

THEFT AND VANDALISM CLAIMS

What You Need to Know

Military and civilian police authorities have reported a number of motorcycle thefts and residential break-ins on Fort Belvoir and in the surrounding area. These reports raise concerns that you need to know in case you are a victim of such a crime.

The Personnel Claims Act (PCA) covers theft and vandalism loss that occurs on a military installation but there are conditions that must be met for payment. To ensure that you can be paid for your loss that may result from your military service or employment, you must take steps to meet the requirements identified below.

- The loss must be incident to your military service or employment.
 - For military members, this generally means that the loss occurred at assigned on post quarters, place of duty, or at local military facilities being used because of your military status.
 - For civilian employees, this generally means that the loss occurred at your place of work.
 - Off post losses are payable if you can show a clear connection between your military duties and the incident. In such cases, the evidence must show that your vehicle was specifically targeted because of your military status.
- You must be able to prove through independent evidence that the loss occurred on the installation or incident to your military service or employment.
 - Reported incidents of theft or vandalism are presumed to have occurred off post and, therefore, are not payable.
 - You must rebut this presumption with clear and convincing evidence that the theft or vandalism occurred on post. Uncorroborated statements are not enough to rebut the presumption. Instead, a statement from a disinterested third party will be required, such as a statement in the military police report that broken glass was found next to your vehicle. Other extrinsic evidence such as a specific pattern of similar incidents in the same area may also be considered.
- The loss may not have resulted from your negligence.
 - The police report should state whether there were any signs of forced entry for theft or break in losses.
 - If there are no signs of forced entry, the report or other investigation must indicate whether a thief could have broken in without leaving signs of forced entry.
- The loss must not be covered by other insurance.
 - If you have insurance that covers the loss, you must first file a claim with your insurer.
 - You must provide the claims office with a copy of the insurance settlement and your documented loss. The claims office does not pay the deductible of the policy. The claims office independently adjudicates your loss in accordance with Army guidelines and pays the difference between its adjudication and the insurance settlement.

The PCA is designed to protect military members and civilian employees against risks of loss directly attributable to military service or employment. To meet the intent of the Act, claimants must meet certain conditions to allow payment. The PCA is not intended to replace private insurance. If you experience a loss that you believe may be covered under the Act, promptly report the incident and any evidence connected with the loss to military or civilian police authorities and to your local claims office.

If you have more questions regarding claims involving theft or vandalism on a military installation, please contact the Fort Belvoir claims office.