



Personal Injury: Understanding Premises Liability

Premises liability is a branch of personal injury law that holds property owners (or those responsible for maintaining a property) accountable when unsafe conditions on their premises cause injuries. Some common types of personal injury cases that fall under this umbrella include:

- Slip & Fall
- Trip & Fall
- Negligent Security
- Structural Defects
- Toxic Exposure
- Falling Objects
- Swimming Pool Accidents
- Fire & Burn Injuries
- Amusement Park Accidents
- Maintenance or Mechanical Failures

In short, any injury caused by a dangerous or defective condition on someone else's property can potentially fall under premises liability.

Key Elements of a Premises Liability Case

To succeed in this type of case, the injured person (plaintiff) generally needs to prove:

Duty of Care

The property owner or occupier owed them a legal duty to keep the premises safe.
e.g., a store must keep aisles free of hazards for shoppers

Breach of Duty

The property owner failed to meet that duty.
e.g., failing to clean up a spilled liquid in a reasonable time

Causation

The dangerous condition directly caused the injury.
e.g., a customer slipped on the spill causing them to fall and hit the ground

Damages

The plaintiff suffered actual harm (medical bills, lost wages, pain and suffering, etc.).
e.g., a customer broke their leg

Who Can Be Held Liable?

- **Property Owners:** Homeowners, landlords, commercial property owners
- **Businesses & Tenants:** Retail stores, restaurants, offices
- **Property Managers / Maintenance Companies:** If responsible for upkeep
- **Government Entities:** For public property, though special rules often preclude liability

