

**TO: ALL COUNTY PERSONNEL**

**FROM: VERDENIA C. BAKER  
COUNTY ADMINISTRATOR**

**PREPARED BY: RISK MANAGEMENT DEPARTMENT**

**SUBJECT: LOSS OR DAMAGE TO COUNTY PROPERTY**

**PPM #: CW-F-075**

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**ISSUE DATE**  
**April 26, 2021**

**EFFECTIVE DATE**  
**April 26, 2021**

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**PURPOSE:**

To establish the responsibility, authority and control over the reporting, payment, and collection of claims for loss and/or damage to County's property.

**UPDATES:**

Future updates to this PPM are the responsibility of the Manager, Property & Casualty Division under the authority of the Director of the Risk Management Department.

**AUTHORITY:**

- Palm Beach County Administrative Code, Section 306.06 and 308.01 as may be amended.
- PPM #CW-F-048, as may be amended
- PPM #CW-O-007, as may be amended

**DEFINITIONS:**

Property: Includes buildings, furnishings, equipment, automobiles (except as to the valuation basis under Policy) vessels, and aircraft.

Automobiles: Includes vehicles, trailers, semi-trailers and equipment permanently attached thereto.

Third-party: Non-County person or entity.

**POLICY:**

All instances of loss or damage to County's property of \$500 or more must be reported to the Risk Management Department. Claims for damage to, or loss of County's property of \$500 or more, caused by a covered peril, including theft, and insured under the County's Self-Insured

Retention Plan (SIRP) shall be paid. The SIRP shall pay the affected Department, the repair cost of the damaged property, or the replacement cost of property (excluding automobiles) that cannot be repaired or was lost or stolen less a \$500 deductible. Automobiles that cannot be repaired or were lost or stolen are valued on an actual cash value (ACV), not replacement cost value. The SIRP will not pay the affected Department for lost, stolen, or damaged property less than \$500, or not insured.

### **PROCEDURE FOR REPORTING:**

Complete a Property & Liability Accident/Incident or a Vehicle Accident/Incident report. These report forms are available on the intranet under Countywide Forms: <http://pbcportal.pbcgov.org/countwide%20forms/>. Gather relevant back-up documentation such as a repair estimate, photos of damage, invoice for the actual cost to replace the property, etc. Send the completed report with the relevant back-up documentation to the Risk Management Department in accordance with PPM # CW-O-007, and provide the applicable account/fund number. A dedicated email address is available: [Risk-CasualtyReport@pbcgov.org](mailto:Risk-CasualtyReport@pbcgov.org).

### **PROCEDURE FOR PAYMENT:**

Claims for loss or damage to County's property caused by a covered peril and insured under the SIRP shall be paid to the Department less the \$500 deductible upon receipt of a properly completed Property & Liability Accident/Incident or Vehicle Accident/Incident report with the relevant back-up documentation, and the applicable account number to which proceeds are to be credited. *Note: With the exception of totaled vehicles, proof of property replacement must be provided prior to any reimbursement.*

Payments made from the Self-Insurance Fund will be sent to the Finance Department, with back-up documentation, for credit to the proper account.

### **PROCEDURE FOR COLLECTION AGAINST A THIRD-PARTY**

#### Uninsured Property:

For loss or damage to County's property not insured under the SIRP, or less than \$500 caused by the intentional or negligent act of a third-party, the affected Department should pursue recovery directly from the third-party. If not successful, the matter should be referred to the Litigation Team in the County Attorney's Office for review and possible litigation. Details documenting the Department's collection efforts should be included when the matter is referred.

#### Insured Property:

For loss or damage to County's property over \$500 and insured under the SIRP caused by the intentional or negligent acts of a third-party, the Risk Management Department, will either directly, or thru the County's contracted Claims Administrator, pursue a claim for reimbursement

against the third-party. The Department responsible for the lost or damaged property may, as an alternative to referral to the Risk Management Department, pursue its own recovery against the third-party provided such action is commenced quickly and, if not resolved within 90 days, is referred to the Risk Management Department for further action. Details documenting the Department's collection efforts should be included when the matter is referred.

Collection/Restitution from a Third-Party:

If the third-party is responsible for the damage to County property, the Risk Management Department will determine if pursuit of reimbursement is warranted. Where warranted, the Risk Management Department will pursue recovery.

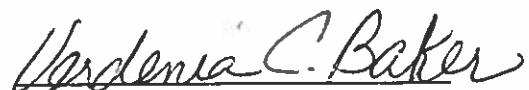
A third-party responsible for damage to County property who is unable to pay his/her obligation in full at one time, but would like to clear his/her debt, may be allowed to make monthly payments on a promissory note.

If the third-party defaults in his/her payments under a promissory note, or collection efforts are otherwise unsuccessful, the Risk Management Department may discontinue collection efforts or refer the claim to the Litigation Team in the County Attorney's Office for legal action. If a judgment is obtained, the Risk Management Department will refer the matter to the Collections Coordinator in the Office of Financial Management and Budget to attempt collection of the award. If, after one year, the judgment is uncollected, the case may be turned over to a collection agency for further action.

In situations where the third-party is charged with a felony, and restitution is ordered, the Risk Management Department will work with the State Attorney's Office and file a Request for Restitution to be included in any court proceeding against the third-party.

In situations where fault is comparative or questionable, to affect timely resolution without the costs and uncertainty of court proceedings, the County Attorney's Office and Director of the Risk Management Department and/or his/her designees are authorized to agree to compromised settlements.

Payments received from third-parties shall be credited to the Casualty Self-Insured Fund account.

  
**VERDENIA C. BAKER**  
**COUNTY ADMINISTRATOR**

Supersession History:

PPM # CW-F-001 effective 7/1/1992  
PPM # CW-F-075 effective 2/1/2008  
PPM # CW-F-075 effective 5/13/2013  
PPM # CW-F-075 effective 6/27/2018