

Addison and Geraldine Winchenbach v. Concord General Mutual Insurance Company

Held March 15, 2016 – Docket No. INS-16-2022

Decision Issued: March 24, 2016

The named insured requested a hearing to contest the nonrenewal of a homeowners policy because of an outside wood furnace installed against the building. The company demonstrated that the unit was not installed properly.

Held: For the company. 24-A M.R.S. § 3051 allows an insurer to nonrenew a policy for a reason that is in good faith and related to the insurability of the property. Although there are no specific state regulations pertaining to the installation of an outside wood boiler in relation to the dwelling it is servicing, the unit was not installed in accordance with the manufacturer's required clearances, increasing the risk of a fire loss. Accordingly, the nonrenewal was permitted under the Maine Property Insurance Cancellation Control Act.