

Garland Hurd v. Patriot Insurance Co.

Held: September 9, 2020
Decision Issued: September 23, 2020
Docket Number: INS-20-2017

The named insured requested a hearing to contest the cancellation of his homeowners insurance 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. 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 sent the insured a loss control recommendations letter expressing concern about and asking him to remedy several conditions and defects that affected the insurability of the property and increased the risk of loss, and the insured failed to satisfactorily address them within 90 days. Accordingly, the company's cancellation action is permissible.