

Sample of a 15-Day Demand Letter

(Note: This demand letter can be sent directly by an auto body shop only if an assignment of benefits form has been executed by the consumer. If the shop has an assignment on file, the letter should reference this fact, and a copy of the assignment should be attached to this demand letter when it is sent to the insurer.)

Consumer's Name or Auto Body Shop Name
Address
City or Town, MA #####

[Date]

XYZ Insurance Co.
Insurer's Address
Insurer's Town, ST and ZIP

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Dear Sir or Madam:

This letter is a 15-Day demand letter pursuant to M.G.L. Chapter 90, Section 34O. (If the shop has an assignment, the following sentences should be inserted here: "XYZ Auto Body has obtained an assignment of benefits from [INSERT NAME OF CLAIMANT] and is sending this demand as an assignee of [INSERT NAME OF CLAIMANT]'s property damage claim. Attached hereto is an assignment executed by [INSERT NAME OF CLAIMANT])." As required by section 34O, the information regarding the accident is listed below:

[PROVIDE THE FOLLOWING INFORMATION TO THE INSURER:]

- 1) Name of Insured:
- 2) Name of Claimant:
- 3) Itemized Statement of the Amount of the Claim: [list or attach]
- 4) Time, Place and Description of Circumstances of the Accident:
- 5) Names and Addresses of Operators and Owners of the Vehicles Involved in the Accident: [list]
- 6) Names and Addresses of Witnesses to the Accident: [list]
- 7) Location of the Vehicle Where the Damage May Be Inspected by the Insurer:

Section 34O states in pertinent part:

A person making claim against an insured on account of property damage or under clause (a) of limited collision coverage may submit to the insurer a written demand to such insurer for payment of the property damage or limited collision claim containing the information required in the notice of the accident. The insurer shall, within fifteen working days after receipt of such written demand respond in writing setting forth its decision as to whether it accepts the claim, accepts a part of the claim, rejects the claim, or, if applicable, the amount at which it is willing to compromise the claim and the reasons therefor.

Pursuant to section 34O, please respond in writing with your position on this claim within fifteen (15) working days after receipt of this letter.

Very truly yours,

Consumer's Name or Auto Body Shop Representative (if assignment has been executed)