



DIMINISHED VALUE CLAIMS: **NEBRASKA**

SUMMARY Nebraska Claims

Statute of Limitations: 4 years

Third Party Diminished Value Claim: Yes

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

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

Uninsured Motorist Coverage for Diminished Value: No coverage

Underinsured Motorist Coverage for Diminished Value: No coverage

Nebraska Small Claims Court Limit: \$3,900, Attorneys are not allowed to participate. Appeals are permitted.

In Nebraska, you can file a claim for diminished value as a third-party claim with the at-fault driver's insurance company. Even if you've already fixed the vehicle, it's not too late, you can still file a diminished value claim.

NEBRASKA DIMINISHED VALUE LAW

There have been no reported court cases in favor of or against diminished value claims in Nebraska. With no cases against diminished value in Nebraska, accident victims should be eligible to receive diminished value compensation in a third-party claim.

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 NEBRASKA

A vehicle owner can pursue a claim for diminished value from the negligent party, typically by filing directly with the at-fault insurance company. However, to make this claim, you must provide clear proof of your vehicles diminished value.

Follow these steps to move through a diminished value claim and increase the odds that you will get the compensation you deserve for your financial losses.

Step 1. Obtain proof of your car's diminished value. have 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.