

Timeline and Legal Overview: Progressive Insurance Claim #25-822866566

Claimant: Charles Travis Herd

Insurer: Progressive Insurance Company

Jurisdiction: Tennessee

Policy #: 930700834

Vehicle: 2020 Honda CR-V (VIN: 2HKRW1H23LH404578)

Timeline of Key Events

- June 2023 - April 2025: Progressive collected premiums from Mr. Herd on the above vehicle without interruption, despite now claiming Budget Rent-A-Car sold it in 2024 to an unknown party.
- April 20, 2025: Single-vehicle incident occurs.
- April 22, 2025: Claim reported to Progressive. Vehicle location confirmed within a few days. Lupita Reyes texts and emails requesting repair setup and later claims the rental will be cut if repairs not scheduled.
- May 6, 2025: Progressive agent Kim Brooks confirms via text the vehicle is a total loss.
- May 6, 2025 (phone): Kim tells Mr. Herd that Progressive does not accept surety bonds, states she has personally denied claims over this policy, and advises him not to pursue one. Mr. Herd requests written policy documentation it is never provided.
- May 9, 2025: Mr. Herd halts bond efforts based on Kims statement.
- May 15/27, 2025: Supervisor Matt Perkins contradicts Kim, instructs Mr. Herd to now obtain a surety bond to resolve claim. Kim's earlier advice created a delay by Progressives own reversal.
- May 19, 2025: Mr. Herd is instructed to call Caliber Collision (865-483-0282) to release the vehicle so Progressive can transport it to Copart for valuation.
- May 19, 2025 (later): Mr. Herd confirms via text that he has released the vehicle.
- May 20, 2025: Kim confirms via text that Progressive picked up the vehicle the previous day (May 19). This

constitutes Progressive taking possession.

- May 20, 2025: Perkins falsely claims Budget Rent-A-Car reported vehicle missing in 2023, based on "database search." Later, Progressive admits this was not a database, but a phone call. No VIN report, no police report, and no documentation ever produced.
- May 22, 2025: Rental car cut off while claim still open and unresolved. Mr. Herd forced to pay out-of-pocket, causing hardship and jeopardizing ability to attend daughters Marine Corps deployment.
- May 27 June 3, 2025: Progressive demands a surety bond and title, despite:
 - Previously declaring the vehicle a total loss
 - Already having possession of the car since April
 - Knowing that under TN law (T.C.A. 55-3-212), a total loss voids the original title
- June 4, 2025: Mr. Herd formally challenges the surety bond contradiction for the fourth time.
- June July 2025: Mr. Herd again requests a written policy on bonded titles; Progressive admits they have no such written policy nearly 3 months after the original request.
- June 23, 2025: Progressive sends a letter to the State of Tennessee (Bruce Moore at TDCI) containing false information, misrepresenting the reason for delay, and claiming Mr. Herd has been uncooperative.
- June July 2025: Mr. Moore responds dismissively to Mr. Herd's complaints, stating essentially "what do you want us to do, call them liars?" and laughs off the situation.

Progressives Key Contradictions and Lies

1. Surety Bond Policy:

- May 6: Kim states Progressive does not accept bonded titles claims she's denied prior claims for this reason.
- May 27: Matt demands Mr. Herd get a bonded title.
- July: Progressive admits there is no written policy on bonded titles despite repeated requests for one.

2. Total Loss Determination:

- May 6: Kim declares vehicle a total loss via text.
- May 27: Progressive reverses course, claims no total loss paperwork exists.
- May 28: Mr. Herd locates total loss estimate in Progressive portal proves they were lying.

3. False Vehicle History Allegation:

- May 20: Matt claims Budget reported the car missing via "database search."
- Later: It was just a phone call not a VIN report, not law enforcement. Budget couldn't provide records.

Progressive lied.

- Meanwhile: Progressive insured the same VIN and accepted payments for nearly 2 years. No claim was made when policy started.

Note: After purchasing the vehicle, Mr. Herd ran the VIN through law enforcement and multiple VIN check services to ensure it wasn't stolen. No flags were found. The vehicle has not been reported stolen.

4. Rental Abuse:

- Rental cut off before claim was resolved, in violation of Progressive's own standard practices.
- Mr. Herd incurred over \$400 out-of-pocket while Progressive stalled and shifted blame.

5. Lying to the State:

- Letter to TDCI (June 23) falsely accuses Mr. Herd of citing "fictitious statutes," ignoring:
 - T.C.A. 55-3-212 (total loss = voided title)
 - T.C.A. 56-8-104 (unfair claims practices)
 - T.C.A. 56-8-105 (prompt handling required)
- Progressive claimed Mr. Herd was non-cooperative despite dozens of documented texts, emails, and calls.

6. Failure to Acknowledge Time with Daughter:

- Progressive never acknowledged not once that Mr. Herds brief unavailability in early May was due to his daughter graduating high school and deploying to the U.S. Marine Corps.
- Instead, they used this against him in the letter to the state, framing it as delaying communication.

Legal Violations & Statutes

- T.C.A. 56-8-104 Unfair claim settlement practices: misrepresentation, failure to acknowledge claims, or unreasonable denial is a violation.
- T.C.A. 56-8-105 All insurers must conduct prompt, fair, and equitable settlements.
- T.C.A. 56-7-105 Failure to pay a claim within 60 days of demand can trigger 25% penalty + attorneys fees.
- T.C.A. 55-3-212 Once declared a total loss, the vehicles original title is void. Progressive demanding a title after that is unlawful.

Resolution Demands

1. Immediate full ACV payout, including taxes and fees.
2. Full reimbursement of all out-of-pocket rental expenses.
3. Formal apology for false statements and acknowledgment of errors.
4. Immediate retraction or correction of the letter sent to the State.
5. Investigation into bad faith handling and possible regulatory penalties under 56-8-104.

Prepared by: Charles Travis Herd

Date: [Insert todays date]

Purpose: Attorney briefing and formal submission for regulatory escalation