

Estate of Edith Dwyer v. Concord General Mutual Insurance Co.

Held: October 26, 2021
Decision Issued: November 15, 2021
Docket Number: INS-21-2040

The personal representative of the named insured's estate requested a hearing to contest the nonrenewal of a homeowners policy. The company asserted that its nonrenewal action was permissible because the covered property was not occupied by the named insured.

Held: For the company. Under the Maine Property Insurance Cancellation Control Act, 24-A M.R.S. §§ 3048-3061, the right to a hearing to contest the nonrenewal of a policy exists only if the covered property is owner-occupied. The company met its burden of proving that the insured ceased to reside at or occupy the covered property prior to the date on which the policy was most recently renewed. Accordingly, the hearing request was denied.