



## **DIMINISHED VALUE OF YOUR VEHICLE**

The term “diminished value” gets tossed around by insurance companies frequently. But, what is this term exactly and how is it defined in Pennsylvania? Lets use an example.

You get in a car accident. A distracted driver hits you while texting and the insurance companies determine it is not your fault. The insurance company pays for your vehicle to be repaired. However, when you check your vehicle’s “car fax”, you notice it now has an accident history. Your “trade in value” dropped **DRAMATICALLY**...because, who wants to buy a car with an accident history? Your car value has diminished!

You call the at fault party insurance company and ask for compensation. Almost always, the insurance company will deny your claim. They will tell you that “Diminished Value is not a real claim”, or “We don’t cover that.”

### **That is not true!**

In Pennsylvania, a plaintiff may recover for diminished value damages in a general negligence suit. Diminished Value is the difference in value between your vehicle prior to its accident and your vehicle after its accident. **This is not correlated to your repair damage.**

Insurance companies like StateFarm or Progressive will tell you that this is not a real claim. That is a lie! This type of claim has been upheld by Pennsylvania law dating back over 100 hundred years. More recently, in 2022, King & Huffines: Attorneys at Law PLLC litigated this exact claim in a motion for summary judgment and was successful on all four counts. The Court definitively ruled that Plaintiff’s may pursue Diminished Value claims and this is recognized cause of action in Pennsylvania. See Leshner v. Heid, 11040-2020, Beaver County Court of Common Pleas.

**Bottom line:** Diminished Value is a recognized claim in Pennsylvania. Don’t let any insurance company tell you otherwise. If your vehicle was damaged in an accident and you think you may have a diminished value claim, give King & Huffines: Attorneys at Law PLLC a call at 724-2420230.