

Amybeth Hurst v. Homesite Insurance Company of the Midwest

Held: April 3, 2024
Decision Issued: May 3, 2024
Docket Number: INS-24-2021

The named insured requested a hearing to contest the nonrenewal of her condominium policy. The company asserted that nonrenewal was appropriate because four water damage loss events had occurred on the covered property during the preceding three-year period.

Held: For the insured. Under Section 3051 of the Maine Property Insurance Cancellation Control Act, 24-A M.R.S. §3051, nonrenewal of a homeowners policy is permissible if the underlying reason is a good faith reason and related to the insurability of the property. The company failed to meet its burden of establishing that the occurrence of the cited loss events reflected inadequate maintenance and upkeep of the property, predisposed the property to future losses, or adversely affected the insurability of the property. Accordingly, the nonrenewal action is not permitted.