



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

August 6, 2024

CBCA 8127-DBT

In the Matter of CHANDRIS A.

Chandris A., Petitioner.

Kimberly I. Thayer, Office of General Counsel, National Tort Claims Center, General Services Administration, Kansas City, MO, appearing for General Services Administration.

VERGILIO, Board Judge.

The General Services Administration (agency) determined that the petitioner is liable for the payment of a debt arising from an automobile accident involving a government vehicle. The petitioner has not participated in proceedings but denies liability and disputes the debt. This proceeding occurs pursuant to regulation. 41 CFR pt. 105-57 (2023). The agency acknowledges that initially it must establish the debt by a preponderance of the evidence.

The petitioner was in an automobile accident involving other vehicles, including a government vehicle. The government vehicle was hit by another vehicle (driver two) that was hit by the petitioner's vehicle. A police report specifies that driver two is at fault for hitting the government vehicle, and that the petitioner is at fault for hitting vehicle two. The police report does not fault the petitioner for damage to the government vehicle. The conclusion of the Government and the suggestion by the driver of the government vehicle that the petitioner is at fault for damage to the government vehicle because of a chain reaction is not persuasive. The police report belies that conclusion. The conclusions in the police report are more persuasive than secondary views.

Accordingly, the debt is deemed improper and void. Any payments the Government has received from the petitioner in connection with this debt are to be returned.

Joseph A. Vergilio
JOSEPH A. VERGILIO
Board Judge