

(vi) The right of the insured to protest the proposed action and request a hearing thereon before the Commissioner by signing two copies of the notice and sending them to the Commissioner within ten days after receipt of the notice.

(vii) That if a protest is filed by the insured, the current insurance will remain in effect until a determination is made by the Commissioner upon payment of any lawful premium due or becoming due prior to the determination;

(viii) The authority of the Commissioner to award reasonable counsel fees to the insured for services rendered to the insured in connection with any such hearing if he finds the proposed action of the insurer to be unjustified.

DRAFTER'S NOTE: This corrects a stylistic error in a cross-reference in Article 48A, § 240AA(b).

The stylistic error occurred in Ch. 73 of the Acts of 1972.

The stylistic error was noted by the Michie Company.

240C.

(d) If a statement of actual reason, or a statement refusing an application, is furnished substantially pursuant to [subsections (b), (c), or (d)] THIS SUBSECTION, SUBSECTION (B), OR SUBSECTION (C) of this section, it shall be subject to the following:

(1) It shall be privileged and shall not constitute grounds for any action against the insurer or its representatives or any person who in good faith furnishes to the insurer the information upon which the statement is based;

(2) A copy of the statement shall be furnished to the Commissioner;

(3) The statement must be made by the insurer or its duly authorized agent within ten days after receipt by the insurer of a request therefor;

(4) If not made pursuant to request, the statement must contain notice to the applicant that he has a right to request the actual reason therefor, provided he makes the request within thirty days after receipt of the statement of refusal to issue or intention to cancel or not renew and that any such statement will be retained as a public record in the Division;

(5) The reason given must be sufficiently clear and specific so that an applicant of reasonable intelligence will be able to identify the basis for the insurer's decision without