

## Guardian Mutual Auto Adjuster Manual

### 1. Claims Handling Procedures

- First Notice of Loss (FNOL) logged within 24 hours.
- Verify policy coverages before proceeding.
- Contact insured within 24 hours.
- Obtain and document:
  - Police report
  - Photos of damages
  - Statements from all parties
- Assign claim severity: Minor / Moderate / Severe.

### 2. Liability Determination

State	Negligence Rule	Notes
Maryland	Contributory Negligence	1% at fault bars recovery.
Texas	Modified Comparative (51% bar)	No recovery if 51% or more at fault.
Florida	Pure Comparative Negligence	Damages reduced by insured's % of fault.
California	Pure Comparative Negligence	Same as Florida.

### 3. Total Loss (TL) Thresholds

State	Threshold (%)	Notes
Maryland	75%	Repair costs $\geq$ 75% of ACV = TL.
Texas	100%	TL if repairs equal/exceed ACV.
Florida	80%	TL if repairs $\geq$ 80% of ACV.
California	100%	TL if repairs $\geq$ 100% of ACV.

- **Actual Cash Value (ACV) determined by:**
  - Vehicle age, condition, mileage
  - Comparable sales in geographic area
  - Adjustments for options and market conditions

### 4. Fraud Indicators

**Look for red flags:**

- Delay in reporting loss.
- Inconsistent statements.
- Multiple prior claims.
- Financial difficulties.
- No police report.
- High claim amount relative to damages.
- Recent increase in coverage before claim.

**5. Jurisdictional Rules (Statute of Limitations)**

State	BI Claims	PD Claims
Maryland	3 years	3 years
Florida	4 years	4 years
California	2 years	3 years
Texas	2 years	2 years

**6. Settlement Procedures**

- Always obtain signed Release of All Claims before payment.
- Document all settlement offers in the file.
- Notify lienholders when total loss is determined.
- Retain salvage title procedures if applicable.

**7. Documentation Checklist**

- FNOL report.
- Police report.
- Estimate of repairs.
- Photos of damages.
- Recorded statements.
- Coverage verification.
- Signed release (for settlement).