



## How to File a Claim for Damages to Person or Property Against the City of Ventura

All Claims filed against the City must be properly filed with the City Clerk's Office, in hard copy, on the City-produced Claim Form. The Claim Form is available for download on the City's website or may be obtained from the City Clerk's Office at Ventura City Hall, 501 Poli Street, Room 204, Ventura CA 93001.

Completed claim forms must be filed with an original signature at the office of the City Clerk, and should include estimates, receipts and/or photographs supporting the loss.

Claims for Damages Against the City must be filed no later than six months or 182 days, whichever is longer, from the date of occurrence (State's statute of limitations). For real property claims, filing must occur within one year.

When filing a claim beyond the six-month period, you must explain the reason the claim was not filed within the six-month period. This explanation is called an "Application for Leave to Present a Late Claim." In considering your claim, the City will first decide whether the late claim application would be granted or denied. (See Government Code Section 911.4 for the legal/acceptable reasons a claim may be filed late.) Only if it is granted will the City then consider the merits of the claim.

Claims relating to any cause of action other than personal injury, wrongful death, property damage and crop damage must be presented no later than one year after the incident date. (See Government Code Section 911.2.)

Claim filings are forwarded to Risk Management by the City Clerk's office. Your claim will be investigated and processed by the City. The process may take up to 8 weeks. Once a decision has been made, the claimant will be contacted.

For additional information on submitting a claim, please contact the City Clerk's Office at (805) 658-4787.

For Additional information on the status of a claim, please contact Risk Management at (805) 654-7833.

## **REQUIRED INFORMATION - CLAIMS FOR DAMAGES TO PERSON OR PROPERTY FORM**

Please complete all of the information requested on the "Claim for Damages to Person or Property" form with a ballpoint pen or typed. Contact the City Clerk for any special accommodation requests. If you need more space, please write on the back of the claim form or separate piece(s) of paper. The following provides specific instructions for completing each section of the claim form:

1. State the Name of Claimant, Social Security or Tax Identification Number, if filed by an organization, Date of Birth of Claimant, Home Address, and Home Telephone Number of the person/persons or organization claiming damage or injury. If filing on behalf of a claimant, please complete, sign and date the Representative Information Section on Page 3. Any official notices and correspondence will be directed to the Representative, if applicable.
2. Indicate if the claim is being filed on behalf of a minor. State the relationship to the minor along with the minor's date of birth.
3. Description of Occurrence or Event from Which the Claim Arises:
  - ✓ State the exact month, day, year and approximate time (if known) of the incident which caused the alleged damage/injury.
  - ✓ How Did the Damage/Injury Occur? Provide in full detail the circumstances that led up to the incident. Identify ALL FACTS which support the claim. Include the actions by the City or its employees that caused the alleged damage/injury, as well as a specific identification as to any condition of public property that allegedly caused the damage/injury.
  - ✓ Where Did the Damage/Injury Occur? Include the city, county and street address where the damage/injury allegedly occurred.
  - ✓ What Damage/Injury Occurred? Provide in full detail a description of the damage/injury that allegedly resulted from the incident.
  - ✓ Owner of Damaged Property: Name and address of the owner of any damaged property occurring as the result of the alleged incident, along with proof of ownership.
  - ✓ Damages Claimed: State the total amount you are claiming as result of the alleged damage/injury. If damage/injury is continuing or is anticipated in the future, indicate with a "+" following the dollar figure. If the total amount is unspecified or exceeds \$10,000, designate the appropriate court jurisdiction for the claim. Provide a breakdown of how the total amount that you are claiming was computed. You may declare expenses incurred and/or anticipated future expenses. If available, please attach to your claim copies of all bills, payment receipts and cost estimates.

4. Insurance Information must be completed if claim involved a motor vehicle. If you received any payments from an insurance company related to this claim, list the name of the insurance company.
5. Indicate if the damage and/or injury were investigated by the police. If so, name officers involved and whether paramedics or ambulance were called. If so, the name of the company. If injured, please also provide the date, time, and address of your first doctor's visit, along with the doctor's name.
6. Witnesses, Treatment Facilities, Etc.: List the names and addresses of all witnesses, doctors, hospitals, etc.
7. Additional Information: List any additional information that might be helpful in considering the claim.
8. Signature: The claim must be signed by the Claimant or by the attorney/representative of the Claimant. The City will not accept the claim without a proper signature. Government Code Section 910.2 provides: "The claim shall be signed by the Claimant or by some person on his/her behalf."