### IDJI 9.07 – Property damage instruction

INSTRUCTION NO. \_\_\_

If the jury decides that the plaintiff is entitled to recover from the defendant, the jury must determine the amount of money that will reasonably and fairly compensate the plaintiff for any damages proved to be proximately caused by the defendant’s negligence.

The elements of damage to plaintiff’s property are:

[either]

1. The reasonable cost of necessary repairs to the damaged property, plus the difference between its fair market value before it was damaged and its fair market value after repairs.

[or]

1. The difference between the fair market value of the property immediately before the occurrence, and its [salvage value] [fair market value without repairs] after the occurrence.

[and, if applicable]

2. (Any incidental or consequential damage suffered by the plaintiff that is within the foreseeable chain of proximate causation: e.g., “The reasonable rental charges incurred by the plaintiff for substitute property during the time the subject property was being repaired.”)