

(5) A hearing held under this subsection shall be conducted in accordance with Title 10, Subtitle 2 of the State Government Article.

(6) At the hearing the insurer has the burden of proving its proposed action to be [justified] IN ACCORDANCE WITH THE INSURER'S FILED RATING PLAN, ITS UNDERWRITING STANDARDS, OR THE LAWFUL TERMS AND CONDITIONS OF THE POLICY RELATED TO A CANCELLATION, NONRENEWAL, OR REDUCTION IN COVERAGE, AS APPLICABLE, AND NOT IN VIOLATION OF § 27-501 OF THIS TITLE and, in doing so, may rely only on the reasons set forth in its notice to the insured.

(h) (1) The Commissioner shall issue an order within 30 days after the conclusion of the hearing.

(2) If the Commissioner finds the proposed action of the insurer to be in accordance with the insurer's {filed rating plan, its} underwriting standards{,} or the lawful terms and conditions of the policy related to a cancellation, nonrenewal, [premium increase,] or reduction in coverage, as applicable, and not in violation of § 27-501 of this [article] TITLE, the Commissioner shall:

- (i) dismiss the protest; and
- (ii) allow the proposed action to be taken on the later of:
  1. its proposed effective date; and
  2. 30 days after the date of the determination.

(3) If the Commissioner finds that the actual reason for the proposed action is not stated in the notice or the proposed action is not in accordance with § 27-501 of this [article] TITLE, the insurer's {filed rating plan, its} underwriting standards{,} or the lawful terms and conditions of the policy related to a cancellation, nonrenewal, [premium increase,] or reduction in coverage, the Commissioner shall:

- (i) disallow the action; and
- (ii) order the insurer to pay reasonable attorney fees incurred by the insured for representation at the hearing if the Commissioner finds that the insurer's conduct in maintaining or defending the proceeding was in bad faith or the insurer acted willfully in the absence of a bona fide dispute.

(i) The Commissioner may delegate the powers and duties of the Commissioner under this section to one or more employees or hearing examiners.

(j) [(1) If the Commissioner disallows a premium increase of 15% or less for the entire policy, the insurer, within 30 days after the disallowance, shall:

- (i) return to the insured all disallowed premium received from the insured; and
- (ii) pay to the insured interest on the disallowed premium received from the insured calculated at 10% per annum from the date the disallowed premium was received to the date the disallowed premium was returned.