

***Jade Tingley v. State Farm Fire & Casualty Company***

Held October 9, 2014 – Docket No. INS-14-2103

Decision Issued: October 14, 2014

The named insured requested a hearing to contest the cancellation of an auto policy for nonpayment of premium. The company provided no evidence that the premium was not paid when due.

**Held:** For the insured. 24-A M.R.S.A. § 2914(1) allows an insurer to cancel a policy if an insured fails to make a premium payment when due, and § 2920 requires the insurer to establish the proof or evidence of its reason for cancellation. The company demonstrated only that a cancellation notice was mailed to the named insured, but did not provide any evidence to establish the grounds for cancellation. Accordingly, the cancellation action is not permitted.