



DIMINISHED VALUE CLAIMS: **WASHINGTON**

SUMMARY **Washington 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

Washington Property Damage Minimum Limits: \$10,000 in coverage

Uninsured Motorist Coverage for Diminished Value: Yes, it's an optional coverage. It includes coverage for hit and run drivers that flee the scene without being identified, uninsured motorists, and underinsured motorists.

Underinsured Motorist Coverage for Diminished Value: Yes, this coverage comes in handy when the at-fault insurance company didn't have enough coverage.

Washington Small Claims Court Limit: \$10,000, attorneys are excluded from participating. Appeals are permitted.

Auto accidents happen daily. If we are lucky, we have the chance to walk away from an accident unhurt, with the only damage being to the vehicles involved. But even when no one is hurt, we are still left with a major financial burden. If you are in an accident, your vehicle likely lost significant value. Even with the best repair work, it's simply not worth the same amount that it was before. Fortunately, you can recover this lost value through a diminished value claim in Washington if you weren't at-fault.

WASHINGTON DIMINISHED VALUE LAW

Washington Pattern Jury Instructions—Civil 6 Wash. Prac., Wash. Pattern Jury Instr. Civ. WPI 30.10 (7th ed.)

WPI 30.10 Measure of Damages—Damage to Personal Property—Repairs and Depreciation or Difference in Value Before and After Damage

The lesser of the following:

1. The reasonable value of necessary repairs to any property that was damaged plus the difference between the fair cash market value of the property immediately before the occurrence and its fair cash market value after it is repaired;
- or
2. The difference between the fair cash market value of the property immediately before the occurrence and the fair cash market value of the unrepaired property immediately after the occurrence.

HOW TO FILE A DIMINISHED VALUE CLAIM IN WASHINGTON

To file a diminished value claim in the state of Washington, 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.

Next, you will need to contact the insurance company of the at-fault party. You may have to cooperate and provide additional information as well. Then you will wait for the insurance company to complete their review process. Once complete, you should receive a check for the diminished value of your vehicle.

If the at-fault driver did not have insurance, you'll have to work through the uninsured-motorist section of your own insurance policy. In this situation a professional appraisal is still needed.

GETTING A FAIR PAYMENT FOR WASHINGTON DIMINISHED VALUE CLAIMS

You have a legal right to the diminished value of your vehicle in Washington. But insurance companies often try to negotiate the settlement down to a much lower number, especially if you use unreliable online resources for your value claim.