

Missed Your 2-Year Filing Deadline?

The Army may only pay your claim for damage to, or loss of, personal property incident to service if you present it in writing within two years after the claim accrues. For household goods claims, the two-year period begins on the date of delivery. There is no authority to waive this rule. The law does not authorize the Army to compensate you after the two-year statute of limitations has elapsed. That does not mean, however, that you may not receive compensation from the carrier.

As the property owner, you may seek reimbursement for loss or damages directly from the carrier. Carriers that transport property under a government bill of lading must process claims up to six years after the discovery of the property's loss or damage. You should file any claim against the carrier promptly. In order to file a claim directly against the carrier, you must give the carrier timely notice of all items that were lost or damaged. This is done by listing the items on the DD Form 1840 on the day of delivery or on the DD Form 1840R (reverse side of the 1840 form) within 70 days of delivery. These forms must be submitted to your Army claims office.

Because the Army pays timely, meritorious claims, direct claims against carriers are rare. Carriers are accustomed to communicating with the government, not the claimant. A carrier may attempt to deny a claim, citing failure to file with the Army within the standard two-year limit. Should a carrier tell you this, be advised that the two-year statute of limitations applies only to claims filed against the government, not those filed directly against private carriers.

If you have any further questions, please contact claims personnel at The Northern Law Center, Bldg 318 on SHAPE, or call DSN 423-4061 or commercial 065/44.40.61.

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