



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: American Van Services, Inc.

File: B-250188

Date: March 4, 1993

DIGEST

The General Accounting Office will not question an agency's calculation of the value of damages to items in a shipment of household goods unless the carrier presents clear and convincing evidence that the agency's calculation was unreasonable.

DECISION

American Van Services, Inc., requests review of our Claims Group's settlement disallowing its claim for a refund of \$183.57, the amount set off by the Air Force to recover for damages to a service member's household goods.¹ We affirm the Claims Group's settlement.

American disputes its liability for five damaged items. For a coffee table (item 345), a sofa (item 350), and two chairs (items 358 and 359), the carrier complains that the repair estimates furnished by the shipper do not specify the repairs needed, so that the repairs actually might be to correct damage that existed before American picked up the items. For the fifth item, a pole lamp (item 351), the carrier contends that the Air Force, in assessing American the replacement cost (less depreciation), failed to prove the lamp's age and value and that the lamp could not be repaired.

Our Claims Group endorsed the Air Force's view that the record established a prima facie case against American, and that the repair estimates for the first four items, and the replacement cost provided for the lamp, supported the set-off. We agree.

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¹The move was accomplished under Personal Property Government Bill of Lading RP-206,539.

clear and convincing evidence from the carrier that the agency acted unreasonably. Ambassador Van Lines, Inc., B-249072, Oct. 30, 1992. The record shows that the Air Force confirmed with the company that provided the repair estimates that the estimates were to fix only the transit damage to the coffee table, sofa, and chairs. American merely disputes the estimates without any supporting evidence; it has provided no repair estimates in rebuttal. The carrier also has offered no evidence to rebut the Air Force's assessment for the lamp.

The Claims Group's settlement is affirmed.

James F. Hinchman
James F. Hinchman
General Counsel