

SAMPLE LETTER

Date:

Dear Mr./Ms. _____

I am in receipt of your letter of _____ seeking reimbursement for damages to your vehicle caused by a pothole on _____ Road in _____.

Mass. General Laws Chapter 84 Section 15 details the circumstances under which a municipality is liable for damages to motor vehicles from road defects. According to this section, the town must have had notice of the defect and failed to remedy the defect. During the winter months, potholes are a frequent occurrence. Our highway department repairs potholes as they are observed by employees, or otherwise brought to the department's attention. Unfortunately, these hazards of New England winters occasionally create problems for motorists before we become aware them, as happened in your case. I have spoken to the town's highway surveyor who has told me that he had not received reports of the pothole prior to the date of your accident.

We regret that we are unable to reimburse you for your expenses.

Sincerely,

Administrative Secretary

enclosure