



Consumer Services and Market Conduct Branch
300 South Spring Street, South Tower
Los Angeles, CA 90013
(800) 927-HELP
(213) 897-8921
www.insurance.ca.gov



MAILED
4-2-19

AUTO BODY REPAIR SHOP REPORT FORM

Name of Automobile Body Repair Shop: EUROPEAN MOTOR CAR WORKS	Business Phone: 714-957-1290
Address: 3030 PULLMAN STREET	Name of Reporting Person: JENNIFER YEUNG
City: COSTA MESA State: CA ZIP: 92626	Position: OFFICE MANAGER

1. Complete name of insurance company involved: AMERIPRISE AUTO & HOME INSURANCE	
2. Are you reporting a denial in an insurer's Direct Repair Program? Yes ___ No <input checked="" type="checkbox"/> If Yes, Skip to Question 8.	
3. Type of Insurance: AUTO	
4. Name and Address of the policyholder/claimant/customer: [REDACTED]	
5. Policy identification number: [REDACTED]	
6. Claim number: [REDACTED]	
7. Date loss occurred or began: [REDACTED] 2018	
8. Name of Adjuster or Insurance Company Representative [REDACTED]	
9. Have you reported this to any other governmental agency? Yes ___ No <input checked="" type="checkbox"/> If yes, Please give the Name of the Agency: _____ File number, if known: _____	
10. Have you previously written to the California Department of Insurance about this matter? Yes ___ No <input checked="" type="checkbox"/> File number (if available) _____ Date submitted _____	

11. Briefly, describe the details of the transaction and provide any documentation to support your allegations.
Material Damage Rep, [REDACTED] declined my posted rates based on their labor rate survey. I pulled the labor rate survey submitted by Ameriprise on 7/20/18, the rates they reported are not what EUROPEAN MOTOR CAR WORKS submitted on 5/29/18. All documents are attached. Ameriprise is submitting FALSE labor rate survey for my shop to determine what they will pay.

Signature

Date

4/2/19

DEPARTMENT OF INSURANCE

CONSUMER SERVICES AND MARKET CONDUCT BRANCH
CLAIMS SERVICES BUREAU
300 SOUTH SPRING STREET
LOS ANGELES, CA 90013
www.insurance.ca.gov



April 08, 2019

Jennifer Yeung
3030 Pullman Street
Costa Mesa, CA 92626

Our File Number: [REDACTED]
Regarding: IDS PROPERTY CASUALTY INSURANCE COMPANY

Consumer: [REDACTED]

Dear Jennifer Yeung:

Thank you for contacting the California Department of Insurance. We received your request for assistance and have begun an investigation of the insurance company's conduct during the processing of your claim. So that you may anticipate what will happen with your file, the following is a brief explanation of the complaint review process:

- The insurance company will re-evaluate its handling of your claim and will respond to both you and the Department. Insurance laws provide the insurance company with twenty-one days to respond to the Department's letter, although this period may extend a few days longer, taking into account mailing times.
- If the insurance company acknowledges that a mistake has been made by the insurance company, it will correct what is wrong because it is the insurer's responsibility to correct its mistakes.

We will make every effort to complete our investigation process quickly. However, due to the complexity of some claim issues, we may need to communicate several times with the insurer and conduct research into disputed points. This may result in your file being open sixty days or longer, but please be assured that your concerns are important to us. We will advise you of our findings when we conclude our investigation.

Often, disputes of this nature deal with questions of fact or law that the Department of Insurance may not be empowered to resolve. While this Department does not have the legal authority to determine the amount of damages you may recover as a result of your claim or decide matters of legal liability, we understand your concerns and are making every effort to gather information and evaluate the circumstances of your complaint. If your issue is not resolved by our intervention, we will advise you of any alternative avenues you can take to attempt a positive resolution to your complaint.

We hope the information contained in this letter is useful and will help you understand the complaint review process. Again, thank you for contacting us with your concerns.

Sincerely,

Abraham Rivero

Associate Insurance Compliance Officer

Phone: 213-346-6829

Email: Abraham.Rivero@insurance.ca.gov

Please refer to our file number when responding.

April 23, 2019



Ms. Jennifer Yeung
3030 Pullman Street
Costa Mesa, CA 92626

Ameriprise Insurance Company
IDS Property Casualty
Insurance Company

3500 Packerland Drive
De Pere, WI 54115-9070

ameriprise.com/svc



Re: DOI File Number: [REDACTED]
 Complainant: **Jennifer Yeung**
 Our Claim Number: [REDACTED]
 Our Policy Number: [REDACTED]
 Date of Loss: [REDACTED]
 NAIC Number: **29068 - IDS Property Casualty Insurance Company**

Dear Ms. Yeung:

On April 9, 2019, we received a copy of the complaint you filed with the California Department of Insurance. We understand that you disagree with our decision regarding your claim. We appreciate the opportunity to respond.

You represent European Motor Car Works and your letter to the Department of Insurance contends that we have not substantiated the reasonableness of the auto body labor rates that we are willing to pay for our insured's vehicle repairs. Our labor rate reflects the rate which the majority of the surveyed shops are charging; this includes data from your shop.

We reviewed the labor rates reported, see page #19 of 22 pages submitted with the original letter to the Insurance Department, and these are the same rates listed in the Labor Rate Survey information we utilized.

We have attached a copy of our Labor Rate Survey dated March 28, 2019, which reflects European Motor Car Work's submitted rates as shop #97857. The survey shows the prevailing labor rate based off of your location address. In each labor rate detail section, shop #97857, responding at 0.0 distance, is European Motor Car Work's submitted rates. We then analyzed this data and determined the simple majority in your geographical area and the rates we used are reflective of those results. Our process follows CA 2695.81: The Standardized Auto Body Repair Labor Rate Survey.

We do not owe beyond an established fair and reasonable rate in your geographical area. We filed a CA Insurance Department Standardized Labor Rate Survey, and therefore, we have taken the reasonable steps to quantify our contractual or legal obligation for payment of the claim and we are acting in good faith to settle this and all such claims in a prompt, fair and equitable manner.

We trust we have addressed all your concerns, but if you have any questions about this information, you may contact me at 1 (800) 872-5246, Ext. 76557.

Sincerely,

Tom Ziegler

Tom Ziegler
Senior Divisional Manager
IDS Property Casualty Insurance Company
Ameriprise Auto & Home Insurance

Enclosures to Department of Insurance

cc: Mr. Abraham Rivero
CA Department of Insurance
Consumer Services and Market Conduct Branch
Claims Services Bureau
California On-Line Compliant Portal

DEPARTMENT OF INSURANCE

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April 26, 2019

Jennifer Yeung
3030 Pullman Street
Costa Mesa, CA 92626

Our File Number: [REDACTED]
Regarding: IDS PROPERTY CASUALTY INSURANCE COMPANY

Consumer: Wendy Ramos

Dear Jennifer Yeung:

Thank you for your patience while we have conducted our investigation of the claim problem you referred to us.

Our investigation entailed a comprehensive review of all documentation submitted to the Department relevant to this matter.

It is our understanding that you disagree with the labor and/or paint material rates allowed by the insurer, and it is your position that the hourly rates your shop charges for repairs are reasonable for your area. However, the insurer believes that it has sufficient documentation to support its position that the hourly labor rates it has allowed are representative of the prevailing auto body rate for the geographic area in question.

This dispute involves a question of fact as to what the reasonable repair rates are in your area. The California Insurance Code does not give the Department the authority to set prevailing rates or to resolve questions of fact.

We have carefully reviewed the documentation provided regarding the Labor Rate Survey in question. We did not find any evidence to suggest that the survey used in this case resulted in an unfair claim settlement. If you have any evidence in that regard, please send it to my attention. Otherwise, we are unable to pursue the matter further.

Our inability to assist you in this matter should not be construed to mean that we have found that the rates charged by your shop are unreasonable. We have only determined that the insurance company's decision to rely on its survey to support its position is not in violation of the California Insurance Code or the relevant sections of the California Code of Regulations.

If you believe further action is warranted, you may wish to consider consulting with an attorney of your choice in order to obtain information about any legal remedies that may remain available to you. You may also wish to consider contacting any trade/professional organizations to which your shop may belong for information regarding legislative reforms it may be seeking on behalf of the collision repair industry.

We appreciate your having written to us. The information we obtained in the course of our inquiries will be retained in our records and made available to us for consideration of any appropriate regulatory action.

Sincerely,

Abraham Rivero

Associate Insurance Compliance Officer

Phone: 213-346-6829

Email: Abraham.Rivero@insurance.ca.gov

Please refer to our file number when responding.