

Frequently Asked Questions

1. What is the contact information for the Army claims office on Okinawa? The claims office is part of the Staff Judge Advocate Office (Client Services) and is located on the second floor of Building 218 (across the street from the post office and clinic) on Torii Station in Yomitan, Okinawa. They are located in room 222. Telephone numbers are 644-4742 and 644-5213. Our mailing address is as follows: Office of the Staff Judge Advocate, Attention: Claims Section, 10th Support Group and Army, Okinawa, Unit 35115, APO AP 96376. The office hours for the claims section are Monday through Friday from 0800 to 4:00 PM with the exception of Thursdays when we close at 3 PM. We are also closed from 1130 to 1300 Monday thru Friday.

2. Do I need to make an appointment with the claims office? No, appointments are not necessary but are encouraged so you do not have to wait while the claims personnel are assisting someone else (although we do have a comfortable waiting area with a cable TV). Contact numbers are in question 1.

3. Some of my household goods were damaged or lost while being moved, what can I do to get compensated? See separate article on this website labeled “instructions for filing a household goods claim” and see question 19 below. In most cases you have a choice between filing directly with the carrier and getting paid full replacement value or filing with the military claims office and getting paid based on depreciated value (see question 8 below) of the damaged or lost items.

In either case the first thing you have to do is to provide notice to the carrier of what was damaged or lost. The carrier will give you a form to make this Notice when they deliver your household goods. This Notice must be made within 70 days of delivery to the military claims office or within 75 days of delivery if notice is filed directly with the carrier (failure to make this notice could later result in denial of the claimed items). Even if plan to file a claim directly with the carrier ,

it is advisable that you take this notice form to the military claims office so they will make sure it is filled out correctly and forward to the proper carrier.

After you provide notice you must file a claim to get compensated (the notice referred above is not a claim). Claims filed directly with the carrier must be filed within 9 months of the delivery date. Claims filed with the military claims office must be filed within 2 years of delivery date. If you file with the Army claims office you can either file online using the PCLAIMS program (see article on PCLAIMS at this same website) or can file by turning in the claim to the claims office described above. For claims filed directly with the carrier, the carrier will provide you with instructions for filing a claim. If in doubt contact the Military claims office. If you are not satisfied with the way the carrier is processing your claim then contact the Army claims office for advice and assistance. You can also transfer your claim from the carrier to the Army.

4. The carrier failed to deliver my household goods on the agreed delivery date and as a result I had to incur additional expenses. How do I get compensated?

See separate article on “inconvenience claims” on this website. You should notify the installation transportation office of the carrier’s failure to deliver on the agreed date and the necessity to incur additional expenses. You cannot file a claim with the military for the carrier’s failure to deliver but you can file a claim directly against the carrier.

5. My spouse, who is the military sponsor, is deployed. Can I file a claim for the damages to the property that was shipped to Okinawa?

Yes. The Soldier must either sign the claim or provide a power of attorney or letter stating that the spouse can file the claim.

6. How do I find a replacement cost for my broken items?

Replacement costs should be presented for missing or totally destroyed items. They should be for items similar in quality and type to what you owned. You can use commercial catalogs, AAFES, local department and furniture stores, or

Internet sites to establish the value. Ask store personnel to prepare a written replacement cost estimate or copy a page from a catalog.

7. When do I have to get an estimate of repair and who pays for it?

For shipment damage claims filed with the Army estimates of repair are required for all repairs over \$100.00. ALL electronic items with internal damages must have estimates of repair. The estimate for electronic items must state a basis for believing the claimed damage is due to shipping, such as a cracked circuit board. The claims office has an additional Electronic Repair Form that must be completed by the repair firm. The cost of obtaining the estimate is reimbursed as part of your claim unless the estimate fee is applied to the eventual repair of the item. For claims you file directly with the carrier under the FRV program, the carrier will obtain estimates of repair by making arrangements with a repair firm.

A list of local repair firms can be found on the document entitled “Local Repair Firms” at this website.

8. Why does the Army depreciate my property on household goods shipment claims? The Army claims system is designed to replace the property you lost based on actual value at the time of loss as prescribed by federal law. It is not a replacement cost system. The U.S. Army Claims Service sets the rates of depreciation we use based on the type of property involved. It is possible to buy replacement cost insurance for your shipment from Transportation when you arrange for your move. If you do so, you must file a claim directly with the moving company.

9. Do I have to file a claim with my own insurance company before the Army will pay me?

You DO NOT HAVE TO FILE with your private insurance company before you can be paid by the Army, IF your claim is for a loss or damage to your personal property while it was being transported or stored at government expense. This is a change to our past policy. The change is limited to this type of claim, because we can usually recover the amount paid to the claimant from the carrier or

warehouse that is responsible for the loss or damage. For other types of claims, including those for vandalism or thefts from personal vehicles or quarters, you are still required to file and settle with your private insurance, if any. The Army claims system is designed to confer a distinct benefit on certain classes of people. It was not intended to substitute for private insurance or to benefit private insurers. If you have comprehensive coverage on your automobile, it will often cover some of the same damages that could be the subject of a claim.

10. What do I do if I don't have my shipping inventory, government bill of lading, DD Form 1299 or DD Form 1164?

The moving company (carrier) normally gives you a copy of your inventory when your household goods are picked up. It is your responsibility to retain this and provide it when you file your claim. If you do not have one for some reason, you should contact the moving company that delivered your goods. They may have a copy. The transportation office does not have a copy of your inventory, but they will have a copy of your government bill of lading and your DD Form 1299 or DD Form 1164.

11. My property was damaged as a result of a typhoon (or fire, or vandalism, or flood, or theft, or unusual occurrence). Can I get compensated and how do I get compensated? As a military member or US civilian employee assigned overseas you have benefits established by law and implemented by Army claims regulation (Army Regulation 27-20) to be compensated for loss or damage caused by a natural disaster such as a typhoon, earthquake, or tornado and by other causes such as fire, flood, vandalism (intention destruction of property), theft or unusual occurrences). The damage must have occurred at your authorized quarters or other authorized location. You should contact the claims office immediately to notify them of the damage so an inspection of the damage can be performed. You have 2 years from date of incident to file a claim but it highly is recommended that you file your claim as soon as possible before critical evidence disappears. You should also report any theft or vandalism immediately to the

police. Failure to make such a report could result in denial of your claim. See separate instructions for filing a typhoon claim.

12. My car was damaged by a military vehicle, how do I get compensated? First you should report the accident to the police if it has not already been reported. Then contact the claims office identified in question 1 above. They will provide with the claims forms and instructions. You will need to obtain two estimates of repair and the estimates of repair should indicate whether used parts are being used to make the repairs. If used parts are not specified, then in accordance with 5th Air Force policy the cost of the parts will be reduced by 50% when your claim is approved. You have two years from date of incident to file the claim (a claim is filed when you have signed a document requesting a specific amount of money with the claims office). Japanese citizens who are not military family members must file their claim through the Government of Japan Okinawa Defense Bureau (ODB). ODB will then forward the claim of the Japanese citizen to the appropriate military claims office.

13. My car was hit by another car which left the scene of the accident. Can I be paid by the Army for the damage to my car?

Hit and run accidents are not compensable under the Army claims system because they are not considered to be unusual occurrences within the meaning of AR 27-20. You can only be paid if you have proof that it was a military vehicle that struck your vehicle.

14. Another Soldier in my barracks broke into my wall-locker and stole my stereo and all my CDs. He got an Article 15, but he won't give me back my property. What can I do?

You can file a claim under the provisions of Article 139, UCMJ. This law provides that those Soldiers found to be responsible for taking or willfully damaging the property of others can be forced to pay the victim of their illegal acts. Once the claim is presented, an investigating officer (IO) is appointed. The IO investigates the circumstances of the incident and makes a recommendation to the Group

Commander as to the disposition. If the Group Commander determines a Soldier wrongfully took or willfully damaged the property of another, he can order the value of the property taken from the pay of the offender and given to the victim. Note that this law does not allow for the collection of debts.

15. Can I file a claim for my television or computer if it is damaged by a power surge in my on post quarters?

Storms, power surges, and power outages are not unusual occurrences, and damage caused by such incidents is normally not compensable. Claims that electrical or electronic devices were damaged by a power surge may be paid when lightning has actually struck a Soldier's quarters or objects outside it, such as the transformer box, or when power company records or similar evidence show that a particular residence or group of quarters were subjected to an unusually intense power surge. However, it is virtually impossible to distinguish damage caused by a mechanical defect from surge damage by inspecting the item; therefore, a repair firm's statement or a Soldier's honest belief that the loss occurred as a result of a power surge during a storm may not be sufficient to show what caused the damage. Moreover, in this area, which is subject to frequent thunderstorms, Soldiers are expected to use a surge suppressor to protect electronically delicate items such as computers and televisions

16. How soon will I be paid by the Army? For household goods claims and property damaged caused by natural disasters, fires, vandalism etc, the claims office will in most cases complete the adjudication of the claim within one week of filing. However, adjudication could be delayed if an inspection is needed or if additional documentation is needed. The claims office will notify you if an inspection or additional documentation is needed. Once the claims office completes the adjudication they will forward a payment voucher by fax to the Defense Finance Accounting Service (DFAS) located at Yokota Air Base. DFAS will deposit the payment electronically into your financial institution. DFAS normally makes this deposit within a week of receiving the payment voucher. If your property was damaged by a military vehicle the claim has to be investigated by

the local military claims office who will forward to the 5th Air Force Claims office at Yokota Air Base for final review and payment determination. 5th Air Force will notify you of the payment. In all cases you will receive a settlement memorandum explaining the reasons for the payment you received.

17. I am not satisfied with the payment I received from the Army, what can I do?

You should receive a settlement memorandum explaining the reasons why you were paid less than the amount you claimed. In most cases the difference is due to application of depreciation required by military claims regulations so you are paid based on the age of the item destroyed or lost. If the item is repairable, the repair costs cannot exceed the depreciated value of the damaged item. If you are not clear as to the reasons for the payment difference you should contact the claims office for an explanation. If you are still not satisfied you can request reconsideration. This request for reconsideration must be in writing and forwarded to the claims office within 60 days of your receipt of the settlement memorandum. The request for reconsideration should explain the reasons for your dissatisfaction and supply any additional facts or evidence that would justify paying you more than what was initially awarded.

18. I was hurt in an automobile accident recently and treated at Lester Naval Hospital. I just received a form asking about the details of the accident so the Hospital can be paid for my medical care. I thought I received free medical care – what is going on?

Although the injured party is provided free medical care in military hospitals or through CHAMPUS, this care does cost the government. The Federal Medical Care Recovery Act, a law passed by Congress in 1962, allows the government to recover medical expenses for treating people who are injured because of someone's neglect. The United States recovers these costs directly from the at-fault party's insurance company. The form you received is used to assist the Hospital in collecting for the value of your care from the party who injured you.

19. What is the Full Replacement Value (FRV) Program and how do I get full replacement value for my shipment damage?

The FRV program became effective 1 Oct 2007 for most international household goods shipments and 1 Nov 2007 for domestic shipments shipped pursuant to military orders.*

Your Transportation Service Provider (TSP) – your carrier, mover, or Storage Company - is required to provide Full Replacement Value (FRV) coverage for your move, at no cost to you, provided you provide timely notice of the damage within 75 days **and** file with the TSP within 9 months of delivery. You will be eligible for FRV if, and only if, you file your claim against the TSP. Timely notice means giving the TSP written notice of any damaged to or lost items within 75 days of delivery. Use the pink form to provide notice (DD form1840/1840R).

You may still choose to file with a Military Claims Office (MCO). However, MCOs are required to adjudicate your claim using the fair market or depreciated value of your loss. This can, but will not always, make a significant difference in the amount of your compensation payment.

Why should I file with the TSP?

The choice is completely up to the claimant. However, you may wish to consider the potential advantages to TSP filing before you decide. Filing with the TSP does have potential advantages:

You may be eligible for higher compensation – Full Replacement Value (FRV) – the cost of a brand new item. Your MCO can only use depreciated value – the market value of a similar used item. This issue is discussed in more length below.

It may be easier for you. In most cases, the TSP is required to obtain and pay for estimates of repair. This may mean less running around for you.

You retain the safety net of being able to transfer the claim back to your MCO if you are unhappy with the TSP's offer or handling of your claim.

When am I eligible for Full Replacement Value (FRV) compensation?

You may receive FRV from your TSP for items which are lost or totally destroyed (defined as not economically repairable).

Example 1: Your two-year-old grandfather clock was damaged in shipment. The replacement cost of that clock is \$1000.00. That is FRV. Depreciated value is \$900. The cost of repairing your old clock is \$550.00. You are entitled to repair costs, not FRV or Replacement Cost.

Example 2: Your two-year-old grandfather clock was damaged in shipment. The cost of a new clock is \$1000.00. That is FRV. Depreciated value is \$900. The cost of repairing your old clock is \$950.00. As that is less than FRV, the TSP should give you \$950.00 or repair your clock. The MCO will give you the depreciated value, \$900.00.

Example 3: Your two-year-old grandfather clock was damaged in shipment. The cost of a new clock is \$1000.00. That is FRV. Depreciated value is \$900. The cost of repairing your old clock is \$1200.00. The TSP should give you FRV, \$1000.00. The MCO will give you \$900, the depreciated value.

Note: Different types of property depreciate at different rates. These rates are based on market value. For example, clothing wears out (or goes out of style) more rapidly than furniture. Therefore, it depreciates more rapidly. In that event, you will see a greater difference between FRV and depreciated cost.

How do I file with the TSP?

Each TSP has set up its own program for filing claims. However, the following facts are true for all TSPs

1) **TIMELY NOTICE IS STILL ESSENTIAL!** The claims process always starts with timely notice of lost or damaged items. This notice can be given on the day of

delivery by noting the damage on the front side of the DD1840 (pink form) in the presence of the TSP's agent – the people that delivered your furniture.

Additionally, you have 75 days from the date of delivery to notify the TSP of missing or damaged items. Do this by listing these items, with a description of the damage, on back of the pink form (DD 1840R). (Don't forget to turn the carbon paper around.) You may do this through your MCO. However, as the TSP must receive the notice within 75 days, bring the pink form to your MCO within 70 days to ensure timely notice to the TSP. Lack of timely notice will normally result in a denial of compensation for any late reported damaged or lost items. This is true whether you file with the TSP or with the MCO.

2) The claims forms will include the DD1844 – available from your MCO or online at <http://www.usagts.jp.pac.army.mil/sites/installation/legal.asp> (under claims information).

3) Start by contacting the TSP to ask how to file the claim. The address and telephone numbers of all TSPs are available through transportation or your MCO.

4) The TSP is required to obtain all repair estimates unless you, the claimant, agree to get these estimates.

What are my options if I do not believe the offer made by the TSP is fair?

1) You must allow the TSP 30 days to resolve the claim. After 30 days, you may choose to transfer your claim to the MCO.

2) You may transfer the entire claim or, under certain limited conditions, specific line items of your claim. No item for which partial payment has been made may be transferred. Transferring a line item is not a guarantee of more favorable treatment, but does ensure that the issue is examined by the Government for fairness.

If I transfer my claim to the MCO, have I wasted my time filing against the TSP?

1) No, there are advantages to having filed with the TSP even if, after 30 days, you transfer your entire claim to the MCO. The MCO will take advantage of any

work you or the TSP have already put into the claim, not start the claim from scratch. Additionally, you will have preserved the possibility of obtaining FRV.

2) The MCO will obtain any estimates of repair or other supporting documentation already completed from the TSP. However, you may be asked to obtain additional documentation if there are unresolved issues of substantiation.

3) The MCO will still initially use depreciated cost for items which are lost, destroyed or not-economically repairable in adjudicating the claim.

4) However, since you made a good faith effort to collect directly from the TSP, the MCO can now assert a claim against the TSP for FRV. If the MCO is successful in obtaining FRV from the TSP, *the MCO will pass the additional recovery on to the claimant.*

5) If you do not assert a claim against the TSP, the MCO has no authority to assert a claim for FRV. It can only recoup the payment actually made.

* Local moves and shipments from non-temporary storage are being added to the program. To find out if your local move is under the new FRV program, contact your transportation office.

20. Where can I get more information on the Army claims procedures?

General information can be found in [Army Regulation 27-20](#) and [Department of Army Pamphlet 27-162](#).