

David A. Berry, Jr. v. Patrons Oxford Insurance Company

Held April 3, 2014 – Docket No. INS-14-2032

Decision Issued: April 7, 2014

The named insured requested a hearing to contest the cancellation of an auto policy for nonpayment of premium. The company demonstrated that the premium was not paid when due and that all statutory notice requirements were met.

Held: For the company. Maine law under 24-A M.R.S.A. § 3049(1) allows an insurer to cancel a policy if an insured fails to make a premium payment when due. The company demonstrated that the named insured was notified of the payment due prior to the due date, and no payment was received. A cancellation notice was properly issued to the named insured at the last known address and payment was not received before the cancellation date. Accordingly, the cancellation action is permitted.