



DIMINISHED VALUE CLAIMS: **IDAHO**

SUMMARY Idaho Claims

Statute of Limitations: 3 years

Third Party Diminished Value Claim: Yes

First Party Diminished Value Claim: No, most insurance policies will exclude diminished value

Idaho Property Damage Minimum Limits: \$15,000 in coverage

Uninsured Motorist Coverage for Diminished Value: No coverage

Underinsured Motorist Coverage for Diminished Value: No coverage

Idaho Small Claims Court Limit: \$5,000 . Appeals are permitted. Attorney representation prohibited.

If you were in an auto accident caused by another person in the state of Idaho, you have a right to file a diminished value claim. A previously damaged vehicle is less valuable compared to a similar vehicle with a clean history. Fortunately, you can recover this lost value through a diminished value claim in Idaho if you weren't at-fault.

IDAHO DIMINISHED VALUE LAW

Idaho Civil Jury Instructions

IDJI 9.07 – Property damage instruction

The elements of damage to plaintiff's property are:
[either]

1. The reasonable cost of necessary repairs to the damaged property, plus the difference between its fair market value before it was damaged and its fair market value after repairs.

[or]

1. The difference between the fair market value of the property immediately before the occurrence, and its [salvage value] [fair market value without repairs] after the occurrence [and, if applicable]

2. (Any incidental or consequential damage suffered by the plaintiff that is within the foreseeable chain of proximate causation: e.g., "The reasonable rental charges incurred by the plaintiff for substitute property during the time the subject property was being repaired.")

HOW TO FILE A DIMINISHED VALUE CLAIM IN IDAHO

Step 1. Obtain proof of your car's diminished value. You must supply evidence that you have lost value. An independent, unbiased appraisal will provide the documentation necessary to determine the diminished value of a vehicle.

Step 2. Submit your documentation (diminished value appraisal) and demand letter for review.

The ideal time is right after you get your vehicle repaired. The sooner you file your diminished value claim, the better. Typically, if the accident wasn't your fault, you would file a diminished value claim with the at-fault driver's insurance company.

It's covered under their property damage liability.

Step 3. Settle your claim.

The role of the claims adjuster is to negotiate the lowest possible settlement for the insurance company. They will either accept your claim, offer a lower settlement, or deny the claim.