

# A CONSUMER SPEAKS

In several issues of *Texas Automotive*, ABAT Board member Robert McDorman (Auto Claim Specialists) has written at length about the importance of the Appraisal Clause as a tool that consumers can use when disputes arise between insurers and shops during the repair process. In this month's must-read cover story, Robert details how the Appraisal Clause recently helped one of my customers, Dale Barton, settle a dispute with Allstate and leave my facility with a properly repaired vehicle. Additionally, this issue includes a special article on Dale in which he shares his personal views on the situation and what consumers can do to become better educated and protected.

In my opinion, the Appraisal Clause is one of the most valuable pieces of ammunition available to vehicle owners and our industry. The shop is the place repairing the vehicle, and its experience should weigh in the decision. But through the Appraisal Clause, an unbiased independent party – not the bill payer or the person profiting from the repair – makes the determination. I'm okay with that; I believe in the work my shop does, and I provide the necessary supporting documentation. Best of all, the Appraisal Clause helps the customer avoid being forced to pursue costly litigation.

Although I'm unable to give my customers claim advice because

I'm not a licensed adjuster, I am able to recommend the Appraisal Clause to them and inform them of their rights. I can also recommend Auto Claim Specialists to assist my customers in getting what they deserve. It's a shame that some insurance adjusters refuse to negotiate with me in the customer's best interest, but the Appraisal Clause is there for when these unfortunate situations arise.

Thank goodness Dale had the provision in his policy that allowed him to go through the Appraisal Clause. The Texas Department of Insurance (TDI) recommends that a customer should utilize this process if they can't come to an agreement between the insurer and the shop. Unfortunately, TDI has allowed State Farm to carry on in Texas without making this provision available to policyholders. State Farm only allows the Appraisal Clause when it comes to a disagreement on the actual cash value (ACV) of a vehicle; they won't allow it for a disagreement over the actual repairs. This



**Burl Richards**  
*ABAT President*

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## President's Message

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deprives the customer of pursuing this critical route when they face an issue with their repair. TDI is supposed to be looking out for what's best for consumers; it is my belief that they are dropping the ball when it comes to State Farm.

I encourage everyone to read this issue for both industry insights into the Appraisal Clause and my customer's firsthand experiences. *Texas Automotive* will be featuring other interviews with customers in upcoming issues. If you have a customer who would like to share their stories about issues they've encountered with insurers, please contact *Texas Automotive* Editorial Director Joel Gausten at [joel@grecopublishing.com](mailto:joel@grecopublishing.com) or (603) 680-4324.

ABAT will always put the consumer first, and now they will have a say in this magazine. Stay tuned.

TXA

*Burl Richards*

[burl@burlscollision.com](mailto:burl@burlscollision.com)

## Executive Director's Message

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same way, but each region's outcome can be very different. There are some hallmarks for success, and it's all in the hands of the members. Take our new chapter in College Station, for example. We hosted a meeting there on a Thursday; by Friday, they had a group email going. Within three weeks, they had conducted a full survey with results and already had another meeting. They used ABAT and me to handle administrative duties to accomplish some of this. I was thrilled to take on the workload, because THIS is what we are here for.

How can WE HELP YOU? Reach out to me directly, and let's make moves in your market.

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*Jill Fuggle*

[jill@abat.com](mailto:jill@abat.com)

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