

Premises Liability

National Safety Council cites falls account for 8.9 Million visits to the emergency department annually (NSC Injury Facts 2011)

Other notable findings:

Adults 55 are older are far more prone to injuries from falls.

Common locations for falls:

Doorways, ramps, cluttered hallways, areas with heavy traffic, uneven surfaces, areas prone to wetness or spills, unguarded heights, unstable work surfaces, ladders, stairs

For further reading see http://www.nsc.org/safety_home/HomeandRecreationalSafety/Falls/Pages/Falls.aspx#slips, trips and falls



Falls are one of the leading causes of unintentional injuries in the United States

Premises liability claims are often seen with great suspect by the public given recent tort reform sentiment. However, a fall can be devastating for an individual and the family that must care for the injured. According to a 2011 National Safety Council Report, 8.9 falls occur each year resulting in injuries. While many of these were not the result of the Restatement. Thus, an owner of land is generally not liable to an invitee for injuries caused by a condition on the land unless the owner knows or should know that the condition presented an unreasonable risk of harm, could not reasonably expect its invitees to realize the risk themselves, and failed to make the condition reasonably safe or warn the invitee.

¹ [Restatement Second, Torts § 343 \(1965\):](#)

² [Minahan v. Western Washington Fair Ass'n, 117 Wash. App. 881, 73 P.3d 1019, 179 Ed. Law Rep. 473 \(Div. 2 2003\), as corrected, \(Oct. 14, 2003\).](#)