

Department for

**Regional  
Development**

www.drdni.gov.uk

AN ROINN

**Forbartha Réigiúnaí**

MÄNNYSTRIE FÜR

**Kintra Pairts Fordèrin**

**FOR OFFICIAL USE ONLY**

Ref No:

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## Claim for Property Damage Compensation

(Please read the attached Information Leaflet carefully before completing this form)

Please help us to assess your claim for compensation as quickly as possible by providing as much information about the incident as you can. Failure to complete this form fully may cause a delay in dealing with your claim if further information has to be requested. **(PLEASE USE BLOCK LETTERS AND BLACK INK)**

The issue or acceptance of this form does not imply any acceptance of liability by the Department.

### 1. Please give your full name and address

Title: Miss / Ms / Mrs / Mr / Dr
Full Name _____
Company Name _____
<i>(if applicable)</i>
Address _____
_____
_____ Postcode _____
Telephone No _____

### 2. Your Date of Birth

D	D		M	M		Y	Y	Y	Y

### 3. Please give full name and address of solicitor or other representative who may be acting for you.

Name _____
Address _____
_____
_____ Postcode _____
Telephone No _____

Tá an fhoirm éilimh seo ar fáil i nGaeilge fosta. Déan teagmháil linn, le do thoil. Tá na mionsonruithe teagmhála ar fad ann ag bun na foirme seo.

**Details of Incident**

**4. State date and time of incident**

Date \_\_\_\_\_ Time \_\_\_\_\_ am/pm

**5. Have you claimed damages for this property/address before?**

YES

NO

**6. If 'YES' please give date(s) and claim number(s) if known**

Incident Date \_\_\_\_\_

Claim Number \_\_\_\_\_

Incident Date \_\_\_\_\_

Claim Number \_\_\_\_\_

**7. How was the damage caused?**

Burst Watermain / Sewer Overflow / Other (Delete as appropriate)

IF 'OTHER' please give details \_\_\_\_\_

**8. Witnesses**

Please state name(s) and address(es) of any witnesses to the incident

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Postcode \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Postcode \_\_\_\_\_

**Details of Incident**

**9. Address of damaged property**

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ Postcode \_\_\_\_\_  
 Daytime telephone number: \_\_\_\_\_

Is the land agricultural?

YES  NO

If 'Yes' please state the acreage and/or crops damaged and the value of each prior to the incident

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**10. Which of the following are you claiming for?**

Building / Contents / Stock / Fixtures & Fittings / Consequential Loss / Demolition / Other (Delete as appropriate)

If 'OTHER' please give details \_\_\_\_\_

If damage is to anything other than contents/personal property please forward an estimate giving details of the replacement cost and the repairs necessary. Details of damage room by room (if applicable) is required.

**11. Details of contents/personal property**

Please give details of contents and/or personal effects damaged together with dates of purchase and if possible receipts of the purchase (The proforma may be helpful).

ITEM	QTY	ESTIMATED VALUE	MANUFACTURER'S NAME	DATE OF PURCHASE
DUVET SETS				
SHEET(S)				
TOWEL(S)				
TEA TOWEL(S)				
COAT/JACKET(S)				
SHIRT(S)				
BLOUSE(S)				
TROUSERS				
JEANS				
DRESS(ES)				
SKIRT(S)				
T-SHIRT(S)				
KNITWEAR				
PYJAMAS				
NIGHTDRESS(ES)				
UNDERWEAR				
OTHERS				

**All damaged items MUST be retained by you for inspection by us. Failure to do so could jeopardise your claim. Please continue overleaf and sign**

**Claim**

**12. Have you lodged a claim for this incident with your insurance company or any other person or body or have you applied for any emergency loans or grants?**

<input type="checkbox"/> YES	<input type="checkbox"/> NO
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If 'YES' please state the name and address of the person or body and any reference number

Name _____
Address _____
_____
_____ Postcode _____
Ref/Policy Number _____

**VAT**

**13. Are you VAT registered?**

<input type="checkbox"/> YES	<input type="checkbox"/> NO
VAT Registration Number _____	

**14.** Thank you for completing the previous details. We will now have your claim assessed and let you know the outcome as soon as possible, but this process takes an average six months to conclude. This is explained further in the attached guidance.

The information provided on this form may be made available to other Departments/Agencies for the purpose of preventing or detecting crime.

**Please now read the declaration below and sign your claim and send it to either of the offices listed below.**

In the circumstances stated, I now claim compensation from the Department for Regional Development. I am willing, if requested, to meet a representative of the Department in relation to my claim.

I understand that it is the Department's duty to refer all suspected fraudulent claims to the Police Service of Northern Ireland and that if the Department has any concerns about this claim, this claim form and all supporting documentation will be passed to the Police Service of Northern Ireland Fraud Squad.

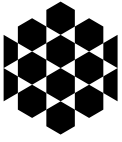
Signed _____	Date _____
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We would like to acknowledge receipt of your claim as soon as possible. In order that we may do so, please complete the acknowledgement slip overleaf by inserting your name and address in the space provided. It will be returned to you by 2nd class post.

You may return the form to either of our offices as follows:

**Belfast:** Clarence Court  
10/18 Adelaide Street  
Belfast BT2 8GB  
Telephone: 028 90540540

**Londonderry:** Orchard House  
40 Foyle Street  
Londonderry BT42 6AT  
Telephone: 028 71319900



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## ACKNOWLEDGEMENT SLIP

Name _____
Address _____
_____
_____ Postcode _____

### FOR OFFICAL USE ONLY

I wish to acknowledge receipt of your claim for compensation in respect of property damage which was received on

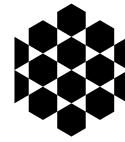
\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

We will write again shortly giving you a reference number that you may quote in any further correspondence with us.

Signed

***Central Claims Unit***

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_



## **CLAIMING AGAINST THE DRD FOR PROPERTY DAMAGE INFORMATION LEAFLET**

**(Please detach and retain for future reference)**

### **Introduction**

The Central Claims Unit is responsible for processing all public liability claims against the Department for Regional Development. You may claim compensation against the Department for property damage resulting from the Department's failure to execute its statutory functions.

### **Is compensation automatically guaranteed?**

**Compensation is not automatically guaranteed.** Compensation can only be offered if it can be shown that the Department failed to carry out its statutory duty under the Roads (NI) Order 1993 or was negligent in some other way. Despite what has happened the Department will have a defence against your claim when it can show that it acted reasonably and was not negligent in its operations. This principle has long been accepted in numerous Courts throughout Northern Ireland. This is why every claim must be thoroughly investigated to establish whether or not the Department has been negligent.

### **How do I claim?**

In order to claim, it is necessary for you to complete and sign the attached claim form and return it to the Central Claims Unit together with receipt/estimates for the damage caused.

### **Will someone inspect my damaged property?**

It may well be necessary for a representative of the Department to inspect the damage to your property. In some cases the Department will employ the services of an independent loss adjuster who will visit you to examine the damage and advise the Department about the financial aspects of your claim. Such visits however do not in any way infer acceptance of liability by the Department but are intended to save time when the issue of liability is decided.

**Please retain all your damaged property for inspection and contact the Department before you dispose of any items for which you are claiming compensation.**

### **Timescale**

The **average timescale for a decision to be taken on a claim is approximately 6 months.** Where there has been internal flooding of dwelling areas, every effort will be made to reach a decision on such a claim, within 6 weeks of receiving it.

Unfortunately, the Department cannot influence the timescale of responses from other parties. To thoroughly investigate your claim, CCU must check the following:

- 1 Inspection and repair records
- 2 Other records, (e.g. public complaints)
- 3 Whether or not a Contractor or Service Authority is involved.

These investigations can take some time, therefore your patience is appreciated.

## **Decision on Liability**

Once your claim has been thoroughly investigated, a decision is taken whether to settle it, reject it or refer it to another party, e.g. Contractor. If the decision is to settle your claim, please note that the amount of compensation offered will be an amount estimated to return your property to the condition it was in immediately prior to the damage. There is no legal entitlement to “new for old” therefore the amount of compensation claimed may be reduced to take account of betterment you received from the replaced new property items.

## **Contractor involvement**

From investigations, it may be established that a contractor is responsible for the damage in question. Any Contractor employed by the Department for Regional Development indemnifies the Department against claims of this nature. If CCU is satisfied that the Contractor is responsible for the damage in question, we will notify you and refer your claim to the Contractor.

## **Fraudulent Claims**

It is the Department’s duty to refer suspected fraudulent claims to the Police Service of Northern Ireland for further investigation and, if appropriate, prosecution.

## **Internal Complaints Procedure**

If, during or after, the processing of a claim, you wish to complain about any aspect of the Unit’s service or treatment of your claim (i.e. how we have handled the case), you should send full details to:

The Claims Manager  
Department for Regional Development  
Central Claims Unit,  
Clarence Court,  
10/18 Adelaide Street,  
Belfast,  
BT2 8GB

Your complaint will be investigated and a reply will be sent to you within two weeks. However, complaints about the Department’s decision will not be accepted since the proper and appropriate method to challenge a legal decision of the Department is through the legal process by issuing court proceedings through your solicitor.

## **Parliamentary Commissioner for Administration**

Our internal complaints procedure is not a substitute for your right to complain to the Parliamentary Commissioner for Administration (the Ombudsman). You should note, however, that the Commissioner will normally expect you to have used our own procedure before your complaint is accepted.

The **Commissioner’s** address is:

The Ombudsman’s Office	or	The Ombudsman
33 Wellington Place		Freepost
BELFAST		BELFAST
BT1 6HN		BT1 6BR

Tel: (028) 9023 3821 or 0800 343 424