

# Tree Hazards

## Trees Could Result in Liability for Property Owners



**W**e all take great pride in the way our homes and yards look. Many of us spend hours on weekends working in our yards to make our yard the most beautiful in the neighborhood. Trees play an important role in the appearance of our yards, but they can also become a liability.

Your comprehensive personal liability policy provides liability coverage for bodily injury and property damage to neighbors, visitors and resident employees for which the insured is legally liable. The policy also provides coverage for necessary medical expenses to someone injured on your property as a result of an accident. This coverage applies, regard-

less of fault, up to the limit of coverage. Lastly, the policy provides \$250 in coverage for damage to property of others.

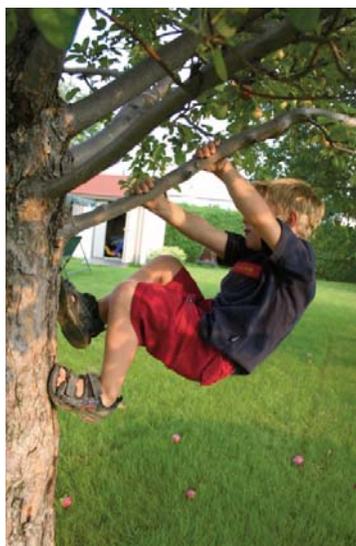
The most complicated coverage under the policy is bodily injury and property damage for which the insured is legally liable. This means that there needs to be some determination of negligence by the insured for coverage to be triggered under the policy.

Let's talk about that large tree in your yard. For years, drought and age has caused that tree to deteriorate and rot. You know the tree is in bad shape and something needs to be done about the tree. It slowly begins to lean

towards a neighbor's house, but you still do nothing to address the condition of the tree. You believe it could be a danger to others, but you procrastinate and put off addressing the perceived danger. One day there is a crash as the tree comes down upon your neighbor's garage. Are you liable?

As stated earlier, you must be liable for the damage. In the facts as presented, it is possible that you may have been negligent in not addressing the condition of the tree and you continued to ignore a problem that you or a reasonable person would have addressed. A court of law may ultimately make the determination of whether you are responsible for the loss. A claims investigation may also make the determination that you were negligent and try to address your neighbor's loss through negotiation before a lawsuit is filed.

If you don't have comprehensive personal liability coverage, we recommend discussing this coverage with your agent. Without this coverage, all the scenarios discussed may result in you having to pay for losses out of your pocket. Comprehensive personal liability coverage will protect you from the financial impact of these small and large losses and give you piece of mind should these types of events occur.



### What are real life situations that could trigger coverage under the liability policy?

Imagine your neighbor's child is climbing a tree in your front yard and the child falls and has to be taken to the hospital for treatment. The medical expenses coverage under the policy would cover medical costs up to the coverage limits.

What if you borrow your friend's grill and a strong wind blows down a heavy branch which crushes the grill? The coverage for damage to the property of others could be used to pay for damage up to the \$250 limit.

