



## Claim Against the City of Berkeley for Refund of Money Paid

### CLAIM FILING PROCEDURES

1. Please read this instruction sheet carefully before completing the claim form. Then fill out the claim form as completely as possible. **Incomplete forms may delay the processing of your claim or result in its denial.**
2. You have **1-year** from the date of payment under protest to file a claim. (Government Code Section 935; BMC Chapter 7.20.) If you wish to file a claim after the 1-year filing period, you must petition the City Attorney by letter for permission to file a late claim, explaining why the claim is late and why it should be accepted. In order to process a claim, proof of payment of fees or taxes must be submitted with your claim. Proof of payment may be in the form of cancelled checks, bank statements, copies of cash receipts, etc.
3. Please file all claims with the **City of Berkeley Revenue Collection Division, 1947 Center Street, Berkeley, California 94704**. Claims may also be filed in the City Attorney's Office, 2180 Milvia Street, 4<sup>th</sup> Floor, Berkeley 94704 or City Clerk's Office at 2180 Milvia Street, 1<sup>st</sup> Floor. *Please file your claim at one of these locations. Please keep copies of your claim and all attachments for your records. If filing in person, the City will copy only the front page of the completed claim, which will be date stamped as your confirmation of the filing. The claimant must copy all other attachments.*
4. After receipt of your claim and a subsequent investigation, your claim may either be honored or denied. You will be informed of the City's decision by mail usually within **45 days** from the filing date of the claim. Although we try to respond within the allowable time frame, in some instances we may take longer.
5. If your claim is honored, a Release of Claim form will be sent to you. Once the signed release is returned, your claim will be processed for payment and a check will be mailed to the address indicated on your claim form within 2 – 3 weeks from the date the signed release is received. **RELEASES MUST BE SIGNED IN THE PRESENCE OF A WITNESS (FURTHER EXPLANATION INCLUDED ON RELEASE FORM)**
6. If your claim is denied, you will have **6 months** from the date of the notice of denial to file a lawsuit against the City of Berkeley in the appropriate court. (Government Code Section 945.6; BMC Chapter 7.20.)

If the claim does not exceed **\$5,000** (and only after receipt of the denial letter or if you have not heard from the City of Berkeley within **45 days** from the filing date of the claim), you may file in **Small Claims Court located at 2120 Martin Luther King, Jr. Way in Berkeley.**

If you have questions, please contact the City of Berkeley Customer Service Division at (510) 981-7200.