



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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March 28, 2012

CBCA 2671-RELO

In the Matter of DONNELL BROWN

Donnell Brown, San Antonio, TX, Claimant.

Brett L. Coakley, Air Force Claims Service Center, Department of the Air Force, Dayton, OH, appearing for Department of the Air Force.

**STERN**, Board Judge.

Claimant is a civilian employee with the United States Air Force. Claimant was transferred from Georgia to Texas. In conjunction with the move, claimant had his household goods shipped at government expense. During the course of the move, some of the goods were damaged and claimant filed a claim with the Air Force for damage and loss to the property. A portion of the claim was denied on the basis that claimant had failed to provide the carrier the requisite seventy-five days notice of the loss or damage. Claimant appeals the denial of the claim to the Board.

The Board has jurisdiction to settle claims for expenses incident to a transfer of an official duty station. The claim for the loss to claimant's property is one of tort not a claim for an expense incident to a transfer. The resolution of tort claims is covered by the Military Personnel and Civilian Employees' Claims Act, 31 U.S.C. § 3721 (2006). We have no jurisdiction over such claims. *See David DeSchoolmeester*, CBCA 1942-RELO, 10-1 BCA ¶ 34,411; *Charles A. Miller*, GSBICA 13679-RELO, et al., 97-1 BCA ¶ 28,865, at 143,997.

Decision

The case is dismissed.

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JAMES L. STERN  
Board Judge