

David and Angela Emery v. Concord General Mutual Insurance Company

Held November 3, 2015 – Docket No. INS-15-2122

Decision Issued: November 19, 2015

The named insured requested a hearing to contest the nonrenewal of a homeowners policy for several reasons relating to a woodstove installation and resultant fire loss. The company demonstrated that the insured had not disclosed the existence and use of a woodstove on the application.

Held: For the company. 24-A M.R.S. § 3051 allows nonrenewal of a policy for a reason that is in good faith and related to the insurability of the property. One of the cited reasons was that the woodstove had not been disclosed to the company, and the company argued that it had not been able to underwrite for that exposure. As this is a good faith reason related to the insurability of the property, the nonrenewal action was permitted.