

PROPERTY DAMAGE AFTER A VEHICLE ACCIDENT

A SIMPLE GUIDE TO FIXING YOUR CAR, DEALING WITH INSURANCE, AND KNOWING WHAT WE CAN AND CANNOT DO FOR YOU.

Important: This guide provides general information, not legal advice. Every policy is different. Always review your own insurance policy and ask your insurance company specific questions about your coverage.



The at-fault driver's insurance is responsible for your car damage.

(But it may be faster to start with your own insurance.)

Has the at-fault driver's insurance accepted responsibility?

No

If fault is disputed or the insurer won't accept responsibility, you may need to use your own insurance.

- Fault is being disputed
- The other driver is uninsured/underinsured
- Delays in accepting responsibility

Do you have collision coverage?

No

Ask your insurer what coverages apply.

(Uninsured/underinsured property damage coverage may help if available.)

Yes

File through your own collision coverage.

(Often faster, but you may pay your deductible up front.)

- Your insurer may pursue reimbursement later (subrogation)

Yes

File the claim through the at-fault driver's insurance.

- Start a claim and get a claim number
- Ask about rental coverage and next steps to get the vehicle appraised for the damages

Is the car repairable or a total loss?

Repairable

Choose your repair shop and begin repairs.

(You do not have to use the insurer's preferred shop.)

Total Loss

Review the total loss offer and the car's value (ACV).

- ACV is based on local market value
- You can submit comparable listings and repair records if the value seems low

Keep receipts and stay in touch with the adjuster.

WHO PAYS FOR MY CAR DAMAGE?



Whose insurance is supposed to pay for my car damage?

Usually the at-fault driver's insurance is responsible. However, it is often faster to start with your own insurance and let the companies sort it out afterward.

Should I go through my insurance or the other driver's insurance?

You often have both options. If you have collision coverage, you can file with your own insurer. You can also file with the at-fault driver's insurer if they accept responsibility. Many people start with their own insurer because the process tends to move faster.

My insurer says I should go through the other driver's insurance. Is that right?

Sometimes insurers prefer not to pay first. Ask your company: "Do I have collision coverage, and can I use it for this claim?" If you do, you can usually choose to go through them.

The other driver was clearly at fault. Why is my company paying for this?

When you use collision coverage, your company pays first and then tries to recover the money from the at-fault driver's insurer. This is called **subrogation**. You may pay your deductible up front and get it returned later if your insurer is reimbursed.

What if the other driver has no insurance or very little insurance?

If the other driver is uninsured or underinsured, your own policy may help if you have collision coverage or uninsured/underinsured property damage coverage. Ask your insurer which coverages apply.

GETTING YOUR CAR REPAIRED



How do I start a property damage claim?

Contact the insurance company, give them the date and location of the crash, and provide a claim number if you have one. They will assign an adjuster who will inspect the vehicle or direct you to a repair shop.

Can I choose my own body shop?

Yes. Select a shop you trust. **Make sure they are willing to work with your insurer** and provide estimates and photos as needed.

What if they want to repair the car but I do not feel safe driving it anymore?

Tell the adjuster what concerns you, such as frame damage or airbag issues. Ask the shop for something in writing about repair safety. Whether the vehicle is repaired or declared a total loss depends on state law ([Code of Virginia § 8.01-66](#)) and your policy's total-loss formula.

Do I have to use the repair shop the insurance company recommends?

No. You can choose your own shop. Insurers may suggest "preferred" shops, but you are not required to use them.

Do I have to get multiple repair estimates?

Many insurers require only one estimate, especially if they send their own adjuster. If their estimate seems low, you can get a shop's estimate and ask the insurer to review it.



TOTAL LOSS AND VEHICLE VALUE



How do they decide if my car is a total loss?

A car is usually totaled if the cost to repair it plus its salvage value is close to or more than its market value. The exact formula varies by state and insurer.

The offer seems low. Can I challenge their valuation?

Yes. You can submit local listings for similar vehicles and provide receipts for recent major repairs, upgrades, or documentation of low mileage. Ask the adjuster to explain how they calculated the value.

What happens if I owe more on the car than it is worth?

Without GAP coverage, you may be responsible for the remaining balance. If you have GAP coverage, it may pay the difference between what you owe and the car's value.

Who decides what my car is worth?

The insurer uses pricing guides, recent local sales, and third-party tools to determine **actual cash value** (ACV). This is the market value of similar vehicles in your area, not what you originally paid.

Do they have to pay off my car loan if it is totaled?

No. They pay you the car's ACV, not your loan balance. If you owe more than your car is worth, you may still owe your lender unless you have **GAP coverage**.

What happens to my car if it is totaled but I want to keep it?

You can often keep the car, but the insurer will deduct its salvage value from your payment. The title may change to a salvage or rebuilt title, which can affect resale and insurance.

DEDUCTIBLES, CHECKS, AND MONEY



Do I have to pay my deductible if the other driver is at fault?

If you use your own collision coverage, you usually pay your deductible initially. If your insurer later recovers money from the other driver's insurer, you may receive reimbursement.

How long until I get a check?

It varies. It depends on how quickly the insurer can inspect the car, determine value, and process payment. Ask your adjuster for a timeframe.

What if the repair costs more than first estimated?

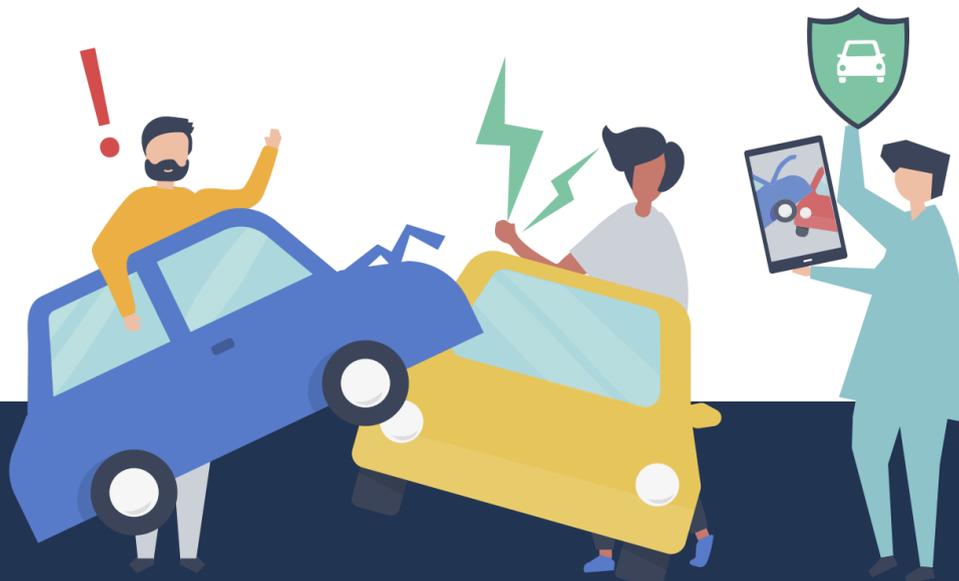
Shops often find additional damage after disassembly. The shop can submit a **supplement** to the insurer. If it is crash-related, insurers generally approve it.

Will I get my deductible back later?

You might. It depends on whether your insurer recovers the money. Ask how they handle deductible reimbursements and the typical timeline.

Do they pay the repair shop or me?

Sometimes they pay the shop directly, sometimes they pay you, and sometimes they issue a check to both you and your lender if you have a car loan. Ask your adjuster who will be listed on the check.



RENTAL CAR AND LOSS OF USE



Am I entitled to a rental car?

It depends on your policy and whether the at-fault driver's insurer accepts liability. Your own rental coverage may apply, or the other insurer may provide a rental once fault is accepted.

Do I need to tell the insurance company that I'm using a AAA discount?

It's a good idea. Some insurers want the rental placed under the claim number from the start. Let them know you're using your AAA discount code so they can apply payment correctly.

What kind of rental car can I get?

Most policies cover a standard rental, not necessarily the same make or model as your own vehicle. Larger or specialty vehicles may cost more than your coverage allows.

If I do not rent a car, can I get money instead?

Possibly. Some insurers recognize loss of use even if you don't rent a car. Ask whether they pay loss of use and how they calculate it.

Can I use my AAA membership to get a rental car after a crash?

Yes. AAA members often receive discounted rental rates through partnered companies like Hertz, Dollar, or Thrifty. These discounts can apply even when the rental is being billed to an insurance company.

How long can I keep the rental car?

Typically for the reasonable repair time or until you receive a total loss offer. Many policies have daily and total limits. Ask about your specific coverage.

What if I cannot rent a car because of my age or not having a credit card?

Tell the adjuster immediately. You may qualify for **loss of use** payments instead of a rental, depending on the insurer and state rules.

DIMINISHED VALUE



My car is repaired but worth less now. Can I be paid for that?

This is called diminished value. Some states and some policies allow these claims; others do not.

Do I need an appraiser to prove diminished value?

Often, yes. Insurers usually want written proof or strong market data before considering payment. Ask what documentation they require.

What is a diminished value claim?

It is compensation for the difference between your car's value before the crash and its value after repairs. You may need supporting evidence, such as an appraisal or market comparisons.

TOWING, STORAGE, AND EXTRA FEES



Who pays for the tow truck?

If the crash is covered, towing is usually included. Keep your receipt if you paid upfront and submit it for reimbursement.

The storage fees keep going up. What should I do?

Contact the adjuster right away. Ask whether the car can be moved to a shop or lower-cost storage. Insurers may not cover extended storage if delays are avoidable.

My car is in a storage lot. Who pays for storage?

Storage charges are typically part of the claim, but insurers expect you to make timely decisions such as choosing a shop or settling a total loss.

PERSONAL ITEMS INSIDE THE CAR



Can I get reimbursed for things that were damaged in the car, like my phone, car seat, or laptop?

Many policies cover personal items damaged during the crash, though limits vary. Some items may fall under auto insurance, others under homeowners or renters insurance.

How do I prove what was in the car and how much it was worth?

Make a list of damaged items, including cost and purchase date. Photos, receipts, bank statements, or online order histories help support your claim.

WORKING WITH INSURANCE ADJUSTERS



The adjuster is not calling me back. What can I do?

Try calling, emailing, and using any available online portal. If there's still no response, ask for a supervisor. Keep notes of dates and conversations.

What if they say some damage is pre-existing?

Ask them to show exactly what they believe is pre-existing and why. If you disagree, get an opinion from a trusted shop and send photos or written explanations.

Do I have to accept the first offer?

No. If you believe the estimate or valuation is too low, explain why and provide supporting documentation. Ask how to dispute the amount.

Can I record calls with the insurance company?

Recording laws vary by state. Some require the other person's consent. Know your state's law before recording any call.

HOW PROPERTY DAMAGE AFFECTS YOUR INJURY CASE



Should I wait to fix my car until my injury case is settled?

Usually no. Property damage claims are handled separately and much sooner. Waiting may lead to unnecessary storage fees or other issues.

Can what I say about my car hurt my injury claim?

It can. Statements about speed, fault, or the force of impact may affect your injury case. If an adjuster starts asking about fault or injuries, say:

"My attorney handles my injury claim, and I prefer that you speak with them about those issues."

Is it okay to talk to the property damage adjuster while my lawyer handles my injury case?

Yes, as long as you limit your comments to the car, repairs, and logistics. For questions about how the crash happened or about your injuries, speak with your lawyer first.





Why can you help with my injuries but not with my car damage?

Our firm focuses on helping you recover for your injuries, medical bills, lost wages, and pain and suffering. Property damage claims are usually smaller, administrative, and something most people can handle directly with the insurer using a guide like this.

What exactly can your firm do and not do for property damage?

We can explain the general process, give you this guide, and answer basic questions. We do **not** open or manage property-damage-only claims, negotiate repair estimates, or dispute valuations with the insurer.

Who should I contact if I get stuck on the property damage part?

Start with the adjuster handling the property damage claim and request a supervisor if needed. You can also contact your insurance agent. For anything that may affect your injury case, ask our office before agreeing to anything.



QUICK CHECKLIST

Call your insurance company and report the crash.

Ask which coverages on your policy apply to property damage and rental.

Decide whether to go through your own insurance, the other driver's, or both.

Choose a repair shop you trust.

Keep all receipts for towing, storage, rentals, and damaged personal items.

Review repair estimates or total loss offers carefully.

If the value seems low, gather proof of your car's value and ask for a review.

Be careful what you say about fault and injuries. Redirect those questions to our office.

