

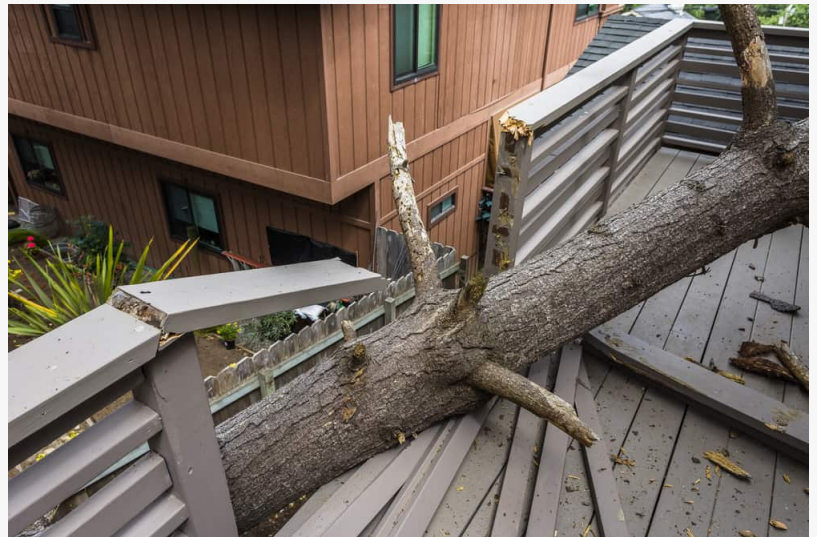
Kenneth Saffren, Attorney, Explains What Property Damage Claim Time Limits Are

Kenneth Saffren, attorney at the firm Saffren & Weinberg, explains how property damage claims have time limits.

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At Saffren and Weinberg, Kenneth Saffren, Attorney and Kenneth Scott Saffren, Attorney are partners. The firm's tagline is "The People's Voice In Court." They make themselves available via phone at (215) 309-9577 or by email on the Saffren and Weinberg website. Saffren and Weinberg provide a no-charge, complimentary case review and answers questions for prospective clients.



Ken Saffren, Attorney, explains property damage time limits.

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One of the most important elements to understand in a civil lawsuit is the statute of limitations and how your state applies it to your case.”

Kenneth Saffren, Esq.

What are [Property Damage Claim Time Limits](#) in NJ and PA?

Whether you are in Pennsylvania or New Jersey, if you have suffered [property damage](#) at the hands of someone else's intentional action, you may be considering filing a civil lawsuit. One of the most important elements to understand in a civil lawsuit is the statute of limitations

and how your state applies it to your case.

The “Statute of Limitations” is a state law that sets a strictly-enforced deadline for initiating a case in civil court. If the deadline is missed, you lose your legal right to bring a case before the court. Both New Jersey and Pennsylvania have passed the statute of limitations for various types of civil cases.

What is Pennsylvania's Property Damage Lawsuit Filing Deadline?

Property damage claims involving “real” property (houses, buildings, or physical land) and personal property (including vehicle damage) carry the same statute of limitations for filing deadlines. The Pennsylvania Consolidated Statutes sets a two-year filing deadline for: 1) an action for “taking, detaining, or injuring personal property” or 2) an action for injury or trespass to real property.

So, any vehicle damage claim following a car accident must be made within two years to meet the property damage claim time limit. This same deadline applies to all homeowners' insurance lawsuits filed by homeowner's seeking recovery for physical damage to the exterior of their home that was caused by someone else, such as a neighbor.

The clock begins to run on the day of the accident that caused the damage.

An attorney at law can help you potentially push the filing deadline back by showing that you, the property owner, had no way to have reasonably known of the damage or discovered it right away.

What Happens if You Miss the Filing Deadline in Pennsylvania?

There are certain situations in which a property damage attorney will be able to help you extend the lawsuit filing deadline. For example, in Pennsylvania, if a property owner is under the age of 18 when the damage occurs to the property, the property owner will have two full years to file a lawsuit after their eighteenth birthday.

Another situation in which the statute of limitations to file can be extended involves actions of the defendant. If the defendant leaves the state in which the damage occurred, before a lawsuit



Ken Saffren Attorney



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is filed against them, the time in which they are missing will typically not be counted against the two-year limitation. This rule is provided in Title 42 Section 5532.

What is New Jersey's Filing Deadline?

The filing deadlines in New Jersey apply to property damage lawsuits where the plaintiff is seeking repair or replacement of damaged real property (houses, buildings, or physical land) or personal property (including vehicle damage). New Jersey Revised Statutes provides a six-year window for claims to be brought for any negligent conduct that results in injury to real or personal property. It is important to remember that this filing deadline will apply to any claim that is brought in an effort to recover monetary damages for damaged property. This includes both standalone suits or single parts of larger legal actions.

What Happens if You Miss the Filing Deadline in New Jersey?

New Jersey allows the time limit to be extended if the defendant leaves the state after damaging your property. If he or she cannot be served with legal papers, the clock may be suspended for the length of time in which the defendant cannot be located. New Jersey also provides the same exception and extension of time for property owners who are under the age of 18 at the time that property damage occurs as Pennsylvania.

If for some reason you are unable to fill out your property damage claim form, there may be other exceptions in both Pennsylvania and New Jersey to extend your statute of limitations and offer you a legal remedy for the property damage you have suffered.

If you have a deadline that is rapidly approaching or if the filing deadline has passed, contact Saffren & Weinberg at 215-576-0100 for the best in legal counsel.

Kenneth Scott Saffren / About the author

Attorney Kenneth Saffren, Esq, is a partner of Saffren & Weinberg located in Jenkintown, PA, practicing in workers' compensation, social security, and personal injury litigation. He is a member of both the United States District Court of New Jersey and Eastern District of Pennsylvania Supreme Court, as well as PHN Epsilon Roe.

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