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**“Does the customer
have any rights?”**



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The Seebachans Address the Industry



Robert is a recognized Public Insurance Adjuster and Certified Vehicle Value Expert specializing in motor vehicle-related insurance claim resolution. As the general manager of Auto Claim Specialists, Robert expertly leads this National Public Insurance Adjuster Agency, which is currently licensed in 11 different states and specializes in providing automotive-related claim liquidation techniques, strategies and motor vehicle valuation services to all parties, including individual consumers, body shops, auto dealers, repair facilities, towing and storage operations, lenders, finance companies, banks, legal professionals, governmental agencies and others. The firm's consistent success can be attributed to Robert's 35+ years of automotive industry knowledge, practical hands-on experience and multiple certifications, including licensure by the Texas Department of Insurance as a Public Insurance Adjuster. Auto Claim Specialists clients can absolutely trust that they will be provided with analytical, sophisticated, state-of-the-art, comprehensive, accurate, unbiased and up-to-date data and information that all parties can rely upon as both factual and objective. Robert can be reached at (800) 736-6816, (817) 756-5482 or asktheexpert@autoclaimspecialists.com.

Ask the Expert

By Robert L. McDorman

"DOES THE CUSTOMER HAVE ANY RIGHTS?"

Dear Mr. McDorman:

I have always wondered if the customer has any rights to the repair or replace decision of their insurance carrier? I just assumed that the insurance carriers knew all the rules and accepted what they told me as "just the way it is."

Thank you for your question, which is a good one that I'm asked often. Yes, the insured and the claimant have rights to the decision on behalf of the insurance carrier to repair or replace. In most policies, the insured and/or claimant also has a right as to the proper repair plan.

In Texas, each insurance policy has different guidelines and endorsements as to how the liability will be paid for the covered loss. I strongly advise my clients and interested parties to always look to the policy to determine what the carrier can and cannot do. The carrier is bound by the language in the policy and required to administer the covered loss as the policy states. The insured and/or claimant should never take the advice of the claim's handler or their manager. Almost daily, I am in discussions with insurance carriers' senior management regarding a claim, and most of them seldom understand what their own insurance policy states they can or cannot do. I find this alarming and frightening.

The insured, claimant and/or collision facility owner or management should never accept the insurance carriers' views on how and why the repair or replace decision is made without researching the policy of the claim of the covered loss. As leaders in our industry, we have a fiduciary responsibility to our clients to always make sure we give them sound

advice as to their insurance carrier's choice to repair or replace. The correct way to do this would be to have the client read their policy or refer them to a public insurance adjuster for advice. When it comes to the insurance carrier's decision as to how the covered loss will be paid, it has been my experience over the years and based on what I have seen that the insurance carrier will always choose the most economical way possible to satisfy the loss liability. **You should never let someone who owes you money decide how they will pay you.**

In today's world regarding motor vehicle insurance policies, claim management, frequent changes in insurance carrier claim handling policies and various GAP Addendums, there are many variables that could affect the resolution of the claim. Over the years, we have found it is always in the best interest of the insured or claimant to have their proposed insurance settlement reviewed prior to accepting. There is never an upfront fee for Auto Claim Specialists to review a motor vehicle claim or proposed settlement and offer our professional opinion as to the fairness of the settlement.

Please call me should you have any questions relating to the policy or covered loss. We have most insurance policies and GAP Addendums in our library. Always keep in mind that a safe repair is a quality repair and quality equates to value. I thank you for your questions and look forward to any follow-up questions that may arise.

Sincerely,
Robert L. McDorman

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