

Simone Albert v. Commerce Insurance Company

Held May 10, 2016 – Docket No. INS-16-2041

Decision Issued: May 26, 2016

The named insured requested a hearing to contest the nonrenewal of her automobile policy for two accidents. The company established the circumstances of the accidents and resulting damages.

Held: For the insurer. The Maine Automobile Cancellation Control Act permits nonrenewal of a policy when the named insured or customary operator is involved in two or more accidents while driving a motor vehicle insured under the policy, if the accidents occur within the 36 months preceding the annual anniversary date of the policy and each exceeds \$1,000 in damages or involves bodily injury. Although the insured argued that repairs were less than \$1,000, both the adjuster's estimate and the repairer's original estimate exceeded \$1,000. The insured elected to repair only those damages that could be repaired for the amount paid by the company after the \$500 deductible was applied. This does not reduce the amount of the damages caused by the accident. None of the statutory exceptions applied to the stated accidents. The company demonstrated that the accidents qualified for nonrenewal and that statutory notice requirements were met.