

Personnel Claims Office
Naval Legal Service Office SW
3085 Dolphin Alley, Bldg. 265
San Diego, CA 92136-5187
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How to File a Claim for an Unusual Occurrence **Fire, Flood, Theft, Vandalism**

1. **How to File a Claim:** Your claim must be submitted within 2 years from the incident date or the date of discovery of damage to your property. The 2-year limitation is statutory and cannot be waived. It is important that you obtain all required documents before submitting your claim. NLSO SW personnel can assist you and answer your questions about preparing your claim. Please retain a copy of all documents you submit to this Command for your own records. **Only once all the required documents are provided to this Command may your claim be adjudicated.**

Required Documents:

- Copy of your Military ID
- DD Form 1842 (Claim for Loss of or Damage to Personal Property Incident to Service)
- DD Form 1844 (List of Property and Claims Analysis Chart)
- Military or Civilian Police Report
- Insurance Statement
- Supporting Documents (Including repair estimates, paid bills, original purchase receipts, photos etc.)
- Electronic Payment Form

Caution: Do not dispose of damaged property or have anything repaired until the claim is settled to your satisfaction and/or the NLSO has authorized you to do so. This gives the NLSO the opportunity to inspect any items in case of discrepancies.

2. **Private Insurance:** If you have private insurance that covers your loss and/or damages, you must file and settle a claim with your insurance company prior to filing a claim with the Navy. This is a regulatory requirement and cannot be waived. A copy of your insurance policy and any correspondence from your insurance company about your claim is required. If you have insurance, but your property was not covered, you must provide either a copy of your policy or a letter from the insurance company showing lack of coverage.

3. **Repair Estimates:** Estimates, bills and invoices must be itemized. The estimate must list the damage to each item, the repair to be done, and the cost of the repair including labor, materials, tax and estimate fee. Only estimates from qualified repairmen are accepted. In most cases you will be compensated for the cost of nonrefundable estimates.

A written estimate or itemized bill from a qualified repair facility is required to substantiate damages of \$100.00 or more per item. If an item is not considered economically repairable (the cost of the repair exceeds the current value of the item), you must provide verification from a qualified repair

facility. You must also substantiate the replacement cost for the item. When items are obviously destroyed, NLSO personnel will often need to see the item. You may be requested to bring the item into the Command or provide a photograph of the damaged item.

4. POV Theft and Vandalism Claims: Claimants are required to provide clear and convincing evidence that the loss or damage occurred on base. Clear and convincing evidence may include, among other things, witness statements, broken glass from the window on the ground next to the vehicle, multiple cases of theft or vandalism in the same area on base.

5. Replacement Costs: Generally reasonable personal estimates for replacement costs up to \$100.00 per item will be accepted. A replacement cost of more than \$100.00 requires either a written statement from a qualified retail facility, or a copy of a current catalog page on which the same or substantially similar item is described and priced. Navy regulations implementing the Personnel Claims Act require the Navy to apply set depreciation rates. Therefore, claimants will not receive the exact amount they claim on most items. Additionally, some items have maximum allowable payments per item and or per claim.

6. Disposal of Damaged Property: Do not dispose of damaged property until your claim has been settled to your satisfaction and/or you have been authorized to do so by NLSO personnel. When you are paid the replacement cost of property, ownership of the property transfers to the Government. You may be requested to turn in damaged property to Defense Reutilization and Marketing Office (DRMO). Once property has been turned into DRMO, you must return a copy of the turn-in document to the NLSO prior to payment of your claim. If you want to keep salvage items, please discuss this with NLSO personnel.

7. Completing DD Forms 1842 and 1844: Please refer to the attached samples of DD Forms 1842 and 1844 before completing them for your claim.

DD Form 1842:

You must enter the total dollar amount of your claim on DD Form 1842 (Block 9). Claims personnel cannot do that for you. Insure that the DD Form 1842 has been signed and dated, in ink, by the claimant or his/her legal representative. Only the military member is a permissible claimant under the Personnel Claims Act. When an agent or legal representative presents a claim, written evidence of such authority (power of attorney) is required.

DD Form 1844:

Describe each item by size, make, model, brand name and features. State what the furniture items are made of (oak, pressed wood, plastic etc.). It is important that you enter the purchase price, the month and year of purchase.

Describe the exact nature of the damage to each item. Be specific in listing the type, location, and size of the damages. Do not merely write "damaged" or "broken."

Do not combine furniture items on a single line. Combine other household goods on a line only if the items are part of a set (such as glasses or dishes) or are identical and were purchased at the same time.

Evidence that proves the ownership, age, and value of items maybe required. Substantiation may consist of original receipts or canceled checks, owner's manuals, photographs, a videotape or other credible evidence. If your claim is filed without adequate substantiation, you may not receive the maximum permissible compensation or your claim may be denied.

8. Settlement of your claim: After your claim has been adjudicated, you will receive a letter from the NLSO explaining your settlement. If a payment was authorized, you will receive payment shortly from DFAS by check or electronic transfer. If you disagree with the adjudication of your claim, you have 6 months from the settlement date of your claim to request reconsideration. All requests for reconsideration must be writing and should specifically address the reasons you believe additional payment is warranted.

**NLSO SW exists to serve you. You can be assured
you are being served by the finest Claims Office in the United States Navy.**