

Bond Case Briefs

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LIABILITY - LOUISIANA

Odom v. Fair

Court of Appeal of Louisiana, Second Circuit - August 20, 2014 - So.3d - 49, 274 (La.App. 2 Cir. 8/20/14)

Tenant brought action against her landlord, a city housing authority, after a dog owned by another tenant bit her, alleging that housing authority failed to monitor its premises for risks and hazards, failed to require tenant to keep dog in a secured area, and allowed tenant to maintain a dog known to attack without provocation. The District Court entered judgment in favor of tenant after a bench trial. Housing authority appealed.

The Court of Appeal held that housing authority did not have actual knowledge of vicious propensities of dog as required to impose liability on it for tenant's injuries.

Dog had never bit or attacked anyone prior to incident, tenant did not report that dog was a vicious animal, and housing authority's maintenance crew that visited dog owner's property was not tasked with enforcing pet policy or inspecting for technical violations of lease.