



Kevan and Ellis on Credit Hire (Personal Injury Practitioner's)

Tim Kevan, Aidan Ellis

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In road traffic claims, insurance companies compensate individuals for loss of use and for damage to a car - in the form of repair and/or a replacement car. Historically this took time - providing an opportunity for an industry for "credit hire" and "credit repair" to develop. This industry hires out a replacement car and/or repairs the damaged car of a third party on the basis that the insurer will pay. The insurers have challenged this, most notably in *Dimond v Lovell*, decided that the credit hire contract was governed by the Consumer Credit Act 1974 and was therefore unenforceable as it breached the Act. It also decided that credit hire rates were, in themselves, recoverable in full and not necessarily to be compared to spot hire rates. For the personal injury lawyer - defendant or claimant - and for insurers, this book provides a clear explanation of the current state of the law and its implication for practitioners.

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