



**Brown &  
Crouppen**  
LAW FIRM

# PROPERTY DAMAGE CLAIM INSTRUCTIONS

**If your car has been damaged, follow these steps to help with the insurance claim process:**

- 1 PHOTOS:** Take photos of the damage the crash caused. Take photos of all sides of the vehicle and one from each corner of the vehicle. Take photos of the interior, mileage and VIN (usually located on the driver's side, visible either at the bottom corner of the windshield or inside the door jamb).
- 2 INSURANCE:** Call your insurance company to inspect your vehicle damage. If you are not at fault, your insurance company will mark the claim as a "not at fault" claim and it should not affect your rates. You should be aware your rates can be affected (with or without an incident on file) due to factors such as crime in your area, weather-related loss, probability of collision, and more. If you see your rates go up, speak to your insurance company to see what influenced the increase.
- 3 PROTECT:** You have a duty to protect and preserve your vehicle. If your vehicle is at your home and not drivable, immediately preserve the damage. Do this by covering the damage to the vehicle. If driving your vehicle would likely cause additional damage to your vehicle (**Example:** vehicle is leaking fluids but still starts and drives), do not drive your vehicle. Any additional damage to the vehicle due to failure to preserve **WILL NOT** be covered by the insurance company.
- 4 LOANS:** Until property damage is assessed and settled, you are required to make your car payment and maintain the conditions of your loan. If the vehicle is a total loss, do not stop making payments. Pay your loan until the insurance company has sent the total loss payment to your loan holder. If the balance of your loan is greater than the vehicle's value, you will be responsible for the balance if you do not carry **GAP** insurance (**See #11**).
- 5 TOWING:** If the insurance company has not accepted fault for the crash and your vehicle needs to be towed, have the vehicle towed to your home address; if your vehicle is towed to a tow yard or repair shop, it will accrue storage cost for each day that it sits there.
- 6 RENTAL:** Contact the insurance company and speak with the property damage adjuster. Advise them where your vehicle is and if it is drivable. If your vehicle is drivable, you will **NOT** receive a rental until your vehicle is in the shop for repair. All rentals must be returned on the date provided by the adjuster or you may be responsible for additional charges. During a pending investigation, if an insurance company does not pay for a rental, you can choose to obtain a rental at your own expense. Ask the insurance company if they offer a discount code for their corporate rental rate.
- 7 ESTIMATES:** If your vehicle is drivable, take your vehicle to at least two (2) Authorized Service Center shops. Mail copies of these estimates to the property damage adjuster.
- 8 REPAIRS:** In most cases, insurance companies are only obligated to repair the vehicle using aftermarket or recycled parts when available. This means the car manufacturer did not provide the parts (Example: buying a set of brakes from AutoZone). Original manufacturer parts will only be used for your repairs if aftermarket or used parts are unavailable. Aftermarket parts do not change the manufacturer warranty on your vehicle and are acceptable in the repair of your vehicle by the manufacturer. Any unrelated, prior damage to the vehicle will not be included in the repairs.

# CLAIM INSTRUCTIONS (CONTINUED...)

- 9 DIMINISHED VALUE:** In some states you may be able to obtain a diminished value on your vehicle, but the amount will vary. The burden of proof for diminished value falls on the vehicle owner. You will have to prove what your vehicle was worth prior to the accident and then after the repairs have been made. Notify your adjuster as soon as your vehicle repairs are completed that you would like to present a claim for diminished value.
- 10 TOTAL LOSS:** If your vehicle is non-drivable and at a tow yard, contact the tow yard and provide them with your insurance and the responsible parties' insurance information, such as claim number, phone number, and insurance company name. **IF THEY WILL ALLOW IT, GET PHOTOS & REMOVE YOUR ITEMS.** The insurance company will owe you for the actual cash value of your vehicle. To determine the approximate value of your vehicle, you can look at NADA, KELLEY BLUE BOOK and Autotrader for dealer comparable vehicles of the **same year, make, model, options and mileage.** Have your title and any recent repair bills ready for when the total loss settlement process begins. Typically the vehicle must be titled in your name to receive payment for the total loss. If your title is lost, contact the **DMV** immediately to see what you need to do to apply for a lost title.
- 11 REIMBURSEMENT FOR RECENT REPAIRS:** If your vehicle is totaled and you have recently done any recent work to the vehicle, you will have to show the invoice for that work in order to get credit for added value on the total loss settlement. The work must have been done within approximately 12 months prior to the crash and labor will not be considered. The insurance company does not owe dollar for dollar on the parts; however, some major repairs (i.e. new engine, new transmission, etc.) may add substantial value to your vehicle. Maintenance work does not add value to a vehicle.
- 12 GAP INSURANCE:** This information can be found on your vehicle purchase documents. It's an optional coverage you can pay for at time you purchase your vehicle and it covers the loan if your vehicle is totaled and you owe more than what it is worth. If you have **GAP INSURANCE**, please contact them immediately and provide all requested information. They will **NEVER** ask you about your injuries. Provide them with the information of the insurance company handling the claim, such as: claim number, adjuster name, phone number, and address. Send copies of all total loss documents, such as: the amount offered, copy of payment to original lien holder, lien holder information, police report and copies of cancelled service contacts to the **GAP Insurance Carrier.** Always keep communication open with them.
- 13 SALVAGE:** You may have the right to buy your vehicle back from the insurance company if it has been declared a total loss. They will deduct a percentage from the amount offered for your vehicle. You will receive a payment of the remaining amount after the deductions. Your vehicle will be considered a "salvaged vehicle" and may require a salvage title. (Vehicle Total Loss + You Keep Vehicle = Salvaged Vehicle.)
- 14 PERSONAL ITEMS:** If any personal items are damaged, like cell phones or other electronics, notify the adjuster of this immediately. You must provide the property damage adjuster proof of loss including photos of the damaged items, original purchase, and replacement receipt. You must prove this loss and lost personal items are typically not considered due to inadequate proof of loss.
- 15 CAR SEATS:** Never reuse an occupied car seat that has been involved in a crash. Immediately replace this car seat with a seat of like kind and quality. Immediately contact the insurance company and adjuster to notify of a car seat inside the vehicle. Make sure to show the adjuster the receipt for replacement. After replacing your car seat, take a photo of the old car seat with the straps cut so that it cannot be used again. Provide this photo to the adjuster along with the replacement receipt. Make sure to provide them with the make and model of the car seat. You will get one for equal or lesser value.