



## DIMINISHED VALUE CLAIMS: **MISSOURI**

### **SUMMARY** Missouri Claims

**Statute of Limitations:** 5 years

**Third Party Diminished Value Claim:** Yes

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

**Missouri Property Damage Minimum Limits:** \$25,000 in coverage

**Uninsured Motorist Coverage for Diminished Value:** No coverage

**Underinsured Motorist Coverage for Diminished Value:** No coverage

**Missouri Small Claims Court Limit:** \$5,000, Attorney representation and appeals are permitted

If your vehicle was damaged in an accident in the state of Missouri and underwent repairs, its resale value is likely to be less than what it was before the crash. This loss in market value is known as diminished value, and it is recoverable in Missouri through a diminished value claim filed with the at-fault parties insurance company.

#### **MISSOURI DIMINISHED VALUE LAW**

Missouri is a diminished value state. You're legally entitled to the cost of repairs, loss of use, and diminished value compensation to cover the difference between the market value of the vehicle before the damage and its lower value after the repairs.

Rook v. John F. Oliver Trucking Co., S.W.2d 200 (Mo. App. 1977)

Allowable are the cost of repairs and the difference between the market value of the car before the collision and its value after the repairs. It would not constitute a double recovery for such a person to recover both for the cost of repairing the car and for the difference between the market values of the car before the collision and after the repairs.

#### **HOW TO FILE A DIMINISHED VALUE CLAIM IN MISSOURI**

**Step 1.** Obtain proof of your car's diminished value. You've likely 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.