



BCA Household Goods Arbitration Program

Your carrier belongs to Business Consumer Alliance's (BCA) Household Goods Arbitration Program, an arbitration program to help consumers resolve disputed claims on interstate household goods shipments.

What is Arbitration? The neutral arbitration program has been designed to give neither party any special advantage. If a dispute arises between the motor carrier and the consumer shipper, arbitration may be a mutually beneficial alternative to help resolve the dispute. Section 49 U.S.C. Section 375.211 provides that an interstate moving company must have a program in place to provide consumer shippers with an Arbitration alternative. Use of arbitration is optional for the consumer shipper and not required under federal law.

How do I get started with arbitration? First you must have received in writing a written offer to settle your claim from the carrier or its claim settlement company. If you decline to accept the carrier's offer you must call or email BCA to verify that the carrier participates in the arbitration program. Please have the carrier MC number (at the top of the paperwork you signed) and their company name when you call or email. BCA will then email you information on the program along with the forms you will need to complete and return should you decide to request arbitration.

You can contact BCA by phone at 800-834-1119 or via email at arbitrations@checkbca.org.

When is arbitration used? When a shipper (you) cannot resolve a claim with the carrier who transported his/her household goods on an interstate shipment, and if the claim is a result of 1) loss or damage involving items contained in the shipment, or 2) additional charges that were billed to you by your carrier after your shipment was delivered, then arbitration can be used. Disputes regarding charges that were collected by your carrier when your shipment was delivered are not subject to mandatory arbitration, only those additional charges that were billed by your carrier after your goods were delivered are subject to mandatory arbitration.

Summary of the Arbitration Process: Arbitration is an alternative to courtroom litigation. It provides each party to the dispute the opportunity to present their cases and allows a neutral third party arbitrator to make a decision as to the merits of the case of each side. Arbitrations shall be conducted via written submission. If both parties agree to a telephonic hearing, one will be scheduled to give both parties an opportunity to present their case over the phone to an arbitrator. After the initial filing fees have been paid by each party, the initiating party must submit a written summary of their legal position and factual claims. All supporting documentation must be included with the initially written arbitration summary. Copies of all documents must be submitted to all parties involved in the arbitration. Upon receipt of the Initiator's written arbitration summary and supporting documents, the responding party or Respondent will have 30 days to file their responsive arbitration brief and supporting documentation. Both parties will have an opportunity to select an arbitrator. Once an arbitrator is selected,



documentation from all parties will be forwarded to the arbitrator for a decision to be rendered. Further deadlines and timetables are subject to the BCA's discretion as outlined in the program rules.

Initiating Arbitration: Any party may initiate the process of arbitration by emailing, faxing, or mailing the Submission for Arbitration form to BCA. Upon receipt of the form, BCA will contact the other parties, solicit their participation in the arbitration process, provide the appropriate information and make the final arrangements for the arbitration.

Legal Effects: If arbitration is chosen, then any decision made by the arbitrator is legally binding. Additionally, an arbitration decision may not be appealed in a court of law. If the consumer shipper's claim is for \$10,000 or less, then the moving company will be compelled to submit to arbitration. If the consumer shipper's claim is \$10,000 or more, then the moving company has the option to consent to the arbitration process or not. Under the terms and conditions of arbitration, the Arbitrator's decision will be based exclusively on the United States federal law governing interstate transportation of household goods without regard to conflicting State laws or regulations.

How much does it cost? BCA charges an administrative fee, which is divided between the shipper and the carrier. A benefit to the arbitration alternative may be that it is less expensive than traditional courtroom litigation. Each party is responsible for 50% of the costs associated with securing the arbitrator and 100% of their own expenses, including but not limited to attorney fees. The administrative costs for arbitration are as follows: There is a \$200 filing fee FOR EACH PARTY. Incidental costs incurred by BCA shall be billed to the parties as additional costs. If the carrier is a current dues paying member in good standing with BCA, the costs of arbitration may be waived so long as the carrier has not used up their arbitration allotments for their current membership year.

About BCA: Business Consumer Alliance (BCA) is an independent company that is not affiliated with any household goods moving company. It uses a panel of independent arbitrators who are uniquely qualified and skilled in resolving disputes.

BCA acts only to provide oversight to the program to make sure both the shipper and carrier comply with the rules of the program. All arbitration decisions rendered are confidential and will not be disclosed without your permission, except in response to a legal action in a US or state court, etc. or as required by California state law.

For more information about the BCA Household Goods Arbitration Program, you may visit our website at <https://www.checkbca.org>.