

Sample of a 93A 30-Day Demand Letter

ABC Auto Body Repair Shop
Your Road
Yourtown, MA #####

[Date]

XYZ Insurance Co.
Their Road
Theirtown, MA #####

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

REFERENCE: [Insert Name of Insured/Claimant]
VEHICLE: [Insert Description]
DATE OF LOSS: [Insert Applicable Date]

Dear Sir or Madam::

This letter is a demand pursuant to Massachusetts General Laws Chapter 93A, Section 9 on behalf of [AUTO BODY SHOP] as assignee of your insured's property damage claim. The assignment of rights is attached hereto as Exhibit 1.

On [DATE OF REPAIR], [AUTO BODY SHOP] completed the repair of [CUSTOMER'S/INSURED'S NAME] vehicle. The total costs of repair were [\$_____]. \$_____ in repairs remain due and owing, and after timely demand by [AUTO BODY SHOP AND/OR CUSTOMER], [INSURANCE COMPANY] has refused to pay the outstanding repair costs. [INSURANCE COMPANY'S] failure to timely pay the outstanding repair costs is a breach of contract and an unfair and deceptive act and practice in violation of Chapter 93A. [AUTO BODY SHOP] hereby demands that [INSURANCE COMPANY] pay \$_____ in outstanding repair-related costs.

FACTS

[INSERT FACTS HERE. Write in enough detail for the insurer to understand what you are alleging.]

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[Date]
[Insurance Company]

VIOLATIONS OF LAW

[BREACH OF CONTRACT. If applicable, state what and how parts of the policy were breached.]

[VIOLATIONS OF STATUTES AND REGULATIONS. If applicable, state which statutes and regulations were violated and why. This section should include any Chapter 176D claims-handling violations as well as violations of any statutes or regulations governing the auto body industry.]

The above acts and practices were conducted willfully and knowingly and constitute unfair and deceptive acts and practices in violation of Chapter 93A. As a direct and proximate result of [INSURANCE COMPANY'S] violations of Chapter 93A, [AUTO BODY SHOP] suffered damages and makes the following demand:

- 1) Economic damages of \$_____ (INSERT amount of money owed with a breakdown of individual items.)
- 2) That [INSURANCE COMPANY] ceases from [STATE THE UNFAIR AND DECEPTIVE ACT OR PRACTICE].

Pursuant to Chapter 93A, you have thirty (30) days in which to make a reasonable offer of settlement in writing. Should you not comply with the requirements of Chapter 93A, we will seek multiple damages, costs and attorneys fees as provided by Chapter 93A.

Very truly yours,

SIGNATURE

cc: Massachusetts Auto Body Association