

Alan Leavitt and Theresa Leavitt v. Providence Mutual Fire Insurance Company

Held April 14, 2015– Docket No. INS-15-2041

Decision Issued: April 29, 2015

The named insured requested a hearing to contest the nonrenewal of homeowners policy for a trampoline on the premises and the company's inability to obtain underwriting questionnaires.

Held: For the insured. 24-A M.R.S. § 3049(7) permits cancellation for a trampoline remaining on the premises 30 or more days after the insured has been notified that the policy will be cancelled. Section 3051 allows nonrenewal for any reason in 3049 permitting cancellation and also for a good faith reason that is related to the insurability of the property. The company established that there was a trampoline on the premises in 2013 but did not establish that the trampoline remains on the property. In addition, the letter notifying the insureds that the trampoline needed to be removed and questionnaires completed and returned to the agent was mailed to an incorrect address. Accordingly, the nonrenewal action is not permitted.