

DC OFFICE OF RISK MANAGEMENT

Guide to Tort Liability



Revised September 2015

WHAT IS THE TORT LIABILITY DIVISION?

The Tort Liability Division investigates and resolves claims filed against the District of Columbia pursuant to D.C. Code § 12-309. Individuals can file a tort claim against the District for unliquidated losses (property damage or personal injury) arising out of the actions or inactions of the District and/or its employees.

WHAT IS A TORT?

A tort is a civil wrong, other than breach of contract, for which a remedy may be obtained, usually in the form of damages. This includes a breach of duty that the law imposes on persons who stand in a particular relation to one another. (*Black's Law Dictionary, 8th Edition*).

NOTICE OF CLAIM: D.C. CODE § 12-309

According to D.C. Code § 12-309, “[a]n action may not be maintained against the District of Columbia for unliquidated damages to person or property unless the claimant, his agent, or attorney, has given notice within six months after the incident in writing to the Mayor of the District of Columbia or ORM detailing the approximate time, place, cause, and circumstances of the injury or damage.”

In other words, claimants have six months from the date of the incident to file a claim with the District of Columbia. Claims filed after this period of time will be denied for failing to meet the requirements of this law.

WHAT ARE EXAMPLES OF CLAIMS THAT CAN BE REPORTED?

- Pothole accidents
- Auto collisions with District Government vehicles
- Damaged property due to fallen trees
- Injury caused by the District of Columbia government, its property or its employees

HOW TO FILE A CLAIM:

Claims are accepted in writing by hand delivery and mail at:

District of Columbia Office of Risk Management
Tort Liability Division
441 4th Street N.W., Suite 800 S
Washington, D.C. 20001

The notice of claim should contain the following information:

- **Claimant's Identifying Information**
 - **Name**
 - **Address**
 - **Phone number(s)**
 - **Date of Birth**
 - **Social Security Number**
 - **Business Tax ID number (if applicable)**
 - **E-mail address**

- **Date and approximate of loss**

- **Location of loss**

- **Cause of damage or injury**

- **Nature of loss and other relevant facts**

- **Monetary demand**

- **Documentary records/evidence/proof of loss, such as:**
 - **Any police report or other reports related to the incident**

 - **Documents showing ownership at the time of the damage and original cost of damaged items**

 - **Invoices or estimates for repairs**

 - **Proof of payment for repairs made to the vehicle**

 - **Medical bills and/or medical reports**

Facilitate an expeditious processing of your claim by submitting relevant evidence, records and information at the time you submit your claim or immediately upon request during the investigation of the claim for the determination on loss.

LEARN MORE:

For more information on how to file a claim or to download the claims notification form, please visit our website at <http://orm.dc.gov>

CONTACT US:

**District of Columbia
Office of Risk Management
Tort Liability Division
441 4th Street N.W., Suite 800 S
Washington, D.C. 20001
Phone: (202) 727-8600
Fax: (202) 727-0249**