

Re: Fwd: Comments to TDI related to Informal Working Draft on Rules Mandating Appraisal Provisions for Home and Auto Policies



From Burl Richards <burl.richards@proton.me>
To Robert McDorman <rmcdorman@autoclaimspecialists.com>
Cc <jill@abat.us>, <marvinm@miraclebp.com>, <bgillespy@parkplace.com>, <darrell-mcdaniels@sbcglobal.net>, <lcwrecker@comcast.net>, <logan@paynescollision.com>, <coreyp@swcollision.com>, <chadk@berlisbody.com>, <ozzy6384@gmail.com>, <gluther@helfman.com>, [3 more...](#)
Date 2025-10-02 21:40

Thanks Robert! Jill, please see the letter that I would like to submit to TDI. Please copy and paste my response on ABAT letterhead and forward to TDI via overnight. I will also email this to Mr. Muckerheide. I believe this letter is sufficient action and it is very specific to addressing the biased that is often showed. Robert has made his concerns clear, and we don't want to have too many responses that will muddy the waters.

Auto Body Association of Texas (ABAT)

4100 Felps Dr Suite F

Colleyville, TX 76034

October 2, 2025

Via C.M.R.R. 9589 0710 5270 1742 5673 08

Mr. David Muckerheide
Property and Casualty Lines Office
Texas Department of Insurance
1601 Congress Avenue
Austin, Texas 78701
David.Muckerheide@tdi.texas.gov

Re: Comments on Draft Rules – Mandatory Appraisal Provision (Section 5.9802)

Dear Mr. Muckerheide,

On behalf of the Auto Body Association of Texas (ABAT) and our statewide membership, which proudly represents both the collision repair industry and the consumers of Texas, we would like to commend the Texas Department of Insurance (TDI) for taking the time and initiative to develop a working draft concerning the rules of the Mandatory Appraisal Provision.

We have reviewed the proposed language and would like to specifically address **Section 5.9802 – General Requirements**, particularly subsection **(a)(1)**, which allows either party to unilaterally demand appraisal. We strongly support this provision, as it represents the very soul and heartbeat of the appraisal process—preserving a vital mechanism for resolving disputes fairly and equitably.

Over the years, our association has observed numerous instances where insurers have, unfortunately, attempted to influence the appraisal outcome. These attempts often take the form of instructing their designated third-party appraisers to deny or omit certain repair procedures, labor operations, or processes—regardless of their necessity to achieve a safe and proper repair. Such actions undermine the integrity and intent of the appraisal process.

Therefore, we respectfully request that the final rule include **clear and enforceable language** that protects the **impartiality and independence** of both appraisers involved in the process. Specifically, we believe the rules should affirm that both third-party appraisers—whether representing the insured or the insurer—must act free from coercion or undue influence, maintaining objectivity and a commitment to fair indemnification based on sound repair practices and industry standards.

Additionally, to further promote **transparency and accountability**, we recommend that third-party appraisers be required to maintain and submit a **log** identifying the parties they represent (e.g., insurance carriers, insureds). A **quarterly report**, which could be made available to the public via TDI's website, would help ensure that the appraisal process remains impartial and does not become dominated by interests aligned too closely with one side. This measure would also support the proper separation between real property and personal property appraisals, helping to safeguard the integrity of the entire process.

Since TDI will be responsible for approving appraisers and umpires based on specific criteria, such transparency measures would further bolster public trust in the system and provide a useful tool for ongoing oversight.

Once again, we sincerely thank you and the entire team at TDI for your thoughtful work on this issue and for the opportunity to provide feedback. We look forward to continued collaboration and appreciate your commitment to a balanced and just regulatory framework.

Respectfully,

Burl Richards
President
Auto Body Association of Texas (ABAT)

Sent with [Proton Mail](#) secure email.

On Thursday, October 2nd, 2025 at 6:29 AM, Robert McDorman <rmcdorman@autoclaimspecialists.com> wrote:

Good morning,

Please see below and the attached Auto Claim Specialists comments to the Texas Department of Insurance draft on rules mandating appraisal provisions for home and auto policies. I would respectfully like to ask, request and encourage the Texas Auto Body Association of Texas to submit their comments to the working draft. TDI has set the deadline for these public comments for Monday October 6, 2025. Auto Claim Specialists has sent their comments via email to Mr. Muckerheide and also by C.M.R.R.

In our meetings concerning this sensitive subject it has been asked that sections of the working draft that meet the respondents satisfaction be pointed out as well as the comments that respondents oppose or dislike. Should ABAT elect to issue their own response to the working draft, I would encourage the response to be humble, of a positive nature and tone. *The TDI rule making, appraiser and umpire qualifications phase is vital to the mandatory appraisal bill.* As a note, the distinction between home and auto is critical, and TDI identifying this in their working draft is applaudable.

In closing, I feel certain there will be a Public Hearing set shortly after the Monday deadline prior to a final draft.

Sincerely,



Robert L. McDorman
Auto Claim Specialists
201 Main Street, Suite 600
Fort Worth, Texas 76102
Phone: 817-756-5482



----- Original Message -----

Subject:Comments to TDI related to Informal Working Draft on Rules Mandating Appraisal Provisions for Home and Auto Policies
Date: 2025-10-02 05:42
From: Robert McDorman <rmcdorman@autoclaimspecialists.com>
To: David.Muckerheide@tdi.texas.gov

Good morning, Mr. Muckerheide,

Please see attached our comments to the above-referenced working draft on appraisal provisions for home and auto policies. Thank you for allowing public comments and consideration of our comments.

We appreciate the work TDI has done on this sensitive matter.

Sincerely,



Robert L. McDorman
Auto Claim Specialists
201 Main Street, Suite 600
Fort Worth, Texas 76102
Phone: 817-756-5482

