

## Claims for Vandalism to or Thefts from Privately Owned Vehicles Stored On-Post During Deployment

1. Purpose: To provide information concerning the filing requirements UP Army Regulation 27-20, Personnel Claims, and Chapter 11.

2. Facts:

a. At times, Soldiers may store privately-owned vehicles on post during a deployment. If the vehicle is located at an area on the installation where the commander has assumed responsibility for the security of the vehicle, and there is damage to or loss of the vehicle and property properly stored or contained therein, a claim for payment or reimbursement of the loss or damage may be considered. Authority for any payment is pursuant to Army Regulation 27-20, Chapter 11- the regulatory embodiment of the Personnel Claims Act. It must be remembered, however, that the Personnel Claims Act is a gratuitous payment statute, and is not designed to be a total insurer of a Soldier's property.

b. If you have a private insurance policy that may cover all or part of a loss, the Soldier DOES NOT HAVE TO FILE with the private insurance company before the Soldier can be paid by the Army, IF the claim is for loss or damage to personal property while it was being transported or stored at government expense. Claimants are no longer required to file with their private insurance before submitting a claim to the Army for loss or damage to their privately owned vehicles while it was in DOD funded transportation or storage. The Soldier must tell the Army whether he has elected to file or not file against his private insurance.

c. Vehicles stored in an on-post convenience lot may suffer damage. Such damage often occurs to vehicles when stored for long periods of time. The government's liability for such damage is defined in AR 27-20, Personnel Claims, and Chapter 11. The vehicle must be properly licensed, registered and insured at the time the vehicle is stored to qualify for coverage. Wind damage, paint fading, rust, door dings or dents, and mechanical defects are just a few common problems that are not payable under the claims system. Furthermore, it is the Soldier/claimant's burden to establish that the vehicle was properly registered, licensed, and insured.

3. Steps in filing a claim:

a. Annotate damage incurred to the vehicle while in storage on the pre-storage inspection document. The owner should do a complete walk around with an inspector. This prevents claims of later discovered loss and damage that may not be payable.

b. Obtain DD Forms 1842 and 1844 and fill them out appropriately. These forms may be obtained from the Ft. Polk Claims Office. Substantiating documents includes anything that establishes the ownership of the property, loss or damage to the property,

and the value of replacement or repairs. Check with the Fort Polk Claims Office, Building 406, Radio Road, Monday, Tuesday, Wednesday and Friday between the hours of 0800-1130 and 1230-1700; Thursday mornings closed; re-open 1130-1700 for guidance or to pick up claim forms.

c. You may turn in completed DD forms 1842 and 1844, a copy of a police report, if filed, any written statements, inspection document dated and signed by the storage manager, proof of insurance and all insurance information, vehicle registration documents, deployment orders, and any other substantiating documents, including pictures, to the Fort Polk Claims Office, Building 406, Radio Road, Monday, Tuesday, Wednesday and Friday between the hours of 0800-1130 and 1230-1530; Thursday mornings closed, re-open 1130-1530.

4. One additional caution:

A Soldier who stores personal property in his or her vehicle may not be reimbursed for damage to or theft of that property. Items such as telephones, stereo equipment not permanently attached or factory installed, compact disc players with theft preventive face plates left intact, DVD players and radar detectors are often stolen. However, it is not considered reasonable to store this type of item in one's vehicle, and this type of item should have been removed from the vehicle prior to storage. Therefore, regulations prohibit reimbursement for those items.

5. If you have any questions, please call the Fort Polk Claims Office at 337-531-1576 or 2636.