

Stuttgart Warehouse Burns to the Ground

Claims lessons learned from a real-life disaster...

by Steve Smith

On the evening of Saturday, October 30th, while most Americans stationed in Germany were enjoying a pleasant Halloween weekend, fire broke out in a warehouse in Schwieberdingen, near Stuttgart, belonging to the Andreas Christ moving company. The warehouse was the main storage site for US personal property shipments coming into and leaving Stuttgart. The warehouse was completely destroyed by the fire, as were the household goods and hold baggage shipments of 123 members of the Stuttgart military community.

Let me say that again: 123 Americans in Stuttgart lost everything they had shipped to Germany, or everything they were shipping back to the United States. (pause for breath)

Put yourself in the shoes of those “claimants” (which is what they have become) for a moment. Make a “there but for the grace of God...” analogy. If this were to happen to you, how would you go about putting your life back together after such a staggering loss? What lessons can we learn from the misfortune which befell our friends and neighbors in Stuttgart?

Perhaps the most important lesson is that, at times like these, the military community really comes together and “circles the wagons.” I have seen this happen in the past when there were mass casualty incidents, or flooding that affected large numbers of people (as happened again earlier this month in Vicenza, Italy). Every social service agency in the military community steps up to the plate and does its utmost to help heal the hurt. Nowhere is this truer than at your local Army claims office. Their job is to do everything they can, within the limits established by federal law and military regulations, to put you back in the position you were in before you suffered the loss, to make you “whole again.”

The response of the Stuttgart Law Center’s claims team to the warehouse fire has been truly extraordinary. Their Claims Judge Advocates addressed town hall meetings, explaining how the claims process works and what claimants needed to do to file claims for compensation. They coordinated with experts at the US Army Claims Service, Europe, in Mannheim, and the US Army Claims Service at Fort Meade, Maryland, to request exceptions to policy to facilitate and expedite the claims filing process. They set up individual appointments for claimants at the Stuttgart Claims Office, with each claimant being assigned to one of four claims counselors who will work with the claimant throughout the process, offering tailor-made assistance “from Cradle to Claim.”

The importance of having a detailed inventory of what was shipped cannot be overstated. Armed with this inventory, claimants will be able to first make a claim against the carrier under the “Full Replacement Value” or “FRV” program. The carrier’s liability under the FRV program is equal to \$4.00 multiplied by the net weight of the shipment, with a minimum liability per shipment of \$5,000 and a maximum liability of \$50,000. We anticipate that most carriers will pay that maximum amount if they see that a claimant had a large household goods shipment.

But what happens if the maximum carrier liability does not begin to cover the actual loss? This is where personal property insurance plays an important role. Many military families are covered with USAA through their renter’s insurance policy. The question for them will be, did they have enough coverage to compensate them for what they lost, or were they “underinsured?” It is easy for people to wind up underinsured if they took out insurance years ago and did not keep the dollar amount of their cover-



A view of the fire damage to household goods shipments at the Andreas Christ warehouse in Schwieberdingen.

[continued on page 3...]

Stuttgart Warehouse Burns Down [continued...]

age equal to what they acquired in the way of personal property in the meantime. Also, civilian employees tend to have larger household goods shipments (e.g., 18,000 pounds), but may not find it as easy as military personnel to obtain affordable personal property insurance.

What can we do for claimants who do not have adequate, or any, private insurance to cover their loss? This is where the Army Claims System plays a role. Army Regulation 27-20, which implements the Personnel Claims Act, allows Claims Judge Advocates to pay up to \$10,000 for losses of this kind. Staff Judge Advocates and the Chief of the US Army Claims Service, Europe, can pay up to the regulatory limit of \$40,000. Keep in mind, however, that when the Government pays the claim, they can only pay depreciated value for the items lost or damaged, and there are maximum allowable payments for individual categories of items (e.g., the “max allowable” for jewelry is \$1,000 per item, and \$4,000 per claim). That is another reason to maintain enough private personal property insurance to cover all your property.

Shipping inventories are a starting point when it comes to seeking compensation, but they rarely tell “the whole story.” Another good way to prove ownership and the value of your property is to take digital photographs of everything in your house and scan receipts for everything you purchase; make sure you carry the electronic proof with you to your next duty station, either on a laptop, a data stick, or a portable hard drive. **Do not allow the packers to put the proof in a box!** Then, should you experience the kind of “total loss” the claimants in Stuttgart did, you will have the proof you need when making claims against carriers, insurers, and the Government.

For more information on how the claims filing process works, contact the Kaiserslautern Legal Services Center Claims Office.



KAISERSLAUTERN LEGAL SERVICES CENTER

**Building 3210
Kleber Kaserne**

Legal Assistance 483-8848

Tax Assistance 483-8848*

Claims 483-8414/8862

International Affairs 483-8854

Trial Defense Service 483-8165

[Civilian: 0631-411-XXXX]

Administrative Law 484-7450

Criminal Law 484-8311

[Civilian: 0631-413-XXXX]

* after 24 January 2011, call
DSN 483-7688 for Tax Assistance

KLSC IS NOW ON

facebook

— “LIKE” US!

by Mark Christensen

In our efforts to keep up with social networking activities, we have created a FaceBook page for the Kaiserslautern Legal Services Center. Our goal is to use this site to provide you with current information on office events and activities, as well as developments and changes in the law that might affect you. The goal of our preventive law program is to keep you up-to-date about legal issues so you can make informed decisions about your career, family, and finances.

Please join the Kaiserslautern Legal Services Center on FaceBook. When logged into your FaceBook account, search for Kaiserslautern Legal Services Center, and click on the “Like” button. We will periodically post information about services and hours, as well as articles or releases that may be significant to you.

While we cannot give legal advice on the site, we welcome suggestions for content or material that you are interested in hearing about. We want your legal office to be a relevant and valuable part of your military service, and hope you will let us know what we can do to keep you informed.

