[DATE]

**Via U.S. MAIL**

[ADJUSTER NAME]

[INSURANCE COMPANY NAME

[INSURANCE COMPANY ADDRESS]

 Re: Your Insured: [NAME OF OTHER DRIVER]

 Claim No.: [INSERT CLAIM NUMBER]

 Date of Loss: [INSERT DATE OF COLLISION]

Dear [ADJUSTER NAME]:

As a result of a collision caused by your insured’s negligence, I incurred personal property losses. The law provides that if someone is harmed through another’s negligence, the person harmed is entitled to reasonable compensation for the harm. (California Civil Jury Instructions CACI 3901.) I am claiming the following direct economic losses, as allowed for by Judicial Council of California Civil Jury Instructions CACI 3903 et seq.: [DAMAGE TO PERSONAL PROPERTY AND/OR LOSS OR DESTRUCTION OF PERSONAL PROPERTY AND/OR LOSS OF USE OF PERSONAL PROPERTY—ADD ALL THAT APPLY]

1. **Factual Background**

[INSERT BRIEF FACTS OF THE COLLISION. FOR EXAMPLE: “On June 1, 2016, my [bicycle, vehicle, person] was struck by your insured. The collision occurred at the intersection of Pine and Montgomery. The front right corner of your insured’s vehicle struck the area above the left wheel of my vehicle.” IF THERE IS A TRAFFIC COLLISION REPORT, SIMPLY ATTACH A COPY.]

1. **Damage to Personal Property [USE IF PROPERTY WAS DAMAGED/REPAIRABLE]**

To recover damages for harm to personal property, the harmed party must “prove the reduction in the item of the personal property’s value or the reasonable cost of repairing it, whichever is less.” (CACI 3903J Damage to Personal Property.) The determination of a reduction in value is done by taking the fair market value of the damaged item, before it was harmed, and subtracting its fair market value, after the harm. Fair market value is defined as “the highest price that a willing buyer would have paid to a willing seller.” (CACI 3903J.)

As a result of this collision, my [INSERT DESCRIPTION OF PROPERTY—1971 Red Schwinn 10-speed) sustained significant damage including [GENERALLY DESCRIBE DAMAGE AND AREAS OF DAMAGE]. I have had a damage estimate prepared by [INSERT NAME OF REPAIR SHOP]. The estimated cost of repair is:[INSERT REPAIR ESTIMATE TOTAL]. The estimated replacement value of the bike is: [INSERT REPLACEMENT VALUE IF APPLICABLE]. (Exhibit A, Estimate from [INSERT NAME OF REPAIR SHOP] and Photographs of Damage.) [YOU CAN ALSO ADD OTHER DAMAGED ITEMS LIKE A CELLPHONE, HELMET, GLASSES ETC.] The following is a complete list of my claimed property damage:

 **ITEM DAMAGED PURCHASE PRICE REPAIR ESTIMATE**

 [**\*\*\*\*\*\*\*]** [**$\*\*\*\*\*\*]** [**$\*\*\*\*\*\*]**

**TOTAL DAMAGE LOSS: [INSERT TOTAL]**

1. **Loss or Destruction of Personal Property [USE FOR ITEMS THAT ARE NOT REPAIRABLE]**

To recover damages for loss or destruction to personal property, the harmed party must prove the fair market value of the item just before the harm occurred. (CACI 3903K Loss or Destruction of Personal Property.) As a result of the collision, the following items were destroyed:

**ITEM DESTROYED PURCHASE PRICE REPLACEMENT ESTIMATE**

[**\*\*\*\*\*\*\*]** [**$\*\*\*\*\*\*]** [**$\*\*\*\*\*\*]**

**TOTAL DESTRUCTION LOSS: [INSERT TOTAL]**

1. **Loss of Use of Personal Property**

As a result of the collision, I also lost the use of my [BIKE, SCOOTER, CAR] which was my only form of transportation. I am entitled to recover for damages for such a loss of use, by establishing the reasonable cost to rent a similar [BIKE, SCOOTER, CAR] for the amount of time reasonably necessary to repair or replace the [BIKE, SCOOTER, CAR] (CACI 3903M Loss of Use of Personal Property.) In total I have lost the use of my [BIKE, SCOOTER, CAR] for [INSERT NUMBER OF] days. The average rental rate of a [BIKE, SCOOTER, CAR] in [INSERT YOUR CITY] is [$$$$$] a day. Therefore, I am requesting payment for the loss of use of my [BIKE, SCOOTER, CAR] in the amount of :[**$\*\*\*\*\*\*]**.

Thank you for your anticipated cooperation in this matter. I request a response to my demand for payment within fifteen days of receipt of this correspondence. If anything further is needed, please do not hesitate to contact me.

Very truly yours,

[INSERT YOUR NAME]

[INSERT YOUR PHONE]

[INSERT YOUR ADDRESS]