How Do I Request Arbitration?

Email: ConsumerSupport@trucking.org
Fax: (703) 838-1999
Web: www.trucking.org

Your request should be sent within 90 days after your mover has made its final written settlement offer or denial of your claim. Along with your name, address and telephone number, the following information should be included in your request for arbitration:

- The name of your mover and the identification number (if any) of the shipment
- The name your shipment moved under (if other than your own)
- The dates and locations where the shipment was picked up and delivered
- The dollar amount you are seeking to recover through arbitration
- A brief description of your dispute, including how you believe your claim could be resolved by your mover

Settlements are often achieved before the arbitration process begins. Therefore, DO NOT INCLUDE the administrative fee or detailed documents supporting your position with your initial request. Instead, ATA will request this information from you later if your dispute cannot be settled and your case proceeds to arbitration with the FORUM.

After ATA receives your information, ATA will promptly notify your mover of your request for arbitration and, if the dispute falls within the program guidelines and a settlement is not achieved, ATA will forward to you the required forms and program rules. You will then have 30 days to complete the forms and return them to the FORUM, along with your portion of the administrative fee. Then your mover submits its documentation and its portion of the administrative fee and the arbitration process begins. Arbitrators make most decisions within 30 days of receiving all the necessary forms and documents.

What does arbitration cost?

The Administrative Fee charged by the FORUM is based on the total amount of the claim in dispute. When the amount of the claim is:

- **$10,000 or less**
  - Fee: $650
  - Consumer’s Share: $300
  - Mover’s Share: $350

- **Over $10,000 up to $20,000**
  - Fee: $700
  - Consumer’s Share: $325
  - Mover’s Share: $375

- **Over $20,000 up to $30,000**
  - Fee: $750
  - Consumer’s Share: $350
  - Mover’s Share: $400

- **Over $30,000 up to $40,000**
  - Fee: $800
  - Consumer’s Share: $375
  - Mover’s Share: $425

- **Over $40,000 up to $50,000**
  - Fee: $850
  - Consumer’s Share: $400
  - Mover’s Share: $450

- **Over $50,000**
  - Fee: $850 + 1% of the amount over $50,000

The arbitrator may apportion the fee as part of the final award by determining which party shall pay the cost or a portion of the cost of the arbitration proceeding, including the cost of initiating the arbitration process. In other words, the arbitrator may decide to refund all, a portion or none of your administrative fee, depending on the circumstances of your dispute.

For more information on the Dispute Settlement Program, contact ATA and request a copy of the program rules and sample forms.

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Arbitration is a dispute resolution process through which a neutral arbitrator will resolve your dispute instead of a judge or jury in court. The parties involved in the dispute agree to use a mutually accepted arbitrator to review their dispute and resolve it by rendering a decision or award that is binding on the parties. Like litigation, arbitration is an adjudicative process designed to resolve the specific issues that will be submitted by you and your mover. Arbitration differs from litigation, though, in that it does not require conformity with the legal rules of evidence and the proceeding is conducted in a private rather than a public forum.

Many parties choose to use arbitration for resolving their disputes to avoid the high costs of lawsuits. Often, a dispute can be arbitrated within a shorter time and at a lower cost than by going to court.

How does the program work?
American Trucking Associations is a national trade association that represents carriers and agents in the household goods moving industry. ATA sponsors a dispute settlement program so that its members can comply with the federal requirement of providing a fair and effective way to resolve disputes regarding articles in your shipment that you have claimed as lost or damaged during your move and/or whether you must pay additional charges that were billed to you by your mover after the delivery of your shipment.

The National Arbitration FORUM (the FORUM) administers our arbitration program. The FORUM is an independent, nongovernmental organization that is not affiliated with ATA or with any household goods moving company. The FORUM maintains a panel of independent and neutral arbitrators that include attorneys, law professors, and former state and federal judges to resolve disputes.

What is arbitration?
The FORUM charges an administrative fee to arbitrate your dispute. The administrative fee, which is divided between the parties (unless your mover agrees to pay your share of the fee), is paid to the FORUM; ATA does not receive any portion of the administrative fee. The parties to your proceeding will be you and your mover with the FORUM acting as the neutral program administrator. Neither ATA nor any of its employees takes any role in the arbitration proceeding or has any influence in the outcome of the arbitrator’s decision. ATA serves only as a clearinghouse to make sure that your mover properly addresses your initial request for arbitration as required by the federal statute.

The arbitrator’s decision that you receive from the FORUM will be kept confidential. Federal law (Section 14908, Subtitle IV, Title 49 United States Code) specifically prohibits an interstate carrier or its agent from disclosing information about your shipment without your permission, except in response to legal process issued under authority of a court of the United States or a state, or to an officer, employee or agent of the United States government. Therefore, ATA respects your right to privacy in such matters and will keep the results of your arbitration case confidential.

What can an arbitrator award?
The arbitrator may grant any remedy or relief they feel is just and appropriate within the scope of the agreement between you and your mover and within the rules of the program. In general, the amount of any award may not exceed your mover’s liability under the bill of lading, or in the case of disputes involving additional charges, the total amount of disputed additional charges.

In reaching a decision, the arbitrator will consider the applicable laws and the provisions of your mover’s tariff, as well as applicable practices of the moving industry. Under the rules of the program, the arbitrator only has jurisdiction to consider claims for loss or damage to the household goods transported, disputed additional transportation and service-related charges assessed by the mover in addition to those collected at delivery, or such other disputes arising out of the transportation of the household goods that are mutually agreed upon, in writing, by both you and your mover. The arbitrator has no jurisdiction to consider any other claims, including, but not limited to: consequential or incidental damages, mental anguish, loss of wages, punitive damages, alleged fraud, and violations of law or any claim that cannot be arbitrated under law, such as allegations of criminal activity.