



DIMINISHED VALUE CLAIMS: **CONNECTICUT**

SUMMARY Connecticut 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

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

Uninsured Motorist Coverage for Diminished Value: No, Connecticut doesn't offer this coverage.

Underinsured Motorist Coverage for Diminished Value: No, Connecticut doesn't offer this coverage.

Connecticut Small Claims Court Limit: \$5,000 limit with no appeals allowed.
Attorneys

In Connecticut, if your vehicle suffered damage due to another driver's negligence, you are eligible to file a diminished value claim. Diminished value is the difference between the cash value of your car before it was damaged and its lesser value after repairs. When your vehicle loses value from crash-related damage, you can recoup that loss through a diminished value claim.

CONNECTICUT DIMINISHED VALUE LAW

Connecticut is a diminished value state meaning there is case law supporting your legal right to compensation when another party is at-fault. You have two years from the date of loss to file a diminished value claim.

Plaintiff is entitled to recover the reasonable repair costs and any residual diminution in value. *Littlejohn v. Elionsky*, 36 A.2d 52 (Conn. 1944); *Stults v. Palmer*, 141 Conn. 709 (1954); *Damico v. Dalton*, 1 Conn. App. 186 (1984); *Alexander v. Bailey*, 55 Conn. L. Rptr. 653 (2013); *Chenevert v. Turek*, 2013 WL 6671512 (Conn. 2013); *Corridino v. Kovaks, et al.*, 2013 WL 8118969 (Conn. 2013); *Sheldon v. Soucy*, 2014 WL 1814279 (Conn. 2014); *Bartnick v. Stehr*, 2014 WL 5094332 (Conn. 2014); *Muckle v. Pressley*, 2017 WL 1429932 (Conn. 2017).

The true rule is that the measure of damages is the difference between the fair market value of the car before the collision and its fair market value afterwards ... However, if the automobile damage may be repaired and the repairs will restore the car to substantially its former condition, the cost of repair will ordinarily furnish proper proof of the loss. ... Although the plaintiff's vehicle could be driven after it was repaired, it still had diminished value because of the accident, and consequently, the vehicle was not restored to its former condition of 'full' fair market value.

HOW TO FILE A DIMINISHED VALUE CLAIM IN CONNECTICUT

Step 1. Gather proof of your car's diminished value. Crucial in filing any insurance claim is having the correct paperwork and supporting documentation prepared professionally.

Step 2. Submit a diminished value appraisal and demand letter for review. Typically, diminished value claims are brought against the at-fault driver's insurance company.

Step 3. Settle your claim.

Insurance companies will often want to negotiate so it is in your best interest to haggle and negotiate until they get firm with their offer.