

Bond Case Briefs

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MUNICIPAL LIABILITY - NEW JERSEY

Grijalba v. Floro

Superior Court of New Jersey, Appellate Division - June 3, 2013 - A.3d - 2013 WL 2371408

Pedestrian brought action against homeowner, who rented out a portion of her home, for injuries he sustained when he slipped and fell on sidewalk abutting property.

The Superior Court, Appellate Division held that remand was necessary for trial court to determine whether property was commercial or residential.

Remand was necessary in action against homeowner, who rented out a portion of her home, for injuries pedestrian sustained when he slipped and fell on sidewalk abutting property for findings concerning whether the property was residential or commercial. On remand trial court was to consider the nature of the ownership of the property, including whether the property was owned for investment or business purposes, the predominant use of the property, including the amount of space occupied by the owner on a steady or temporary basis, and whether the property had the capacity to generate income.