



## DIMINISHED VALUE CLAIMS: **NEW HAMPSHIRE**

### **SUMMARY**

#### **New Hampshire 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

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

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

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

**New Hampshire Small Claims Court Limit:** \$10,000, attorney representation and appeals are permitted

In New Hampshire, 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.

#### **NEW HAMPSHIRE DIMINISHED VALUE LAW**

*Copadis v. Haymond*, 94 N.H. 103, (N.H. 1946) Supreme Court of New Hampshire Hillsborough ("While the defendant's liability for negligence may properly be measured by the difference in value before and after the automobile was damaged plus loss of use, the plaintiff may recover, in lieu thereof, the reasonable cost of repair with due allowance for any difference between the original value and value after repairs and loss of use.")

*Copadis v. Haymond*, 94 N.H. 103, 106 (N.H. 1946) ("The rule is well expressed in Restatement, Torts, s. 928, as follows: "Where a person is entitled to a judgment for harm to chattels not amounting to a total destruction in value, the damages include compensation for "(a) the difference between the value of the chattel before the harm and the value after the harm or, at the plaintiff's election, the reasonable cost of repair or restoration where feasible, with due allowance for any difference between the original value and the value after repairs, and "(b) the loss of use." ")

#### **HOW TO FILE A DIMINISHED VALUE CLAIM IN NEW HAMPSHIRE**

**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. An independent, unbiased appraisal will provide the documentation necessary to determine the diminished value of a vehicle.

**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.