

**BY ORDER OF THE COMMANDER,
35TH FIGHTER WING**

35 FIGHTER WING INSTRUCTION 32-9001

11 MARCH 1998

Civil Engineering



**DAMAGE TO REAL PROPERTY OTHER THAN
ORDINARY WEAR AND TEAR**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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Supersedes 35 FWI 32-9001, 2 May 95

Pages: 5
Distribution: F

This instruction implements AFD 32-90, Real Property Management, and sets up procedures for protecting US Government investment in real property assets when such assets are damaged as a result of willful misconduct, simple negligence, gross negligence, or deliberate unauthorized use. It sets up procedures for processing reimbursable work requests or work orders and collecting monies resulting from such work requests or work orders. This instruction applies to all assigned, attached, or associate units at Misawa Air Base and personnel who occupy or use facilities located on or under the jurisdiction of Misawa Air Base.

SUMMARY OF REVISIONS

This document is substantially revised and must be completely reviewed.

This instruction was reaccomplished to coincide with new publication format requirements and to update the 35 FW/CC signature block.

1. References.

1.1. AFI 32-6001, Family Housing Management, regarding damages to military family housing, AFM 67-1, USAF Supply Manual, with regard to determining costs, and AFM 23-220, Reports of Survey for Air Force Property, with regard to reports of survey.

2. Terms Explained.

2.1. Custodian: Real property user or occupant charged with responsibility for care, custody, and protection of assigned real property record with the respective civil engineer zone customer service unit (35 CES/CEOF zones 1 thru 3).

2.2. Occupant: A person who occupies or has signed for military family housing quarters.

2.3. Real property: Land, buildings, facilities, improvements, and structures permanently attached to, integrated with, or built into facilities under the control of the United States Air Force.

2.4. The general state law definition of "Ordinary Wear and Tear" is: "Gradual deterioration of property which results from reasonable, ordinary use over an extended period of time. This does not include any deterioration or destruction caused by accidents, negligent acts, willful acts, abuse, or misuse.

3. Procedures.

3.1. Custodian (or alternate): When custodians find damage, other than fair wear and tear or loss, has occurred to real property (includes military family housing (MFH) occupants), they immediately initiate an AF Form 332, Base Civil Engineer Work Request, according to instructions contained on the reverse side of the form. Include in item 27 of the AF Form 332, the name, grade, and organization of who is believed to be responsible for the damage. The custodian will sign the AF Form 332 (block 13) and forward it to the respective civil engineer zone customer service unit (35 CES/CEOF zones 1 thru 3). Provide an information copy of the work request to the commander of each individual identified in item 27.

3.2. The 35 CES craftsman: When custodians find damage, other than ordinary wear and tear or loss, has occurred to real property (includes MFH occupants), they immediately initiate AF Form 332, according to instructions contained on the reverse side of the form. If damage is found to real property that may be other than ordinary wear and tear, report it to the respective civil engineer zone customer service unit (35 CES/CEOF zones 1 thru 3).

3.3. The 35th Civil Engineer Squadron, Housing Management Office: If the housing inspector discovers damage in MFH facilities, the inspector will inform the occupant of procedures necessary for reimbursement. If the occupant does not voluntarily accept responsibility for the damage, the Housing Management Office will contact the occupant's unit commander for action as outlined in this instruction.

3.4. The 35th Civil Engineer Squadron Zone Customer Service Unit: When a work request for base facilities is received indicating damage to government property other than ordinary wear and tear, a memorandum (**Attachment 1**), is prepared and forwarded to the commander of the real property custodian or individual identified in item 27 of the AF Form 332. Zone customer service units maintain a copy of AF Form 332 in suspense until action has been taken by the responsible organization commander to have reimbursement made or report of survey completed. When a work request for MFH facilities is received, the zone customer service unit or inspector will be contacted to make initial inspection of the damage and to inform the occupant of procedures for reimbursement in accordance with AFI 32-6001.

3.5. Squadron and Associate Unit Commanders:

3.5.1. When commanders receive a memorandum reporting damage to real property, they must advise the real property custodian or the person suspected of causing the damage, in writing (**Attachment 2**), that they may elect to:

3.5.1.1. Voluntarily fix the damage themselves or hire qualified craftsmen at their own expense. Do all repairs according to Air Force standards, subject to the interpretation of the Base Civil Engineer (BCE) inspectors.

3.5.1.2. Voluntarily pay the government for the actual or estimated cost of repairs or replacement. Individuals (if not scheduled to depart this station within 90 days) who accept responsibility for the damaged or lost property and desire to pay the actual cost should return the report to CE, requesting the actual cost be provided with a statement of the individual's desire or intent to reimburse the government.

3.5.1.3. Refusal to accept responsibility for damage or loss. When the real property custodian or the person suspected of causing the damage refuses to accept liability for the damage, the commander will initiate a DD Form 200, Financial Liability Investigation of Property Loss. The commander will notify the BCE when the report of survey has progressed to a point where accomplishment of the repair work will not interfere with the investigation being conducted. Forward two copies of the completed report of survey to the zone customer service unit, who will then forward a copy to the Real Estate Management Office.

3.5.2. If liability cannot be determined and the real property custodian is not scheduled to depart this station within 90 days, the commander may return the inspector's report and request complete reimbursement of actual cost before the report of survey is conducted.

3.5.3. The commander, with assistance from the staff judge advocate, determines if disciplinary action is warranted under the Manual for Courts Martial and the Uniform Code of Military Justice. Civilian employees may be subject to disciplinary action as appropriate.

3.6. Responsible individual:

3.6.1. If personal accomplishment is elected, the individual will notify the Self-Help Store via AF Form 332, before work begins, so customer-procured materials can be approved. Self-Help Store personnel will inspect to ensure the work conforms to Air Force standards. All repairs or replacements must be done in 15 days unless an extension is granted by the BCE.

3.6.2. If reimbursement is elected, prepare DD Form 1131, Cash Collection Voucher, or DD Form 362, Statement of Charges for Government Property Lost, Damaged or Destroyed, on notification by the commander. Forms and assistance are available at the zone customer service unit or the Housing Management Office, whichever is applicable. Add the following statement on the voucher: "Used in lieu of a report of survey. I accept responsibility for damaged or lost real property and voluntarily reimburse the government for such damage or loss." Return two copies of the voucher to the zone customer service unit or the Housing Management Office, whichever is applicable. Zone customer service will forward a copy to the Real Estate Management Office. Hand-carry the voucher for damaged or lost real property resulting from fires to the Base Fire Chief. Officers accepting responsibility, but not offering cash settlement, may execute DD Form 114, Military Pay Order, authorizing a deduction from pay.

BRUCE A. WRIGHT, Brigadier General, USAF
Commander

Attachment 1**DAMAGE TO REAL PROPERTY OTHER THAN ORDINARY WEAR AND TEAR**

MEMORANDUM FOR _____

FROM:

SUBJECT: Damage to Real Property Other Than Ordinary Wear and Tear

1. As stated by attached memorandum, damage to real property under your responsibility has been reported to me.
2. To properly close this matter, you must take one of the following actions:
 - a. Voluntarily repair the damage personally or by hiring a qualified craftsman at your own expense, after Base Civil Engineer approval.
 - b. Voluntarily repay the US Government for the actual or estimated cost of repairs of replacement by:
 - (1) Originating a DD Form 1131, Cash Collection Voucher, and pay the finance officer. Attach a copy of the receipt to this letter and hand-carry to the appropriate zone customer service unit.
 - (2) Originating and signing a DD Form 114, Military Pay Order (in cases pertaining to officers or warrant officers), authorizing deduction from pay. Attach a copy of the voucher to this memorandum; hand-carry it to the finance officer and to the appropriate zone customer service unit.
 - c. Refuse to accept responsibility for damages to the property.
3. Such action must be taken by _____.
4. I have asked the Base Civil Engineer to inform me of any delay on your part in closing this matter.

Signature of Organization Commander

Attachment 2

REPORT OF DAMAGES TO REAL PROPERTY BEYOND ORDINARY WEAR AND TEAR

MEMORANDUM FOR _____

FROM: 35 CES/CC

SUBJECT: Report of Damages to Real Property Other Than Ordinary Wear and Tear

1. On _____, we inspected/received _____ and identified damages which we believe to be beyond ordinary wear and tear.

2. Location: _____

3. Building Custodian: _____

4. Extent of damages: _____

5. Request you take action as outlined in 35 FWI 32-9001 so proper reimbursement for damages can be made.

J. PARKE K. SMITH, Lt Col, USAF
Commander, 35th Civil Engineering