

FACT SHEET

SUBJECT: Storm and Power Outage
Claims

1. PURPOSE. To inform the community of circumstances under which claims for damages caused by storms and power outages may be filed by Soldiers, their dependents, and DA civilians living and/or working on post.

2. FACTS. Fort Knox experiences storms and power outages from time to time. Damage caused by these storms and power outages gives rise to damage claims from Soldiers and civilians living and/or working on the installation. Claims of this type are processed by the Fort Knox Claims Office as follows:

a. Losses due to unusual occurrence, defined as a risk of loss outside the normal risks of day-to-day living and working, are compensable for proper party claimants. Unfortunately, regulations provide that most damage due to storms and power outages are not compensable events. Where a storm is unusually severe and /or power outages are of unusual duration, such damages may be compensable. While hail is not unusual in a thunderstorm, hail the size of golf balls or larger is unusual. Similarly, winds up to 25 knots maybe routine, but unpredicted winds of 50 knots might be considered an unusual event if a patio umbrella or furniture get thrown around and damaged.

b. Claims for electronic devices allegedly damaged by a power outage are not compensable. A power outage,

not accompanied by a power surge, will not damage properly designed electronic devices. Sensitive devices, such as computer equipment, stereo equipment and televisions, should always be connected to a high quality surge protector strip for protection against surges, and should normally be disconnected from outlets when lightning storms strike.

c. Claims that food was spoiled by a power outage will be considered if the outage is of unusual duration. What constitutes an "unusual duration" is determined by how long it would normally take food to spoil under local climatic conditions. Claims personnel must determine whether the food spoiled due to the negligence of the claimant or the existing condition of the food. A claimant would be negligent in repeatedly opening and closing the refrigerator or freezer door during an outage. Efforts to mitigate the damage, by purchasing ice from a commercial outlet or obtaining a gratuitous issue of ice from a mess hall would also be considered.

d. Claims for personal property damaged by fallen trees or large branches may be compensable. It is not unusual for tree branches to fall, but it is unusual for an entire tree or large portions thereof to fall, and the latter events may be compensable, but normally only after insurance coverage has been considered if the claimant has such coverage (such as on a motor vehicle).

e. Flood or water damage can be considered from Acts of God, e.g., hurricanes, tornados, etc., or from the failure of plumbing systems in quarters. If the claimant is without

fault compensation for loss can be considered after insurance coverage has been considered, if the claimant has such coverage. Factors to consider are whether the claimant had previous similar damage, was aware of the proclivity of a similar flooding event to occur, and the steps he took to prevent his property from being damaged in the event of a reoccurrence.

f. The privatization of quarters on the installation, place the responsibility for quarters related events with the lessor of the property, not the Government. Quarters occupants should consult the RCI office and/or their own insurance carrier concerning such losses.

3. POC for the Fort Knox Claims Office is 624-6913.