

Anthony & Doris Babicki v. Union Mutual Fire Insurance Company

Held February 24, 2016 – Docket No. INS-INS-16-2015

Decision Issued: March 21, 2016

The personal representative of the Estate of Doris Babicki requested a hearing to contest the nonrenewal of a homeowners policy for the dwelling no longer being owner occupied. The company demonstrated that both named insureds are deceased.

Held: For the company. The Maine Property Insurance Cancellation Control Act applies to nonrenewal actions of policies insuring properties that are used solely for residential purposes, consisting of not more than four units and which is owner-occupied. As this property is no longer owner occupied, its nonrenewal is governed by 24-A M.R.S. § 3007, which does not provide the right to a hearing for a nonrenewal action. Under this section, an insurer can nonrenew as long as sufficient notice is given. The company complied with statutory notice requirements, therefore the nonrenewal action is permitted by Maine law.