



**DEPARTMENT OF THE ARMY**

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**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, GEORGIA zip code**

OFFICE SYMBOL 31 May 2023

MEMORANDUM FOR Colonel \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Commander, 198th Infantry Brigade, Fort Moore, Georgia 31905

SUBJECT: Rebuttal of Financial Liability Investigation of Property Loss (FLIPL)

1. I am submitting this rebuttal in response to the findings identified in the FLIPL to you for your consideration concerning the above-referenceed Financial Liability Investigation of Property Loss (FLIPL), in accoradance with Army regulation (AR) 735-5, Policies and Procedures for Property Accountability (9 November 2016).

2. A FLIPL may justify holding a Soldier liable only when the financial liability officer establishes four factors: (1) the Soldier’s responsibility for property, combined with (2) a negligent act or omission on the Soldier’s part while maintaining or accounting for ht eproperty, (3) which proximately caused (4) loss or damage. Unless all four factors are present, a FLIPL cannot be used to form the basis of financial liability.

3. Facts. (Add facts)

4. Responsibility. The different types of responsibility are command, supervisory, direct, custodial and personal responsibility. “The type of responsibility a person has for property deteremines the obligations incurred by that individual for the property.” as stated in AR 735-5, para. 13-29a. The investigating officer found that I had \_\_\_\_ responsibility. I did not have \_\_\_\_ responsibility. (or) I was not responsible for the property.

5. Negligence: The evidence must show I did not act reasonably. The standard is not what the “perfect” person would do, but indtead is what the “ prudent” person would do. The evidence shows that I was not negligent. Nothing in my actionswas in any way unreasonable or negligent in…

1. The evidence shows that I was not negligent. Nothin in my actions was in any way unreasonable or negligent in dealing with \_\_\_\_.
2. The investigating officer did not make a finding on negligence; therefore I should not be recommended for financial liability.

6. Proximate Cause: Before holding a person financially liable, the facts must clearly show that the person’s conduct caused the loss or damage. My actions were no the cause of the loss. Even if I could be said to be at fault for…

7. Thank you for your consideration of my response. The point of contact for this memorandum is Staff Sergeant \_\_\_\_\_\_, and I can be reached at telephone (706)123-4567 or email address \_\_\_\_\_\_\_\_\_@army.mil.

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