



Howard Roitman
& ASSOCIATES, INC.

8921 W. SAHARA AVE STE B
LAS VEGAS, NV 89117

(702) 631-5650
(800) 799-5868

FLEXIBLE APPOINTMENTS
SE HABLA ESPAÑOL

[Print](#) [Close Window](#)

Answers To Questions About Slip and Fall Accidents

Next to car accidents, the most common type of injury mishap is a slip and fall. Many people who are in a slip and fall accident have questions about when property owners are liable, damages they may receive and other issues. Here are answers to some often-asked questions about slip and fall accidents.

Q. I was hurt when I slipped and fell on a wet floor in a market. Is the owner of the store liable for my injuries?

A. The answer depends on the specific facts of your case. In the case of businesses like stores, restaurants, theaters and malls, to be liable, a property owner must have known (or should have known) about the dangerous condition and failed to take steps to prevent injuries. As a result, whether you can recover damages will likely depend on how long the floor was wet and what employees knew and did. If the floor was wet for a while and employees knew or should have known about it but did nothing, you'll likely recover damages. But if the floor became wet just before you slipped and employees didn't have a chance to dry it or post warning signs, recovering damages may be harder.

Q. If I am hurt in a slip and fall accident at a store or other business, what steps should I take to protect my right to make a claim?

A. If you get hurt in a slip and fall accident, there are several things you should do to protect your rights and help make sure you can recover what you are entitled to receive under the law. They include: make written notes on the accident; get names, addresses and phone numbers of all witnesses; and save any evidence, such as whatever caused the fall.

Report the accident to employees of the business, but don't sign anything or give a statement before talking to your lawyer. You are not legally obligated to give a

statement to a store employee or anyone connected to the business. What often happens in slip and fall accidents is that store employees try to get victims to say something that hurts their case, like admitting they weren't paying attention. It's hard to think clearly after a slip and fall accident (especially one in which you were badly injured), and anything you say can be used against you later and hurt your claim. If you sign something, this may result in you giving up your claim for little or no money.

Q. I was in a slip and fall accident. How long do I have to make a claim?

A. The time limits for bringing personal injury claims vary from state to state. If you intend to make a claim, it's best to get legal help as soon as possible. In addition to the deadlines for bringing a claim, you will want to pursue your claim while the facts are fresh in your mind and the minds of witnesses. The longer you wait after an accident, the harder it can be to gather evidence and the more likely witnesses will move or forget details of the accident. In short, any delay in seeking legal help could hurt your claim.

Q. I was injured when I tripped on a crack in a sidewalk. Can I make a claim against the city for my injuries?

A. In some areas, laws protect the city or local government from lawsuits. In other areas, accident victims can make a claim for injuries sustained on public property, like sidewalks. If the local government failed to properly maintain the sidewalk, you may have a valid claim.

Important: There are special rules and procedures for making a claim against the government. These rules can include shortened time limits in which to present a claim to the appropriate government entity. If you are injured on government property, seek legal help promptly to make sure these special rules and time limits are followed.

Q. What damages can I recover after a slip and fall accident?

A. People hurt in slip and fall accident can recover compensation for many things, including their past and future medical bills, past and future lost earnings, pain and suffering, and disfigurement. If you suffered property losses (like clothes or jewelry), you can recover for this too. Also, if the accident caused you to change your lifestyle, you may be able to be compensated for this too.

Many slip and fall accidents result in long lasting injuries, so it is important for people hurt in these accidents to get checked out by a doctor immediately. You should still see a doctor after a slip and fall accident in which your injuries seem minor, as some serious injuries take time to develop. There are many cases of slip

and fall victims who right after the accident felt okay, but then several days or a week or two later realized they suffered serious leg or other injuries.

Q. What defenses do businesses commonly make in slip and fall accidents?

A. To deny legal responsibility after a slip and fall accident, businesses often claim that whatever caused the accident (like a spill) happened too soon before the accident for them to do anything. They also often try to shift blame to the accident victim, saying he or she was careless or not paying attention.

If you are hurt in a slip and fall accident, don't give up your claim until a proper investigation is made. The business owner will likely deny responsibility or try to shift the blame to you, but your lawyer can help conduct an investigation to find out the true cause of the accident. Also, even if you are partly responsible for the accident, in most states you can still recover compensation (your recovery will just be reduced by the percentage amount of your fault).

Q. Who is liable for a slip and fall accident?

A. It depends on the facts of the case. In a common situation -- like a person who slips and falls in a store, restaurant or movie theater -- the owner of the business is potentially liable. If the business owner is renting the space from a landlord, then the landlord (or a property management company) is also potentially liable to pay your damages.

These are some of the common questions people ask about slip and fall accidents. If you are hurt in a slip and fall accident and have a question, please call us. We will be happy to help you.

Call Us For Help

Please call us for all your legal needs. We offer a full range of legal services to individuals, families and businesses, including personal injury, estate planning, real estate, family law and business matters. We are dedicated to providing the highest quality legal services at a reasonable cost.

(702) 631-5650 (800) 799-5868

legal assistance before acting on any matter.

© 2009 ANSI