



# Miscellaneous Loss or Damage Claim



<http://8tharmy.korea.army.mil/sja/claim-services/>

## 1: General Information Regarding Filing a Miscellaneous Claim for Loss or Damage of Personal Property:

The Military Personnel and Civilian Employees Claims Act, also known as the “Personnel Claims Act (PCA),” 31 U.S.C. § 3721, is the authority for paying claims for loss or damage of personal property **incident to service**. The PCA is a gratuitous statute, and is NOT a substitute for insurance. Accordingly, if you have private insurance that covers your loss or damage (i.e. vehicle insurance, homeowner’s/renter’s insurance, etc.), **you must first file a claim through your insurance before filing a claim under this statute**.

 A loss unconnected with the performance of duty, particularly a loss occurring outside of normal duty hours, is normally not incident to a civilian employee’s service, although the same loss might be deemed incident to a military member’s service.

The following are nonexclusive examples of categories of loss of, or damage to, property that may be considered as having been sustained incident to service:

- Contractor-Caused Losses
- Extraordinary Hazards: Fire; Flood (including pipe burst, roof leaks); Hurricane (Typhoon); Earthquake; Weather phenomena unusual for the location
- Unusual Occurrences: Lightning strike; power failure; termite, insect, or rodent infestation; large hail; high wind damage; falling trees or large branches; contamination.
- Theft
- Vandalism
- Personal Property Held as Evidence

## 2: Filing a Claim with your Respective Military Service Affiliation:

You may file your claim with your respective military service affiliation, but must do so **WITHIN 2 YEARS OF THE DATE OF INCIDENT**:

- Army & DoD personnel may submit their claim electronically with your CAC from a “.mil” system at <https://www.jagcnet4.army.mil/8525763F005D2EF5/frmHome?open>
- Air Force personnel can submit their claim electronically from a “.mil” system at <https://claims.jag.af.mil/>
- Navy personnel can find information at [http://www.jag.navy.mil/organization/code\\_15.htm](http://www.jag.navy.mil/organization/code_15.htm)
- Marine personnel can find information at <http://www.mcipac.marines.mil/StaffandSections/SpecialStaff/OfficeoftheStaffJudgeAdvocate/Claims.aspx>
- Coast Guard personnel can find information at <http://www.fincen.uscg.mil/hhg.htm>

## 3: Filing a Claim with the U.S. Army Military Claims Office (MCO):

As a secondary option, you may submit your claim in person at an MCO **WITHIN 2 YEARS OF THE DATE OF INCIDENT**. However, a claim must be processed by your respective military service affiliation, and claims received by Air Force, Navy, Marine or Coast Guard personnel (military & civilian) will be packaged and mailed to the respective service’s MCO for processing.

## Checklist for Filing a Miscellaneous Claim for Loss or Damage with the Military Claims Office (MCO)

If appropriate forms/documentation are not provided or not properly completed, you will be notified and provided a reasonable time period in which to take corrective action. Should corrective action not be taken within a reasonable period, we will take action to either pay the claim in part if permitted based on available documentation, or deny the claim in full. You will be notified in writing of the action taken on your claim, and if paid in part or denied, provided the opportunity to request reconsideration.

◀ **Regulatory extract on proper claimants attached in on-line version of this handout (see left column attachment listing)**

### CLAIM FORMS:

\_\_\_\_\_ **DD Form 1842, Claim for Loss of or Damage to Personal Property Incident to Service** (Part I, Blocks 1 ~ 18)

This form must be signed by a proper claimant. If other than a proper claimant is completing and signing the form:

- The personal information listed **MUST** be that of the proper claimant
- Written authorization to sign the form on behalf of the property claimant (i.e. power-of-attorney, attorney representation, etc.) must be provided

◀ **Blank & sample completed form attached in on-line version of this handout (see left column attachment listing)**

\_\_\_\_\_ **DD Form 1844, List of Property and Claims Analysis Chart** (Blocks 1 ~ 11, 13 & Page Count/Total Pages)

◀ **Blank & sample completed form attached in on-line version of this handout (see left column attachment listing)**

\_\_\_\_\_ **Statement of Understanding Regarding Private Insurance.**

◀ **Blank form attached in on-line version of this handout (see left column attachment listing)**

### ADMINISTRATIVE DOCUMENTS:

\_\_\_\_\_ **Assignment Orders and all Amendments**

\_\_\_\_\_ **Electronic Funds Transfer Worksheet**

◀ **Blank form attached in on-line version of this handout (see left column attachment listing)**

\_\_\_\_\_ **Insurance Settlement** (if private insurance coverage).

\_\_\_\_\_ **Power of Attorney (POA)** – You must have a POA if you are filing for your sponsor or someone else.

### GENERAL CLAIM SUBSTANTIATION/SUPPORTING DOCUMENTATION:

\_\_\_\_\_ **Documentary Evidence to Substantiate Loss or Damage.** Military Police Report, memorandum from your Unit Commander/First Sergeant/Directorate, etc.

\_\_\_\_\_ **Photographs.** You must provide photographs of your damaged or destroyed items. Photographs must include a view of the entire object, as well as mid-range and close-ups of the damage. Photographs must be of good quality, and not grainy in nature. Photographs will be taken by claims personnel (if necessary).

\_\_\_\_\_ **Purchase Receipts.** You must provide copies of a purchase receipt, credit card statement, cancelled check, appraisal, or some other form of substantiation to prove purchase date, cost, and ownership, of items of a value of \$100 or greater (if your total claim exceeds \$500).

\_\_\_\_\_ **Written Repair Estimates/Bills.** **ALL** property that is damaged, having a value of \$100.00 or more, must have an itemized repair estimate from a reputable repair firm. The estimate of repair must specifically detail the specific damage(s) being repaired and cost, or specify that the item is not repairable. NOTE: If already repaired, a detailed written repair bill specifying the damage(s) repaired must be submitted.

◀ **A partial list of repair firms attached in on-line version of this handout (see left column attachment listing)**

\_\_\_\_\_ **Replacement Costs.** Replacement costs must be substantiated for items determined not repairable by a reputable repair firm. You may submit documentary evidence of replacement costs from the PX, catalogs, or the Internet.

**SPECIFIC CLAIM SUBSTANTIATION/SUPPORTING DOCUMENTATION:**

\_\_\_\_\_ **Electronic Item Repair Form (not to be used for CPUs & laptops)**

If electronic items were damaged, you must obtain an electronic repair estimate from a reputable repair firm.

◀Blank form attached in on-line version of this handout (see left column attachment listing)

\_\_\_\_\_ **Computer Repair Form**

◀Blank form attached in on-line version of this handout (see left column attachment listing)

\_\_\_\_\_ **Original Signed Statement Regarding Working Condition of Electronic Item Before Incident (for water/weather related damage):** If any items you are claiming are electronic items, you must provide a statement specifically stating the working condition of the item prior to the flood, and specifying how you knew it was working. A general statement stating it worked before the flood is not sufficient. You must complete a separate statement for each item.

◀Blank form attached in on-line version of this handout (see left column attachment listing)

\_\_\_\_\_ **Proof of POV Ownership (for vehicle damage):** A clear and legible copy (front and back) of vehicle Title and/or Registration

\_\_\_\_\_ **Proof of Vehicle Insurance (for vehicle damage):** A clear and legible copy of complete insurance policy (NOT insurance card).

\_\_\_\_\_ **Theft Questionnaire (for theft loss):** If any items you are claiming are the result of a barracks theft, this questionnaire must be completed by you.

◀Blank form attached in on-line version of this handout (see left column attachment listing)

\_\_\_\_\_ **Commander's Statement (for theft loss).** If any items you are claiming are the result of a barracks theft, the Commander's Statement must be completed by your unit commander.

◀Blank form attached in on-line version of this handout (see left column attachment listing)

\_\_\_\_\_ **DA Form 4137, Evidence/Property Custody Document (for confiscated property).**

\_\_\_\_\_ **Cell Phone Seizure Information Sheet (for cell phone confiscation):** If cell phone was confiscated, with the following:

◀Blank form attached in on-line version of this handout (see left column attachment listing)

\_\_\_\_\_ **Cell Phone Purchase Contract**

\_\_\_\_\_ **Cell Phone Cancellation Receipt** (if cell phone plan cancelled).

**NOTE:** Additional documentation or information may be required in the course of adjudicating your claim.



**PLEASE STOP BY YOUR MILITARY CLAIMS OFFICE IF YOU NEED FURTHER ASSISTANCE**

