

Peter and Barbara Offenhartz v. Union Mutual Fire Insurance Company

Held January 12, 2016 – Docket No. INS-15-2152

Decision Issued: February 2, 2016

The named insured requested a hearing to contest the nonrenewal of a homeowners policy due to its island location with no bridge access and no full-time fire department. The company demonstrated that the lack of a fire department on the island and lack of road access to the island increases the potential severity of any fire.

Held: For the company. 24-A M.R.S. § 3051 allows nonrenewal for a reason that is in good faith and related to the insurability of the property. The lack of organized fire protection on the island coupled with the lack of road access affects the insurability of the property; therefore the nonrenewal is permitted by the Maine Property Insurance Cancellation Control Act.