

Liability for Damage to Assigned Housing

1. Public law makes military occupants of Government housing units legally responsible for damage to the units, or for damage or loss of Government-issued appliances and furniture. This notice explains the rules which apply to family and permanent party unaccompanied personnel housing. You should read it carefully and keep a copy for your records.

a. First, you can be held pecuniarily liable when your Government housing, appliances, or furnishings are lost, damaged, or destroyed as a result of your negligence or abuse. You are negligent if you act carelessly, or if you are aware that your family members, or those you allow on the premises, are likely to act carelessly and do not take proper steps to prevent or minimize such conduct. Abuse means either willful misconduct or the deliberate unauthorized use of housing, that is, conducting an unauthorized business in the housing unit.

b. Second, the Army has limited your liability to an amount equal to one month's basic pay, unless the damage or loss is caused by your gross neglect or willful misconduct; in such a case, you are liable for the full amount of the damage or loss, which could amount to thousands of dollars. You are grossly negligent if you act in a reckless or wanton manner, or if you are aware that your family members or persons you allow on the premises are likely to act recklessly and you do not take proper steps to prevent or minimize such conduct. In other words, if you know that damage is likely to result from the willful misconduct or reckless behavior of family members or guests, and despite such knowledge, you fail to exercise available opportunities to prevent or limit the damage, you are grossly negligent and will be charged for the full amount of the loss.

c. Third, you are not liable for damage consisting only of fair wear and tear, or caused by an act of God or by the acts of persons other than family members or guests. You are, however, responsible for damage caused by pets belonging to you or your guests.

d. Fourth, special rules for housing-related reports of survey permit commanders to waive claims for damage or loss when such is found to be in the best interests of the United States. This waiver authority is similar to forgiveness of the debt. If you request a waiver and fail to get it, you can appeal the matter through report of survey channels. If unsuccessful, you can seek redress through the Army Board for Correction of Military Records.

2. The purpose of the housing liability law is to let us set limits for your liability and to waive claims in appropriate circumstances. The potentially great liability created by the law makes the question of insurance very important. However, only you can decide whether your potential risks warrant the purchase of insurance. The Army does not require it, but you may want insurance for your own protection and peace of mind.

I have read and understand the policy contained herein.

Name _____

Date _____

Quarters Assignment _____

Occupant Signature