

## Incomplete Financial Liability Investigation of Property Loss

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1. PURPOSE. To provide information on common errors in Financial Liability Investigations of Property Loss (FLIPL) that render the FLIPLs incomplete or legally objectionable

2. FACTS.

a. Common errors in FLIPLs are administrative defects on the FLIPL form and the failure of FLIPL investigating officers (IO) to establish negligence and causation IAW AR 735-5, Policies and Procedures for Property Accountability, Chapter 13.

b. The Figures found in Chapter 13 provide detailed instructions for supply sergeants, FLIPL IOs, and commanders to fill out the DD Form 200, Financial Liability Investigation of Property Loss.

c. Before a person can be held financially liable, the facts must show that he or she, through negligence or willful misconduct, violated a particular duty involving the care of the property. Definitions of negligence and willful misconduct are found in paragraph 13-29b.

d. When a financial charge is recommended against an individual (respondent), that respondent must be notified of his/her rights IAW paragraph 13-42 and be given the opportunity to respond. If a response is provided within the time constraints, the FLIPL IO must take action IAW paragraph 13-35. If the FLIPL was mailed to the respondent, the FLIPL IO must attach a copy of the certified mail receipt.

e. The FLIPL IO must compute the actual loss to the government when property is lost, damaged, or destroyed. Appendix B provides information on determining the value of the property and the cost of repairs. FLIPL IOs must depreciate property values if appropriate.

f. The Administrative Law Division is available to brief FLIPL IOs and provide guidance on the FLIPL system.