



LEGAL BRIEFS

From the Fort Knox Claims Office

1 June 2016

75 DAY NOTICE OF LOSS OR DAMAGE

A household goods carrier has a legal right to be notified of a potential claim against the carrier within **75 calendar** days of delivery. **Failure to notify the carrier within 75 calendar days will seriously jeopardize your ability to recover the full amount of your claim and will most likely result in non-payment for all items for which the carrier did not receive notice within 75 days.**

Although there are exceptions to the 75 day rule, they are limited and rarely apply. If you think you will be unable to notify the carrier of loss or damage within the 75 day period, please contact your local claims office as soon as possible **before** the 75 days have elapsed. Remember, in calculating the 75 days, the day of delivery is day #1 and you must include weekends and holidays in your calculation. Besides a visit to our office (located at 50 Third Avenue, Suite 132 in Pike Hall) or in situations where our office is closed, there are several ways you can notify the carrier that your property has been lost or damaged.

With a few exceptions most Army household goods shipments are shipped under the DP3 System. If yours is a DP3 shipment you will file your Notice of Loss or Damage and your claim on the DPS Database. You can access this database at <http://www.move.mil>. At this website you will find everything you'll need to register, access, and utilize the DPS system. In most cases the exceptions to DP3 shipments revolve around local moves and local NTS shipments. If at delivery you received a DD Form 1840 from the carrier your move is quite probably one of those exceptions (see note). In that case there are a few ways you can file your Notice of Loss or Damage.

First, you can file your Notice of Loss or Damage on the DPS Database. To File a **Notice of Loss or Damage** in DPS go to: <http://www.move.mil>. At this point you will need to click on DPS Registration to obtain a username and password which is sent to the email address you provide during this registration. Once you have received a username and password, click on DPS Login. Enter the username and password assigned to you, the Service Member. Once logged in, you will see several tabs at the top of the screen; click on the tab "Claims". On the next screen, you will notice the link on the right hand side of the screen to file your notice of loss, click on "loss/damage reports". Click "add" at the top of the next screen. Complete filling out all the requested information to include shipment information and verifying your information. Click "Save" once all required information is completely filled out and accurate. Next, you will click "add item" and fill out the required information for each item that was lost or damaged. You will

have to click “add item” for EACH item. Once you have added all the items you would like to report, click “submit”. At this point, you have completed your Notice of Loss or Damage not your actual claim! **To obtain FRV coverage, you must file your claim directly with the carrier within 9 months from the delivery date.**

Remember, if day 75 lands on a weekend or holiday, you must submit your Notice of Loss or Damage, through the database before the weekend or holiday.

Note: Be aware that sometimes a DP3 shipment is mistakenly reported on a DD Form 1840. To ensure that is not the case, look at Block 7 of your DD Form 1840. If Block 7 contains a code consisting of four letters and seven digits (e.g., ABCD0000123), it is quite likely that your shipment is a DP3 shipment that has been mistakenly reported on a DD Form 1840. If that is the case, please follow the DP3 instructions at www.move.mil.

Second, if at delivery you received a pink DD Form 1840, you can notify the carrier directly of the loss or damage. When you obtained the DD Form 1840 from the delivery crew, any loss or damage noted at delivery was annotated on the front of the form. Any loss or damage noted on the day of delivery has met the 75 day requirement as the carrier takes a copy of the 1840 with them. On the back side of this form, the DD Form 1840R, you’ll list all additional loss or damage, sign and date the form, and mail it to the carrier indicated in Block 9 on the front side of the form. The postmark governs. If you have waited until the 75th day make sure it is postmarked that day. If you choose to mail your Statement of Loss or Damage directly to the carrier, ensure that you mail it certified mail, return receipt requested.

Finally, no matter what type of shipment you have, if you file your *claim* with the carrier before the 75 days have passed, that filing satisfies the requirement to notify the carrier of all lost or damaged property within 75 calendar days of delivery.

Note: A Notice of Loss or Damage is not a claim. The filing of a claim is a separate action.