


Damage Disputes in Total Recovery Solution® (TRS®) and Online Filing (OLF)

After accessing TRS and pulling a case to hear, proceed through all required **Workflow Steps** until you reach the filing party’s recovery damages.

WORKFLOW STEPS


- Neutrality Statement
- Liability
 - ALPHA INSURANCE OF FLORIDA (YOGI BEAR)
 - BETA INSURANCE OF COLORADO (JESSICA WHITE)
 - Liability Decision
- ALPHA INSURANCE OF FLORIDA (YOGI BEAR) Damage Recovery
 - 2019 FORD



From this step, Damages Disputes will be indicated by a red box with the word “Disputed” displayed inside.

WORKFLOW STEPS

- Neutrality Statement
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 - BETA INSURANCE OF COLORADO (JESSICA WHITE)
 - Liability Decision
- ALPHA INSURANCE OF FLORIDA (YOGI BEAR) Damage Recovery
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
ALPHA INSURANCE OF FLORIDA Recovery (YOGI BEAR) - Damages Decision ?

Collision, 2019 FORD F150



Driver: YOGI BEAR

Sought: \$3,500.00


Proven: \$0.00



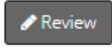
Damages	Sought	Proven	
* Auto Damage	\$3,500.00	Disputed	

Evidence

Once a Damage Dispute has been indicated, select the **Review** tab to read the arguments and evidence presented by the responding party.

BEAR) - Damages Decision 

Sought	Proven	
\$3,500.00 		

From the **Review** tab, review the responding party's new proposed amount along with their justification.

Damage Decision - Auto Damage

ALPHA INSURANCE OF FLORIDA (YOGI BEAR) is seeking to recover \$3,500.00.


Disputes

BETA INSURANCE OF COLORADO (JESSICA WHITE)

Proposed Amount: \$3,000.00

Dispute Types: Parts



Justification:


Alpha wrote estimate using all OEM parts, however, LKQ parts were found and available at time of the repair. 

In this example, you can see the filing party's original damage amount was \$3,500. The proposed amount being requested by the responding party is \$3,000 and their justification is that LKQ parts were available, but not used.

Next, review the evidence and evaluate whether it supports the arguments made. Evidence can be viewed by either clicking the PDF icon or by selecting **View All Evidence**.

A comment is required on all evidence attached to the damage by a ■.

 Evidence Types (show descriptions)  View All Evidence

 AD1 Estimate

Reminder: A green box requires the arbitrator to make a comment about that evidence item. If not entered, the system prevents the decision from being submitted.

As arbitrators, you will either **Confirm Damages Sought** or **Reduce Auto Damage Amount** by selecting the appropriate radio button seen below.

Determine Damage Amount

Confirm Damages Sought (\$3,500.00) Reduce Auto Damage Amount




After determining the damage amount, enter your justification and select **Done**.

Confirm Damages Sought (\$3,500.00) Reduce Auto Damage Amount

Apportion Damages

Change Apportioned Amount

Party	Proven Liability	Apportionment
BETA INSURANCE OF COLORADO (JESSICA WHITE)	100%	\$3,500.00
Total Apportioned Amount		\$3,500.00

✓ Justification 

Reviewed appraisers notes on Alpha's estimate. LKQ parts were ordered but did not fit property. Based on this information, full damages awarded to Alpha.



Cancel Done

In this example, the arbitrator selected **Confirm Damages Sought**, awarded all damages to the filing party, entered a justification, and selected **Done**.

Reminder: When entering your justification, you are speaking to the non-prevailing party who needs to understand why their argument was not taken into consideration.

If selecting **Reduce Auto Damage Amount**, enter the new damage amount.

Confirm Damages Sought (\$3,500.00)
 Reduce Auto Damage Amount ✓

In addition to entering a justification, when selecting **Reduce Auto Damage Amount**, arbitrators must “show the math”. This allows all parties to know how you arrived at the new amount for further clarity and understanding.

Apportion Damages

Party	Proven Liability	Apportionment
BETA INSURANCE OF COLORADO (JESSICA WHITE)	100%	\$3,000.00
Total Apportioned Amount		\$3,000.00

Change Apportioned Amount

Justification

Reviewed alpha's estimate confirming damages of \$3500.00. All parts listed were written using OEM Parts. Reviewed Beta's part search which confirms LKQ parts were available during the time the vehicle was in the shop for repairs. Breakdown is as follows:

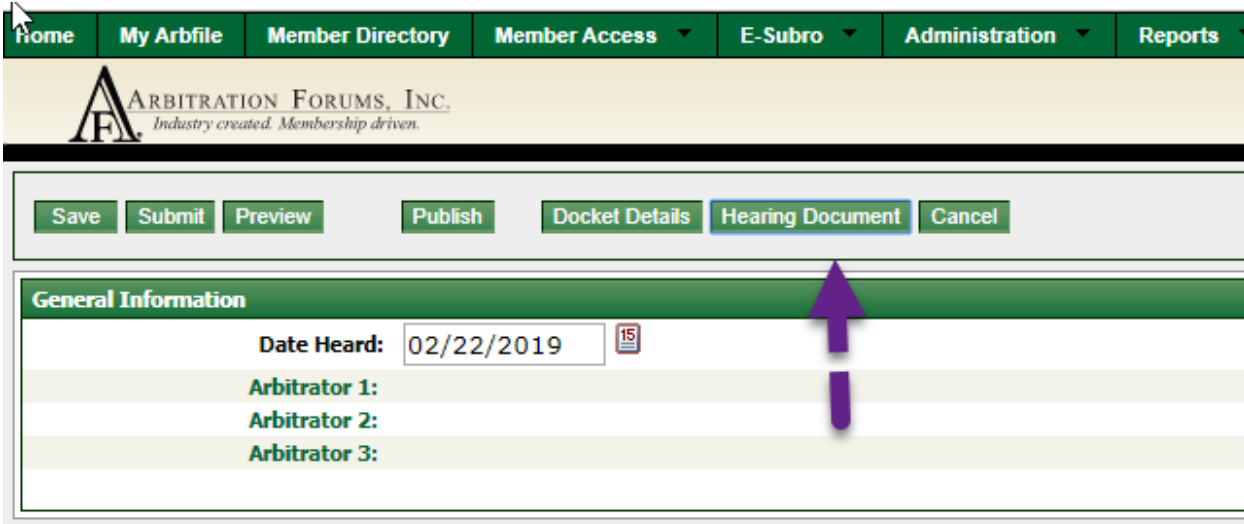
\$3500.00	Alpha's original estimate
\$-500.00	Repair to front bumper, bumper guard and cushion, grill assembly (includes grill and header panel)
\$3000.00	Damages Awarded

As with TRS, Online Filing (OLF) requires the same principals discussed above when awarding or reducing the filing party’s damages. The only difference is where it is located and how it looks.

Arbitrators hearing cases in OLF will first access the document assigned. If a Damage Dispute has been raised by the responding party, it must be located in the **Disputed Damages Section** for consideration.

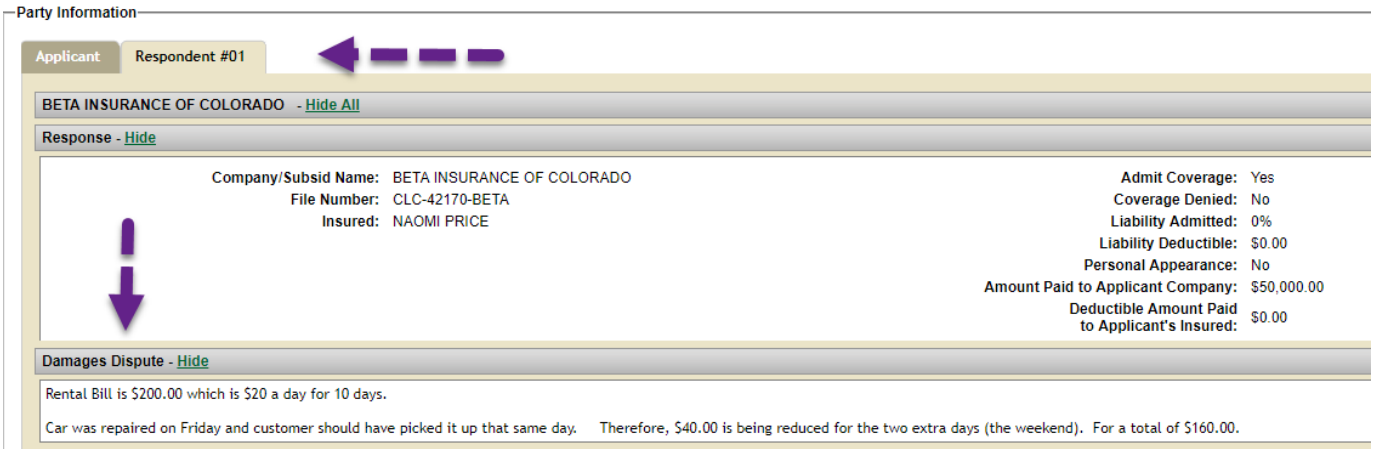
Disputed Damages	
Respondent	Damage Dispute Description
Respondent 1	Rental Bill is \$200.00 which is \$20 a day for 10 days. Car was repaired on Friday and customer should have picked it up that same day. Therefore, \$40.00 is being reduced for the two extra days (the weekend). For a total of \$160.00.

The **Hearing Document** Tab provides access to the Respondent's Damage Dispute arguments and evidence.



The screenshot shows the top navigation bar with tabs: Home, My Arbfile, Member Directory, Member Access, E-Subro, Administration, and Reports. Below this is the Arbitration Forums, Inc. logo and tagline. A secondary navigation bar contains buttons: Save, Submit, Preview, Publish, Docket Details, **Hearing Document** (highlighted with a purple arrow), and Cancel. Below the buttons is a 'General Information' section with a green header. The 'Date Heard' field is set to 02/22/2019. Below this are fields for Arbitrator 1, Arbitrator 2, and Arbitrator 3. A purple arrow points to the 'Hearing Document' button.

After selecting **Hearing Documents**, go to the **Respondent** tab to view damage arguments and evidence.






The screenshot shows the 'Party Information' section. At the top, there are tabs for 'Applicant' and 'Respondent #01' (selected, with a purple arrow pointing to it). Below the tabs is a section for 'BETA INSURANCE OF COLORADO - Hide All'. Underneath is a 'Response - Hide' section containing the following information:

Company/Subsid Name: BETA INSURANCE OF COLORADO	Admit Coverage: Yes
File Number: CLC-42170-BETA	Coverage Denied: No
Insured: NAOMI PRICE	Liability Admitted: 0%
	Liability Deductible: \$0.00
	Personal Appearance: No
	Amount Paid to Applicant Company: \$50,000.00
	Deductible Amount Paid to Applicant's Insured: \$0.00

Below this is a 'Damages Dispute - Hide' section with the following text:

Rental Bill is \$200.00 which is \$20 a day for 10 days.
Car was repaired on Friday and customer should have picked it up that same day. Therefore, \$40.00 is being reduced for the two extra days (the weekend). For a total of \$160.00.

Evidence - [Hide](#)

Case Evidence	
PDF	Rank / Type(s) / Description
	1 Adjusters Notes
	1 Police Report
	1 Vehicle Damage Photos

After viewing all arguments and evidence, enter your Damages Decision by selecting either **All Damages** or **Reduced Damages**.

Damages Decision:

Applicant - ALPHA INSURANCE OF FLORIDA proved --- Select --- Damages Proven: \$ 10460.00

Explain Damages Proven (if damages are reduced, explain why): --- Select ---

What evidence caused you to render this decision and Specific information about evidence.

All Damages

Reduced Damages

In the example below, damages have been reduced. Simply enter your explanation why damages were reduced and show the math.

Damages Decision:

Applicant - ALPHA INSURANCE OF FLORIDA proved Reduced Damages Damages Proven: \$ 10460.00

Explain Damages Proven (if damages are reduced, explain why):

Reviewed Alpha's estimate of repairs. Vehicle was completed on Friday and there was no explanation from Applicant why the vehicle sat over the weekend. Therefore, decision is to reduce award by \$40.00.

Company Claim Amount \$10,500
 less \$40.00 for rental \$-40.00 (2 days of rental at \$20.00 per day)
 Total Award \$10,460.00

If awarding the Applicant **All Damages**, simply provide explanation of the same.

Damages Decision:	
Applicant - ALPHA INSURANCE OF FLORIDA proved	All Damages ▾ Damages Proven: \$ 10500.00
Explain Damages Proven (if damages are reduced, explain why):	Reviewed Alpha's estimate of repairs. Vehicle was completed on Friday, however, the shop was closed as per appraiser notes so Alpha's insured was not able to pick up the car until Monday. Additional two days warranted.

Lastly, from a quality stand-point, be sure to check all decisions prior to submitting for any mathematical or spelling errors. Comment only on evidence submitted and do not raise arguments not previously raised by the parties involved.