



As more and more people live and work in New York City, the possibility for a trip and fall increases. Increased foot traffic means more chances that someone may fall on a dangerous condition that a property owner failed to clean up or properly maintain. These injuries can happen to young and old alike and can cause serious medical issues. This guide will help you stay prepared in the event that you fall victim to a dangerous condition on someone else's property.

YOUR LEGAL RIGHTS:

Property owners are required by law to keep their premises safe and free of dangerous conditions in the interior and exterior of their property. This includes surrounding sidewalks, parking lots, and common areas. These rules apply to the owners of residential, commercial, and government properties.

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TRIPS & FALLS

SIDEWALKS & BUILDINGS EDITION



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TRIPS & FALLS

OUTDOOR HAZARDS

- **Uneven, Broken Sidewalks and Pathways:**

Sidewalk slabs can become uneven and broken for many reasons. Decay over time, previous construction, or the growth of trees can create dangerous tripping hazards. Generally, the sidewalks on which we walk are owned by the municipality where they are located. Unfortunately, government agencies have legal protections that prevent them from being held responsible if a person trips on a defect on a sidewalk. This means that responsibility for the conditions of a sidewalk is usually on the property owner who is adjacent to that sidewalk. They must keep their property, including adjacent sidewalks, free from dangerous conditions that may lead to injury.

- **Mislevelled and Broken Exterior Steps:** Falls from exterior stairs can result in injuries ranging from minor sprains and bruises to broken bones and sometimes death. Exterior staircases that have been negligently constructed may have steps that are not level and can cause people to trip and fall. Additionally, age and poor maintenance can cause these staircases to deteriorate causing dangerous conditions.

- **Debris from Construction Sites:** Construction sites are fast paced environments that produce debris that could cause both construction workers and pedestrians passing by to trip and fall. Contractors and owners of construction sites have a duty to ensure that their work does not cause hazards or defects which could affect pedestrians and workers.

INDOOR HAZARDS

- **Ceiling Collapses:** Ceiling collapses are extremely dangerous and can cause serious injuries and sometimes death.
 - They can be caused by poor construction, water damage, fire damage, or heavy loads.
 - Even snow can cause a ceiling or roof to cave in if it falls in great enough quantity and the building owner does nothing to prevent snow accumulation from occurring.

- **Broken Flooring:** Broken or damaged flooring can cause people to trip and fall on uneven surfaces, holes, or cracks.
 - Failure of property owners to correct a hazardous floor condition creates a risk that someone might be injured on their premises and be able to recover damages.
 - Properties with slick floor materials such as hardwood or marble must be extra vigilant in keeping their floors safe due to the higher risk of slips and falls.
- **Defective Staircases:** Similar to exterior staircases, falls from defectively constructed interior staircases are extremely dangerous.
 - The elderly are the most commonly injured by these types of conditions. If, for example, a nursing home has a poorly constructed staircase and does nothing to fix the condition when they knew, or should have known of its existence, they are likely to be held liable for any injuries that result.

If you witness ongoing dangerous conditions that may lead to a trip and fall injury, call 311 and report the property owner immediately.

WHAT TO DO IF YOU ARE INJURED IN A TRIP & FALL ACCIDENT

- **Call an ambulance immediately:** It is far too common that people who trip and fall on someone else's property to "walk it off" because they do not think they are injured. Sometimes, injuries do not show themselves immediately and can worsen if ignored.
- **Take note of your surroundings:** Try to make sure that you remember the conditions that led to your fall. If you are able to recall with certainty how you fell, it will help identify the responsible parties for your injuries.
- **If possible, file an accident report:** If you fall on someone else's property, try to file an accident report with the property owner or their agent so that they are aware of what happened and immediately produce a record of your fall.
- **Take photographs:** It is imperative to take photos of the conditions that caused your injuries before employees of property owners or property owners themselves can attempt to cover up the incident by removing the condition that led to your fall.

- **Take down witness information:** Get any nearby witnesses names and contact information who may have seen your fall. These witnesses can be critical to proving your incident occurred and that the dangerous condition that led to it existed. The longer the condition existed, the easier it is to hold the property owner responsible for your injuries.

AFTER YOUR ACCIDENT

- **Call us** as soon as possible to notify us of your accident so we can start the process of investigating your claim. We have a special team of staff members dedicated to taking photos of the condition that caused your accident before it disappears and taking witness statements before they become unsympathetic or forgetful. They are also experts at identifying and obtaining surveillance footage of your accident.
- **Keep track of your injuries,** especially aches and pains that may arise in the days following the accident. Many injuries may not be immediately obvious to a victim until some time has passed and could worsen if ignored.

CALL US 24 HOURS A DAY, 7 DAYS A WEEK FOR A FREE CONSULTATION ABOUT YOUR SLIP & FALL INJURY.

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For more information contact the

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