

The California Department of Insurance provides a Mediation Program aimed at assisting personal automobile policyholders with disputes related to physical damage claims, specifically those involving comprehensive and collision coverage. This informal, non-adversarial mediation process involves a neutral mediator who facilitates discussions between the policyholder and the insurance company to reach a settlement. To be eligible for mediation, the claim amount must exceed \$7,500, with a dispute amount over \$2,000. Issues that can be mediated include the extent of damage, repair methods, and total loss evaluations, while coverage issues, legal interpretations, and allegations of bad faith are excluded.

To initiate mediation, policyholders must first complete the standard complaint process with the Department. If the issue remains unresolved, they can request mediation in writing. A qualified mediator is appointed, and a pre-mediation conference is conducted to set the date and prepare statements summarizing the claims. During the mediation conference, both parties present their views and negotiate a resolution, guided by the mediator. If an agreement is reached, it is documented; if not, the parties retain the right to pursue other legal options.

There are no costs incurred by the policyholder, as the insurance company covers the mediation expenses unless the policyholder fails to attend without good cause. The participation of an attorney is optional, but if one is present, they must notify the mediator in advance. All statements made during mediation are confidential and cannot be used in subsequent legal proceedings. For additional information, policyholders can refer to specific sections of the California Insurance Code or visit the Department's website.

The document also provides contact information for the California Department of Insurance, which assists consumers with various insurance-related inquiries, including issues with opening claims and checking the licensing of agents, brokers, or insurance companies. Consumers can reach the department via the Consumer Hotline at 1-800-927-4357 or TTY at 1-800-482-4833. More resources

are available on their website at www.insurance.ca.gov. Correspondence can be sent to the California Department of Insurance at 300 South Spring St., South Tower, Los Angeles, CA 90013, and in-person visits are welcome at the same address on the 9th floor, Monday to Friday from 8:00 AM to 5:00 PM, excluding holidays. This brochure is part of the Consumer Education and Outreach Bureau's efforts and is dated August 2020.