

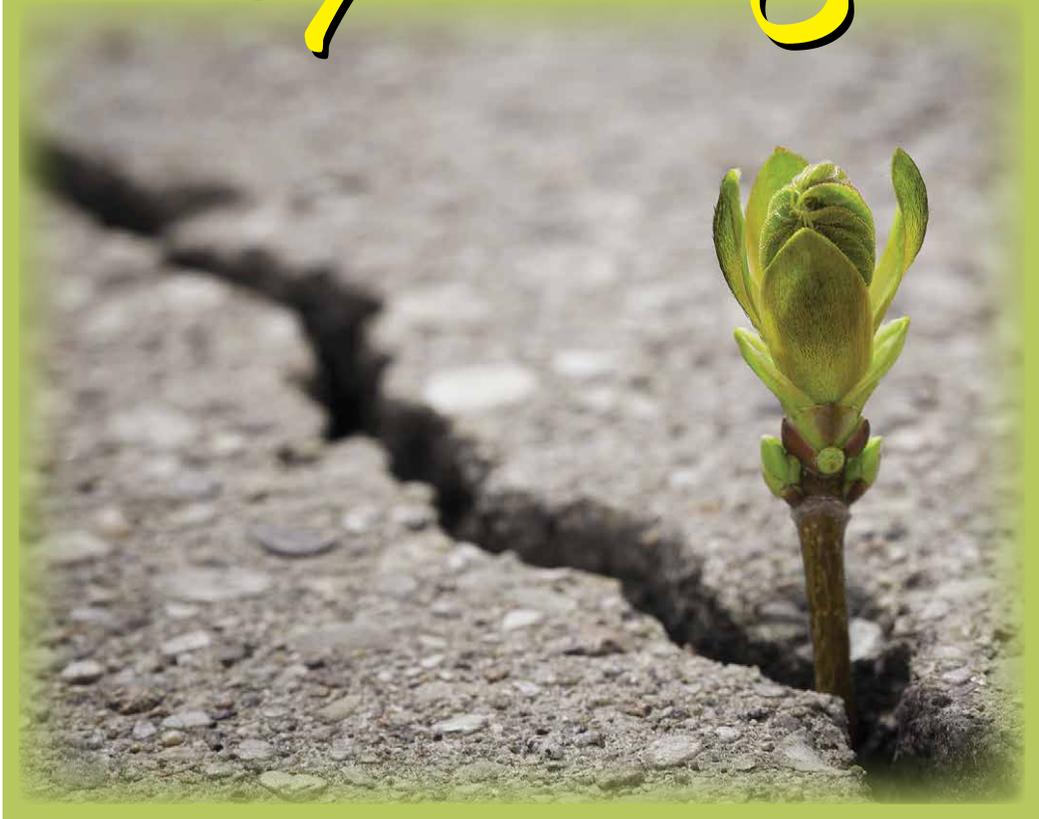


NEWS • REPORT

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Spring

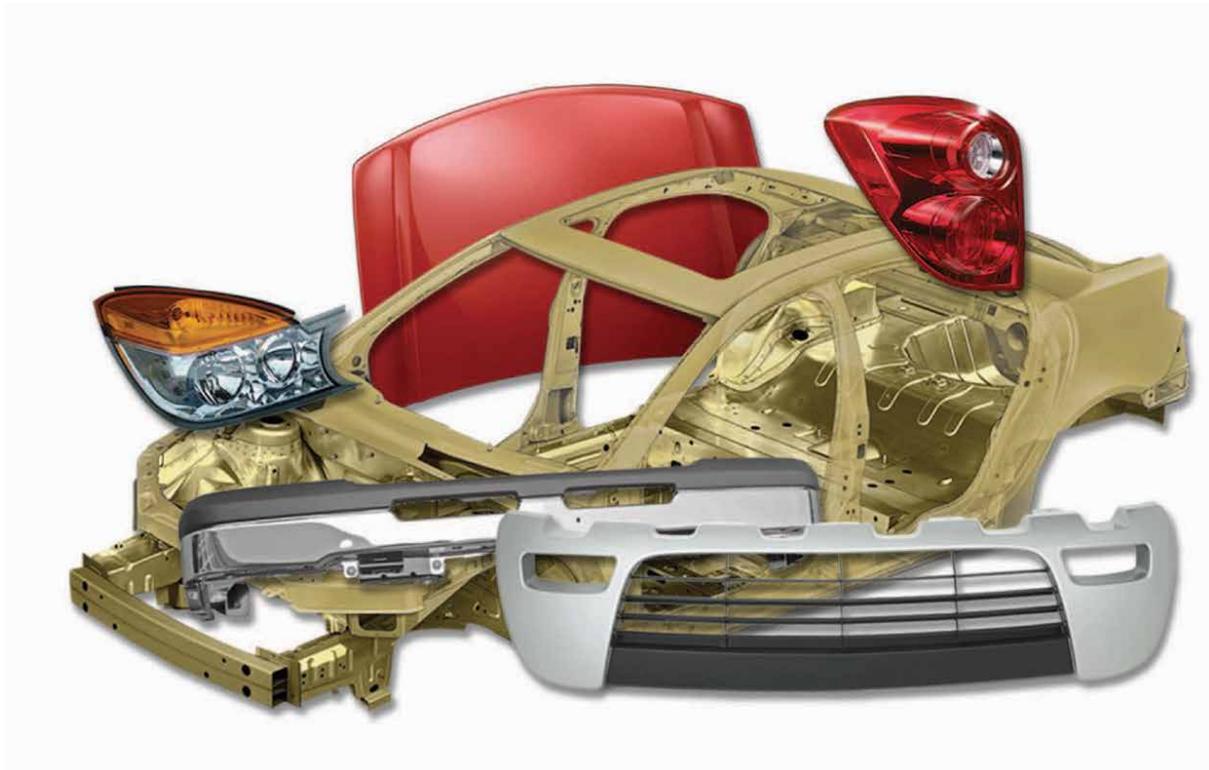


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ND Auto Body Association Scholarship Winner

Dear members of the ND Auto Body Association,

I am writing this letter to thank you for the opportunity you are giving me with the ND Auto Body Association Scholarship I was awarded by the BSC Foundation. Choosing a career path has been a bit of a struggle for me but I feel I have landed in the right place. I have a passion for working on the body structure of vehicles and BSC's Auto Collision program allows me to fulfill my dreams with a career I can be passionate about. Thanks to your generosity and this scholarship, I am able to afford my tuition and begin my career with much less debt.

Staying in Bismarck was a big part of my college decision because staying close to home was important to me. I have grown up in Bismarck and I graduated from Century High School. My parents and both sets of grandparents are lifetime residents of North Dakota. My parents have been business owners in the community for 20+ years and have made a great life for our family here. My plan is to earn my Associate of Applied Science degree in Auto Collision at BSC and then stay in North Dakota to build my career because I love both this state and the city of Bismarck. I hope to one day be in a position to give back and help provide opportunities to others in my community as you have done for me.

Once again, I would like to thank you for your investment in my education and making BSC an excellent choice for me, and for other students like me, with the ND Auto Body Association Scholarship.

Sincerely,

Jayce Lee

2020-21 BSC Foundation ND Auto Body Association Scholarship Recipient

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Any agreement between two appraisers or one appraiser and an umpire can be binding in an appraisal clause proceeding.

Experts explain auto insurance appraisal clause process — and pitfalls to avoid

By John Huetter on February 13, 2021

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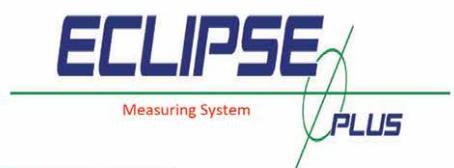
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Three professional appraisers late last year gave collision repairers and customers some considerations on whether a disputed repair bill merited invoking an appraisal clause and how to handle the process.

Collision Hub CEO Kristen Felder also warned body shops on the Nov. 11, 2020, “World Fair” broadcast

that the consumer exercising a right to appraisal might not be the “magic bullet” a repairer expects.

It might not always be in the best interest of the policyholder, according to Felder. Sometimes, another strategy would be the better move, according to the show.

Before we get going, one caveat: This article and analysis is for informational purposes only and is not legal advice. Consult with a qualified attorney before taking any action. Felder offered a similar caveat regarding her company’s Nov. 11 show also featuring Larry Montanez, co-owner of P&L Consultants, and Mark Olson, CEO of Vehicle Collision Experts. (Together, she estimated the trio had probably been involved in 8,000-10,000 RTA proceedings.)



From left, Vehicle Collision Experts CEO Mark Olson, P&L Consultants co-owner Larry Montanez and Collision Hub CEO Kristen Felder discussed appraisal clauses in a Nov. 11, 2020, “World Fair” broadcast. (Screenshot from Collision Hub video)

clause process until the cause of the “klunk” was determined. Otherwise, the final RTA dollar amount — which is binding — might not be enough to address the undetermined issue, he said.

However, he also warned about a shop jumping the gun. He offered this scenario: A \$10,000 MSRP car currently worth \$9,500 sees an insurer writing a \$6,000 repair estimate and a shop writing a sheet for \$8,000.

If the shop just decides to repair the car and let the RTA process play out, “you might be fixing a total,” Olson said. The insurer only owes the vehicle actual cash value — not the cost of repairing it, he said.

Felder noted that “that’s gonna make you real mad” when the insurer’s designated appraiser declares the vehicle a total, pays the customer, and takes possession.

Montanez said that a shop should have sought at least two supplements before the customer invokes the appraisal clause. Felder said that sometimes consumers can jump the gun, and the insurer has never even received a supplement prior to the RTA demand.

Montanez described a hypothetical shop advising a customer to write an RTA based on the discrepancy between a initial curbside or photo estimate for \$1,000 and the shop’s \$9,000 supplement. Yet had the shop simply requested an adjuster follow up and view the vehicle in-person, the adjuster might well have agreed the damage was far more extensive. But they didn’t get the chance to do so.

Invoking the RTA

An “appraisal clause” or “RTA” offers a means for a customer — or an insurer — to resolve a dispute over the amount the insurer owes the customer for a loss without having to go to court. (Remember: Your customer is the one who actually owes your body shop, not the insurer. The insurer owes the customer indemnification for their loss, such as the cost of the repair.)

They’re not necessarily going to be present in every insurance policy, and their parameters can vary based upon the wording of an individual policy. But the general concept goes something like this:

After reaching an impasse on the amount owed the consumer, either the insurer or policyholder can invoke the appraisal clause. Each side hires an appraiser, and both appraisers

agree upon a third appraiser to serve as an “umpire,” with the umpire’s costs split between the policyholder and insurer. If any two out of the three agree on a dollar value for the loss, that amount is binding.

Montanez said body shops need to realize: “It’s not a shop thing.” It’s only the policyholder who has rights under the appraisal clause.

Montanez said that in most states he’d seen, the RTA can be invoked prior to repairs, during them, or after the work is completed. He said he only gets involved before or after the repair; after significant work and not just minor disassembly, you might as well just finish the repair, he said.

Olson described being involved in an RTA on a vehicle with significant damage and a “klunk” in the transmission. He said they couldn’t start the appraisal

(Continued on next page)

Experts Explain ... *(Continued from previous page)*

Montanez suggested customers should formally notify the insurer they're exercising their right to an appraisal. This could be done in a phone call, but he instead recommended certified first-class mail and sending the insurer a fax and email as well.

Customer's best interest

As Felder observed, the RTA might not be the right move for your customer "They're one more tool," Olson said.

Montanez agreed, and described an RTA as not even rising to the level of a tool like a frequently used 10mm socket or wrench.

"It's probably your 17mm socket," Montanez said — merely "used occasionally."

Montanez said he denied more RTA cases than he accepted, and often there's a better strategy to resolve the situation. This might be as simple as having the customer making phone calls about the matter, according to Montanez, who said one would be shocked how often this resolved the dispute.

Appraisal clauses aren't fast or easy, "it can be expensive," and you might not win, according to Felder.

Felder said an appraisal process can be done in as little as a couple of weeks, but she's seen it go two years. Montanez said the fastest he's see was three hours, with the worst being a year and a half. "I average about three months," he said.

She said the process could involve an appraiser's fee of \$495-\$600 and half of an umpire's \$600-\$750 bill. If the appraisal clause format requires retaining an umpire up front, the consumer might be out \$1,000 prior to having negotiated anything, she said. (In other scenarios, one might be able to save money by waiting to see if the insurer and consumer's appraisers can reach agreement before moving to hire an umpire, Montanez indicated.)

Felder said she advises that it's not worth pursuing an RTA without at least a \$3,000 difference between the shop and insurer estimates.

As Olson put it: Suppose the appraisal clause process costs the customer \$1,000

and finds the customer's appraisal \$3,000 above the insurer's. The umpire "splits the baby" and produces an appraisal \$1,500 higher than the insurer's.

"You spent a grand to chase \$1,500," Olson said. Small-claims court would be better, he and Montanez indicated.

"I love small claims court," Felder said.

Felder said to make sure that the appraisal clause would be in the customer's best interest. Explain the process and cost, she said. It's OK to give an opinion, but "remember, you're not an attorney" she said. Don't declare that it'll be a guaranteed payout, and "you don't want to be interpreted as giving legal advice," she said.

A facility whose customers start frequently invoking an RTA means "a target on you," she said. An insurer might seek to determine if the shop is illegally coaching the policyholder — and the shop could find itself in trouble for practicing law without a license. Olson said the insurer might even seek to examine the policyholder under oath

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about their interactions with the shop.

From an insurer's perspective, it "feels weird" to have multiple RTAs coming out of a single shop. They suspect "you're running a fraud ring."

Felder said her procedure is to explain the process if a customer asks but add the caveat "I'm not an attorney" and she can't advise what the customer should do. "You should talk to your attorney," she would say.

"Make sure that your house is clean," she said. She noted one shop who uses "prefab" communications with customers, and "he doesn't deviate."

An appraisal clause would be contained within a first-party insurance policy — assuming it even exists in there. If the other insured driver admitted liability, "always go third-party," Montanez said.

Felder agreed, saying she hates when a shop tells a customer with a valid third-party claim to file a first-party claim so as to exercise its appraisal clause.

"I can get a lot better under tort law," she said. Relief in a small-claims court from an at-fault party wouldn't be limited to the "four corners" of one's own first-party insurance policy, according to Felder.

"That's the worst advice you can give to anybody," Montanez said of switching to a first party claim instead of a third-party claim where the other party has admitted liability.

Picking an appraiser

Felder also warned that an "extreme and distinct difference" exists between RTAs invoked on a repairable vehicle and a total loss.

The two types of appraisers need completely different knowledge and

documentation, she said.

Olson said sometimes insurers will even assign a classic car appraiser, and he must spend time explaining collision repair to them. They're good at their speciality, but they lack an estimating system and don't know how to write a sheet, he said. "It's crazy," he said.

The customer should make sure whoever they hire has a background in collision repair and estimating, according to Felder. The appraiser should be current on training, familiar with OEM procedures, and operate different estimating systems, she said.

Shops should check with other shops for a reference on who to recommend to a customer, check their license if it's required, and see how they did on past RTAs.

Determine any conflict of interest, Felder said; Olson said you want them to be truly independent.

She encouraged repairers to think about who they'd recommend to consumers and then reach out to that person and make a connection. The next couple of cases the repairer thinks might work, repairers should first call that prospective appraiser and have them offer perspective, she said.

A good appraiser will reassess the loss — potentially writing more than the shop did. Felder she hasn't encountered a situation yet where she didn't assess a higher amount than the repairer.

However, hiring the wrong appraiser will find them simply negotiating the shop's estimate against the insurer's last one, according to Felder.

"It's only coming down," Olson said.

In a similar vein, Olson advised not to trust an appraisers' assertion they always win — they're probably really just getting a partial win.

A situation where the appraiser wrote \$10,000, the other side said \$5,000 and the final RTA value was \$7,500 — "that's a 'split the baby'" rather than a win, according to Olson. The customer got \$2,500 but lost out on \$2,500 more, according to Felder.

Montanez said he'd only truly won about a dozen appraisals out of 2,000-3,000.

All of the others saw him conceding part of what he had originally wrote; for example, producing an estimate for

\$19,000 and settling for \$18,000 with a party who estimated \$14,000.

It's still a win for the customer, who did better than they would have otherwise. Montanez said he's never saw a case end with less than an umpire who "cut the baby in half." But it's not an absolute victory for the appraiser, according to Montanez.

Picking an umpire

The two appraisers might find an impasse on picking an umpire together. Olson said a situation can arise where the other side will just reject every umpire the other appraiser suggests out of hand, not even bothering to vet them. Faced with such a situation, he said his strategy would be to see if he could live with any of their choices, for the process would go faster.

If agreement can't be reached on an umpire, the parties would have to go to a judge.

Often, a judge doesn't know any appraisers or the industry, and they'll just select a mediation company or a retired judge, according to Olson.

A judge going this route instead of selecting a regular umpire is expensive, with the customer paying \$1,000-\$2,000 for their half of such a selection, according to Olson. He said his umpire bill would be "a lot more affordable than a retired judge."

Felder said she's never encountered one of these situations that cost less than \$3,000 — meaning each side is now paying \$1,500.

Hands off

Once the shop's customer invokes their right to appraisal, the shop is "now out of the equation 100 percent," Felder said. "You are done. ... You can't talk to anyone."

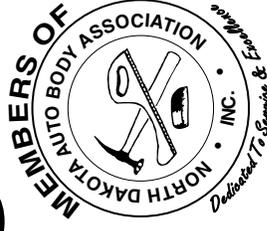
The vehicle owner must handle the process. The repairer can't talk to the insurer or their designed appraiser, Felder said.

If the insurer's appraiser needs to see the vehicle, they would contact the customer's appraiser, who would arrange the appointment. If the insurer's appraiser called the shop directly, the shop would say, "I can't talk to you."

If the insurer calls the shop and wants to work out a deal, "you can't talk," she said.

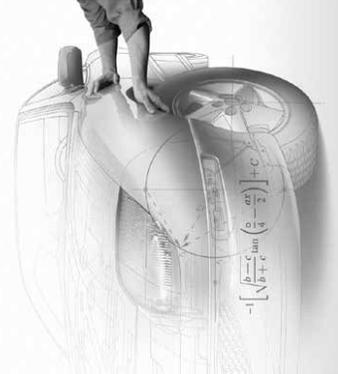
Don't do anything that the customer's appraiser doesn't instruct you to do, Felder said.

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Boggs: Take My Father's Lead

By Jason Boggs on December 30, 2020

This story was originally published at FenderBender.com

Over the years I've talked to numerous shop owners who were struggling to find their next leader. They wanted to find someone who could step into their role to free up time or allow them to work on the things they wanted to work on.

Looking back at our shop's transition from my dad to me, I can see several valuable lessons that might help you if you are in the position of finding your next leader.

Before we get into those lessons, I have to say that the success of our transition had way more to do with what my dad did than who I was. I think most of the time, we look for that person who has a sign flashing above his or her head that says "future leader." I'm sure if you asked my dad, he didn't know on Day 1, or Day 100, that I was going to be able to take over for him. So, if you're looking for the person who might be the obvious fit, stop looking and start developing that person.

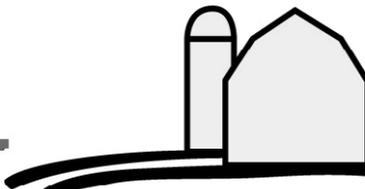
What my dad did in helping to develop my leadership allowed me to become who I am today. I would like to pass those lessons on to you as both a tribute to my dad and encouragement to help you find your next shop leader.

He wasn't afraid to let me make mistakes.

I can remember writing estimates for \$600 that clearly should have been written for \$1,200. Instead of immediately pointing out what I did wrong, he taught me how to job cost and look at the numbers throughout the course of the repair. Viewing the numbers taught me real fast the consequences of writing a bad estimate.

He didn't have an ego.

My dad never cared who got the credit; he was only concerned with making the customer happy. So often, customers came in and complimented me on a job well done or how nice of a building we had. Keep in mind that this happened when I didn't know the difference between a painted stripe or a tape stripe! Yet my dad just smiled and let me get the credit, as long as the customer was happy.



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He was never above a task.

One of the best leadership books I've ever read, *The Oz Principle*, discusses the one statement that kills most teams: "That isn't my job." My father never read that book, but he lived that principle every day. No matter the task, he was never above it. The first few years I was here, my dad and I would spend one Friday night per month powerwashing the booth floor grates and changing the filters. He cleaned the shop office himself from Day 1 through year 40 of the company's existence. It rubbed off on everyone in the company, and no one could ever say "that's not my job" because they knew my dad could, and would, do it.

He was always present and available.

My dad took his first full week of vacation in his 27th year of business. Now, he certainly wouldn't advise waiting that long to take time off, but it made a lasting impact on how to lead a company. He was always on site and available if someone needed his advice or help. I have several friends who

took off tons of time when they owned their own companies, and every one of them now works somewhere else, for someone else. The takeaway? The captain of the ship has to be behind the steering wheel.

He was willing to learn from others.

In 2001, a local MSO that my dad was friendly with sold out to a bigger company. Recognizing the opportunity at hand, my dad hired one of its leaders as a short-term consultant to come in and spend a few weeks observing our shop and interviewing each employee to get anonymous feedback. He put together a report of his findings that was so insightful that, 20 years later, we still go back and read it to see what wisdom we can gain.

He "got the message to Garcia."

In 1899, writer Elbert Hubbard wrote an essay called *Get the Message to Garcia*, the theme of which is to do whatever it takes to get the job done. My parents have said that phrase to me countless times instead of saying "Get

the job done." There is no excuse or obstacle that can keep you from getting the job done—if you're committed. One area of our company that we've truly applied this principle is in getting parts. We don't accept any excuse or answer that a part is unavailable. We believe that, somewhere, that part is always available and we do whatever it takes to get it. That attitude has paid huge dividends over the years. It's become such a big part of who we are that we've actually had some local dealers call us a few times to help them get a part!

If you are looking for someone who can be the next leader at your company, I recommend being the example you want them to become. Just like an apprentice tech learns by watching a veteran tech, your next leader is going to learn by watching you. I had the fortune of watching my dad. Your next leader is watching you—make sure you are who you want them to become.

Jason Boggs is the owner of Boggs Auto Collision Rebuilders in Woodbury, N.J. He has attended the Disney Institute and Discover Leadership, and has studied lean manufacturing processes.

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Correction: Solera says study of ‘tech-savvy’ consumers finds 76% trust AI auto claims, 73% would pick insurer with claims AI

By John Huetter on March 3, 2021

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SCRS-repairer driven news

Audatex parent company Solera last month announced a study of “tech-savvy” customers found an overwhelming proportion would trust an automated claims experience.

Solera said it polled 1,500 “tech-savvy” consumers, a combined 500 bodyshops and dealerships and 500 insurers across the Asia-Pacific, Europe and North America in November-December 2020.

The research revealed Feb. 2 found the customers were extremely bullish on the tech.

Solera said 76 percent of the customers “trust automotive claims driven entirely by Artificial Intelligence,” and the polling found “72% of respondents citing confidence in an automated claims and repair journey.”

Seventy-three percent of customers “would choose an insurer using AI to process claims quicker,” Solera wrote. Sixty-seven percent would switch to a rival insurer if it provided “a faster digital experience.”

And an even larger percentage — 78 percent — said they’d favor a body shop “that provides more digital channels to quote, book, and track repairs.”

More than half of the customers had already handled at least one element of an auto claim digitally, Solera said. Fifty-six percent had filed a claim online, and 51 percent tracked its status digitally.



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“We’ve reached a point where leading companies are placing top priority on adapting and integrating cutting edge technology to differentiate and optimize customer experience. Those that don’t, will face competitive challenges,” Solera Chief Technology Officer Evan Davies said in a statement. “This survey simply underscores what Solera has known to be true for some time; automated processes have the power to increase customer satisfaction and even customer retention.”

Solera strategy Vice President Driaan Du Toit said in a Feb. 22 interview that “there’s always been a focus on digitalization” of claims and repair processes at Solera.

The company had felt a shift towards AI and trust in the technology would develop over time, Du Toit said. But COVID-19 produced a “significant impact” on people’s views and trust, he said. Trends expected to occur within years shortened to months, he said.

Du Toit likened it to companies which insisted on face-to-face meetings suddenly embracing Microsoft Teams.

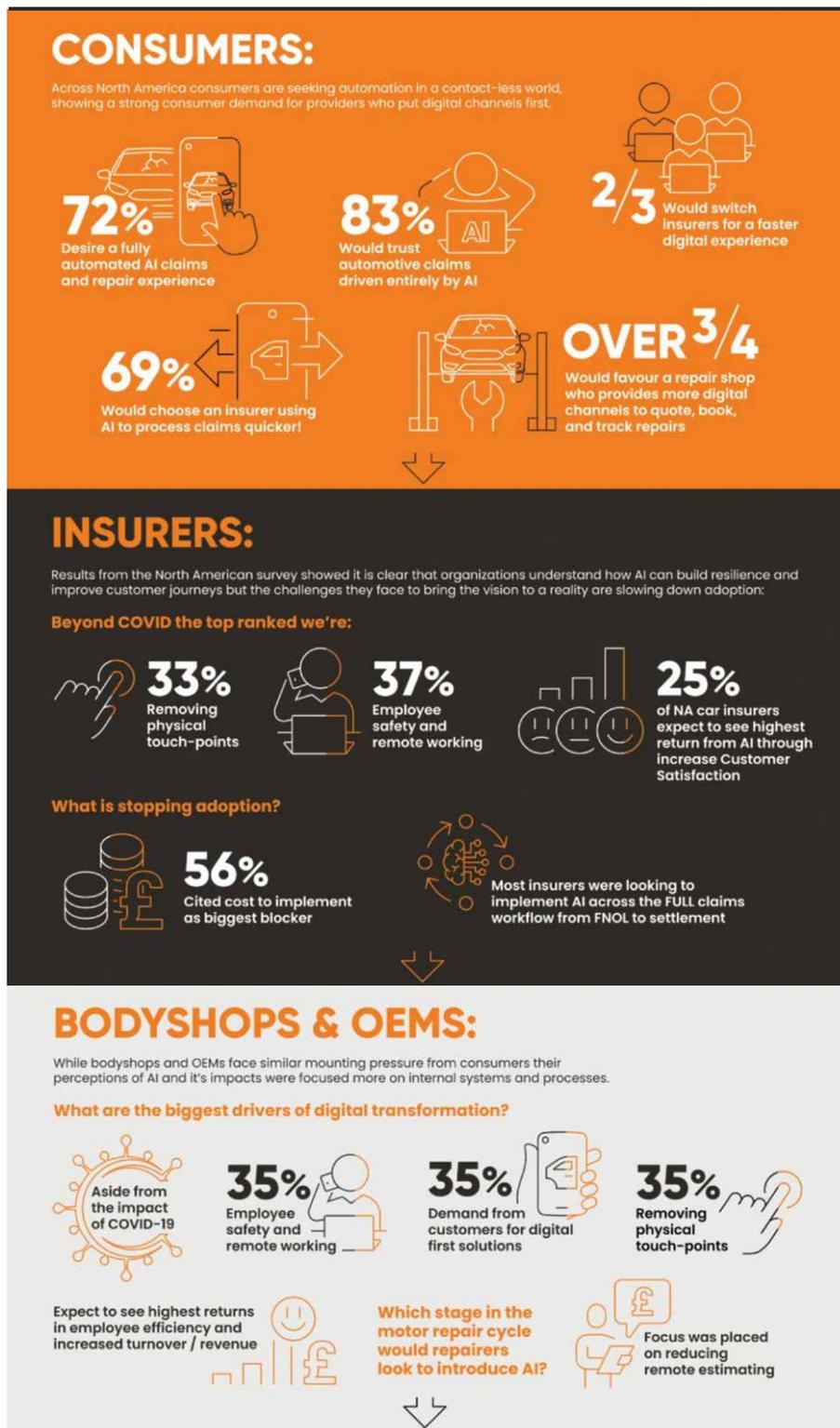
Solera’s market research proved “quite conclusive,” according to Du Toit. Automation, digitalization and artificial intelligence were “required,” not a mere “nice-to-have.”

The study also “overwhelmingly” proved that “consumers would seem to want it, and trust it,” Du Toit said.

People want safety and for their assessments and claims to be handled remotely, Du Toit said. He said he thought this mindset would continue, for COVID-19 led people to realize the possibility of a risk they might not previously have considered.

Insurers, shops and dealerships have provided similar feedback as consumers, according to Du Toit. There’s an “overwhelming” desire for change fueling reliance and acceptance of claims AI and technology, he said.

He pointed out that self-service had already been increasing. “It’s not a new concept,” he said.



Qapter surveyed 1,500 “tech-savvy” customers, 500 insurers and a combined 500 dealerships and body shops in November and December 2020. Some results are shown here. (Provided by Solera)

(Continued on next page)

Solera study ... *(Continued from previous page)*

Consumers were already familiar with the idea of submitting photos for claims.

Solera described the pandemic as the primary reason for body shop, dealership and insurer interest in going digital.

“The impact of Covid-19 was the highest ranked driver of digital transformation (in the last 6-12 months) for surveyed bodyshops and OEM dealers (55%) and car insurers (47%),” Solera wrote in additional polling information it provided.

Outside of that obvious answer, 36 percent of insurers cited growth as a motivator, 34 percent mentioned employee safety and remote work and 33 percent pointed to customer demand, Solera said in its Feb. 2 news release.

Shops and dealerships had a similar perspective on why they wished to go digital. Outside of the pandemic, 37 percent of shops and dealers were

interested in the option for employee safety and remote work, and 37 percent pointed to customer demand. Nearly that proportion — 36 percent — expressed “the desire to modernize the workflow,” according to Solera.

“Bodyshops and OEM dealers would expect to see the highest return on AI in the next 12 months through increased employee efficiency (13%) and improved profitability (12%),” Solera wrote in the additional polling information.

Twenty percent of shops and dealerships felt they’d pursue high returns with AI “at either the remote estimating or repair authorization & invoicing stage.” North American shops and dealers had the highest interest in using AI for remote estimating, with 24 percent of facilities agreeing with this response.

Twenty percent of insurers worldwide felt improved customer satisfaction and retention would prove

the largest ROI — and this was “ranked top” for North American insurers with a 25 percent response. Overall, insurers also saw “reduction in technology debt (15%) and improved supplier relationships (15%)” as opportunities for ROI.

“Car insurers globally would look to implement AI in the auto claims workflow at the fraud prevention stage (22%), the full claims workflow (17%) and cash settlement (17%) to best achieve high returns,” Solera wrote in additional polling data provided. For North American insurers, AI in the full claims workflow was “ranked top,” at 23 percent.

Du Toit said the survey’s findings support Solera’s work on an end-to-end claims workflow using artificial intelligence, including first notice of loss, triage, total loss detection, AI photo estimating, shop selection, repair tracking and communication to the client.

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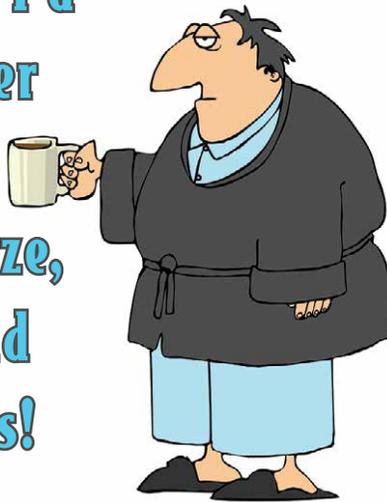


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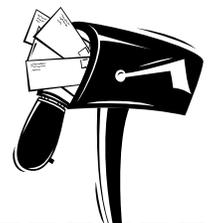
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