

25-406. INSURANCE AVAILABLE THROUGH ASSOCIATION.

A PERSON WITH AN INSURABLE INTEREST IN REAL OR TANGIBLE PERSONAL PROPERTY AT A FIXED LOCATION MAY APPLY TO THE ASSOCIATION FOR ESSENTIAL PROPERTY INSURANCE OR HOMEOWNER'S INSURANCE IF THE PERSON HAS BEEN:

(1) UNABLE TO OBTAIN ESSENTIAL PROPERTY INSURANCE OR HOMEOWNER'S INSURANCE;

(2) ABLE TO OBTAIN ESSENTIAL PROPERTY INSURANCE OR HOMEOWNER'S INSURANCE ONLY AFTER APPLICATION UNDER §§ XX-XXX OR XX-XXX [ART. 48A, §§ 242(H)(3) OR 244Q] OF THIS ARTICLE; OR

(3) ABLE TO OBTAIN ONLY PARTIAL COVERAGE FOR THE VALUE OF THE PROPERTY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 478D(1).

- Defined terms: "Association" § 25-401
- "Essential property insurance" § 25-401
- "Homeowner's insurance" § 25-401
- "Person" § 1-101

25-407. INSPECTION OF PROPERTY.

(A) IN GENERAL.

THE ASSOCIATION MAY INSPECT THE PROPERTY OF AN APPLICANT FOR ESSENTIAL PROPERTY INSURANCE OR HOMEOWNER'S INSURANCE COVERAGE.

(B) COST.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ASSOCIATION SHALL INSPECT THE PROPERTY WITHOUT COST TO THE OWNER.

(2) IF THE ASSOCIATION IS UNABLE TO COMPLETE AN INSPECTION OF THE PROPERTY DUE TO THE FAULT OF THE OWNER OR APPLICANT, THE ASSOCIATION MAY REQUIRE THE APPLICANT TO PAY IN ADVANCE THE REASONABLE COST OF SUBSEQUENT EFFORTS TO INSPECT THE PROPERTY.

(C) PROCEDURE.

(1) THE APPLICANT OR REPRESENTATIVE OF THE APPLICANT SHALL BE AFFORDED THE OPPORTUNITY TO BE PRESENT DURING THE INSPECTION.

(2) THE INSPECTOR DOES NOT HAVE AUTHORITY TO ADVISE WHETHER THE ASSOCIATION WILL PROVIDE COVERAGE TO THE PROPERTY BEING INSPECTED.

(3) THE INSPECTOR MAY TAKE PHOTOGRAPHS OF THE PROPERTY DURING THE INSPECTION.

(D) REPORT.

THE INSPECTION REPORT SHALL: