



**Kaiserslautern Legal Services Center
Claims Information**

**POV Theft and
Vandalism Claims:
What You Need to Know**



This information paper provides basic information only, and is not intended to serve as a substitute for a personal consultation with a Claims Examiner or Claims Attorney. For an appointment to see a Claims Examiner or Claims Attorney, dial DSN 483-8414/8862 or Civilian 0631-411-8414/8862.

POV theft and vandalism is an occasional and unfortunate fact of life overseas. If the theft or vandalism occurs on a military installation or outside your quarters, you may seek recovery by filing a claim against the Government under the Personnel Claims Act (PCA), because your vehicle was parked there “incident to service.”¹

If you experience POV theft or vandalism on a military installation or outside your quarters, you must first file a claim against your private insurer if your insurance covers vehicle theft or vandalism. The military claims regulation requires that claimants who have this kind of insurance give their insurer the first chance to pay for the loss or damage; taxpayer dollars should not be spent when there is private insurance coverage available to cover the loss. Once your insurer has settled the claim, you can file a claim against the Government for whatever the insurer did not cover (*e.g.*, your deductible). The military claims office must consider the insurance settlement in determining the amount payable on your claim.

If you only have liability insurance, your insurer will not pay for theft or vandalism, and your only recourse is against the Government. [Note: you will be required to furnish a copy of your vehicle insurance policy when you file your claim.]

In either case, there are several things you should do to facilitate adjudication and settlement of your claim. Failure to take these steps could result in denial of your claim.

If your vehicle is vandalized or broken into and property is stolen, you should:

- Contact the Military Police immediately.
- Identify all evidence of the theft or vandalism at the scene.

¹ Claims for theft or vandalism that occurs off post, away from your assigned quarters, are not payable under the PCA, unless the claimant can establish a clear connection between the vandalism and the claimant’s duties supporting a conclusion that the damage occurred directly incident to the claimant’s service.

- Point out the evidence to the Military Police at the scene. It is very important that the police report describe any evidence (*e.g.*, shattered glass or paint flakes on the ground) found at the scene.
- If the Military Police are unable or unwilling to come to the scene, take pictures of any evidence at the scene.
- Inform your insurer of the incident, and determine whether your private insurance policy covers the damage or loss. If it does, your first recourse is against your insurer.

If you intend to file a claim against the Government, contact your local claims office *immediately* after your report of the incident to the Military Police.

If possible, do not repair the damage before the claims office has an opportunity to inspect your vehicle. Inspection of the damage by the claims office is essential to evaluating your claim under the governing claims regulation, even if your vehicle will be repaired at the direction of your insurer.

For more information on POV theft and vandalism claims, contact your local claims office. If you are a Soldier or a Department of the Army Civilian, contact the Kaiserslautern Legal Services Center's Claims Office in Building 3210 on Kleber Kaserne at the numbers listed above and ask to speak with one of our claims examiners, Ms. Berndt or Ms. Jordan. US Air Force claimants should visit the 86th Air Wing SJA Office's Claims Section in Building 2137 on Ramstein Air Base or call DSN 480-5911 or Civilian 06371-47-5911 and ask to speak with Ms. Kinzinger.