

ABAC NEWS

November
December
2024

The Official Newsletter of the Auto Body Association of Connecticut



ABAC Membership Meeting Features SCRS Executive Director Aaron Schulenburg

“In Unity There is Strength; In Knowledge There is Power”

Your Car, Your Choice - Find us at www.abacconn.org

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ABAC President’s Message

Bob Amendola

Year in Review



The year 2024 has been a very productive one. First, I would like to thank all our members for making the Auto Body Association of Connecticut what it is, united and strong.

I’ll list a few things we all have accomplished this year.

We have a Department of Motor Vehicle Commissioner Bulletin in place determining that the only person making repair decisions is the repair professionals with the help of OEM procedures and guidelines. (See Page 13 of our newsletter)

Once again, this year the ABAC had a very successful golf tournament raising over \$10,000 for the technical schools. Thank you to all of our sponsors who donated and those who volunteered their time to make this event happen!

We have also reopened the lines of communication with the Attorney General’s office. See ABAC Lobbyist Andy Markowski’s article on Page 9 of our newsletter.

Our national affiliation with SCRS has given us a national presence. Individual shops have had good results with short-pay suits. One of our members is suing an appraiser individually for a code of ethics violation.

We individually and collectively make a difference. Keep up the good work!

I wish you all a great and prosperous 2025!

Sincerely,

Bob Amendola

Autoworks of Westville
President - Auto Body Association of Connecticut
Autoworksofwestville@gmail.com

Navigating the Future of Collision Repair: Insights from SCRS Executive Director Aaron Schulenburg



The November 19th ABAC Membership meeting was a successful and informative event. At this quarterly meeting, held at the Woodwinds Restaurant in Branford, CT, ABAC President Bob Amendola welcomed attendees and expressed appreciation for their time and commitment to attending.

In addition to the warm welcome, the meeting continued the ABAC's tradition of delivering high-quality content through educational presentations. These sessions are key in keeping members informed and raising the standard for industry knowledge. The involvement of Aaron Schulenburg, Director of SCRS, added a valuable perspective to the event, as SCRS is known for its commitment to advancing the collision repair industry.

"These ABAC meetings would not be as successful as they are without the direct contributions from our sponsors. So, a big thank you to our sponsors. As I do at every meeting, I again want to sincerely thank all our ABAC Corporate Sponsors and our ABAC News Supporting Advertisers. They have all made a financial commitment to support YOUR Auto Body Association of Connecticut. In return we'd like to ask all our members to remember to Support Those Who Support You," said Amendola. *"Buckley Wynne and Parese and Mauro Motors are our Platinum Sponsors of the ABAC News Advertisers Directory as well as Bald Hill Dodge Chrysler Jeep Kia who is our Gold Sponsor of our Directory,"* he continued. *"Please remember that the ABAC News and the Supporting Advertisers Directory is our biggest avenue of income that our association has which helps us to do many of the things we do, including the guest speakers and presentations that we provide at our meetings."*

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Our sponsors for the evening were:



Represented by Mike Lukas



Represented by Bill Murphy and Jesse McQuade



Represented by William Arena and Ishmael Ayala

Our first guest of the evening was **TechZone in Berlin, CT.** represented by **Bill Murphy and Jesse McQuade.**

Murphy stepped to the podium to present his company to the ABAC members who most already know of his company. **“We offer many services, and many shops do not have the proper equipment for diagnosing new vehicles. We have that equipment. Remember, OEMs require most calibrations! It’s critical to properly recalibrate these vehicles before and after a repair. We document everything for the collision repair shops”**, said Murphy.

TechZone is a fully licensed and insured family-owned and operated business.



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They have been working with Connecticut body shops since 2003. They take pride in providing their customers with a personal hands-on service. Their certified technicians use **OEM factory scan tools** to ensure you receive the most accurate diagnostic information.

Some of the services offered by TechZone are:

- Mobile Diagnostics
- Module Programming
- Collision Avoidance
- Pre/Post-Scan Service
- Blind Spot Calibration
- Seat Weight Calibration

Bill then covered many “real time” situations for attendees during the open dialogue portion of his presentation. Great information from TechZone.



Next guest was **The Wheel Shop and Dent Repair of Wallingford** represented by **William Arena and Ishmael Ayala**. “Save big on costly wheel replacements with our expert wheel repair services. We tackle a wide range of physical damage – scratches, gauges, nicks – efficiently, restoring your wheels to their original, gleaming quality. Ditch the dents and restore your car’s value with our Paintless Dent Removal (PDR). We seamlessly reform dents, dings, and creases to their original factory condition, all without sanding or bonding. Learn how to affordably bring your car back to showroom shine.” William and Ishmael fielded questions from our group.

Amendola then introduced ABAC Legal Counsel, John Parese, who discussed the recent meeting with the CT Attorney General. Attorney Parese highlighted the value of having a rapport with the Attorney General, and all the benefits to the membership from having such an active and passionate Board of Directors.

Please also see Lobbyist, Andy Markowski’s, article on Page 9 for a further update on this meeting.

John then introduced a lawyer he recently hired, Chris Hernandez. Chris will be assisting John with various legal matters, including litigation of auto body cases.

A professional announcement about this hire read: **Buckley Wynne & Parese has hired New York City attorney Christopher D. Hernandez as an associate. Hernandez joins our firm after working at Withers Bergman in New York. He now will work on a variety of cases, generally representing individuals suffering from some form of negligence and personal injury. Our law firm is focused on representing individuals injured by the negligence and wrongdoing of others.**

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“We are excited to have Chris join our team. His experience handling complex legal issues, and eagerness to dedicate his talents to helping victims of serious injuries, makes him a great asset to our firm and clients,” said Parese. Hernandez is an honors graduate of the St. John’s University School of Law. He earned his undergraduate degree in biomedical engineering from the University of Delaware.

Before stepping away from the podium, Parese added: **“Chris will be assisting me with some of my auto body litigation work, but he will not be replacing this old bull. At our firm, we say you get a senior partner every time; and that isn’t changing. John P. ain’t a goin’ nowhere!”**

Navigating the Future of Collision Repair: Insights from SCRS Executive Director Aaron Schulenburg



After dinner Bob then welcomed **Aaron Schulenburg, Executive Director of the Society of Collision Repair Specialists (SCRS).**

SCRS proudly represents over 6,000 collision repair businesses and 58,500 specialized professionals who work to repair collision-damaged vehicles. Because SCRS is connected and directly involved in so many key industry issues and because of their ability to communicate with their members, SCRS members are often the first to know and understand pressing issues facing your business and what the association is doing to address those issues. SCRS often has the first glimpse into the stories and events that matter to you, and they are

constantly finding ways to improve how we inform the industry. This gives you a finger on the pulse.

Schulenburg began, **“I’m very excited to be here. Very excited to be a part of this evening. I’m looking forward to sharing a lot of information with you tonight. I’m going to try and keep it moving along so we can get through a lot of material. I do want to share with you, as I was listening to many of the comments earlier about the ABAC. John Parese shared with you a lot of the work that is going on. I have to tell you that your state association (ABAC) is special. And if you are sitting in this room and you are a collision repairer and you are NOT a member of this association, you should be! People recognize the ABAC throughout our country. I have been in other rooms and meetings and people recognize the leaders that you have here because of the work they have done and the things they have accomplished. You should all be proud of their accomplishments”.** Aaron then read the Antitrust Guidelines

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“What I’d like to talk about tonight is looking at the resources available to you and paying attention to what’s happening and figure out how you can do the job with all those resources and change the conversations that you’re able to have within your business. What I want you to do is take the information that I will share with you tonight and think about how you are going to apply it within your own business; think about how you’ll help your team members have informed conversations around the issues that they’re challenged with and what resources you can give to them to make that conversation better with a better outcome in the future,” continued Schulenburg.

Aaron then discussed all the work involved with National and State Associations and the amount of time involved to keep current. Said Schulenburg, ***“The power of pulling people together is so important. We need the power of numbers sometimes to be able to convey issues.***

“I’d also like to take this as an opportunity to encourage ABAC members who aren’t currently a part of SCRS, to consider joining their National Association. Collision repair businesses have the option to join as a General Member, which is \$475/ year for the first location, and \$150 for each additional location. As a general member you will receive a member certificate, a “proud member” window sticker and unique benefits that I will outline below. It is very easy to join online at www.scrs.com/join-scrs,” announced Schulenburg.

Membership in SCRS provides other significant discounts and unique services, such as:

Blueprint Optimization Tool (BOT, www.scrs.com/bot): Developed in partnership between SCRS and OEC, the BOT was designed by collision repairers seeking to gain added value from existing blueprinting and estimating processes. The BOT allows repair planners to identify and capture the operations that make up a proper repair, create greater consistency and improve repair plan accuracy in a more streamlined and efficient manner more easily. SCRS members save more than the cost of membership on BOT subscription fees, because members receive discounted pricing.

If you are interested in exploring the BOT further, you can connect with Scott Ayers (scott@scrs.com) who was hired to provide training and support service for the BOT. We brought Scott onboard because of his repair planning background and career experience in collision repair facilities that focused on building OEM-centric, comprehensive repair plans. He’s a great resource to learn how to better implement the tool into your operations.

Membership would also make you eligible for the SCRS Healthcare Plan (www.scrs.com/healthcare) and Richie Seaberry (richie@decisely.com) is our lead advisor on that program. It’s worth pointing out this resulted from a call-to-action from the industry, where SCRS was asked to find better coverage at a better cost for both the business and the employee. We’ve been able to help businesses save on their health insurance costs, and dramatically improve the quality of the plans by providing access to more affordable coverage employees can use right away – without waiting for a deductible to kick in. We want our members to provide the best coverage to their team, have more of the employees within their business be able to take care of their families, and ideally get more for less than it would cost on their own. I’m really proud of the work SCRS and Decisely have done together to make that happen.

“We’ve seen some pretty amazing “wins” with the healthcare program, and we also have with our SCRS 401(K) Multiple Employer Plan (www.scrs.com/401k) plan as well,” said Aaron

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Schulenburg continued, ***“Our 401k plan was designed to save our member businesses both time and money on retirement plans. SCRS has helped members save more than \$15,000 per year on their 401(k) costs, while incorporating lower fees and reduced administrative burdens. We’ve vetted and hired an exceptional team to ensure high levels of service and group pricing that exceeds what individual locations can accomplish on their own. Our advisors Coley Eckenrode (coley.eckenrode@vamllc.com) and Scott Broaddus (scott.broad-dus@irongate-capital.com) are both happy to connect with you to determine how you can derive added ROI from your membership through this program. They’ve built a strong track record of working with our members to customize plan designs to meet each shop’s unique characteristics. The program includes fiduciary oversight and support, and the ability to help your employees prepare for their future. We want members to be an active part of our mission to educate, inform and represent the industry.”***

Discussions continued on “real world and industry” issues. This was a great presentation for all the shop owners in the room and if you couldn’t make it, reach out to your colleagues and ask them what they thought of Aaron’s discussion. **Aaron has made his presentation available to all participants that were at this event. You can contact Bob Amendola, Tony Ferraiolo or Heather Romaniello and they will send you the link for the presentation.** Better yet, join the Auto Body Association of Connecticut and become involved!

The ABAC would like to thank Aaron Schulenburg for making time in his very busy schedule to meet and greet our members.

The evening ended with a 50/50 Raffle along with several gift cards provided by the Auto Body Association of Connecticut. ***“In unity there is strength. In knowledge there is power.”***

Submitted by Don Cushing - ABAC News



ABAC Government Relations Update

ABAC & Attorney General Meeting, Elections Recap, A Look Ahead to 2025, and New Paid Sick Leave Law Reminder

Representatives of ABAC recently went to Hartford for an important meeting with Connecticut's Attorney General William Tong. ABAC President Bob Amendola, ABAC Board member Tony Ferraiolo, ABAC Member Tom Vicino, ABAC Counsel John Parese and myself as ABAC lobbyist participated in a meeting with the Attorney General a key staff attorney. As a consumer driven association, it was important to continue to educate the Attorney General about ongoing concerns regarding the proper role and liability of licensed repairers, and ongoing issues that customers face when dealing with their insurance companies, including issues surrounding delays as well as payment for proper parts and repair procedures. The Attorney General and his consumer affairs division will continue to monitor the practices of insurers and ABAC encourages shop owners and their customers to consider the Attorney General's Office a resource. The Office can be easily and quickly be contacted online at: <https://portal.ct.gov/ag/common/consumer-assistance>



(Pictured L-R): ABAC Counsel John Parese; ABAC Board Member Tony Ferraiolo; ABAC Lobbyist Andy Markowski; ABAC President Bob Amendola and ABAC Member Tom Vicino,

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2024 State Legislative Elections Recap

The “red wave” that washed over many states during the November 2024 election did not seem to hit as hard or nearly at all here in Connecticut. Despite several contentious legislative races and incredible financial resources being poured into some districts across the state, the makeup of the Connecticut legislature is largely the same as it was prior to the election.

Going into the elections, Democrats held 98 seats in the House of Representatives, while Republicans held 53 seats. Democrats in the State Senate held 24 seats to the 12 Republican seats. Legislative retirements after the 2024 legislative session resulted in 13 open seats in the house and 1 open seat in the senate. And over 40 state legislative races were uncontested.

Once all the dust had settled and recounts were completed, the end results were a net gain of 4 seats for Democrats in the House and a net gain of 1 seat for Democrats in the Senate. This means the party breakdown for the new legislature being seated in 2025 will be 102 Democrats to 49 Republicans in the House, and 25 Democrats to 11 Republicans in the Senate.

While the leadership in all four legislative caucuses will remain the same, there have already been some new committee chairs announced and some committee membership reshuffling following the elections. Notably, longtime House Chairman of the Transportation Committee Rep. Roland Lemar (D-New Haven) will have a new assignment as he moves to Chair the General Law Committee. Lemar will be replaced on Transportation by Rep. Aimee Berger-Girvalo (D-Ridgefield). The Transportation Committee has oversight over the Department of Motor Vehicles. Meanwhile, Rep. Kerry Wood (D-Rocky Hill) and Sen. Jorge Cabrera (D-Hamden) will return as Co-Chairs of the legislature’s Insurance Committee. The 2025 General Assembly will convene for a “long” legislative session beginning on January 8th, 2025, and the session will run through early June.

A complete list of newly elected legislators follows.

Only 8 incumbents lost their bid for reelection:

- **Paul Honig** (D -Avon, Barkhamsted, Canton, Colebrook, Granby, Hartland, Harwinton, New Hartford, Norfolk, Simsbury, Torrington) defeated Senator Lisa Seminara (R) in a very close race in the 8th Senate District, following a recount.
- **Nick Gauthier** (D - Montville, Waterford) defeated Representative Kathleen McCarty (R)
- **Nick Menapace** (D - East Lyme, Montville, Salem) defeated Representative Holly Cheeseman (R)
- **Tina Courpos** (R - Greenwich, Stamford) defeated Representative Rachel Khanna
- **Katelyn Shake** (D - Stratford) defeated Representative Laura Dancho
- **Ken Gucker** (D – Danbury/New Fairfield), a nationally renowned auto restoration expert, will return to the legislature after defeating Representative Rachel Chaleski.
- **Joseph Canino** (R - Torrington) defeated Representative Michelle Cook

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Open Seats:

Of the 14 open seats between the two chambers, only one district (West Haven) was flipped from control of one party (R) to the other (D).

- **Sujata Gadkar-Wilcox** (D - Bridgeport, Monroe, Trumbull) won the open senate seat left vacant by Senator Marilyn Moore (D).
- **Patrick Biggins** (D - East Hartford, Manchester) won the open house seat left vacant by Representative Jeff Currey (D).
- **David Defronzo** (D - New Britain) won the open house seat left vacant by Representative Peter Tercyak (D)
- **Renee LaMark Muir** (D - Chester, Deep River, Essex, Haddam) won the open house seat left vacant by Representative Christine Palm (D)
- **Savet Constantine** (D - New Canaan, Ridgefield, Wilton) won the open house seat left vacant by Representative Keith Denning (D)
- **Chris Stewart** (R - Killingly, Putnam, Thompson) won the open house seat left vacant by Representative Rick Hayes (R)
- **John Santanella** (D - Enfield) won the open house seat left vacant by Representative Tom Arnone (D)
- **Jason Buchsbaum** (R - Bridgewater, New Milford, Roxbury, Southbury) won the open house seat left vacant by Representative Cindy Harrison (R)
- **Laurie Sweet** (D - Hamden) won the open house seat left vacant by Representative Mike D'Agostino (D)
- **Steve Winter** (D - Hamden, New Haven) won the open house seat left vacant by Representative Robyn Porter (D)
- **MJ Shannon** (D - Milford, Orange, West Haven) won the open house seat left vacant by Representative Charles Ferraro (R)
- **Arnold Jensen** (R - Naugatuck, Oxford, Southbury) won the open house seat left vacant by Representative David Labriola (R)
- **Eilish Collins Main** (D - Stamford) won the open house seat left vacant by Representative David Michel (D)
- **Jonathan Jacobsen** (D - Stamford) won the open house seat left vacant by Representative Anabel Figueroa (D)

New Employer Paid Sick Leave Law Takes Effect 1/1/25 For All Businesses With 25 Employees

As reported on in a previous edition of the ABAC News, one of the key bills that passed the General Assembly last session that potentially impacts ABAC members as well as all businesses across the state is the expansion of the state's employer paid sick leave mandate.

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Public Act 24-8 (HB 5005, “An Act Expanding Paid Sick Days In The State”) expands the state’s paid sick leave program that currently applies to businesses with 50 or more employees that fall under the definition of “service worker” by phasing in over the next three years the requirement that all employers with one or more employees provide leave to all employees. Fortunately, most employers can be in compliance if they already offer any “equivalent” type of paid leave, vacation time, or general PTO. There is a three-year phase in of the new law, starting in 2025 for businesses with 25 or more employees, then for those businesses with 11 or more employees in 2026, and eventually to all businesses in 2027. The State Department of Labor has recently published a webpage with important information, FAQs and compliance tips and advice for employers. The DOL Paid Sick Leave information can be found here:

https://portal.ct.gov/dol/knowledge-base/articles/wage-and-workplace-standards/paid-sick-leave?language=en_US

The 2025 State Legislative Session Is About To Begin, Now Is The Time Your Local Legislators Need To Hear From You – Reach Out And Tell Them What Matters To You, The ABAC, And Connecticut’s Collision Repair Industry!

Have a question? Want to express your opinion? Just want to know who now represents you in Hartford? Go to the website below and enter your home or business address to look up your state legislators; with a few quick clicks you can visit their official webpage, email them, or get their office phone number to make a call. Remember – as an ABAC member, your voice matters!

<https://www.cga.ct.gov/asp/menu/cgafindleg.asp>

As always, if you have questions on legislation or regulations or if you would like more information on an issue, please feel free to contact ABAC Lobbyist Andy Markowski at: (860) 707-3620 or andy@statehouselobbying.com.

*Information provided in this article is for education



***Submitted by
By Andy Markowski, Esq.
Statehouse Partners, LLC
ABAC Lobbyist***

CT DMV Bulletin: Repair decisions should come only from licensed repair professionals

The Connecticut Department of Motor Vehicles (DMV) released a bulletin earlier this year that states only repairers or car dealers are in the business of repairing motor vehicles and they are expected to repair vehicles safely and in compliance with available guidelines, including but not limited to, guidance from OEMs.

The bulletin refers back to Connecticut General Statutes 14:52, which states, “No person, firm or corporation may engage in the business of the buying, selling, offering for sale or brokerage of any motor vehicle or the repairing of any motor vehicle without having been issued a new car dealer’s, a used car dealer’s or a repairer’s license.” All repair decisions should come from a licensed repair professional in consultation with the vehicle owner, the bulletin says. The DMV is the agency in Connecticut that oversees repairer licensing.

“Licensed repairers are responsible for the quality and safety of each repair, and should always be mindful of, and guided by, practices and procedures that protect the wellbeing and safety of the motoring public,” states the bulletin.

John M. Parese, Auto Body Association of Connecticut (ABAC) attorney, says the bulletin clarifies what is obvious to those in the industry but not always to the consumer. “The party responsible for making repair decisions is the licensed repairer,” Parese said. “We have to say it because there is often a misconception.” Parese said he’s witnessed judges in courts ask why repair shops didn’t follow an insurance estimate.

Collision repair businesses are trained, licensed, and equipped to make repair decisions, he said. “Sometimes there are repair decisions that are integral to safety,” Parese said. “Who is the one in the best position to make that decision? Is it the licensed repairer or the person who is indemnifying?”

Parese said repairers should also be guided by industry-recognized guidelines such as OEM recommendations. “This [bulletin] gives the shops the opportunity to respond to the appraiser and say, ‘Look, I’m the one charged with making these decisions. I’m the one with the responsibility as reiterated by this bulletin and you don’t have a say in how I repair this vehicle. That’s not your job,’” Parese said.

The bulletin also can be used as a tool to explain the process to consumers, Parese said. “If you are in a situation and the insurance company says I think you should fix this car this way, it is not always instinctual for the consumer to understand the [insurance company] doesn’t fix the car,” Parese said.

Anthony Ferraiolo, ABAC board member and owner of A&R Body Specialty, said there’s been a trend nationally of insurance companies saying certain procedures recommended by OEMs are not needed, such as calibrations and scans.

“They [insurance companies] have no professional training,” Ferraiolo said.

The bulletin establishes that collision repair shops are the professional, Ferraiolo said. He said the bulletin will be an important document during civil cases.

Ferraiolo said other states should consider asking their licensing agency for a similar bulletin.

“This could be something simple without needing legislation,” Ferraiolo said. “We hope states jump on this and go to their licensing agency.”

Source: www.RepairerDrivenNews.com – Article by Teresa Moss

Get Your Customer Involved!

“How we achieve this at Atwood’s Auto Appearance”

One day a customer asked me “Can I just pay the difference for OEM parts versus aftermarket? Will this speed the process up?” This made us ponder the concept.

Why do we let insurance companies make us buy these aftermarket parts that we know for a fact are not going to fit and are not crash-tested only to turn around and return them? ***Then insurance companies blame us for a slow turnaround time.***

So, we started offering this option to our customers. The same customers who only wanted OEM parts. We saw a great response; the customers understood and were more than happy to pay the difference.

Fast forward to mid-2023, the world as we knew it was completely thrown upside down, forcing us to start looking at our processes differently. We needed to adapt to survive. As a team we decided that we needed to start charging the customers the balance the insurance companies are not willing to pay. However, this only guaranteed that the insurance companies would provide a “*cost effective*” repair plan while we look like the crazy ones for having accurate estimates. How do you fight fire with fire? **Education.**

As soon as a customer walks in the door, we have signs posted with brief explanations as to why we charge the difference. After providing an estimate we verbally go over what repairs are needed; asking if they know the differences between OEM vs aftermarket, if not we explain. We then touch on labor rates and why we need to charge the prices we do. We make sure they know their rights as consumers.

For example, they are allowed to have an appraiser physically look at the vehicle. They do not have to do everything these insurance representatives are “requiring” them to do. When the customer returns for the repairs we present the paperwork, we have already prepped them to sign, which is required for us to do the repairs. This form states that if we cannot reach an agreement with the insurance company on anything that has to do with the claim that the customer will be responsible for that difference in addition to their deductible (if applicable.) At this time, we reiterate everything we have already talked about. If a customer seems concerned, we relate the vehicle claim to medical procedures which typically are not fully covered either.

We need to relate our industry to things everyday people deal with all the time. Empathy is our friend when it comes to relating. We very much try to keep an open conversation throughout the entire process. When a short pay happens, we aid the customer in fighting for themselves and us as an industry. Customers are provided with a brochure that outlines short pays, and who to contact to get compensated. It is time for us to take our industry back and stop the insurance companies from railroading our customers.

****This article was submitted by Atwood’s Auto Appearance. Thank you to George Atwood, Samantha Griswold and Amy Czlapinski for their hard work and dedication to the auto repair industry!***



Atwood's Auto Appearance OEM Authorization Form

Atwood's Auto Appearance
344 Main Street
Deep River, CT 06417
860-526-3635

Thank you for choosing to do business with us. We take pride in repairing your vehicle to pre-accident condition. Because of this, we will not compromise our workmanship or procedures for your repairs or for insurance companies. We will do our best to work with the insurance company covering your claim. If the insurance company does not cover the entire amount to repair your vehicle, you will incur out-of-pocket expenses. These can be related to labor procedures, parts usage, and labor and paint rates.

Our shop will only use original equipment manufactured parts. If your insurance company chooses to write aftermarket parts for your repair, you will incur additional out-of-pocket expenses for the difference.

Any labor, paint or material rates lower than our posted hourly rates will be the customer's responsibility to pay for.

We apologize for any inconvenience and will continue to serve the best interest of our customers.

Thank you,

Atwood's Auto Appearance

Please print and sign this form only if you fully understand you will be responsible for the difference in prices.

Print: _____

Sign: _____ Date: _____

Editor's Note: Make sure you also have a signed Repair Contract on EVERY job!

Atwood's Auto Appearance Tri-Fold Sample



1. Complaint Letter

If a phone conversation doesn't resolve your issue, consider writing a formal complaint letter to the company.

- It puts your complaint on record with the company
- Helps preserve any legal rights you may have in the situation
- Lets the company know you are serious about pursuing your complaint

Key Points to Include in Your Letter:

- ✦ Give the basics - Name, Address, Policy and Claim Numbers, etc.
- ✦ Tell your story - Explain the problem, include copies of any relevant paperwork/receipts
- ✦ Explain how you want to resolve the problem
- ✦ Describe your next steps - Tell them what you plan to do next

Make sure to take a copy of the letter and send it via Certified Mail directly to their Headquarters or Corporate Office.

Need Help Writing Your Letter?

<https://consumer.ftc.gov/articles/sample-customer-complaint-letter>

2. CT Insurance Department

"We are committed to making sure that insurance companies follow the state's laws and treat you fairly. We offer guidance, support, and education and regulate the industry in a way that promotes fair competition and makes sure insurance is available to everyone."

If you feel you have been treated unfairly you may file a complaint with the CID against your insurance company or insurance employee.

- Complaints and inquiries are handled by knowledgeable examiners in the Department's Consumer Affairs Division.
- The examiner also sends a copy of the complaint to the insurance company and any other licensee involved to obtain their response. After a response is received from the company and/or other licensees, the examiner will determine how the complaint can best be resolved.

File Your Complaint Online:

https://portal.ct.gov/cid/file-a-complaint?language=en_US

**WHEN AN
INSURANCE
CLAIM ISN'T
ENOUGH**

Has your insurance company fallen short on your auto repair payments? There are additional steps you can take to fight for your case.

Atwood's Auto Appearance Tri-Fold Sample

3. Attorney General

"The Office of the Attorney General represents the public interest, not individuals, and cannot provide legal advice. However, as a public service, the Office of the Attorney General may provide informal mediation services to assist consumers who are unable to resolve an issue on their own."

When you file a complaint with the AG's office, you not only take advantage of the office's resources to help resolve your dispute but also help prevent others from having the same problem.

"With the AG on your side, the business is usually going to be a lot more receptive than they were when it was just you. They want to stay on the good side of the state government so they'll usually be more willing to work with you."

File your complaint with the Attorney General online:

<https://www.dir.ct.gov/ag/complaint/>



4. Small Claims Court

Attempting an out-of-court resolution of your issue should be your first step. However, it may not be successful, and you should be prepared for that outcome. You may need to take your case to court if negotiations fail. Consider bringing your case to Small Claims Court, part of Connecticut's court system where a person can sue for money damages up to \$5,000.

- + You do not need a lawyer, although this doesn't mean you can't get one.
- + Talk to an attorney. If you are a low-income individual, The Statewide Legal Services of Connecticut, Inc. may be able to help you. Their toll-free number is 800-453-3320.
- + Legal Clinics may also provide an opportunity to discuss your case with an attorney.

The statute of limitations for filing a lawsuit arising from an auto accident in Connecticut is TWO YEARS from the date of the collision.

For all the proper procedures, visit the following website:

<https://www.jud.ct.gov/faq/smallclaims.html>

Brought To You by Atwood's Auto Appearance, Inc.

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The information in this pamphlet was cited from the following:

<https://consumer.ftc.gov/articles/sample-customer-complaint-letter>

https://portal.ct.gov/cid?language=en_US

<https://portal.ct.gov/ag/common/complaint-form-landing-page>

<https://www.wikihow.com/File-a-Complaint-With-the-Attorney-General>

<https://uphelp.org/claim-guidance-publications/speak-up-how-to-communicate-with-your-insurance-company/>

<https://www.jud.ct.gov/faq/smallclaims.html>

Duty to Report - How Blindfolding Your Insurance Company Could Trip *YOU* Up



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“Merry Christmas, a-hole ... now get me a Newsletter article by December 12. Or else.” That’s word-for-word what Don Cushing just e-mailed me. Not wanting to trifle with someone so dark and full of rage, I thought it best to come up with something, and fast. I looked into my treasure trove of published essays and found this gem prominently featured in the New Haven Register, page 16, at footnote 7. I’m sure it was widely read and appreciated by all the good people still reading print newspapers – all 6 of them. Apologies in advance if you die of boredom before you finish. ***It’s Don’s fault.***

Liability insurance conceptually provides for a means to mitigate a host of risks: auto crash, theft, fire, flood, business loss, and so forth. Most people will be compelled to buy liability insurance at some point in their life, and some people will buy a lot of it. If you don’t pay your premiums, you lose coverage. Sure. That part is clear. What many consumers do not always appreciate, however, are the myriad other ways you can lose or be denied coverage. Insurance policies contain a variety of exclusions, for example, or limitations on the scope of coverage. There are also lesser-known grounds for denial including an insured’s failure to comply with a contractually imposed duty, including the duty to timely notify the company of any claims.

The duty to notify an insurer about a claim can be clear in the event of, say for example, a car crash on the highway, or tree falling on one’s home. Easy. Of course, one should notify one’s insurer and take appropriate steps to get the claim processed and paid. But not all claims are this straightforward or even likely to result in a claim. What happens then? When does an “event” become something worthy of reporting it to your insurance company? Consider for example, that someone suffers a minor injury on your property. Or your dog nips someone without leaving any visible sign of injury.

Insurers have done a thorough job of making policyholders scared to death of ever reporting anything for fear that premiums will promptly increase. At the same time, the failure to promptly and timely report a potential claim could result in denial of coverage. Deciding whether to report a claim sometimes requires more careful consideration.

Guidance from our Judiciary states that notice must be provided to an insurer within a “reasonable” time under the circumstances. What is more, notice must be provided for any incident that would make an ordinary person believe there may be liability for a claim for damages. As the courts have put it, “injury, however slight, received from an accident within the coverage of a liability policy ... probably will, result in a claim for damages.” In other words, for any apparent non-trivial injury potentially covered by insurance, there will likely be a claim for damages.

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Even in the face of this guidance, there may be ambiguity. Start with the policy language. That may give specific enough instructions and direction. Most insurance policies will spell out when, and how, a claim should be reported. If the policy language does not give clear enough guidance under your unique circumstances, you may wish to consult with an attorney.

Aside from judicial guidance and policy language, it never hurts to step back and consider the broader implications of these guidelines. Use that broader construct to help you make the best decision. In other words, consider why in the first place there is even a duty to timely report a claim or potential claim. A delay in reporting certain events might prejudice your insurance company from mounting an appropriate defense, or conducting a necessary investigation. If this looks like something that would be risked by delaying the reporting of your claim, you may resolve that it would be better to be safe than sorry.

Blindfolding your insurer by not disclosing an event that is likely to result in a claim may seem like a convenient way to keep your premiums down, but doing this will put you at risk of losing coverage. My recommendation is better safe than sorry: report the claim. If your carrier is never ultimately caused to pay out, it is unlikely your premiums would be affected. If it is a valid claim and payment is required, then it was the right thing to report the claim.

Please accept my warmest wishes for a happy and healthy holiday season!

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