

Vincent & Darlene Duprey v. State Mutual Insurance Company

Held February 17, 2015 – Docket No. INS-15-2010

Decision Issued: March 11, 2015

The named insured requested a hearing to contest the nonrenewal of their homeowners policy on the basis that the property was not owner occupied. The company failed to demonstrate that the property is not owner occupied.

Held: For the insured. 24-A M.R.S. § 3051 allow nonrenewal for a reason that is in good faith and related to the insurability of the property. The company has insured both the primary and secondary residences of the named insured for many years. The property is fully furnished and is still used by the insureds as a secondary residence, therefore it is still owner occupied.