

Steven Ober DBA Blackwell Engineering Services v. Atlantic Specialty Insurance Company

Held: February 8, 2023
Decision Issued: February 22, 2023
Docket Number: INS-23-2006

The insured requested a hearing to contest the cancellation of a commercial marine package policy for nonpayment of premium. The company asserted that the premium was not paid when due and that all statutory notice requirements were met.

Held: For the company. Under section 2908(2)(A) of the Maine Insurance Code, an insurer may cancel a policy of liability insurance prior to the expiration of the policy for “nonpayment of premium.” 24-A M.R.S. §2908(2)(A). The company demonstrated that the named insured was notified of the payment due prior to the due date, that a cancellation notice was properly issued to the named insured at the last known address and that the premium payment was not received before the policy cancellation date. Accordingly, the cancellation action is permitted.