



NORTHLAND  
INJURY LAW

EVERYTHING YOU NEED  
TO KNOW ABOUT YOUR

**PROPERTY**

**DAMAGE**

**CLAIM**

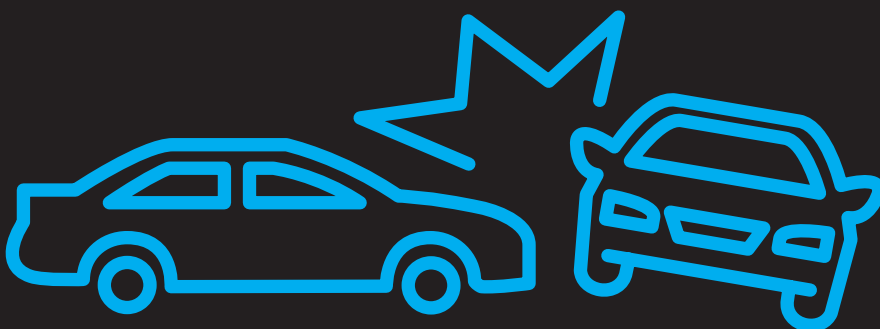
As your personal injury lawyers, we do not handle the property damage portion of your claim. Lawyers don't take these claims. You'd pay us a large chunk of your property damage claim. We would not benefit you. If your car is worth \$10,000, you'd get less for it after our fee. If you owe money on your vehicle, you could really end up in a hole once you paid us on the property damage claim. The property damage claim is much easier to value than the injury claim you have, and most of the time our clients can get it resolved on their own.

### **SO WHAT ROLE DO WE PLAY IN THE PROPERTY DAMAGE CLAIM?**

If the at-fault driver's insurance has not made a claim, we will start the process for you. We want to quickly establish a claim for your personal injury. As a result, we also want to establish a claim for your property damage. We then tell the insurance company to work with you on your vehicle repair. If it's a total loss, they should pay you for it.

Also, you can work with the insurance company to get a rental car while your car is repaired or the total loss is handled.

If you have a claim with the at-fault driver's insurer, we will inform them to work with you on the property damage only. We will handle your personal injury claim with them.



## WHAT PROBLEMS CAN YOU POTENTIALLY RUN INTO WITH THE PROPERTY DAMAGE CLAIM?

If the accident just happened, it may take time for the at-fault driver's insurance to see if they are liable for the claim. If a police report isn't available, and they can't talk to their insured (the at-fault driver), the insurance company can't know if they must pay the claim. Typically, this can take a couple weeks.

If, for some reason, the at-fault driver's insurer can't figure out who is responsible, you may need to work with your own insurer to speed up your property damage claim. When you go through your own company, they will handle the claim. If your policy has rental car coverage, you can get a rental car through your insurer while you're without a vehicle.

**\$4,500**

average property damage claim resulting from a car accident

**\$100,000**

our recommended insurance policy to cover property damage

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# PROPERTY

## HOW TO PREPARE FOR THE PROPERTY DAMAGE CLAIM

You can choose any repair shop to make the repairs. **You do NOT** have to go to a repair shop the at fault driver's insurance company wants you to use.

### SOME TIPS TO KEEP IN MIND:

You'll need to prove ownership of the vehicle. If you haven't registered it, do so NOW!

Get **TWO** written repair estimates. This lets you compare them to the insurance adjuster's damage report. You want to ensure all damage is fixed.

Demand that the company use new parts for the repairs, not used or aftermarket ones.

**X** Do not sign any documents that release the company from liability until you are satisfied with the repairs.

**ONLY** sign a document that **ONLY** releases the property damage claim. Not **ALL** claims. It's best to run any document by us before signing.



# DAMAGE

## WHAT HAPPENS IF THE INSURANCE COMPANY TOTALS YOUR VEHICLE?

Insurance companies total vehicles when repair costs exceed their value or a set percentage of the vehicle. In other words, it costs more to fix the vehicle than it would be worth. In that case, the insurance company “totals” the vehicle.

### IMPACTING FACTORS:

The model, make, and year of your vehicle.

The market for the type of vehicle.

The mileage and condition of your vehicle when it was wrecked.

The vehicle's crash and damage history.

Special options, equipment, or features that were not standard for that model.

You are entitled to receive an amount equal to the fair market value of your vehicle. ✓

# WHAT'S NEXT?

Before settling the property damage claim, verify your vehicle's value. You can check the value of a vehicle online at NADA, Carfax, Kelly Blue Book, or Edmunds.

However, if your vehicle is a luxury car or has special options, you might want to obtain an appraisal from a dealer. A dealer who specializes in that type of vehicle is best for a written appraisal.

Be prepared to negotiate a property damage claim for a totaled vehicle. Get copies of records showing maintenance and special equipment. Also, photographs of the vehicle before the crash can help prove its condition for valuing it.

If you added equipment, new tires, etc. shortly before the accident, send the receipts to the insurance company. They will consider them in the payout.

An insurance company must pay you the car's fair market value, its private party value. They do **NOT** have to pay you what a dealer would charge. They do **NOT** have to pay you what vehicles like yours are being advertised for sale currently. The value of your car is based on recent sales of vehicles similar to yours.

Also, the insurance company does **NOT** have to pay you what you owe on your vehicle if you have a loan. If you owe more on your vehicle than it's worth, you could

- 1) get little or nothing from the settlement or
- 2) owe your vehicle loan's balance.

If you find yourself in this situation, check for insurance. It may cover the difference between your vehicle's value and the loan balance. GAP insurance pays the difference between a vehicle's value and its loan balance.

