

Richard Kimball v. Concord General Mutual Insurance Company

Held March 30, 2016 – Docket No. INS-16-2030

Decision Issued: April 22, 2016

The named insured requested a hearing to contest the nonrenewal of a homeowners policy for an increased risk of loss due to repeated burst pipe losses. The company established that two such losses had occurred, indicating a susceptibility to that type of loss, and affecting the insurability of the property.

Held: For the company. 24-A M.R.S. § 3051 permits nonrenewal of this type of policy if the reason is in good faith and related to the insurability of the property. As the company established that repeated losses from the same circumstances have occurred and the conditions leading to those losses have not been corrected, the reason is in good faith and related to the insurability of the property. Accordingly, the nonrenewal action is permitted by the Maine Property Insurance Cancellation Control Act.