

Potential liability claims involving man's best friend?

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As a property owner or manager there are many obvious actions that serve to minimize sources of potential liabilities. For example, you know to keep parking lots and walkways plowed and sanded in the winter, and to maintain detailed snow removal logs. While these efforts may help with defending those pesky slip and fall claims, are you effectively defending yourself from other, less known liabilities? One such potential liability comes from man's best friend, the dog. If you allow your tenants to keep dogs in their rental units, you may be exposing your property to additional risk due to damage or bodily injury from a dog, whether it is just a small nip or something worse. Although your tenants may have renters' insurance policies, many of these policies may contain canine exclusions. If a tenant doesn't have any insurance, what protection do you have if you are brought into a suit for a messy claim because the tenant's dog bit another resident or visitor?

Currently, most commercial general liability insurance policies do not contain canine or other animal exclusions. So, although the tenant may not have insurance coverage for injury or damage caused by a canine, your commercial general liability policy should protect you as the property owner or manager if brought into a suit. It is therefore in your best interest to make sure that a canine or other animal exclusion isn't added at renewal.

Additionally, you may want to lessen your risk by adding a pet agreement to your leases. Such pet agreements may limit the number, size, type, and/or breed of animal allowed on the premises or require management approval before allowing any pets on site. A pet agreement may also require identification, licenses, and vaccinations in accordance with local ordinances, or may make tenants responsible for their pets by signing a waiver. You may also charge a pet fee, although such an action has historically only been used with respect to cleaning the apartment once the pet moves out.

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