

# Frequently Asked Questions

**Q.** How long do I have to file a claim?

**A.** Claims are required to be filed within six months of the date of injury or property damage. Claims should be filed as soon as possible to allow for investigation.

**Q.** Does the City have a set amount for different types of claims?

**A.** Each claim is different and must be carefully investigated. A decision will be made based on what happened, the extent of damages, the law and other factors.

**Q.** Is the City legally liable for all types of claims?

**A.** No. Each claim will be thoroughly reviewed by Risk Management and the City's third party administrator.

**Q.** Should I hire a lawyer?

**A.** It is not necessary to hire a lawyer, but you may do so if you desire.

**Q.** Will the City pay my expenses?

**A.** Do not make repairs or incur other costs under the assumption that the City will reimburse you when a claim is filed, nor should you have repairs made or have services performed and billed to the City.

A claim form can be obtained by:

- Contacting the City Receptionist at (770) 704-1500
- Accessing the City Web site at <http://www.cantonga.gov>

Should you have questions concerning your claim, contact:

**CANTON**

**Risk Management**

110 Academy Street  
Canton, GA 30114  
(770) 704-1500  
(770) 704-1538 fax  
E-mail: [tellus@cantonga.gov](mailto:tellus@cantonga.gov)

# Filing a Claim with the City of Canton



**CantonGa.gov**

# Introduction

The City of Canton is committed to delivering exceptional services in a safe environment for residents, visitors and businesses.

Occasionally, an incident occurs in which a resident believes the City made a mistake or did not take appropriate action. The resident may elect to file a claim for damages against the City.

During this process, efforts should be made by the resident to reduce further injury or damage to property. Residents also can file claims with their own insurers.

# The Process

Before the City of Canton is liable for damages of any kind, the person injured, the owner of the property, or someone on his or her behalf must give the Mayor and City Council written notice of such injury or damage no later than six months after the same has been sustained. Information to include in the written notice:

- When, where and how the injury or damage occurred
- The apparent extent of the injury or damage
- The amount for which the claimant will settle
- The street address of the claimant for the six months immediately preceding the occurrence of such injury or damage
- The names and addresses of the witnesses upon whom the claimant relies to establish his or her claim

A form is available at City Hall or online at [www.cantonga.gov](http://www.cantonga.gov) to assist you with providing notice of a claim to the City of Canton.

Failure to notify the Mayor and City Council within the time and manner provided will exonerate, excuse and exempt the City from any liability whatsoever.

When your completed form, including supporting documentation, is received by the City, it will be date stamped by the City Receptionist.

It will then be sent to Risk Management where it will be forwarded to the City's third party insurance claim representatives who will handle your claim. The appropriate department(s) also will be contacted for investigation.

The City of Canton uses the services of a third party claims administrator (TPA) for claims received against the City. The TPA will assign your claim to an examiner who should contact you within 24 hours of their receipt.

If the claims examiner determines the City is not liable, you will receive a letter stating that your claim has been denied. Should the claims examiner determine that the City may be held liable, the examiner will work with you in an attempt to reach an equitable settlement.

If a settlement is reached, you may be asked to sign a release to receive payment.

If you and the claims examiner cannot reach an agreement, you have recourse through the courts.

