



Consumer Relations Department
300 N Commons Blvd Box G24
Mayfield Village, OH 44143

complaintfile@progressive.com

June 23, 2025

State of Tennessee
Department of Commerce and Insurance
500 James Robertson Pkwy.
Nashville, TN 37243
Attn: Bruce Moore

File: 91216/Charles Herd
Claim: 25-822866566
Policy: 930700834 - Personal Auto
NAIC: 155-24260
Progressive Casualty Insurance Company

Dear Mr. Moore,

Thank you for bringing Mr. Herd's concerns to our attention. He reported that his 2020 Honda was involved in a single-vehicle incident on April 20, 2025. Mr. Herd is upset that the claim is not yet paid and that the handling has been slow and to his detriment.

On April 22, 2025, Mr. Herd initially reported the incident, but we could not get a response from him for 16 days. During this time, we did not know the car's location. On May 8, 2025, he responded, explaining that he had been spending time with his daughter.

On May 15, 2025, Mr. Herd informed us via text that he bought the vehicle from a party on social media, who has since disappeared, and failed to obtain a title. The county clerk advised him that a surety bond was his only option to get a title.

We conducted database searches that showed the last official owner as Budget Rent A Car. They initially advised the vehicle was listed as "missing" and later informed us that they sold it on June 28, 2024, to an unknown party.

On May 16, 2025, we tried to explain these impediments to Mr. Herd, but he responded with an email stating that we did not need a title to resolve his loss.

When Mr. Herd initially brought up the issue of a surety bond, the handling representative advised that we did not handle those, as she had never encountered a loss involving one. We have since reinforced to Mr. Herd repeatedly over several

weeks that he needs to obtain a surety bond to secure a clear title to the vehicle, as the county clerk advised.

Without a title in Mr. Herd's name, we cannot establish that he is the legal owner of the vehicle, ensure we are paying the rightful owner, or confirm that the vehicle is free from liens or other encumbrances. Without a perfected title in his name, we also cannot process salvage on the loss vehicle. Mr. Herd has not responded to these points and continues to claim that the handling representative told him otherwise, despite what he has been told by the county clerk and others here at Progressive. He maintains that we now own the vehicle, which is not true, and he cites fictitious statutes as proof.

Aside from the issue of the lack of a title, Mr. Herd also failed to cooperate with the assessment of his vehicle. We have seen the vehicle, which is located at Copart, and it has been declared a total loss. A valuation has not been completed yet, as we have questions about the damages observed at inspection. He has not returned calls placed to him about this and merely repeats that he has already provided the facts of loss multiple times.

Mr. Herd reported that he was trying to avoid a deer and struck an embankment. The vehicle has damages in multiple areas that are not consistent with a singular cause of loss. The vehicle was also missing parts such as the radiator and condenser, even while the bumper reinforcement was still intact. The right fender shows signs of an attempted repair. The estimator needs to ask questions of Mr. Herd to finalize his work, but Mr. Herd has been persistently non-cooperative.

Mr. Herd has made repeated demands for rental coverage that goes beyond the scope of his coverage, even as he is non-responsive initially and non-cooperative in the later stages of our handling. His declarations page shows that his rental limit is \$1200. We have included proof of payment to Enterprise for that amount on his behalf.

Mr. Herd professes to want a quick end to the claim. If he would follow through on the county clerk's instruction to obtain a surety bond and then a title, that obstacle could be overcome quickly. A response by Mr. Herd to the estimator might allow for quick finalization of his valuation, and payment of his loss could then be accomplished quickly. We stand prepared to pay him the amount owed per the terms of his contract if we could gain his cooperation on these two points.

Please feel free to contact me with any questions at complaintfile@progressive.com or 423-800-7016.

Sincerely,

Stanley Coker
Claims Manager