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HOUSEHOLD GOODS CLAIMS

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If a household goods claim is to be filed, there are certain rules and timelines to follow. This article will provide a brief overview of the claims process and timeline for household goods moving claims.

In order to file a claim with a household goods moving company, the claim:

- Must be in writing;
- Must be "timely filed";
- Must clearly identify the shipment;
- Must assert liability;
- Must make a claim for payment of a specified or determinable dollar amount.

To be "timely filed" means that the claim must be filed in writing with the carrier within nine (9) months from either 1) the date of delivery (or in the event of total loss, on the date the shipment should have been delivered), or 2) the date of conversion from Storage in Transit to permanent storage. The shipper can file a claim at any time during these nine (9) months, but not later.

After the shipper files the claim with the carrier, the carrier has thirty (30) days to acknowledge receipt of the claim. The carrier has no obligation to respond immediately after receiving a claim, and it is often in the shipper's best interest not to constantly contact the carrier as this may aggravate the issue. The carrier will need time to review, gather the paperwork, analyze the merits of the claim, and draft a response. The carrier has one hundred and twenty (120) days from receipt of the claim to either pay, decline to pay, or offer a settlement to the shipper. At the end of the one hundred and twenty (120) days, the carrier may receive an extension of an additional sixty (60) days.

When a moving company receives a claim, it should do the following:

1. Provide claim form and open a claims file (must assign a unique claim number)
2. Acknowledge the claim within 30 days
3. Gather information and research the facts
4. Look into potential liability and valuation options
5. Provide shipper with a settlement or compromise offer with a written release form

These rules and timelines have been placed into effect in an attempt to make it fair and reasonable to both the carrier and the shipper.

* This article contains only generalized information and is not intended to be legal advice and no legal advice is hereby given. For more information, please visit <http://www.attorneydavid.com/transportation.html> or <http://www.shipmygoods.com/blog>.