

Bryan and Denise Stevens v. Concord General Mutual Insurance Company

Held August 6, 2014 – Docket No. INS-14-2077

Decision Issued: September 2, 2014

The named insured requested a hearing after receiving a notice of nonrenewal due to the woodstove and oil furnace sharing the same flue. The company demonstrated that the two appliances are connected into a single flue, and described the ensuing increased life safety issues.

Held: For the company. 24-A M.R.S.A. § 3051 allows nonrenewal for a reason that is in good faith and related to the insurability of the property. The company cited the National Fire Protection Association's requirements for woodstove installations, which does not permit venting of an oil burning appliance in the same flue as a solid fuel burning appliance. Although Maine Public Law Ch. 250 provides a grandfathered exception allowing continuation of certain connections existing prior to February 2, 1998, that exemption does not affect this action. As the condition increases the exposure to a loss covered under the policy, the nonrenewal is permitted by the Maine Property Insurance Cancellation Control Act.