



## DIMINISHED VALUE CLAIMS: DISTRICT OF COLUMBIA

### SUMMARY

#### District of Columbia 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

**District of Columbia Property Damage Minimum Limits:** \$10,000 in coverage

**Uninsured Motorist Coverage for Diminished Value:** Yes, a minimum of \$5,000 in coverage is required. It includes coverage for hit and run drivers

**Underinsured Motorist Coverage for Diminished Value:** Yes, a minimum of \$5,000 in coverage

**District of Columbia Small Claims Court Limit:** \$10,000, attorney representation and appeals are permitted

#### DISTRICT OF COLUMBIA DIMINISHED VALUE LAW

No reported case law concerning diminished value, however, if the accident wasn't your fault, you should be able to recover automobile diminished value as it is an element of damages in Restatement of Torts.

The Restatement of Torts, Second § 928 Harm to Chattels provides:

When one 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 his election in an appropriate case, the reasonable cost of repair or restoration, 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 D.C.

**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.