the loan amount or if the loan is denied are eligible for Public Assistance Grant funding

*Applications for Public Assistance Grant funding must be submitted within 30 days of the project location being designated in the disaster declaration



Public Assistance Program and Policy Guide

FP 104-009-2 / January 2016



Public Assistance Grant Program - Funding

- Covers restoration to pre-disaster condition or reconstruction and associated expenses
 of a public facility or private nonprofit critical services facility damaged by a major
 disaster within a declared disaster area
- Allows for reimbursement of debris removal costs, infrastructure repairs, emergency
 protective measures and eligible hazard mitigation measures that reduce the
 likelihood of future damage.
- Minimum project cost thresholds exist, and vary with each fiscal year. Maximum grant funding is \$5,000,000 per project (with exceptions)
- Financial assistance available is calculated after insurance deductions for damages to each facility in a single major disaster, with a Federal share of the cost at a minimum of 75%. The remaining 25% match is split between the State and the local government. Waivers and deferrals for the match grant funding may be available.
- Time limits for project completion begin on the disaster declaration date.
 - Emergency work must be completed within 6 months
 - Permanent work must be completed within 18 months

*Program rules and procedures are extensive and sometimes complex. The applicant must familiarize themselves with them or contact FDEM for guidance.



Fort Lauderdale - 1928 "Okeechobee" Hurricane



Palm Beach - 1928 "Okeechobee" Hurricane

Public Assistance Grant Program – Historic Properties

- The Applicant is responsible for obtaining all required environmental and historic preservation (EHP) permits from the appropriate agencies <u>before proceeding with Emergency Work</u>. FEMA is responsible for performing EHP reviews prior to the start of work.
- If the facility is listed in, or meets the criteria to be listed in, the National Register of Historic Places, and an applicable standard requires repair in a certain manner, costs associated with work to comply with that standard are eligible, even if repair costs exceed replacement costs.
- FEMA is the lead agency responsible for reviewing projects for National Historic Preservation Act Section 106 review for adverse effects on historic properties. This review process is expedited per agreement with the State

*If the Applicant starts construction prior to FEMA's completion of this review, it will jeopardize PA funding for the entire project

- Program information:
- https://www.fema.gov/public-assistance-local-state-tribal-and-non-profit
- http://www.floridadisaster.org/Recovery/PublicAssistance/Index.htm
- http://floridapa.org/site/paInfo.cfm
- https://www.sba.gov/loans-grants/see-what-sba-offers/sba-loan-programs/disaster-loans/types-disaster-loans/business-physical-disaster-loans







PRE-DECLARATION

Preliminary Damage Assessment

State/Territory/Tribe submits Declaration request (within 30 days of incident)

> Presidential Declaration

Public Assistance Program Process

APPLICANT COLLABORATION

Recipient conducts Applicant Briefings

Applicants submit Requests for Public Assistance (within 30 days of Declaration)

> FEMA approves Applicant RPAs

FEMA conducts Kickoff Meeting (within 21 days of RPA approval)

SUBAWARD FORMULATION

Applicant identifies and reports all damage (within 60 days of Kickoff Meeting)

Develop project Scope of Work and costs

FEMA and Recipient conduct Exit Briefing

SUBAWARD FUNDING

FEMA obligates funds to Recipient

Subrecipient completes work and requests Closeout of its project(s)

Recipient certifies completion (within 180 days of project completion) and FEMA closes project(s)

> FEMA closes the Applicant

FEMA closes the Disaster PA Program Award







Key West 1935 "Labor Day" Hurricane

FEDERAL HISTORIC PRESERVATION TAX CREDIT PROGRAMS

FEDERAL HISTORIC PRESERVATION TAX CREDIT PROGRAMS

What Is a Tax Credit? A tax credit differs from an income tax deduction. An **income tax deduction** lowers the amount of income subject to taxation. A **tax credit**, however, lowers the amount of tax owed. In general, a dollar of tax credit reduces the amount of income tax owed by one dollar.

Who is Eligible? Individuals or entities who hold title to a depreciable (income producing) certified historic building.

<u>10% Rehabilitation Tax Credit</u> allows a 10% Tax <u>credit</u> to the building owner for qualified expenses related to the rehabilitation of a non-historic building placed in service before 1936 that will be rehabilitated for non-residential uses.

- Covers qualified expenses of a building rehabilitation or restoration
- Program information: https://www.nps.gov/tps/tax-incentives/taxdocs/about-tax-incentives-2012.pdf

<u>20% Rehabilitation Tax Credit</u> allows a 20% Tax <u>credit</u> to the building owner for qualified expenses related to the *Certified Rehabilitation* of an income producing *Certified Historic building*.

- Covers qualified expenses of a building rehabilitation or restoration
- Program information: https://www.nps.gov/tps/tax-incentives/before-you-apply.htm



Riviera Beach - 1935 "Yankee" Hurricane



Cedar Key - 1935 "Labor Day" Hurricane

FEDERAL HISTORIC PRESERVATION TAX CREDIT PROGRAMS

Advantages:

- Has the benefit of financial and technical oversight by DHR and NPS
- May be employed for non-disaster related work, including additions, new construction and rehabilitation for adaptive re-use

Disadvantages:

- Funding is by reimbursement via income tax credits
- Multiple applications and levels of review and approval required
- Restrictive covenants employed
- Cannot include reimbursements for completed work
- Must maintain ownership of the property for 5 years





St. Augustine - 1944 "Cuba-Florida" Hurricane

10% REHABILITATION TAX CREDIT BASICS

- The 10% tax credit is available for the rehabilitation of *non-historic* buildings placed in service before 1936.
- The building must be *depreciable* (income producing), and rehabilitated for <u>non-</u>residential use,
- In order to qualify for the tax credit, the rehabilitation must meet all three criteria:
 - 1. At least 50% of the existing external walls must remain in place as external walls;
 - 2. At least 75% of the existing external walls must remain in place as either external or internal walls;
 - 3. At least 75% of the internal structural framework must remain in place.
- The rehabilitation must be *substantial*, exceeding either \$5,000 or the adjusted basis of the property, whichever is greater.
- There is no formal review process for rehabilitations of non-historic buildings. The 10% Tax Credit is attained directly through the IRS, but owners are strongly advised to contact the SHPO office for guidance to ensure compliance with the *Secretary of the Interior's Standards* to the greatest extent possible.
- The tax credit must be claimed on IRS form 3468 for the tax year in which the rehabilitated building is placed in service.
- Buildings individually listed or contributing to a district listed in the National Register of Historic Places are <u>not eligible</u> for the 10% credit.
- A building that was moved after 1935 is <u>not eligible</u> for the credit.





St. Augustine - 1944 "Cuba-Florida" Hurricane

20% REHABILITATION TAX CREDIT - BASICS

- The rehabilitation tax credit is available to the entity who holds title to the property.
- Personal property does not qualify for the credit.
- The amount of credit available under this program equals 20% of the *qualifying expenses* of your rehabilitation.

*It is critical that owners apply for the rehabilitation tax credit before completing work and placing the building in service, and preferably, well in advance of beginning work.





St. Augustine - 1944 "Cuba-Florida" Hurricane

20% TAX CREDIT - ELIGIBILITY

The four qualifications necessary for 20% tax credit program eligibility:

- 1. The subject building is required to be a *Certified Historic Structure* by the National Park Service.
- 2. The building must be *depreciable* (used for a business or other income-producing purpose) for at least five (5) years after rehabilitation has been completed.
- 3. The building must undergo a *substantial rehabilitation*, meaning the *qualified expenses* spent rehabilitating the historic building must exceed the greater of \$5,000 or the building's *adjusted basis*, where:

A - B - C + D = adjusted basis

A = purchase price of the property

B = the part of the purchase price attributed to the land cost

C = depreciation taken for an income-producing property

D = cost of any capital improvements made since purchase

4. Certified Rehabilitation work has to meet the all of the Secretary of the Interior's Standards for Rehabilitation.





Delray Beach - 1947 "Fort Lauderdale" Hurricane

20% TAX CREDIT - QUALIFIED EXPENSES

Costs associated with these items are "Qualified Expenses"

- Walls
- Partitions
- Floors
- Ceilings
- Permanent finishes
- Windows and doors
- Plumbing and fixtures
- Wiring and lighting fixtures
- Chimneys
- Stairs, escalators and elevators
- Fire escapes, alarms and sprinklers
- Other operational components

Costs associated with these items are <u>not</u> "Qualified Expenses"

GENERAL EXPENSES

- Acquisition costs
- Leasing expenses
- Moving a building
- Building removal
- Feasibility studies
- Financing fees

BUILDING EXTERIOR

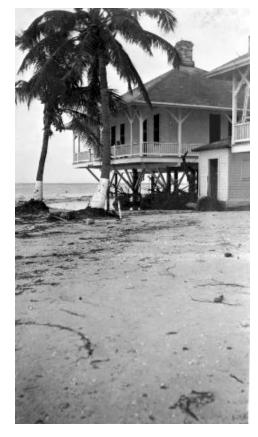
- Non-Historic decks
- Building enlargement
- Non-Historic porches

BUILDINGINTERIOR

- Appliances
- Cabinets
- Carpeting
- Furniture
- Window treatments

SITE WORK

- Remote outdoor lighting
- Parking lots and paving
- Planters and landscaping
- Retaining walls / Fences
- Sidewalks
- Signage
- Storm sewer construction



Sanibel Island - 1947 Hurricane

20% TAX CREDIT - ENTITIES INVOLVED

1. State Historic Preservation Officer (SHPO)

• Serves as the point of contact for property owners for Tax Credit Projects, administers the program for the National Park Service and provides guidance on regulations, appropriate treatments and technical assistance.

*APPLICANTS ARE STRONGLY ADVISED TO CONTACT THE SHPO OFFICE FOR GUIDANCE PRIOR TO PLANNING WORK ON ANY HISTORIC STRUCTURE.

2. National Park Service (NPS)

• Publishes program regulations, reviews applications for conformance with the *Secretary of the Interior's Standards for Rehabilitation*, issues certification decisions and transmits to the IRS.

3. Internal Revenue Service (IRS)

- Publishes regulations on all financial matters concerning the 20% tax credit, audits taxpayers to ensure compliance and answers frequently asked questions regarding financial aspects of the program
- The IRS code and regulations dealing with the rehabilitation tax credit online at: nps.gov/tps/tax-incentives/before-apply/irs.htm



Apalachicola - 1947 Hurricane



Mitchell Beach - 1950 Hurricane "Easy"

20% TAX CREDIT - PROCESS

Federal Historic Preservation 20% Tax Credit Program Process

The applicant completes each of the <u>3-part application</u> and submits it to the State Historic Preservation Officer (SHPO) for review.



The SHPO reviews for completeness of the application and requests clarifications or additional information from the applicant if necessary. The applicant responds via clarification letter or Application Amendment as appropriate



The SHPO reviews the final scope proposed work for compliance with the Standards and forwards each application with their endorsement to NPS for approval, conditional approval or denial.



NPS reviews the application and requests clarifications or additional information from the applicant if necessary. The applicant responds via clarification letter or Application Amendment as appropriate.



NPS makes final certification decisions and transmits outcome to the IRS.



G-1 SECTION 90060 ROAD US 1 NONROE COUNTY Storm damage after Hurricane Donna 9/17/60 Showing damage to large restaurent east side of highway at Islamorada.



Florida Keys - 1960 Hurricane "Donna"

20% TAX CREDIT - 3 PART APPLICATIONS

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ion of Significance determines if your building qualifies as ric structure" per the National Park Service requirements.

> Description of Rehabilitation documents the existing ndition of the building and the planned rehabilitation work.

PART 3 Certification of Completed Work confirms that the project was completed per the Part 2

Application, and is therefore a "certified rehabilitation."

All certification applications must be on the 2014 forms provided at: nps.gov/tps/tax-incentives/application.htm

FAQs and instructions for completing Applications: nps.gov/tps/tax-policy/ incentives/taxdocs/hpca-instructions.pdf



Jacksonville Beach - 1964 Hurricane "Dora"

STATE HISTORIC PRESERVATION GRANT PROGRAMS

Advantages:

- Limited funding can be provided up front for emergency protective measures after Grant approval
- Has the benefit of financial and technical oversight by DHR
- May be employed for non-disaster related work, including additions, new construction and rehabilitation for adaptive re-use

Disadvantages:

- Longer wait for funding
- Funding not guaranteed (multiple levels of approval required)
- Restrictive covenants are employed
- Time limit for work completion (12 month or 24 month)
- A funding match is usually required
- Cannot include reimbursements for completed work





Jacksonville Beach - 1964 Hurricane "Dora"

Small Matching Grants

- Available to non-profit organizations, state agencies (including universities) and local and tribal governments
- Covers emergency protective measures, restoration, rehabilitation, hazard mitigation and relocation work on Certified Historic Buildings and preservation of archaeological sites
- Small Matching Grants are funded up to \$50,000 and require a 100% match of the requested grant funds (with exceptions)
- Projects funded by this grant program must serve the public interest, and be accessible to the public
- Small Matching Grants require completion within one year
- Program information:
 - http://dos.myflorida.com/historical/grants/small-matching-grants/
 - http://dos.myflorida.com/media/696945/small-matching-guidelines.pdf



Mandarin - 1964 Hurricane "Dora"



Live Oak - 1964 Hurricane "Dora"

Special Category Grants

- Available to non-profit organizations, state agencies (including universities) and local and tribal governments
- Covers emergency protective measures, restoration, rehabilitation, hazard mitigation and relocation work on Certified Historic Buildings and preservation of archaeological sites
- Special Category Grants are funded for between \$50,000 and \$500,000, and require the higher of \$50,000 or 50% match of the requested grant funds (with exceptions)
- Projects funded by this grant program must serve the public interest, and be accessible to the public
- Small Matching Grants require completion within two years
- Program information:
- http://dos.myflorida.com/historical/grants/special-category-grants/
- http://dos.myflorida.com/media/696946/special-category-guidelines.pdf



Jacksonville Beach - 1964 Hurricane "Dora"



Pensacola - 1969 Hurricane "Camille"

State Historic Preservation Grants program Process

The applicant completes an online application and submits it to the Division of Historical Resources (DHR) for review



The DHR staff reviews for completeness of the application, appropriateness of the proposed work and requests clarifications or additional information from the applicant if necessary. The applicant responds via clarification letter or provides requested information and DHR staff completes a report on each project that provides an assessment and recommendations for the Florida Historical Commission to consider



The Florida Historical Commission convenes to evaluate each application and develop rankings based on priority with recommended funding levels and submits them to via DHR to the Secretary of State for review and approval



The Secretary of State submits the approved projects to the Florida Legislature for funding. Funding for state Special Category Grants is contingent on an annual appropriation



All grant awards which have been approved are formalized in a Grant Award Agreement by which the Grantee enters into a contract with the State of Florida and proceeds with the approved work



DHR Staff monitors project progress, provides technical preservation support, approves payment of expenditures for reimbursement and conducts final project review upon completion of the work

FOR FURTHER PROGRAM INFORMATION

Federal Recovery Programs through FEMA

FEMA Disaster Assistance Improvement Program:

- Individual property owners: https://www.disasterassistance.gov/
- Government and Private Non-Profit property owners: https://www.fema.gov/public-assistance-local-state-tribal-and-non-profit

Florida Division of Emergency Management, Recovery Section:

http://www.floridadisaster.org/Recovery/index.htm or by calling the Recovery Section at (850) 413-9968

Federal Historic Preservation Tax Credit Programs

The National Park Service, Technical Preservation Services:

https://www.nps.gov/tps/tax-incentives.htm or by calling Technical Preservation Services at (202) 513-7270

Florida Department of State Division of Historical Resources, Architectural Preservation Services:

dos.myflorida.com/historical/preservation/architectural-preservation-services/_or by calling (850) 245-6333.

Historic Preservation Grant Programs

Florida Department of State Division of Historical Resources, Historic Preservation Grants Program:

http://dos.myflorida.com/historical/grants/ or by calling the Bureau of Historic Preservation at (850) 245-6333.



"A house pulled down is half rebuilt"

- French Proverb