

Formal Comment on CR101 R 2025-04 – Registering and Identifying Umpires in Auto Appraisals

Submitted by Melissa Murray, Licensed Public Adjuster (WA)

Thank you for the opportunity to provide input on the proposed rulemaking regarding the registration and identification of umpires in auto damage appraisals. I respectfully offer the following suggestion related to the timing and qualifications of umpire selection, along with a recommended approach to compensation.

Suggested Umpire Qualifications:

- Washington State residency
- Relevant licensure and/or continuing education in claims or appraisals
- Auto repair or appraisal certification (e.g., ORS 819.480)
- Include Repair Operation Disputes, Loss of Use, and DV disputes in the appraisal process

Suggested Language Addition – Timing of Umpire Selection:

To promote impartiality and prevent conflict, I recommend that *each appraiser identify a proposed umpire prior to the commencement of any review work or settlement discussions*. This designation should occur as the first procedural step once the appraisal process is invoked, regardless of whether a dispute has yet materialized.

Rationale:

From experience, those working in this field become familiar with peers and may be aware of certain predispositions or trends. Allowing the selection of an umpire only after a dispute arises can lead to strategic maneuvering—where each side attempts to secure an umpire more likely to support their interpretation. This undermines the principle of disinterest before the umpire even participates.

Selecting an umpire at the beginning of the process removes this risk and preserves the integrity of the appraisal. This model is already reflected in Oregon’s ORS 742.232, which, although focused on residential losses, offers a structure that is logical and applicable to auto damage scenarios.

Suggested Compensation Language:

If it is ultimately shown that the insurer failed to offer the fair value of a claim, the insurer should bear the cost of both appraisers and the umpire. This structure helps ensure that consumers are not financially burdened simply for exercising their contractual right to dispute a valuation. Oregon’s ORS 742.466 provides a strong precedent for this approach.

Thank you for considering this recommendation. I believe these additions will promote a more balanced, accountable, and transparent appraisal process that better protects Washington consumers.

Sincerely,

Melissa Murray

Licensed Public Adjuster (Washington State) 253-389-3949