

Eric Rares v. Commerce and Industry Insurance Co.

Held: November 9, 2020
Decision Issued: November 19, 2020
Docket Number: INS-20-2035

The named insured requested a hearing to contest the nonrenewal of a homeowners insurance policy. The company asserted that its nonrenewal action was permissible because the covered property had an unacceptable loss history.

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 proved that the insured did not reside at or occupy the covered property. Accordingly, the hearing request was denied.