

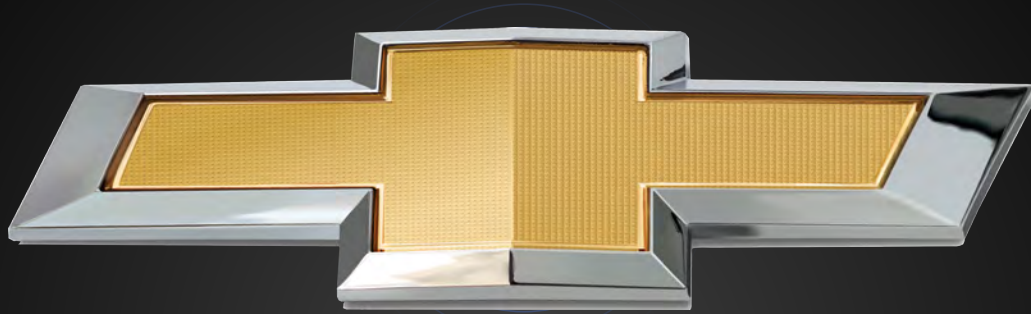


WINNING PROPERTY DAMAGE CLAIMS

PAUL M VEILLON, JD, CPCU



PROPERTY DAMAGE:
WIN, PROTECT YOUR CLIENT,
EARN A LIVING



PD IS PART OF **YOUR JOB**

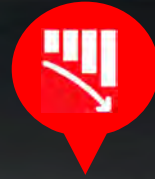
WORK FOR YOUR WHOLE CLIENT

TODAY'S AGENDA

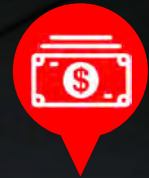
TRENDS



REPAIR &
TOTAL LOSS



LOSS OF USE



ANATOMY



DIMINISHED
VALUE



SUBRO





TRENDS

CLAIMS EXPLODING



CLAIM FREQUENCY UP 3.5%

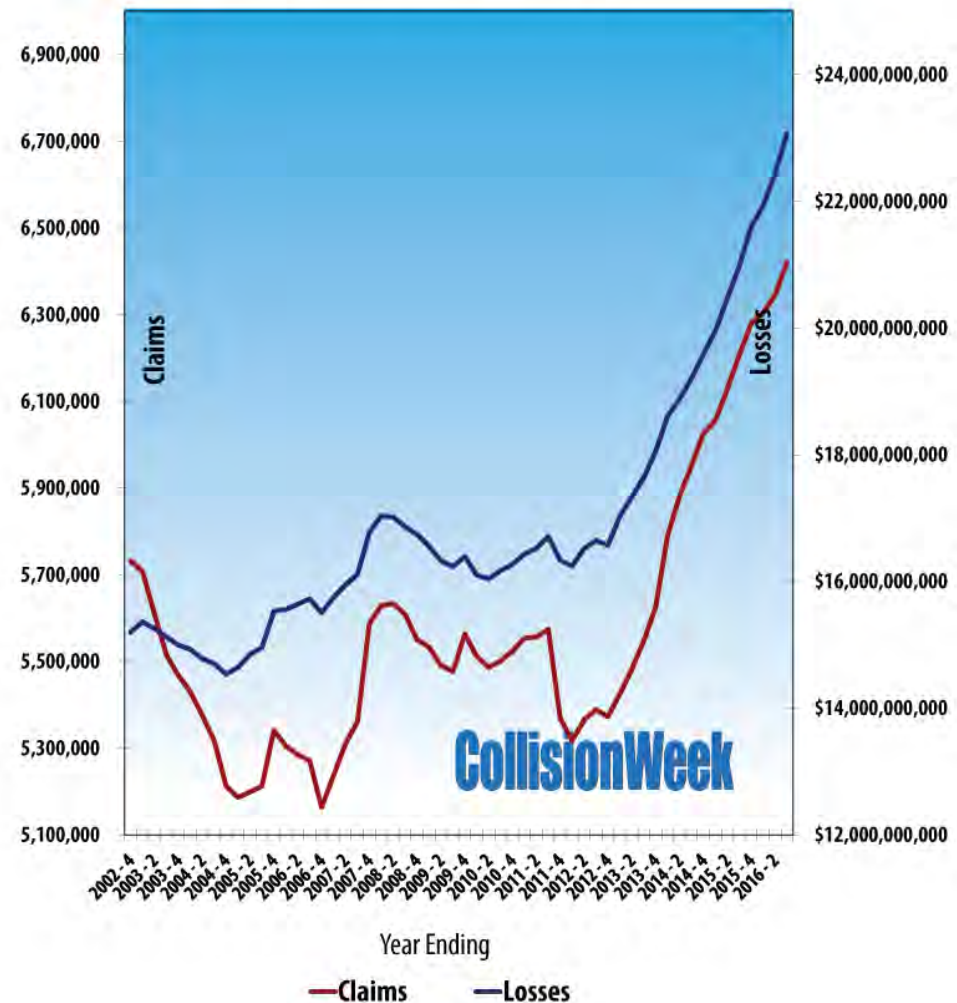


CLAIM SEVERITY UP 6.4%



TOTAL PAYMENTS UP \$2 BILLION

Private Passenger
Collision Claims & Losses



CLAIMS **DAMAGE CONTROL**

STRATEGIES FOR SHAVING SEVERITY



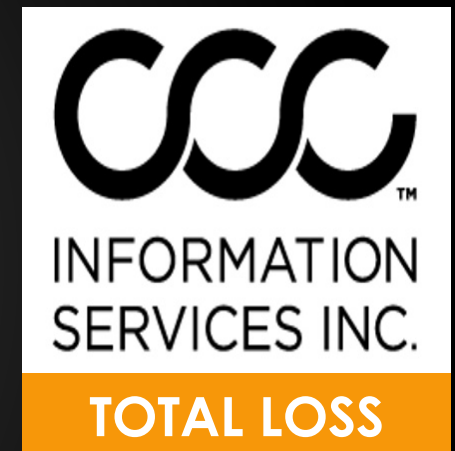
BIG SHOPS
VOLUME PROFIT
INSURANCE PRICE CONTROL



“CONSUMER CHOICE”



REPAIR DURATION
TOTAL LOSS
FAULT SHAVING



TOTAL LOSS SOFTWARE
SUBJECTIVE INSPECTIONS



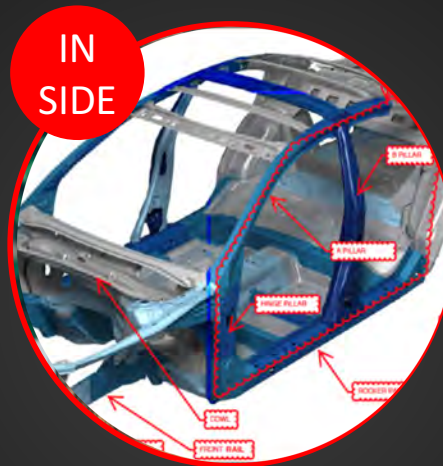
ANATOMY



AUTOMOBILE GROSS ANATOMY



VISIBLE PARTS

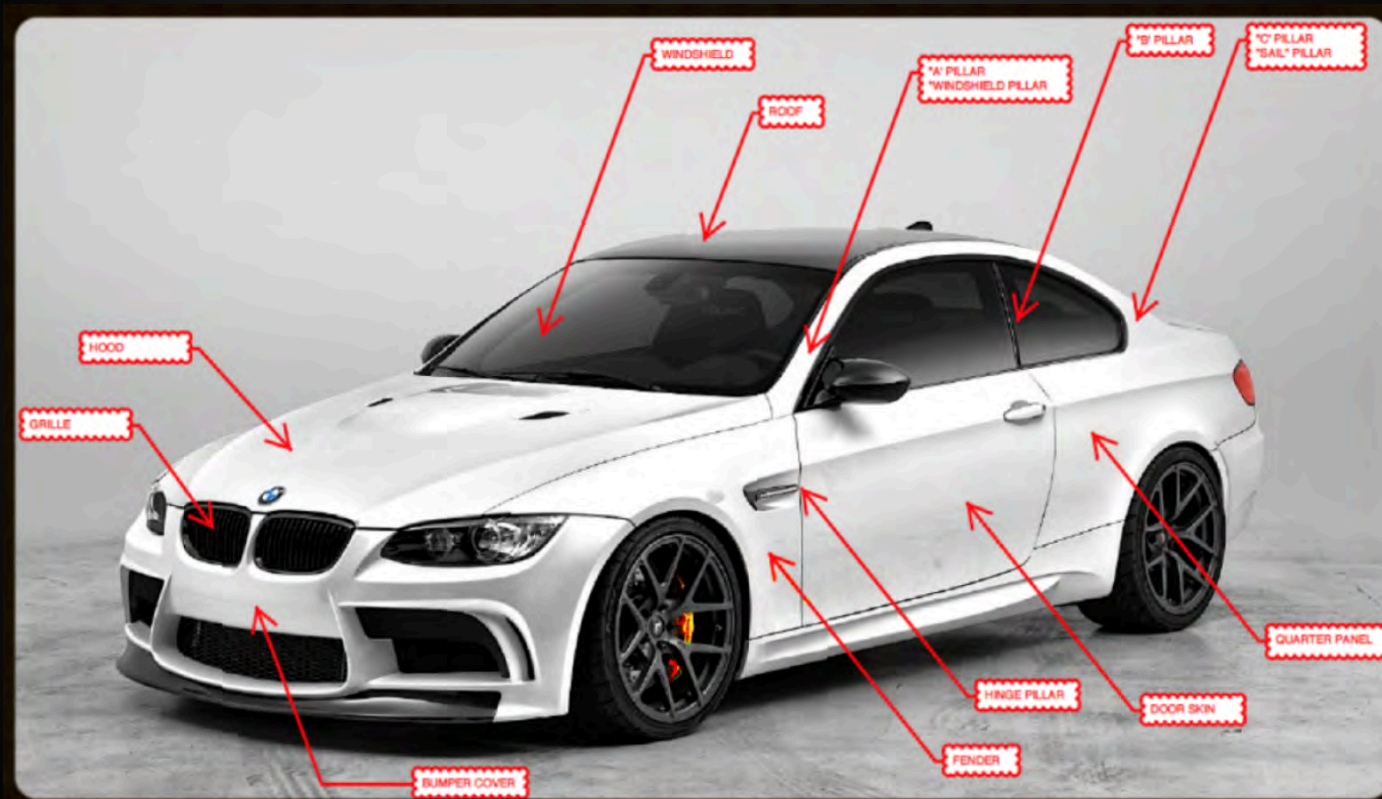


INNER STRUCTURE

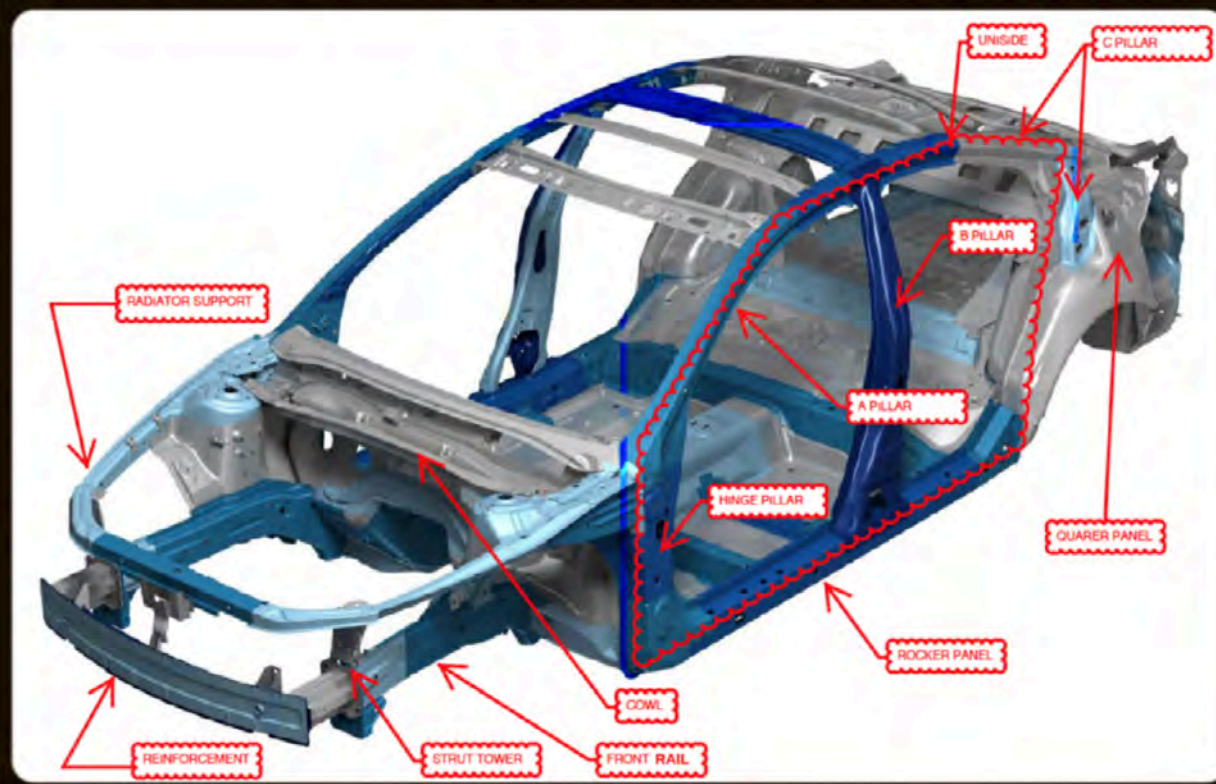


**REAR
END**

AUTOMOBILE GROSS ANATOMY



AUTOMOBILE GROSS ANATOMY



AUTOMOBILE GROSS ANATOMY



AUTOMOBILE GROSS ANATOMY

Line Items

Line	Operation	Description	Price	QTY	Labor	Paint	Lbr TTL	Other
1	Remove/Replace	Exhaust Muffler & Resonator	\$445.00	1	0.8 B		\$22.40	
2	Repair	Liftgate Shell			5* B		\$140.00	
3	Refinish	Liftgate Outside				2.6 R	\$72.80	
4	Remove/Replace	Rear Body Panel	\$305.00	1	8.5 B		\$238.00	
5	Refinish	Rear Body Panel				1.6 R	\$44.80	
6	Remove/Replace	Rear Body Floor Pan	\$674.00	1	16.5 B		\$462.00	
7	Refinish	Rear Floor Pan				1.5 R	\$42.00	
8	Repair	L Rear Body Member Assy -S			2* B		\$56.00	
9	Remove/Replace	L Rear Body Rear Side Rail -S	\$33.95	1	2.5 B		\$70.00	
10	Remove/Replace	R Rear Body Rail Extension -S	\$167.00	1	2.5 B		\$70.00	
11	Remove/Replace	L Rear Body Rail Extension -S	\$151.00	1	2.5 B		\$70.00	
12	Overhaul	Rear Bumper Cover Assy			0.4 B		\$11.20	
13	Remove/Replace	Rear Bumper Cover	\$200.00*	1				

“NO CRASH NO CASH”

FIX THE CAR, FIX THE MIST



WHAT YOU SEE

WHAT YOU DON'T SEE

“NO CRASH NO CASH”

FIX THE CAR, FIX THE MIST



“NO CRASH NO CASH”

FIX THE CAR, FIX THE MIST

Vehicle: 2010 ACUR TSX 4D SED 6-3.5L-FI

41	#	S01	R&I	L REAR BUMPER RETAINER			0.1
42	#	S01	Repl	REAR BUMPER IMPACT ABSORBER	1	65.73	Incl.
43	#	S01	Repl	REAR BUMPER REINFORCEMENT BAR	1	378.58	Incl.
44	#			HAZARDOUS WASTE DISPOSAL	1	5.00	
45	#			--- ADDITIONAL OPERATIONS	1		
46	#	S01	Refn	CLEAR COAT			2.1
47	#			FLEX ADDITIVE	1	6.00	
48	#			TINT	1		0.5
49	#	S01		RESTORE CORROSION PROTECTION	1	15.00	Incl.
50	#	S01	Repl	SEAM SEAL	1	35.00	0.2
51	#	S01		- MANUAL ENTRIES			
52	#	S01		MASK INTERIOR		5.00	0.3
53	#			FILL SAND AND FEATHER	1		0.5
54	#			COLOR SAND AND BUFF	1		0.5
55	#	S01		FRAME RACK SET-UP AND MEASURE	1		2.0 F
56	#	S01		PULL AND ALIGN FOR MASH	1		2.0 F
57	#	S01	Rpr	PINCH WELDS			1.0

Structural Damage!!



REPAIR & TOTAL LOSS



FULL PAYMENT FOR PROPERTY DAMAGE



AUTO POLICY



**WAC 284-30-390(4)
REPAIR
WAC 284-30-391
TOTAL LOSS**



**RCW 4.56.250(1)(a)
WPI 30.10**

GREAT SHOPS **VERSUS** RE-REPAIRS

AVOID BAD REPAIRS, HOLD INSURERS
RESPONSIBLE IF YOU CAN'T





REQUEST

MARKET

VALUATION

REPORT



Collision Consulting
of Washington

HA
HARBER
APPRAISAL



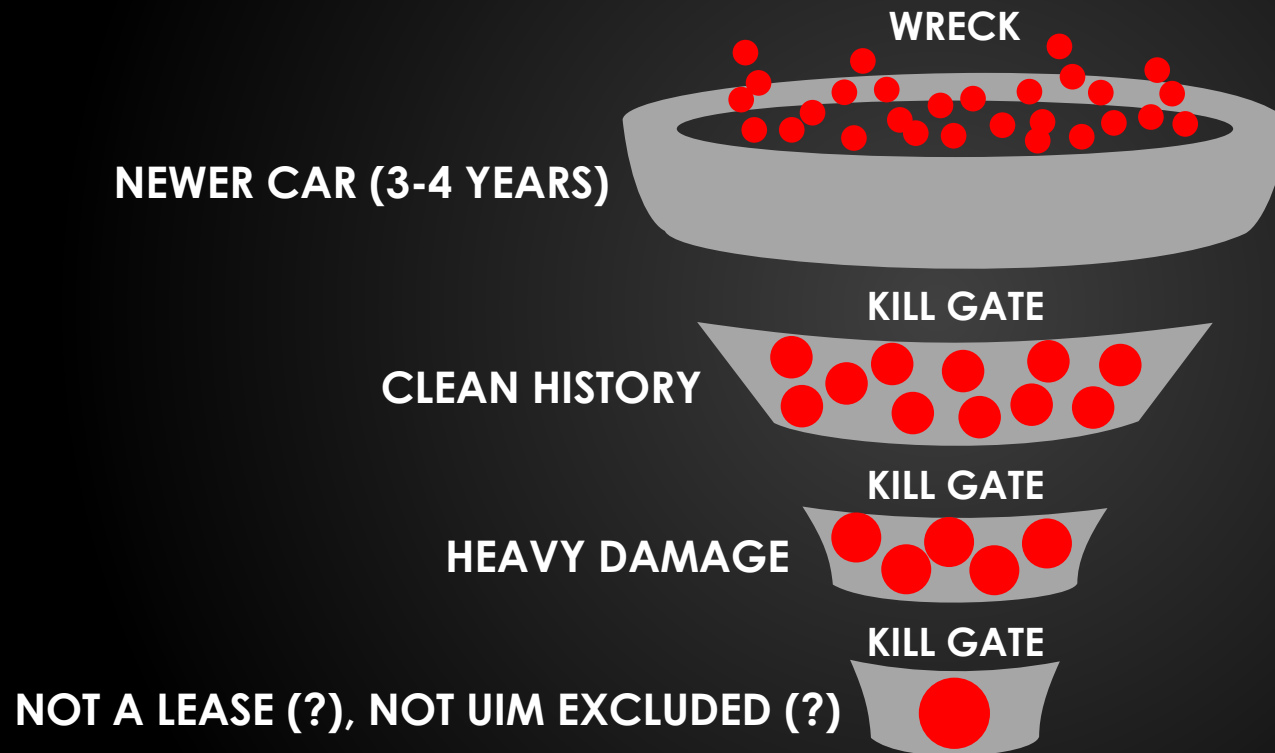
FutureForensics™
Automotive Damage Investigations

A red Ferrari sports car is shown from a front-three-quarter view with its scissor doors open. Overlaid on the car is a large white exclamation mark with a curved arrow pointing downwards towards the text. The text 'DIMINISHED VALUE' is written in a bold, white, sans-serif font across the lower portion of the car.

DIMINISHED VALUE

SCREEN AND QUALIFY

DOES YOUR CLIENT HAVE A DV CLAIM?



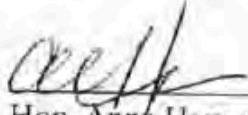
SCREEN AND QUALIFY

DV FOR A LEASED VEHICLE?

1 The Plaintiff's Motion is granted. The Plaintiff has standing to bring a claim for diminished
2 value and collect the full amount of the same, to be determined in later proceedings, from the
3 Defendant.

4 Dated 3/20/17

5

6 
Hon. Anne Harper

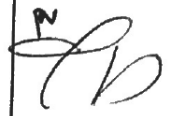

7 Presented by:

8 GALILEO LAW PLLC

9

SCREEN AND QUALIFY

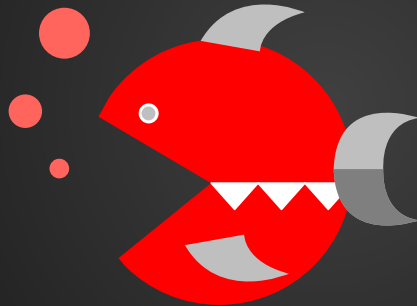
UIM DV EXCLUSION VOID?

1	The Plaintiff's Motion is granted. The Defendant's exclusion for diminished value and loss	
2	of use damages in the Plaintiff's underinsured motorist property damage coverage are void as	
3	contrary to RCW 48.22.030; <i>statutory interpretation; diminished value</i>	
4	Dated <u>3/20/17</u> <i>includes physical damage + value therefor</i>	
5		
6	 Hon. Anne Harper	
7	Presented by:	
8	GALILEO LAW PLLC	

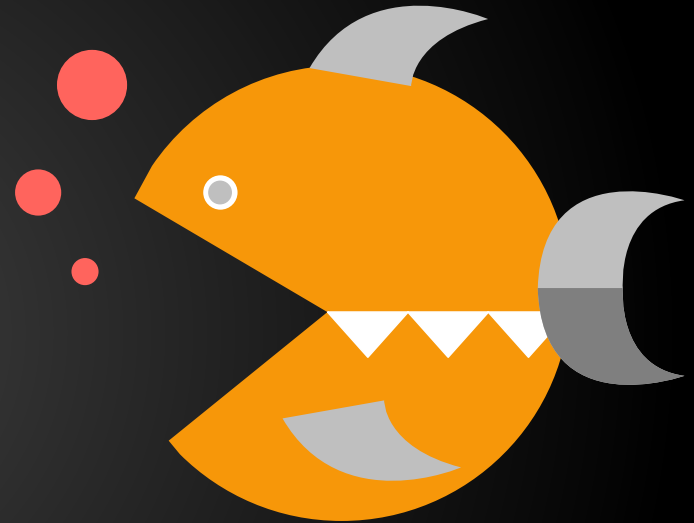
APPRAISAL – CHOOSE WISELY



WEB APPRAISAL



**DEFENSE
USUAL SUSPECT**



**LOCAL,
EFFECTIVE
EXPERT**

CLAIM PROCESS

PREPARE TO SUE - PERIOD

SUE
DON'T CLAIM SPLIT



TRIAL



WIN
SHIFT FEES?



APPRAISAL



DEMAND (?)



FIX THE CAR





LOSS OF USE

“CASH OUT” LOSS OF USE

BENEFITS RICH OR POOR

Mail File Edit View Mailbox Message Format Window Help

Re: [REDACTED] LOU - PV s/w Kent @ MAPFRE — Galileo Law

Marissa [REDACTED] [REDACTED] March 15, 2017 at 9:26 AM

Re: [REDACTED] LOU - PV s/w Kent @ MAPFRE

To: Paul M Veillon

Wonderful! Thank you :)

On Wed, Mar 15, 2017 at 9:26 AM Paul Veillon <paul@galileolaw.com> wrote:
MAPFRE will issue payment for the full amount of our request. "Cash-out" loss of use is subject to fees, so once we receive the check and it clears we will issue 2/3 of the payment to Marissa.
Kamber, please post to Daylite - thanks!

SMALL CLAIMS

THREE-FIGURE LOSS OF USE

Vehicle: 2012 Porsche 991 Carrera S
VIN: [REDACTED]
Mileage: 14,050
Claim Number: 019591241000000003002
Frontier File: 5124

To whom it may concern,

On behalf of [REDACTED] I provide my independent professional opinion for the period of April 8, 2015 and ending July 30, 2015. I found 3 companies that will rent a

- 1) Hertz Dream Cars has this vehicle available starting at \$450.00 per day
- 2) Find Exotic has this car in a Cabriolet starting at 289.00 per day (not a 991)
- 3) Relay Rides has a 2006 911 (997 older generation, not a 991) starting at \$240.00 per day in Bellevue Washington. This is an available car in this market.

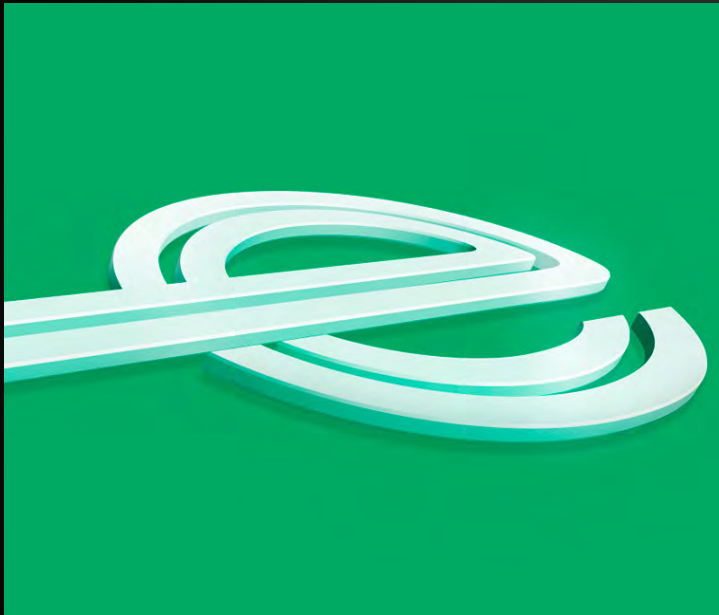
123 days loss of use @ \$240.00 per day = **\$29,520.00** (excluding taxes)

LARGE CLAIMS

PORSCHE, FERRARI – WELL INTO FIVE FIGURES

“CASH OUT” LOSS OF USE

BENEFITS RICH OR POOR



SMALL CLAIMS

THREE-FIGURE LOSS OF USE



LARGE CLAIMS

PORSCHE, FERRARI – WELL INTO FIVE FIGURES

"CASH OUT" LOSS OF USE LEGAL TIMELINE

COMPARABLE VEHICLE VERSUS "FOUR WHEELS AND A SEAT"

Holmes v Raffo
"General
damages"
"Inconvenience"

1962



Tort Reform
"Non-economic
damages"
"Inconvenience"

1986



WPI 30.17
"Reasonable
compensation"

2017



1986

Tort Reform
"Economic
damages"



1999

Straka Trucking
"Economic
damages"



“CASH OUT” LOSS OF USE

UIM PD COVERAGE CONTROVERSY

No new **policy** or renewal of an existing policy insuring against loss resulting from liability imposed by law for bodily injury, death, or property damage, suffered by any person arising out of the ownership, maintenance, or use of a motor vehicle **shall be issued** with respect to any motor vehicle registered or principally garaged in this state **unless coverage is provided** therein or supplemental thereto **for the protection of persons** insured thereunder **who are legally entitled to recover damages** from owners or operators of underinsured motor vehicles, hit-and-run motor vehicles, and phantom vehicles **because of** bodily injury, death, or property damage, resulting therefrom . . . Property damage coverage . . . shall mean **physical damage to the insured motor vehicle.**”

RCW 48.22.030(2) mandates benefits for “damage” “because of” “physical damage.”
Loss of use is “damage.” “Physical damage” causes it.



SUBROGATION

PD PRO-RATA **FEE SHARING**

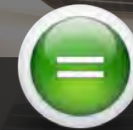
HOW TO GET PAID FOR PROPERTY DAMAGE WORK



**\$15,000
TOTAL LOSS**



**\$10,000
BI CLAIM**



**\$8,333.33 FEE
VERSUS
\$3,333.33**

“CONVENTIONAL” V “EQUITABLE”

POLICY LANGUAGE CURRENTLY CRITICAL

Subrogation Rights

When we pay, your rights of recovery from anyone else become ours up to the amount we have paid. However, we may recover only the excess amount.

“CONVENTIONAL”
NO FEE SHARING
“MADE WHOLE” (?)

OR

B. If we make a payment under this policy and the person to or for whom payment is made recovers damages from another, that person shall:

1. Hold in trust for us the proceeds of the recovery; and
2. Reimburse us to the extent of our payment.

“EQUITABLE”
FEE-SHARING
DIFFICULT

FEE-SHARING **PROCESS**

**OPENING LETTER
“DON’T SUBRO”**

**“DOUBLE-
RECOVER” PD**

**PREPARE TO
“EDUCATE”**



**READ
POLICY**

**AVERILL LETTER
WHEN CASE
CONCLUDES**



GALILEO LAW

PLLC

THANK YOU

THANKS FOR LISTENING! STAY IN TOUCH WITH US!



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linkedin.com/in/veillon/



twitter.com/galileolaw



galileolaw.com



PROPERTY DAMAGE:
WIN, PROTECT YOUR CLIENT,
EARN A LIVING