

Diminished Value Demand

September 10, 2019

Vehicle Owner

Address Line 1

Address Line 2

Insurance Company

Adjuster's Name

Address Line 1

Address Line 2

Claim #: (example 123456-2)

Date of loss: (example 11/14/2018)

At-Fault Driver's Name

Dear _____,

With regards to the insurance claim referenced above, please accept this letter and the documentation attached as our Diminished Value payout request.

As a result of your insured's negligence and recklessness that caused the accident dated November 15th 2018 and the subsequent \$_____ in repairs, my vehicle is no longer considered in clean or pristine condition and will forever have a tarnished vehicle history report (enclosed).

This accident will make it very difficult for me to find a suitable buyer for my vehicle; the few interested buyers will be looking for a significant discount.

Diminished Value Demand

This letter shall serve as our settlement demand, with supporting documentation, pursuant to O.C.G.A. § 33-6-34.

The restatement of Torts 928 states as follows:

Where a person is entitled to a judgment for harm to chattels not amounting to 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 repairs 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."

In accordance to OCGA 33-4-7 , we demand to be brought back whole and as proof of our loss we submit the enclosed independent auto appraisal report completed by the Diminished Value of Georgia ("DVGA"), an independent, licensed and professional appraisal company.

DVGA's report is self-explanatory as it indicates my pre-loss value and what my vehicle is worth now as well as my diminished value amount of \$_____.

Additionally, your insured's negligence and your failure to accept responsibility for my loss in a timely manner (failing to contact me and identify yourself as your client's insurance company for more than two weeks following the accident), forced me to make arrangements for transportation (car and air travel) that I would not have otherwise incurred. The amount I expect to be reimbursed for rental car expense is \$_____.

I demand to be fully indemnified for this loss, and as such please remit payment for \$_____ within 15 days of receipt of this notice.

Diminished Value Demand

Respectfully,

Signature /es/

Vehicle Owner's Name

Claimants / Injured Party

NOTE:

1- This letter is to put you on notice that NONE of the documents, materials, emails, faxes, photographs, computer entries or logs, or any other item of any nature whatsoever relevant to this incident are altered, changed, destroyed, or disappear. It is our hope that you will comply, as you are aware of the civil and criminal penalties that can be assessed/imposed for the spoliation of evidence.

2- Funds issued to us since the date of loss are considered partial payment towards our final settlement amount and are not an agreement to settle or a release of liability.

3- Communication with you and all the documents you sent us prior to this letter shall be used as evidence in court.

4- Under O.C.G.A. § 24-3-37, statements made with a view toward compromise are inadmissible at trial.