

PREVENTIVE LAW SERIES
PERSONNEL CLAIMS



Prepared by:
Legal Assistance Department
Region Legal Service Office Southwest
3395 Sturtevant Street Suite 9
San Diego CA. 92136-5072
(619) 556-2211



Recent Change:

As of 1 April 2006, RLSO Southwest no longer adjudicates new claims for loss of or damage to personal property. All new claims for household goods or POV shipments and claims for other losses under the Personnel Claims Act are now processed by the new Personnel Claims Unit (PCU) Norfolk, Virginia, or the PCA Claims Unit Branch Office Pacific, Pearl Harbor, HI.

PCA Claims:

Under the Military Personnel and Civilian Employees' Claims Act (PCA), proper claimants may file claims against the Government for property that is lost, damaged, or stolen incident to service. Personnel claims also include transportation and storage losses, losses in Government quarters, losses in other authorized places and vehicle losses. Claims for losses due fire, flood, hurricane, theft, vandalism, earthquake or other unusual occurrence may be cognizable.

Information and applicable documentation for filing a claim under the PCA is available at http://www.jag.navy.mil/organization/code_15.htm. The website includes a link to packets and forms necessary to file a claim. There are three separate claim packages; household goods shipments, shipment/storage of privately owned vehicles, and claims for losses due to fire, flood, theft, vandalism and other personal property losses. Claims information is also available at www.nko.navy.mil and www.navyonesource.com, or through the Personnel Claims Unit Hotline at (888) 897-8217.

Proper Claimants:

Members of the DON. All Navy and Marine Corps active duty members and Reservists on active duty for training under Federal law whether commissioned, enrolled, appointed, or enlisted. A retired member may file a claim under the Act if the loss or damage occurred while the claimant was on active duty or in connection with the claimant's last movement of personal property incident to service.

Civilian Employees of the Navy. Federal employees of the Department of the Navy paid from appropriated funds. This term does not include Red Cross employees, USO personnel, and employees of Government contractors (including technical representatives).

Claims by Nonappropriated-Fund Employees. Claims by employees of Navy and Marine Corps nonappropriated-fund activities for loss, damage, or destruction of personal property incident to their employment are processed and adjudicated under the PCA and forwarded to the appropriate local activity which employs the claimant for payment from nonappropriated-funds.

Statute of Limitations:

A claim must be presented in writing to a military installation within 2 years after it accrues. A claim accrues on the day the claimant knows or should have known of the loss. This requirement is statutory and may only be waived if a claim accrues during armed conflict, or armed conflict intervenes before the 2 years have run, and good cause is shown.

Household goods shipments-DD Form 1840/1840R:

For household goods shipments, claimants must submit a DD Form 1840 (Joint Statement of Loss or Damage at Delivery) and DD Form 1840R (Notice of Loss or Damage) to the **Base Personal Property Office** no later than 70 days after the delivery date of their household goods shipment. These documents constitute official notice to the contracted carrier of the loss/damages claimed. Failure to submit the forms within the 70-day notification period could result in a significant reduction in

the amount paid on the claim, or a denial of any claim against the Government. In San Diego, the Personal Property Office is located on the "dry side" of Naval Station San Diego Building 3376, phone number (619) 556-6683, DSN 526-6683.

Form of Claim:

Personal property claims require submission of DD Form 1842 (*Claim for Loss of or Damage to Personal Property Incident to Service*) accompanied by DD Form 1844 (*List of Property and Claims Analysis Chart*). If DD Form 1842 and 1844 are not available, any writing will be accepted and considered if it asserts a demand for a specific sum and substantially describes the facts necessary to support a claim cognizable under the Military Personnel and Civilian Employees' Claims Act. The claim must be signed by a proper claimant or by a person with a power of attorney for a proper claimant. A copy of the power of attorney must be included with the claim. Additional information/documentation required to substantiate a claim against the Government varies significantly based upon the incident giving rise to the claim. The Norfolk Personnel Claims Unit will evaluate each claim and notify the claimant of any additional substantiation necessary to support their claim against the Government.

Filing Claims at the New Centralized Claims Branch:

PCA claims and the required documentation should be forwarded to the following address:

Personnel Claims Unit Norfolk
9053 First Street Suite 102
Norfolk, VA 23511-3605

(888) 897-8217
Commercial (757) 440-6315
DSN 564-3310
FAX (866) 782-7297
FAX DSN 564-3337

Questions? Contact the **PCU Claims Help Line at (888) 897-8217**; DSN 564-3310; Fax (866) 782-7297.

The PCU Claims Help Line is open 7:30 am to 7:00 pm, Eastern Standard Time, Monday through Friday, except on observed Federal holidays. Please be sure to have any claims information with you and available when you call.