B & D LAW GROUP APLC

After a Crash: Your Rights With the Insurance Company

California | Keep with your claim papers

You choose the repair shop

No insurer can make you use a particular shop. Once you choose, it cannot push you elsewhere. (Ins. Code § 758.5)

The insurer has deadlines

- [ ] 15 days to acknowledge your claim
- [ ] 15 days to respond to your calls and letters
- [ ] 40 days after proof of claim to accept or deny, or explain in writing why it needs more time
- [ ] 30 days to pay once it accepts

10 CCR §§ 2695.5, 2695.7

Total loss? The offer must include

- [ ] A comparable car: same make and model, same or newer year, similar options and mileage
- [ ] Taxes, transfer fees and prorated registration
- [ ] Itemized, documented deductions

10 CCR § 2695.8

(888) 977-2238

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If the Other Driver Was at Fault

What you can claim, and when

You can claim

- [ ] Reasonable repair costs
- [ ] Loss in value after repair (diminished value)
- [ ] Reasonable cost of a similar rental while your car is out
- [ ] Towing and storage when reasonably necessary

Deadlines

- [ ] **10 days:** DMV form SR-1 if anyone was hurt or killed, or damage to any one person was over $1,000
- [ ] **6 months:** claim if a government vehicle was involved
- [ ] **2 years:** injury lawsuit
- [ ] **3 years:** vehicle damage lawsuit

Were you hurt?

Get checked by a doctor, keep every bill, and do not sign a release until you know how badly you were hurt. A free consultation can explain your options.

Insurance trouble? CA Dept. of Insurance: 1-800-927-4357

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