

Barry and Jane McCaul v. Vermont Accident Insurance Company

Held September 1, 2015– Docket No. INS-15-2098

Decision Issued: September 21, 2015

The named insured requested a hearing to contest the cancellation of a dwelling fire policy for physical changes that result in the property becoming uninsurable. The company demonstrated that the condition of the property had significantly deteriorated to the point that it is uninsurable.

Held: For the company. 24-A M.R.S. § 3049(5) permits cancellation for physical changes in the insured property which result in the property becoming uninsurable. The company documented the previous condition of the structure compared to its current state of compromised structural integrity. As the company met both elements of the statutory reason, establishing the physical change and that the change rendered the property uninsurable, the cancellation is permitted under the Maine Property Insurance Cancellation Control Act.