

## Parameters in Selected States' Laws for Insurance Companies' Non-Renewal of Renter's / Homeowners Insurance Policies

State	Policy
California	<p>After a residential policy has been in effect for sixty days, the insurance company can only cancel a policy for reasons specified by law, which include: nonpayment of premium, fraud, material misrepresentation, or physical changes in the insured property that increase any hazard insured against. A written notice of nonrenewal must be forwarded at least 45 days before the expiration date. If the company fails to give the proper notice as required by law, an existing policy, with no change in its terms and conditions, will remain in effect for 45 days from the date the notice is sent.</p> <p style="text-align: center;"><a href="http://www.insurance.ca.gov/01-consumers/105-type/95-guides/03-res/res-ins-guide.cfm#standardbroker">http://www.insurance.ca.gov/01-consumers/105-type/95-guides/03-res/res-ins-guide.cfm#standardbroker</a></p>
Kansas	<p>When the policy has been in effect for 60 days or more, or at renewal, the policy may be canceled for the following reasons: Insurance was obtained through fraudulent misrepresentation [or] <b>risk has substantially changed</b> since the policy was originally issued or was last renewed. This can be accomplished by notifying you in writing at least 30 days before the date the cancellation takes place.</p> <p style="text-align: center;"><a href="https://kansasmoney.gov/posts/cancellation-and-nonrenewal-of-your-policy">https://kansasmoney.gov/posts/cancellation-and-nonrenewal-of-your-policy</a></p>
Maine	<p>Any cancellation notice received by the insured 90 or more days into the policy, however, is considered a mid-term cancellation and must be based upon one of the permitted grounds in the Maine Property Insurance Cancellation Control Act (24-A M.R.S.A. §§ 3049, 3050, 3051). . . . In addition, a policy may be nonrenewed for any reason that would support cancellation, as well as for <b>any good faith reason that is related to the insurability of the property</b>. A named insured who has received either a mid-term cancellation notice or notice of nonrenewal may request a hearing.</p> <p style="text-align: center;"><a href="https://www.maine.gov/pfr/insurance/faq/homeowners.html#a">https://www.maine.gov/pfr/insurance/faq/homeowners.html#a</a></p>
Minnesota	<p>No insurance company can refuse to renew a policy at the end of its period except for the reasons for cancellation [in law], and for the following reasons: Using the property for an illegal activity. Cancellation by the insurance company of its contract with an agent, unless the company assigns another agent to the policy. (The company must also transfer the policy to another agent if the insured requests it in writing before the non-renewal date; see notification required, below.)</p> <p>Violation of laws that increase the possibility of loss. Refusal of the insured to eliminate conditions which increase risk after being notified by the insurance company that the conditions must be removed. A change in the quality or availability of fire protection services. <b>Two or more losses by the insured within the past three years, unless the losses were caused by lightning or other storm-related phenomenon, or they did not result in any payment by the insurance company, or 80 percent of the costs were recovered through another party.</b> The company stops writing homeowners' insurance in Minnesota. The insured homeowner fails to provide information relating to the insurability of the property when requested by the company. Failure to pay property taxes on the insured property for two or more years. The homeowner no longer owns that particular property or no longer lives there.</p> <p style="text-align: center;"><a href="https://mn.gov/commerce/consumers/your-home/protect/insurance-basics/rules-regulations.jsp">https://mn.gov/commerce/consumers/your-home/protect/insurance-basics/rules-regulations.jsp</a></p>

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<b>Mississippi</b>	Any insurer selling property and casualty insurance shall not withdraw, cancel or fail to renew any line of insurance or class of business without giving notice in writing sixty (60) days in advance to the Commissioner of Insurance. Any failure to give notice may result in a fine of up to Two Thousand Five Hundred Dollars (\$2,500.00) in the discretion of the Commissioner of Insurance.
<a href="https://law.justia.com/codes/mississippi/2014/title-83/chapter-5/general-provisions/section-83-5-30">https://law.justia.com/codes/mississippi/2014/title-83/chapter-5/general-provisions/section-83-5-30</a>	
<b>New York</b>	<p><b>After your policy has been in effect for 60 days it may not be cancelled or non-renewed for a three-year period</b>, except generally for the following reasons: nonpayment of premium (however, if payment is received by the company within 15 days of the mailing of the cancellation notice the policy will not be cancelled);</p> <p>conviction of a crime arising out of acts increasing the hazard insured against;</p> <p>discovery of fraud or material misrepresentation in obtaining the policy or in the presentation of a claim under the policy;</p> <p>discovery of willful or reckless acts or omissions increasing the hazard insured against;</p> <p>physical changes in the property occurring after issuance or last annual anniversary date of the policy which result in the property becoming uninsurable in accordance with the insurance company's objective, uniformly applied underwriting standards in effect at the time the policy was issued or last voluntarily renewed; or</p> <p>a determination by the Superintendent that the continuation of the policy would violate or would place the insurer in violation of the Insurance Law. At the end of this three-year period, your company may refuse to renew your policy.</p>
<a href="https://www.dfs.ny.gov/consumers/help_for_homeowners/insurance/cancellations_and_nonrenewals">https://www.dfs.ny.gov/consumers/help_for_homeowners/insurance/cancellations_and_nonrenewals</a>	
<b>North Carolina</b>	After the policy has been in effect for more than 60 days, or at any time the policy is subject to renewal, the insurance company can cancel the policy only for two reasons other than non-payment of premium. The notification for cancellations involving the following: There has been a material misrepresentation of fact, which if known to the insurance company would have caused the insurance company to not issue the policy, or the risk has changed substantially since the policy was issued.
<a href="https://www.ncdoi.com/_Publications/Consumer%20Guide%20to%20Homeowners%20Insurance_CHO1.pdf">https://www.ncdoi.com/_Publications/Consumer%20Guide%20to%20Homeowners%20Insurance_CHO1.pdf</a>	
<b>South Carolina</b>	An insurer cannot refuse to renew a policy unless they provide to the named insured written notice stating the date not less than 60 days if refusal to renew is effective between November 1 and May 31 or not less than 90 days if refusal to renew is effective between June 1 and October 31.
<a href="https://doi.sc.gov/DocumentCenter/View/7680/-Homeowners-Insurance-Brochure?bidId=">https://doi.sc.gov/DocumentCenter/View/7680/-Homeowners-Insurance-Brochure?bidId=</a>	
<b>Texas</b>	Your insurance company cannot use claims you filed as a basis to non-renew your policy unless: you file <b>three or more claims in any 3-year period</b> ; and your insurer notified you in writing after the second claim that filing a third claim could result in non-renewal of your policy. In determining the number of claims filed, your insurance company cannot include: claims for damage from natural causes, including weather-related damage; appliance-related water damage claims where the repairs have been inspected and certified; or claims filed but not paid or payable under the policy.
<a href="https://www.tdi.texas.gov/rules/bor-home-english.html">https://www.tdi.texas.gov/rules/bor-home-english.html</a>	

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<b>Wisconsin</b>	Nonrenewal of a policy refers to the termination of a policy at the expiration date. If an insurer decides it does not want to renew your policy, it must mail or deliver to you a nonrenewal notice at least 60 days before the policy's expiration date. The nonrenewal notice must provide the reason for the nonrenewal.

<https://oci.wi.gov/Documents/Consumers/PI-015.pdf>

**Notes:** States shaded in green are those that, by our reading, do not allow nonrenewal due to a criminal act against the policyholder by a third party. We interpret the laws of the states shaded in red as likely to allow nonrenewal for any reason, or in circumstances where risk to the property have changed, which may include increased crime risk. The two states shaded in yellow—Minnesota and Texas—allow nonrenewal if a specified number of claims are filed by the policyholder within a given period. Presumably, such claims could be the result of crime.

It is important to note that many states appear to allow policyholders the right to challenge nonrenewal in a regulatory or judicial forum. Also, courts in a given state may have issued decisions to expand or narrow the circumstances under which nonrenewal by insurers may be allowed. We recommend you contact Legal Services for an opinion on whether the various approaches taken by other states would be permissible under Alaska law.