

***Jeffrey & Celeste Smith v. MMG Insurance Company***

Held March 4, 2015– Docket No. INS-15-2021

Decision Issued: April 2, 2015

The named insured requested a hearing to contest the cancellation of a homeowners policy for failure to comply with loss control recommendations. The evidence on the record did not establish conveyance of the recommendations to the insured.

***Held:*** For the insured. 24-A M.R.S.A. § 3049(10) permits an insurer to cancel a policy if the insured fails to comply with reasonable loss control recommendations within 90 days after notice from the insurer. The company submitted a copy of the recommendation letter, but the insured denied receiving it. There was no proof of mailing, and no evidence that the agent conveyed the recommendations or discussed them with the insured. Accordingly, the cancellation is not permitted.