

Lawrence Amsden v. MMG Insurance Company

Held: January 25, 2023
Decision Issued: February 22, 2023
Docket Number: INS-23-2002

The named insured requested a hearing to contest the cancellation of his homeowners policy. The company cited the insured's failure to comply with loss control recommendations as the basis for its cancellation action.

Held: For the company. Section 3049(10) of the Maine Property Insurance Cancellation Control Act, 24-A M.R.S. §3049(10), allows an insurer to cancel a policy for “[f]ailure to comply with reasonable loss control recommendations within 90 days after notice from the insurer.” The company met its burden of proving that it provided the insured with notice of loss control recommendations identifying certain defects and conditions that affected the insurability of the covered property and increased the risk of loss, and that the insured failed to fully comply with the recommendations within 90 days following his receipt of such notice. Accordingly, the company's cancellation action is permissible.