

4. THAT THE INSURED MAY DISPUTE, UNDER § 1681I OF THE FEDERAL FAIR CREDIT REPORTING ACT, WITH THE CONSUMER REPORTING AGENCY THE ACCURACY OR COMPLETENESS OF ANY INFORMATION IN THE CREDIT REPORT FURNISHED BY THE AGENCY.

(4) (i) The insurer's statement of actual reason for proposing to take an action subject to this section must be sufficiently clear and specific so that an individual of average intelligence can identify the basis for the insurer's decision without making further inquiry.

(ii) The use of generalized terms such as "personal habits", "living conditions", "poor morals", or "violation or accident record" does not meet the requirements of this paragraph.

(III) THE COMMISSIONER MAY NOT DISALLOW A PROPOSED ACTION OF AN INSURER BECAUSE THE STATEMENT OF ACTUAL REASON CONTAINS:

1. GRAMMATICAL ERRORS, TYPOGRAPHICAL ERRORS, OR OTHER ERRORS PROVIDED THAT THE ERRORS ARE NONMATERIAL AND NOT MISLEADING; OR

2. SURPLUS INFORMATION, PROVIDED THAT THE SURPLUS INFORMATION IS NONMATERIAL AND NOT MISLEADING.

~~(5) A nonmaterial, typographical, or grammatical error or the inclusion of nonmaterial information in a notice, as determined by the Commissioner, does not invalidate the notice.~~

(e) (D) At least 10 days before the date an insurer proposes to cancel a policy for nonpayment of premium, the insurer shall cause to be sent to the insured, by certificate of mailing, a written notice of intention to cancel for nonpayment of premium.

(d) (E) A statement of actual reason contained in the notice given under subsection (b) (C) of this section is privileged and does not constitute grounds for an action against the insurer, its representatives, or another person that in good faith provides to the insurer information on which the statement is based.

(e) (F) (1) This subsection does not apply to an action of an insurer taken under subsection (e) (D) of this section.

(2) An insured may protest a proposed action of the insurer under this section by signing two copies of the notice and sending them to the Commissioner within 30 days after the mailing date of the notice.

(3) On receipt of a protest, the Commissioner shall notify the insurer of the filing of the protest.

(4) A EXCEPT FOR A PREMIUM INCREASE OF 15% OR LESS FOR THE ENTIRE POLICY, A protest filed with the Commissioner stays the proposed action of the insurer pending a final determination by the Commissioner.