

Margaret E. Downs & Keith Downs v. Concord General Mutual Insurance Company

Held December 4, 2014 – Docket No. INS-14-2124

Decision Issued: December 11, 2014

The named insured requested a hearing to contest the nonrenewal of a homeowners policy for several cited conditions of the property. The record shows that all of the cited conditions have been remedied.

Held: For the insured. 24-A M.R.S. § 3051 permits nonrenewal of this type of policy if the reason is in good faith and related to the insurability of the property. Although the company argued that it had not given loss control recommendations, the conditions cited as the reasons for nonrenewal no longer exist. Even if the company had not intended to provide a repair period, the conditions that existed when the property was inspected six months earlier have been addressed. Accordingly, there is no basis for the nonrenewal action.