

Injury Lawyer for Inadequate Maintenance Lawsuits in California

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Injury Due to Inadequate Maintenance?

A victim of an ***accident caused by inadequate maintenance*** has a lot to deal with. There is a physical injury and pain, mental and emotional stress, and new financial burdens. Recovering from your injury requires you to take on many new and cumbersome tasks, just at the time when you need all of your reserves of physical strength and mental energy to recover from your injury. Instead of resting and recuperating, you now find yourself speaking with insurance companies, managing repairs of damaged property, paying medical bills—all while dealing with an injury and pain, and the mental and emotional distress that naturally accompany those.

An experienced [California personal injury lawyer](#) can help you find the best doctors who will work with you, even if you do not have medical insurance. And, your lawyer will advocate on your behalf to protect your rights and aggressively work to ensure that you receive all financial compensation allowed by California law. If you have sustained an injury due to something being inadequately maintained, contact Johnson Attorneys Group for a free case evaluation. [We have 12 locations across California to serve you](#)



What are the Laws Regarding Injury Due to Inadequate Maintenance

The California civil court may find that premises liability applies when the liability of a particular person, persons, or entity, for the injury of a person arises from the responsible party's possession or ownership of the real estate (real property) on which the injury occurred. ***Under California law, premises liability may be found to apply in cases of negligence.***

Examples of inadequate maintenance:

- Failure to clean up slippery surfaces, leading to slip and fall accidents
- Failure to warn about hidden defects in a property
- Failure to provide proper railings, fencing, and lighting
- Failure to clean up cluttered aisles
- Failure to repair cracked sidewalks
- Dog bites and attacks
- Failure to repair loose door hinges
- Failure to clean up tree limbs or fallen trees
- Failure to warn of construction zones

Who Can Be Held Responsible for Injuries Resulting From Inadequate Maintenance?

Many property owners and occupants can be held accountable for injuries resulting from inadequate maintenance, including:

- Retail stores
- Apartment owners
- Condominium associations
- Restaurants
- Shopping malls
- Bars
- Private property owners
- Cities, towns, or counties
- Even the state of California

What is Considered Inadequate Maintenance?

Liability is typically constituted when a property owner or occupant has either created a hazard that exposes people on the property to injury, or when the owner or occupant was aware of, or should have been aware of the hazard.

The plaintiff in an inadequate maintenance case must:

- ***Prove negligence*** — The claimant must prove that the defendant knew or should

have known about the hazard.

- **Reasonable safety measures** — The claimant must also prove that adequate maintenance was necessary to prevent the injury from occurring.
- **Foreseeability** — And, the claimant must prove that defendant did not pay act sufficiently to prevent the injury, by ensuring adequate maintenance. (For example, the plaintiff may produce evidence of other incidents that should have prompted the negligent party to provide for adequate maintenance of the area or item in question.)

What is Considered Negligence?

Property owners, business managers, or other occupants can be held responsible for injuries caused by failure to adequately maintain areas or items under their control.

California state negligence laws apply to cases of personal injury resulting from inadequate maintenance.

The following are aspects of a defendant's behavior that the state civil court considers in an inadequate maintenance case.

- **Duty** — State law finds that a person has a duty to those who could be injured due to his or her actions. For example, a business manager bears a duty to ensure that areas and items under his/her control are maintained adequately so as not to present a hazard by which someone could be injured. For example, an amusement park operator is found by the civil court to have a duty to adequately maintain its rides in a safe condition that will not cause injury to patrons.
- **Causation** — A plaintiff in an inadequate maintenance case needs to prove that a breach of duty by the defendant did cause his/her injuries. The claimant needs to show that the injuries would not have been sustained if the defendant had adequately maintained the area or item involved in the accident. (In some circumstances, it is sufficient to show that a reasonable person would find that the injuries sustained significantly contributed to the plaintiff's suffering.)
- **Breach** — The injured party must prove that the defendant committed a breach of duty. The court reviews the defendant's actions in the matter and determines whether or not he or she is in breach of their duty. For example, if a property manager is responsible for keeping a common area floor surfaces in good repair, but some tiles in the high-traffic area are missing, causing a trip hazard, the manager may be found in breach of duty.

It's important to know that insurance companies have enormous teams of investigators, and experts, and other very skilled professionals working to help them avoid paying personal injury claims. ***You will need your own aggressive, highly-skilled, and financially strong advocate*** to ensure that anything that can be done does get done to ensure that you obtain the maximum compensation allowed by law for your injury.

What Compensation is Available for Victims of Inadequate Maintenance?

If you are a victim of a crime in California that could have been prevented by appropriate security measures on the property where you were injured, then you may be entitled to compensation for:

- Medical Expenses
- Future Medical Expenses
- Pain and Suffering
- Lost Wages
- Loss of Earning Capacity

How a California Personal Injury Lawyer Can Help

If you have an injury caused by inadequate maintenance, you should act as quickly as possible to hire a California personal injury lawyer to help you protect your rights. California state law restricts the time that claimants have to file civil lawsuits for personal injuries. If you have been injured in your workplace, retail store, or other property, a personal injury attorney can help you recover the compensation you deserve.

Your attorney will:

- Explain your rights and options, and suggest the best plan of action
- Speak with insurance companies
- Manage payment of your medical bills
- Help you get the best doctors for your needs
- Investigate your accident
- Hire experts to conduct deep investigation
- Negotiate for you

REMEMBER: Only agree to work with a personal injury lawyer will not charge you a fee until your case is won in court or is settled in your favor.

Get a Free Case Evaluation from Johnson Attorneys Group Today

Johnson Attorneys Group is a personal injury law firm with 12 locations across California. We help our clients with their claims for damages resulting from another person or entity's carelessness or negligence. We are devoted to protecting our clients' rights in the California civil courts, and to recovering all financial compensation to which our clients are legally entitled to their injuries. ***We believe in taking the time with each client to ensure that you understand your rights and what will be involved in the legal process of recovering your compensation.*** And, we will work with your doctor and other medical providers, even if you're uninsured, to make sure that you have all of the care you need throughout your

physical recovery.

If you or a loved one has been injured in an accident due to inadequate maintenance, contact Johnson Attorneys Group to schedule an appointment for a free consultation with an experienced California personal injury lawyers. We do not charge our clients any legal fees unless and until we successfully settle your case in your favor, or until we win your case in court.
