

Mark and Stephanie McLean v. American Modern Property and Casualty Insurance Company

Held: February 11, 2026
Decision Issued: March 11, 2026
Docket Number: INS-26-2006

The named insureds requested a hearing to contest the pending cancellation of their homeowners policy. The company cited the insureds' failure to timely comply with loss control recommendations as the basis for its cancellation action.

Held: For the insureds. 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 failed to meet its burden of proving that it communicated loss control recommendations for the covered property to the insureds. Accordingly, the company’s cancellation action is not permissible.