

Slip and Fall Liability for Property Owners

Property owners are responsible for personal injuries that occur as a result of a hazardous or dangerous condition on their property. And especially if they knew about or should have known about the situation. Dangerous and hazardous conditions may cause slips and falls due to accumulation of water, ice or snow, liquids, as well as abrupt changes in flooring, raised or cracked sidewalks, poor lighting, or a hidden hazard, such as a hidden ground hole.

Other dangerous conditions may be apparent such as a broken step or railing or hidden hazards like a ground hole overgrown with grass or a transparent spill in the aisle of a supermarket. All of these examples represent conditions that are primed for an accident to occur, and can cause serious injury to people. In the case of some temporary conditions (like a liquid spill), the length of time that the condition existed before the incident occurred could have legal significance.

If the spill occurred just before the incident, then the property owner may not be liable for injury since the owner could not have known about the spill. The owner may not have been able to do anything about it before the slip and fall occurred.

However, there may be exceptions to the spill, for example, if the spill was present for a substantial period of time before the incident, if the spill is in an area subject to liquid spills, or if the spill happens as a recurring event I.E. "every time they wash the floor someone slips." These are situations where the owner may be liable, even if the owner did not know about the spill before it occurred. However, this article is not, nor is it intended to be, legal advice. You should consult an attorney for individual advice regarding your own situation.

If a person is injured while on another's premises, such as a business, home, or apartment complex, many policies covering the building or home will contain "medical payments" coverage. While each policy will vary somewhat, coverage generally will provide payment, without regard to whose fault the injury was, for medical bills to treat injuries suffered on the property.

Generally, these policies will require that claims be submitted promptly, and will usually only cover medical expenses incurred within a specific period of time, generally one year.

The payments under this medical payments coverage will include physician, hospital, therapy and other medical expenses. This coverage can also be used to reimburse co-pays for covered medical expenses that are paid by a person's own health insurance.

Given the time constraints that most policies contain, it is very important to consult an attorney promptly to make sure that this valuable coverage is paid. Also, it's helpful to employ a thorough safety and inspection program for your business, so as to mitigate as many chances of an accident occurring as possible. This process can prevent physical injury to other people and difficult financial situations for everyone involved.

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