

Keeping your premises safe

Residents of multi-unit residential complexes have a right to expect building owners and property managers to maintain safe conditions on the premises. That includes the building structure for which the resident isn't solely responsible and all common areas. "Safe" conditions go beyond simple physical security and include cleanliness and environmental wellness, such as air and water quality, among other considerations.

Failure to maintain a sanitary or safe building and grounds exposes the owner and property manager to premises liability claims from residents and guests who become injured or ill as a result of that failure. Legal defense in these cases can be very costly, and settlements and jury awards are sometimes financially devastating if there isn't adequate premises liability insurance coverage.

In some cases, damaged stairs, poor lighting, rolls in carpets and slick floors lead to trips and falls. These kinds of everyday issues occur in almost all high-traffic buildings and can be dealt with by high-quality, regular maintenance. When immediate repairs are impossible, signage alerting users to the hazards can minimize accidents and at times reduce your liability.

Having a well-designed approach to managing security risks will assist in the defense of premises security claim. How do you document complaints? How do you document your response to complaints? What proactive steps are being taken to ensure that safety and security of the premises and then documenting the validation of those steps as you implement them will help you provide clear insight to your approach to your tenants safety.

Some thoughts around simple tasks that could be important are when you conduct a walk-through upon leasing a unit, be sure to verify all door and window security hardware and have the resident sign off that all is in working condition. Conduct regular and documented checks on all exterior doors and windows and assign someone to verify in writing that entry access points are secure at given points during the day and night.

Documentation for physical repairs and alerts for hazards can be the difference between falling victim to a premises liability allegation and beating it before it ever goes to court. Good records with sign-off from maintenance staff and/or residents often show that the property manager and building owner have done all in their power to create a safe environment.

Premises liability insurance will also help defray costs associated not only with settling liability claims, but also with covering the cost of defense when your company is sued. Many commercial liability policies don't automatically cover premises liability, so talk with your agent about to be sure your properly covered. It can be written to cover principal and incidental bodily injury and property damage, legal costs, medical payments and other medical expenses, among other situations as provided in each policy.

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