

NEWS

# Insurance adjustors can be inconsistent

**Y**ou can expect to hear all sorts of “specious and spurious” arguments if you choose to negotiate an injury claim with an insurance adjuster.

If you read some of the letters to the editor published earlier this week in the *Capital News*, you will know that some might say the same thing about choosing to read my column.

Do an Internet search of “specious and spurious” and you’ll see what I mean.

My editor helped me understand years ago that using a later column to carry on a debate arising from a “letter to the editor” is bad form.

All I will say in my defence is at least I’m consistent.

So I got a chuckle the other day when I learned how inconsistent insurance adjusters can be in comparison.

I am continually amazed by the number of rear-ender crashes that come across my desk. I rarely see the “following too close” variety.

Those ones can be ex-



ACHIEVING JUSTICE

Paul Hergott

plained by aggressive driving.

Rather, it happens again and again and again that there’s an innocent victim who pulls up behind stopped traffic, sits there for a second or two, and then “CRASH.”

The prevalence of rear-ender crashes is the best evidence I have to show that the most dangerous driving behaviour we face is not speeding, aggressive driving, or other such things, but rather is a lack of attention to the important task at hand.

This is a feature of our driving culture that

can be eradicated only by a change of driving attitudes.

They are so frequent that I am sometimes consulted by folks who have been the victim of more than one rear-end crash.

It was one such unlucky victim who gave me the chuckle.

The insurance adjuster she dealt with after the first crash pointed to the lack of damage to the back of her car and said that she couldn’t have been injured.

Medical science is clear, by the way, that serious, chronic injuries can result from low speed rear-end collisions, but in this case the collision was high speed.

The reason for the lack of damage was the trailer hitch that did a really good job of protecting the back of her car from being smashed in.

Whatever the reason,

the adjuster used the “specious and spurious” argument that lack of damage to the back of the vehicle somehow translates into a lack of damage to the occupants.

The double rear-ender victim didn’t have a trailer hitch in the second crash.

The insurance adjuster she dealt with after that crash pointed to the twisted metal at the back of her car and told her how lucky she was that she didn’t have a trailer hitch.

This adjuster turned the argument around and explained that a trailer hitch takes all the force of the collision and delivers it directly to the vehicle occupants rather than being absorbed by the crunching metal.

This time, the “specious and spurious” argument was that a lot of damage to the back of the vehicle somehow translates into a lack of dam-

age to the occupants. How’s that for “blowing hot and cold at the same time,” or “talking out of both sides of your mouth?”

This is a stark example of the reality that insurance adjusters will use whatever arguments they can come up with to try to challenge your claim for fair compensation.

It should go without saying that blindly accepting the assertions of the person you are negotiating with is a bad idea.

This is just a little reminder of that.

*This column is intended to provide general information about injury claims. It is not a substitute for retaining a lawyer to provide legal advice specifically pertaining to your case. Paul Hergott is a lawyer at Hergott Law in West Kelowna.*

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## ▼ HUMANE SOCIETY

# Battle to control cat overpopulation

KAREN BRANDT  
CONTRIBUTOR

There is a cat crisis in our valley.

The cat population from unspayed females is rising every year, resulting in more being abandoned, causing an ever increasing cycle of unwanted kittens.

The Okanagan Hu-

mane Society struggles as best we can with the small amount of donations and money we raise through fundraisers to help low-income families afford to spay/neuter their pets.

Our foster homes are already full of kittens yet we keep receiving calls of help from those that could not afford the spay/neu-

ter costs, whose cats are already pregnant and are looking for a way out of their dilemma.

Last year, the humane society received more than 900 applications for spay/neuter financial assistance from low income families. We were able to help 771 families.

As of the end of April

for this year, we had already received more than 300 applications.

Although we have no shelter or staff, we manage to adopt out in excess of 170 kittens and cats every year. These are fostered in our own homes, mostly at our own expense and are the by-product of unaltered pets.

These unaltered pets often produce more kittens than homes available for them. They become the basis of new colonies of unwanted and forgotten felines. And the circle continues.

People turn to us when all other avenues have been exhausted. We go way above and beyond to help as many as possible but the line is always longer than our purse strings allow. So the continued support of our fundraisers is financially crucial.

We hope to raise enough money from the June 6 golf tournament and silent auction at Sunset Ranch Golf Course to help 100 low income families spay/neuter their pets.

We cannot do our work without fundraisers like the upcoming golf tournament. The tournament golf registration fee is \$150/person which includes a golf cart and meal. Meal-only tickets are available for \$50/person.

*Karen Brandt is with the Okanagan Humane Society.*

## Complementary & Alternative Health Care

Join MLA Norm Letnick and an expert panel for a conversation on how to keep yourself and your family healthy. Admission is free and everyone is welcome!

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Saturday, April 5<sup>th</sup> 1pm – 3pm

Saturday May 10<sup>th</sup> 1-3 pm  
UBCO on Hearing Health



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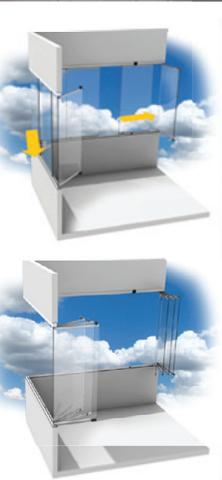


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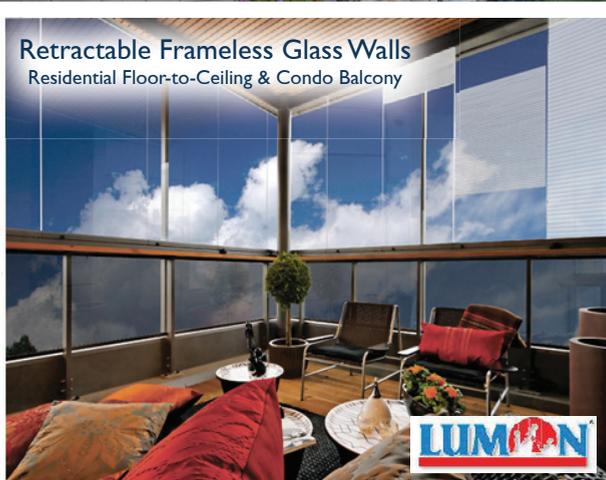
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Fundraiser  
Thursday, May 8 • 10am–4pm

Hot Dog, Pop & Chips for \$5 • Door Prizes  
All proceeds go to DDD and MADD.



Support a good cause!  
London Drugs, Mothers Against Drunk Driving and Designated Driver Dads would like to invite you to a fun day full of music, food and prizes! MADD will also have an interactive display set up.  
londondrugs.com

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