

RULE 196 - CLAIMS PROCESS

A claim for recovery of any money paid under protest, or damages, shall be filed in writing with the General Manager by claimant or by claimant's guardian, executor, conservator or administrator no later than three hundred and sixty five (365) days after the date the payment was made. A claimant may apply for leave to present a claim after the one-year statute runs, but the District holds discretion to grant or deny the request.

Each claim shall be deemed to be filed on the date of actual receipt by the General Manager. Each claim shall include the following information:

1. Claimant's name and address and, if applicable, the address of claimant's guardian, executor, conservator or administrator;
2. The address to which the Person presenting the claim desires notices to be sent;
3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted;
4. A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of presentation of the claim with sufficient specificity to enable the District to understand and evaluate the claim;
5. The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in this claim. However, it shall indicate whether the claim would be a limited civil case;
6. The address(es) and Assessor's Parcel Number(s) (APN) of each property to which the claim payment may be applicable;
7. The signature of each claimant (or the signature of each claimant's guardian, executor, conservator, or administrator) together with a contemporaneous statement that the information on the claim has been provided under penalty of perjury.

Rule added by Ordinance No. 130 (10/15/2007)