

Gladys Berube v. Allstate Insurance Company

Held: March 18, 2026
Decision Issued: April 17, 2026
Docket Number: INS-26-2009

The named insured requested a hearing to contest the pending nonrenewal of her homeowners policy. As the basis for its action, the company asserted that because the insured failed to act on its loss control recommendations, the condition of the covered property represented a substantial change in the risk it originally accepted.

Held: For the insured. Under section 3051 of the Maine Property Insurance Cancellation Control Act, 24-A M.R.S. §3051, an insurer may nonrenew a policy of property insurance for any reason that aligns with a permissible ground for cancellation set out in section 3049 of the Act or any reason that is a good faith reason and related to the insurability of the property. Section 3049(10) of the 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 prove the reason stated in the nonrenewal notice it sent to the insured – that the insured’s failure to act on its loss control recommendations resulted in a substantial change in the condition of the property since the affected policy was last renewed. Accordingly, the company’s nonrenewal action is not permissible.