



CLAIMS INFORMATION

Dear Potential Claimant:

If you have suffered damages or injuries for which you believe Provo City is responsible, you may wish to file a claim with the City. It is our goal to make your interaction with Provo City as convenient and understandable as possible. To that end, this letter describes some of the rules and procedures regarding filing such claims.

First of all, it is important to understand that **no employee or representative of the City can determine the City's liability for your damages or injuries until you have filed your claim and received an official response from the City Attorney's Office.** To put this another way, City employees who may respond to the scene of your injury or damage are there to gather information and to provide necessary assistance, but **they do not have the authority to determine or make statements about the City's responsibility for your injuries or damages.**

Also, the City has a financial responsibility to its citizens to handle all claims in a financially prudent manner as claims payouts come from taxpayer dollars. Therefore, if the City agrees to pay on your claim, the following rules apply to determining the value of your damages:

- » If your vehicle was damaged, we require two estimates for the cost of repairs.
[**Exception: If you obtain an estimate from Dynamic Collision in Provo, we do not require a second estimate.]**
- » We reserve the right to send an adjuster to determine the value of the damages. In accordance with industry standards, the adjuster will apply depreciation to the value of your property [**whether it be your home, vehicle, or personal property**] based on its age and condition. The depreciated values will be used to determine the value of your claim. You will be responsible for replacement or repair costs in excess of the depreciated values.
- » Restoration services or repairs should be approved through the City Attorney's Office before they are begun. If you proceed with restoration services or repairs without first obtaining approval, you will be responsible for any costs that would not have been approved.
- » We can often pay the companies involved in any repairs directly. However, please do not direct any company to bill Provo City without prior approval from the Provo City Attorney's Office.
- » If you have suffered damages from water or sewage flooding, please refer to our separate information letter on this topic [**available on our website or from our office**].

To file a claim, you need to fill out a Provo City Claim Form. You may obtain a Claim Form by calling (801) 852-6365, by visiting the Provo City Attorney's Office at 351 W Center St, Provo [**across the hall from the Police Station**], or at our website: Provo.org/legal.claims.html.

Once you have filled out the Claim Form, submit it to the Provo City Attorney's Office along with any documentation supporting your claim and the value of your damages. You may mail the Form to us or drop it off at our office at the address listed above. Under Utah state law, you must submit your Claim Form within 12 months of the event giving rise to the claim.

When we receive your claim, we will conduct an investigation to determine whether we believe the City is liable for your damages or not. If we determine the City is not liable, we will send you written notification that we have denied your claim. If you do not receive a response within 60 days, your claim is considered denied under Utah state law.

If the City decides to make a settlement offer, we will contact you with the details of that offer. If you agree, you will need to sign a settlement letter or release of claims before we release any funds to you. Checks are issued only at the end of each week, and only if the necessary paperwork is completed at the beginning of the week. Therefore, depending on the timing of any settlement negotiations, it may take one to two weeks after an agreement is reached for a check to issue.

If you have any questions about this process, please contact the Provo City Attorney's Office at (801) 852-6365 or (801) 852-6140.

Respectfully,

Gary Millward
Assistant City Attorney



CLAIM FORM

Claimant Full Name _____

OFFICE USE ONLY

Claim # _____

Date Received _____

Claim is hereby made against Provo City for damage and/or injury as follows:

[Attach extra sheets or write on back for full explanation]

1. Date & time of injury/damage _____

2. Place injury/damage _____

[Attach diagram, photographs, videos, or additional information]

3. Cause & circumstances of injury/damage _____

[Attach diagram, videos, or photographs]

4. Name of all person(s) involved, including addresses and phone numbers _____

5. All witnesses of the incident, including addresses and phone numbers _____

6. Nature and extent of injury/damage _____

[Attach documentation of loss]

7. Amount of damages or compensation claimed from Provo City \$ _____

8. If the claimant is a Medicare beneficiary and filing a claim for medical costs due to injuries

provide the following: Date of Birth _____ HICN # _____ Gender _____

[mm/dd/yyyy]

[12 character max]

NOTICE: All particulars above must be specific enough to enable officers of Provo City to find the place and cause of injury.

All claims must be filed within 12 months. All claims not approved within 60 days after filing are deemed denied. If the claim is denied or if the denial period has expired court action must be commenced within one year after denial.

Claimant Signature _____ Date _____

Address _____ Phone # _____

This form is provided for convenience only. Claims against municipalities are governed by the Governmental Immunity Act (Utah Code 63G-7) It is your responsibility to ensure that your claim complies with the requirements of the Act.