

# FORT MEADE CLAIMS DIVISION

## THEFT, FIRE, VANDALISM, AND UNUSUAL OCCURRENCES

### **General Overview**

Many of our clients request information over how to file claims related to a theft, vandalism, fire, flood, or unusual occurrence. These types of claims can occur in a variety of places and situations. Some of these situations include being on the installation, being off the installation but in a “duty” status, or being at your Government place of employment. The following guidelines should help serve as a basic outline for claimants involved with these incidents.

### **Different Types of Claimants**

Claimants in these types of scenarios typically fall into two categories: DoD civilian employees and active duty service members. To be compensated, a claimant must have suffered their loss “incident to service.” The determinations over whether a loss was “incident to service” are highly fact-specific and are only generally addressed in service regulations.

For DoD civilians, the “incident to service” concept is similar to performing on-the-job Government duty. While a loss at the workplace might be considered as “incident to service,” a claim arising in the Post Exchange parking lot during lunch hour might not. Conversely, DOD active duty service members who suffer a loss while on the installation, while in a duty status off the installation, or while at off-post workplace are generally considered “incident to service.”

Although this section discusses general guidelines, each claim must be individually reviewed to determine the “incident to service” status. Furthermore, the service regulations have determined that some situations, while appearing to meet the definition of “incident to service,” are not compensable claims.

### **Preventive Actions**

Please remember that the Personnel Claims Act (PCA) is not intended to act like a private insurance company. To this extent, if the property owner fails to take certain precautions, some claims may not be payable. Due to these restrictions over claims, the benefits of taking proper precautions are twofold—they will help protect your property and also increase your chances of being able to file a payable claim. While everyone should consider purchasing private renters or homeowners insurance to cover their property, here are some additional things to remember.

First and foremost, keep all property secure. This includes locking all doors and windows, placing valuables in a locked safe or drawer, and not leaving any personal items unattended. Please remember that if a room, home, or POV is not properly secured, this could bar any claim for payment over stolen items.

Additionally, and as outlined in our “How to Protect Yourself During a PCS Move” document, everyone should create an inventory of their personal items. If possible, this inventory list should include the make, model, serial number, purchase price, and date of

purchase or acquisition for each individual item. While it is always better to keep the receipts of all purchases—especially for high-value items—creating such an inventory is one possible method of showing ownership of an item. A service member should also consider having a disinterested third-party sign the inventory list and annotate its accuracy.

Finally, anyone who is the victim of a theft should immediately contact the military police and notify their chain-of-command. As explained later, a claimant will need to include the police report over such an incident when they file a claim.

### **Insurance**

If a claimant has private insurance covering the lost or damaged property, they must file a claim with the private insurer before they can file a claim with the Army. Once a settlement is reached with the private insurer, the claim with the Army will be examined for any additional compensation due by the United States.

### **Two-Year Deadline**

Claimants have 2 years from the date of the incident to file a claim. It is crucial that a Claim be presented to a claims office within this timeframe. In fact, the failure to present a claim within 2 years may result in the denial of the claim.

### **Filing a Claim**

Our office can help process and pay theft, vandalism, fire, or unusual occurrence claims from Department of the Army and Department of Defense personnel. This office will also initiate claims from other branch service personnel and forward the packet to the appropriate office for investigation and disposition.

After this general overview, we've attached a checklist for filing such a claim. When preparing to file their claim, a claimant should seek to provide as much information as possible when describing the incident forming the basis for their claim. For example, in a theft claim, including a military police report is essential. For damage occurring in Government quarters (such as a broken pipe), a work order number is essential. Additionally, in all cases, a claimant will have to demonstrate that they owned the property associated with the claim.

As a general rule, if a claimant is seeking more than \$100 for the repair cost or replacement cost of an item, our office will require written proof of the claimed amount. A claimant who provides a repair estimate or repair bill from a repair firm, an internet quote, or a catalogue listing would likely satisfy this requirement.

### **Conclusion**

When someone is dealing a situation like a theft, fire, flood, or vandalism, it can be very stressful. It is hard enough to deal with the trauma of such an incident, much less get through all the paperwork associated with filing a claim. Please remember that our office is here to help. For more information (or to schedule an appointment), feel free to can contact our office at 301-677-9898 or 301-677-9960.

## FORT MEADE CLAIMS DIVISION CHECKLIST FOR THEFT, FIRE, VANDALISM, AND UNUSUAL OCCURRENCES

\_\_\_\_\_ **DD Form 1842:** This is the basic claim form listing information regarding your claim. In Block 10, provide the dates, facts, and consequences that are the basis for your claim. This form should either be signed by the DOD member, or they should provide written authority for someone else to sign.

\_\_\_\_\_ **DD Form 1844:** This is the list of Property and Claims Analysis Chart. Please list all of your damages and repair costs.

\_\_\_\_\_ **Government Orders/Amendments:** Provide one legible copy of orders or other documentation that reflects the claimant's status. If the claim is for an incident arising in Government housing, please provide a copy of the housing assignment.

\_\_\_\_\_ **Written Repair Estimates and Replacement Costs.** If a claimant is seeking more than \$100 to repair or replace an item, this must typically be substantiated "in writing" by the claimant. "In writing" can be a written estimate from a repair firm, something found in a catalog, a newspaper ad, or even an internet quote. Please note that our office will require a written repair estimate for certain types of items and damages.

\_\_\_\_\_ **Estimate Fees:** Some businesses will charge you up front to give a written repair estimate. If such an estimate fee is non-refundable (i.e. the business will not apply the estimate fee towards the repair of your item), then you may include the amount of this estimate fee as a line item on your DD Form 1844.

\_\_\_\_\_ **Power of Attorney:** Required if someone other than the DoD member signed DD Form 1842.

\_\_\_\_\_ **Proof of Ownership:** If a claim involves a POV, a copy of either the title or registration should be provided. For other items, a claimant must include documentation that demonstrates their ownership of the property associated with the claim.

\_\_\_\_\_ **Correspondence with Insurance Company:** If private insurance covers the lost or damaged property, you must file and settle a claim with the private insurer before a claim with an Army office can be fully processed.

\_\_\_\_\_ **CEFT Input Information.** For prompt payment, please provide us with CEFT information.

\_\_\_\_\_ **Police Report (if applicable).** Please submit a copy of any police report associated with your claim.