

Responsibility for Slip and Fall Accidents at Lowe's

One of the most common accidents to occur in any retail store is that of "[slip and fall](#)." What this entails is, as the name suggests, when a customer slips and falls while on the premises of a retail establishment. Unfortunately these accidents are far too commonplace, and while they may occasionally be from unknown or unpreventable causes (such as a customer who becomes ill and loses his balance), the burden of responsibility for maintaining a safe environment for customers remains on the shoulders of stores such as Lowe's.

Responsibility to Customers

Anyone who is familiar with Lowe's is aware the store is set up more like a warehouse than a retail store. This is one of the reasons there is such a concern about slip and fall accidents—the warehouse-like environment often results in employees becoming negligent in the way they maintain the aisles and pack the shelves (carts left in the middle of aisles, shelves stocked too high for customers to reach, etc.). Any customer who visits Lowe's is classified as an "invitee" and as such the store has a duty to ensure each "invitee" the highest duty of care. This means they are obligated to warn or protect all invitees from reasonable risk or harm from any conditions that they know to exist (or should have known to exist) on the premises.

Any injuries that result from harm to an "invitee" fall under [premises liability law](#) which makes the possessor of the land or premises responsible for certain injuries visitors to the premises suffer. While some cases such as those of "slip and fall" appear very simple on the surface, some states tend to protect the owner of the premises. For this reason, anyone considering a case for premises liability should think seriously about consulting with a lawyer.

Plaintiff's Status

Premises liability law in most jurisdictions usually requires the determination of plaintiff status: invitee, licensee or trespasser. The obligation of the defendant to the plaintiff can be significantly different depending on the classification. The definitions of those classifications in brief are:

- Invitee – Someone who is invited to enter or remain on the property in question in order to benefit the possessor of those premises (Example: customer). This classification requires the highest level of care.
- Licensee – Someone who is invited to enter or remain on the property in question for purposes that are neither business nor commercial use (social guest).
- Trespasser – Someone who has neither express nor implied permission to be on the property of the possessor and lacks any performance of duty to the property owner.

Maintenance of Parking Lots and Sidewalks

Owners of commercial property such as Lowe's Home Improvement are responsible for making sure public sidewalks in front of their buildings as well as parking lots are clear of anything that may pose a hazard to anyone who is passing by or walking. It is also important for property owners as well as site managers at Lowe's to understand that while they can contract for services, they cannot delegate the responsibility. In other words, if the store manager hires a snow removal company to clear the sidewalks and parking lot of snow and ice, Lowe's (and not the contractor) remains responsible for the condition of the sidewalks and parking lot.

Any type of slip and fall accident can have some gray areas; not everything is black and white. Our firm can answer any questions you may have about premises liability. All you need to do is call us at 1-877-405-4313.