

HOW TO FILE A TORT CLAIM

Please be advised that under state law, you must file a written notice of the claim which states the time the incident took place, the location where the incident took place, and the circumstances which gave rise to the claim. Include all information needed to allow the City to conduct an investigation and the amount of compensation or other relief you are requesting from the City. Documentation of the damage or injury is helpful in meeting this last requirement. Include three (3) estimates of repair/replacement in cases of property damage. Without this information, it is impossible to properly evaluate the claim and make a determination.

We ask that you submit your claim promptly, but in any event, in order to comply with the law, your claim must be submitted no later than one (1) year from the date of the loss, together with any supporting documentation of damages you may have.

Also, fully complete the “Amount of Claim” section on the enclosed Notice of Tort Claim. The amount that you specify as the “Total” will be the total amount of money the City will consider paying on this claim. Once the claim is settled, the City will not consider paying for damages that you failed to include on the original claim form even if you did not discover those damages before settling your claim.

Upon completion, please forward all information to the City of Broken Arrow, Legal Department, P.O. Box 610, Broken Arrow, Oklahoma 74013. Upon receipt, your claim will be forwarded to the Risk Management Division for investigation.

All Tort Claims are governed by the provisions of the *Governmental Tort Claims Act (Title 51 Oklahoma Statutes §§ 151-171)*. This act allows the City 90 days to investigate your claim before you can file suit against the City. State law also provides that a claim is deemed denied if a political subdivision fails to approve the claim within ninety (90) days.

If you have any questions, please contact the City Attorney’s office at (918) 259-8422 or the Risk Management Division, (918) 259-6500.

This correspondence does not in any way extend or waive the Statute of Limitations provided by State