

# **Bond Case Briefs**

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## **IMMUNITY - MISSISSIPPI**

### **Horton on Behalf of Estate of Erves v. City of Vicksburg**

**Supreme Court of Mississippi - May 31, 2018 - So.3d - 2018 WL 2439659**

Estate administratrix for tenant who died after tumbling down home's exterior concrete stairs filed a negligence complaint against landlords. Administratrix amended complaint to include city and city-code inspector as defendants, claiming that they breached their duty to inspect the property adequately and that city failed to provide reasonable supervision of inspector in his duties.

The Circuit Court granted summary judgment in favor of the city. Administratrix appealed.

The Supreme Court of Mississippi held that city owed no duty to tenant to inspect home and either condemn the home or note its handrail deficiency.

City owed no duty, to inspect home and either condemn the home or note its handrail deficiency, to tenant who died after tumbling down home's exterior concrete stairs; city code did not require city and its officials to enforce code's handrail requirement on structures designated as historic buildings when such buildings or structures were judged by the code official to be safe and in the public interest of health, safety, and welfare, residence was designated as part of the city's historical zone, and code inspector had judged residence to be safe and in the interest of public health, safety, and welfare.