

# **Bond Case Briefs**

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## **LIABILITY - WASHINGTON**

### **Schulz v. State**

**Court of Appeals of Washington, Division 3 - March 17, 2020 - P.3d - 2020 WL 1268991**

Landowners brought action against the Department of Natural Resources (DNR) to recover for property damage caused by forest fires, alleging the DNR was negligent in its efforts to suppress the fires on DNR managed lands, allowing the fires to spread to neighboring properties.

The Superior Court granted summary judgment for the DNR, and landowners appealed.

The Court of Appeals held that:

- Landowners failed to allege that the DNR failed to use due care to prevent the spread of fire from its land to neighboring properties, as required to state a claim for negligence based on a breach of the DNR's duty as a landowner, and
- The public duty doctrine applied to landowners' claims.