

Raymond F. Wiers v. United Services Automobile Association

Held: May 22, 2024
Decision Issued: June 21, 2024
Docket Number: INS-24-2036

The named insured requested a hearing to contest the nonrenewal of his homeowners policy. The company cited the insured's failure to timely comply with loss control recommendations as the basis for its nonrenewal action.

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. Section 3049(10) provides that an insurer may cancel a policy for an insured's "failure to comply with reasonable loss control recommendations within 90 days after notice from the insurer." 24-A M.R.S. §3049(10). The company failed to meet its burden of proving that any of the loss control recommendations it properly communicated to the insured were reasonable in nature. Accordingly, the company's nonrenewal action is not permissible.