

CASE STUDY

Strata Service:
Recovery

Claim Handler:
Shannon Patel

Client:
Transportation
Client

Strata Approach:

We provide an in depth service to our clients providing a robust, expert and proven capability that delivers results. Our strategy is to coordinate and control every aspect of the claim to drive it forward to conclusion, minimising cost/leakage and reducing claim lifespan.

Overview:

This claim arose from a road traffic accident involving a third party who had lost control of their vehicle when turning from a side road. The severe collision with our Client's vehicle resulted in extensive damage in excess of £20,000.00.

We pursued the third party insurers only to find that the vehicle was stolen. With the help of CCTV footage, we contacted the police in an attempt to trace the driver and it transpired that the driver of the stolen vehicle had been charged with aggravated vehicle taking and dangerous driving.

Outcome:

We were able to locate the driver of the stolen vehicle and pressurise the third party insurers to deal with our Client's claim as RTA Insurer under Section 151 of the Road Traffic Act 1988.

As a result, we were able to recover the damages in full, which were owed to our Client. This is a prime example of how conducting further investigations and using all the evidence at our disposal is vital in ensuring that we are able to make a full recovery for our Client. This also resulted in a saving for our Client as all passenger personal injury claims were also re-directed to the third party insurer.

CASE STUDY

Strata Service:
Recovery

Claim Handlers:
Abigale
Tucknott-Boxell

Client:
Vehicle Rental
Client

Strata Approach:

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Overview:

Our Client requested us to pursue a recovery of a claim whereby the circumstances of the road traffic accident were not as straightforward as they seemed. The renter of the Client's vehicle was proceeding ahead and due to traffic building up, the renter braked slightly harder than required. This resulted in the third party colliding into the rear of the Client's vehicle.

As expected, the third party insurers disputed the Client's damages and alleged that the renter had slammed on the vehicle brakes for no apparent reason and it was a deliberate attempt to cause a rear end collision.

We were able to use the dashcam footage, which showed that the third party had failed to keep a safe distance, and in an attempt to settle the matter amicably, a split liability offer in accordance with the case of **Ali v D'Brass (2011)** was made. The third party insurers subsequently rejected this offer and they maintained that the renter was 100% liable for the claim.

Outcome:

As we were not able to reach an agreement with the third party insurers, we decided to issue court proceedings to compel the third party insurers into accepting a split liability offer. Whilst we were in the midst of litigation, the renter failed to respond to us and due to the liability dispute; we had no option but to make an application to the court to summon the renter to court. The request was granted and we eventually proceeded to trial.

The District Judge found in our Client's favour based on the evidence and awarded a 90/10 split along with our legal costs of £6,129.58. With preparation and perseverance, Strata were able to go the extra mile in securing the best result for our Client.

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**Claim
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Overview:

The third party driver had overtaken a line of parked vehicles and caused a head on collision, which subsequently led the Client's vehicle to set alight. As a result of the third party's erratic driving, there was an unfortunate fatality of the third party's passenger. The incident was widely reported in the media and required immediate attention due to the sensitive nature of the claim.

We approached the third party representatives in order to make a recovery for the Client's damages, which were in excess of £150,000.

Outcome:

Whilst liability was still being investigated due to the fatality, we were faced with attempting to make a recovery for a substantial sum in the centre of a worldwide Covid-19 pandemic. The third party insurers raised a quantum dispute over the pre-accident value of the vehicle due to the significant fire damage. To support the Client's claim, we acted fast and instructed an engineering expert and due to this, we managed to secure a £150,000 interim payment for our Client. With the challenges presented by Covid-19, this is a leading example of how a well-controlled claim along with the correct and adapted approach can still deliver exceptional results.