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**UNITED STATES AIR FORCE  
BOARD FOR CORRECTION OF MILITARY RECORDS**

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-02686

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**COUNSEL:** NONE

**HEARING REQUESTED:** YES

**APPLICANT’S REQUEST**

He be authorized to submit a claim for loss and damage of his household goods ((HHG)).

**APPLICANT’S CONTENTIONS**

The delay in filing his HHG claim was due to no fault of his own but was due to the government’s mishandling of his HHG and claim filing process. The transportation service provider (TSP) lied to the Air Force and stored his HHG in a truck with a hole in it instead of a storage unit while charging for storage in transit status. Upon delivery to his house, water poured out of the truck and half of his HHG was covered in mold and was damaged by water. Half of his HHG was deemed non-salvageable and thrown away by the TSP and ServPro. The other half deemed salvageable was sent for cleaning, mold mitigation and mold test. The cleaning and mold test took over two and a half years to complete. The TSP did not adjust his move in the Defense Personal Property System (DPS) and updated the shipment was complete.

He was unable to file a claim during the two year window. Further, the personal property shipping office (PPSO) quality assurance (QA) advisor conducted an inspector general (IG) report and noted that until his HHG was delivered, his claim process and window to file would not have started. He was assured until the mold test was complete and his HHG was delivered, he could file a claim. However, upon completion of the Air Force Claims Service Center (AFCSC) mandated mold test, the TSP denied his claim in the DPS stating the two-year window was overdue.

As of this date, he has not signed any documentation for delivery completion. Someone in DPS or the TSP moved his HHG to the delivery completion phase without his signed inventory acknowledgement. The QA advisor would not answer his emails for over 12 months. On 5 Aug 19. He was advised by the military claims adjuster they would receive a check for \$5,000 for the essential items; however, the check was never received. On 13 Aug 19, a joint inspection at the storage facility was conducted and many items were immediately deemed unsalvageable by Serve Pro, hired by the TSP, and a team of various people from the QA office. Many of the non-salvageable items were high value items that were immediately tossed out. Their mattresses were improperly packaged and were exposed to mold spores. The medical issue was addressed to the QA and they developed a plan to have the salvageable and non-salvageable items separated.

On 17 Aug 19, the rescheduled delivery date, additional items were found unsalvageable as water had leaked into boxes. The second batch of non-salvageable HHG items went to mold mitigation. Couches, chairs, mattresses and rugs were deemed unsafe and unsalvageable per their business rules. On 9 Sep 19, he attempted to find out the status of the payment for the essential items and the status of his items with Serv Pro. He was advised that Serv Pro was preparing for Hurricane Dorian and his HHG was not a priority. On 29 Sep 19, he attempted to move his items to claim status but could not see his HHG shipment in DPS. In addition to the violations by the TSP here

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Controlled by: SAF/MRB  
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were extenuating circumstances due to his wife's cancer, Hurricane Dorian and COVID-19 which stopped all in person inspections for months. He could not get anyone to help him. He has yet to receive any payment for essential items and has over \$30,000 of HHGs either damaged or destroyed by mold and disposed of by the warehouse.

The applicant's complete submission is at Exhibit A.

### **STATEMENT OF FACTS**

The applicant is a major (O-4) in the Air Force.

On 26 Jul 19, the applicant was reassigned permanent change of station (PCS) from Fort Hood, TX to Langley AFB, VA.

The Defense Personal Property System (DPS) was updated by the TSP to reflect a scheduled delivery date of 8 Feb 21.

On 16 Feb 22, the TSP informed AFCSC there was no mold. They attempted to deliver the HHG but was refused.

On 14 Apr 22, the TSP contacted the applicant to schedule delivery and delivery with QA inspection for 28 Apr 22. The HQ AFCSC denied the applicant's claim for loss or damaged HHG due to the claim not being submitted within two years.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

### **AIR FORCE EVALUATION**

PPA HQ/LHO recommends granting the request. There is evidence of an injustice committed by the TSP who failed to update the DPS in a manner that would have allowed the applicant to file a claim on his shipment.

The complete advisory opinion, with attachments, is at Exhibit C.

### **APPLICANT'S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 13 Feb 23 for comment (Exhibit D) but has received no response.

### **FINDINGS AND CONCLUSION**

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. The Board concurs with the rationale and recommendation of PPA HQ/LHO and finds a preponderance of the evidence substantiates the applicant's contentions. Therefore, the Board recommends correcting the applicant's records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

**RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show he is authorized to submit a claim for loss or damage to his HHG in conjunction with his Jul 19 permanent change of station (PCS) assignment to Joint Base Langley-Eustis VA. The Headquarters Air Force Claims Service Center (HQ AFCSC) shall accept and process his claim in accordance with the Defense Transportation Regulation.

**CERTIFICATION**

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2022-02686 in Executive Session on 11 Apr 23:

Work-Product, Panel Chair  
Work-Product, Panel Member  
Work-Product, Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 4 Oct 21.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, PPA HQ/LHO, w/atchs, dated 8 Feb 23.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 13 Feb 23.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

9/24/2024

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Board Operations Manager, AFBCMR

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