

Appendix 100-C INSTRUCTIONS FOR FILING A CLAIM

Please type or print clearly with a ballpoint pen all the information requested on Claim Form (Exhibit A). The following provides specific instructions for completing each section of the Claim Form:

1. Name and Mailing Address of Claimant: State full name and mailing address of the person/persons claiming damage or injury.
2. Dollar Amount of Claim: State the total amount you are claiming as a result of the alleged damage/injury. If the damage/injury is continuing or is anticipated in the future, indicate with a “+” following the dollar future. If the total amount is unspecified or exceeds ten-thousand dollars (\$10,000), designate the appropriate court jurisdiction for the claim.
3. Date that the Damage/Injury Occur: State the exact month, day, year, and appropriate time (if known) of the incident that cause the alleged damage/injury.

Under State law, claims relating to causes of action for personal injury, wrongful death, property damage and crop damage must be presented to the Board of Directors no later than six (6) months after the incident date. Please note that evidence of “presentation” includes a clear postmark date on an envelope or a certification of personal service.

When filing a claim beyond the six- (6-) month period, the Claimant must explain the reason the claim was not filed within the six- (6-) month period. This explanation is called an “Application for Leave to Present a Late Claim.” In considering the claim, the Board will first decide whether the late claim application should be granted or denied. (See Gov. Code Section 911.4 for the legal acceptable reasons a claim may be filed late.) Only if it is granted will the Board then consider the merits of the claim.

Claims relating to any cause of action other than personal injury, wrongful death, property damage and crop damage must be presented no later than one (1) year after the incident date. See Gov. Code Section 911.2. The following provides specific instructions for completing each section of the Claim Form:

1. Where Did the Damage/Injury Occur? Include the city, county and street address where the damage/injury allegedly occurred.
2. How Did the Damage/Injury Occur? Provide in full detail the circumstances that led up to the incident. Identify all facts that support the claim. Include the name of the agency(ies) and employee(s) that allegedly caused the damage/injury, as well as a specific identification as to any condition of public property that allegedly caused the damage/injury.
3. What Damage/Injury Occurred? Provide in full detail a description of the damage/injury that allegedly resulted from the incident.

4. How was the Amount of the Claim Computed? Provide a breakdown of how the total amount of the claim was computed. The Claimant may declare expenses incurred and/or future, anticipated expenses. If available, copies of all bills, payment receipts and cost estimates must be attached to the claim.
5. Official Notices and Correspondences. Provide the name and mailing address of the person to whom all official notices and other correspondence should be sent, if other than Claimant. This official contact person can be the Claimant or a representative of the Claimant.
6. Signature. The Claim must be signed by the Claimant or by the attorney/representative of the Claimant. The Board will not accept the claim without a proper signature. Gov. Code Section 910.2 provides: "The Claim shall be signed by the Claimant or by some other person on his/her behalf."
7. If more space is required, the Claimant may write or type on separate piece(s) of paper.