

Michael Thibodeau and Megan E. Hughes v. Liberty Mutual Personal Insurance Co.

Held: November 17, 2021
Decision Issued: December 3, 2021
Docket Number: INS-21-2046

The named insureds requested a hearing to contest the nonrenewal of their homeowners insurance policy. The company cited the insureds' failure to comply with loss control recommendations as the basis for its nonrenewal action.

Held: For the insureds. 24-A M.R.S. §3051 allows an insurer to nonrenew a policy for “[f]ailure to comply with reasonable loss control recommendations within 90 days after notice from the insurer.” The company failed to meet its burden of proving that it provided the insureds with notice of loss control recommendations pertaining to the covered property and that the insureds failed to comply with the recommendations within 90 days following their receipt of such notice. Accordingly, the company’s nonrenewal action is not permissible.