



DIMINISHED VALUE CLAIMS: **COLORADO**

SUMMARY Colorado Claims

Statute of Limitations: 2 years

Third Party Diminished Value Claim: Yes

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

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

Uninsured Motorist Coverage for Diminished Value: No coverage

Underinsured Motorist Coverage for Diminished Value: No coverage

Colorado Small Claims Court Limit: 7,500, Appeals are permitted, however, attorney representation is not.

If you were in an auto accident caused by another person in the state of Colorado, 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 if you weren't at-fault.

COLORADO DIMINISHED VALUE LAW

The Colorado Supreme Court has affirmed the right to collect for diminished value in two long-standing cases, Trujillo v Wilson and Larson v Long.

Trujillo v. Wilson, 189 P.2d 147 (Colo. 1948)
Supreme Court of Colorado

Filed: January 12th, 1948

Precedential Status: Precedential

Citations: 189 P.2d 147, 117 Colo. 430

The measure of damage is the difference between its value immediately before its damage and immediately thereafter, together with any expense of reasonable efforts to preserve or restore it.

Larson v. Long, 74 Colo. 152 (1923)
Oct. 1, 1923 · Colorado Supreme Court · No. 10,585 74 Colo. 152
Automobiles: Evidence of the depreciation in value of an automobile on account of its having been in an accident, is admissible, the depreciation being an element of damage.

HOW TO FILE A DIMINISHED VALUE CLAIM IN COLORADO

Step 1. Prove your loss. 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 proof to the insurance company. You'll need to submit a diminished value appraisal and demand letter to the at-fault insurance company for review.

Step 3. Claim settlement. Once you submit a diminished value appraisal report, most insurance companies will make a settlement offer. The insurance company may pay the claim in full, make a lower offer, or deny the claim.

Negotiate until they get firm with their offer. If you're having trouble with the insurance company, you may need to consider legal action against the responsible party.

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DIMINISHED VALUE CLAIMS: ARIZONA