

(4) THE APPLICANT'S LOSS HISTORY OVER THE LAST 5 YEARS WITH REGARD TO ANY PROPERTY IN WHICH HE HELD AN-EQUIFY A SUBSTANTIAL INTEREST INCLUDING A PARTNERSHIP INTEREST OR A MORTGAGE AND WHERE ANY FIRE LOSS EXCEEDED \$1,000-IN-DAMAGES 25 PERCENT OF THE INSURED VALUE;

(5) ALL TAXES UNPAID OR OVERDUE FOR 1 OR MORE YEARS ; AND ANY--MORTGAGE-PAYMENTS-OVERDUE-BY-3-MONTHS-OR MORE;

~~(6) --ALL--CURRENT--VIOLATIONS--OF--FIRE,--SAFETY, HEALTH,--BUILDING,--OR--CONSTRUCTION-CODES-ON-THE-PROPERTY-TO BE-INSURED,--AND~~

(7) (6) THE PRESENT OCCUPANCY OF THE STRUCTURE.

577.

(A) AN INSURER MAY NOT ENTER INTO A CONTRACT TO BE ISSUED AFTER JULY 1, 1982 TO INSURE ANY BUILDING, EXCEPT A 1 TO 4 FAMILY OWNER-OCCUPIED DWELLING, AGAINST THE PERIL OF FIRE UNLESS THE INSURER FIRST RECEIVES AN ANTIARSON APPLICATION SIGNED AND AFFIRMED BY THE INSURED, IF REQUIRED BY THE INSURANCE COMMISSIONER IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE.

(B) ANY ANTIARSON APPLICATION REQUIRED BY THIS SUBTITLE SHALL BE DEEMED A MATERIAL PART OF THE INSURANCE POLICY TO WHICH THE APPLICATION PERTAINS. A MATERIAL MISREPRESENTATION CONSTITUTES GROUNDS TO RESCIND THE INSURANCE POLICY.

(C) POLICYHOLDERS SHALL NOTIFY THEIR INSURER IN WRITING OF ANY CHANGE IN THE INFORMATION CONTAINED IN THE ANTIARSON APPLICATION, WITHIN A REASONABLE PERIOD OF TIME SPECIFIED BY THE COMMISSIONER. A MATERIAL FAILURE TO NOTIFY OR A MATERIAL MISREPRESENTATION IN A NOTIFICATION CONSTITUTES GROUNDS TO RESCIND THE INSURANCE POLICY.

578.

(A) THE INSURANCE COMMISSIONER MAY NOT REQUIRE THE USE OF ANY APPLICATIONS FOR INSURANCE COVERED BY THIS SUBTITLE OTHER THAN THE ANTIARSON APPLICATION AS DEFINED IN § 576 OF THIS SUBTITLE; HOWEVER, THIS DOES NOT PROHIBIT THE COMMISSIONER FROM REQUIRING ALTERNATIVE ANTIARSON APPLICATIONS PURSUANT TO A FINDING AFTER A PUBLIC HEARING THAT:

(1) THERE EXIST CERTAIN TYPES OF POLICIES, CERTAIN CLASSES OF PROPERTY, AND CERTAIN GEOGRAPHIC AREAS OF THE STATE WHICH HAVE AN ABNORMALLY HIGH INCIDENCE OF ARSON; AND