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Steigerwald v. Berea

Supreme Court of Ohio - July 8, 2026 - N.E.3d - 2026 WL 1964941 - 2026-Ohio-2554

Administrator of recreation center patron's estate filed suit against city and recreation center that it owned and operated alleging that city placed bench with extended legs in locker room in recreation center, creating hazard that caused patron to trip and sustain serious injuries that led to her death.

City asserted defenses including governmental immunity under the Political Subdivision Tort Liability Act (PSTLA).

The Court of Common Pleas granted city's motion for summary judgment. Administrator appealed. The Eighth District Court of Appeals reversed and remanded. The city sought discretionary review.

The Supreme Court held that extended legs on bench in locker room did not constitute "physical defect," for exception to immunity under PSTLA to apply for city to be liable for negligence or wrongful death.

Extended legs on bench in city recreation center's locker room did not constitute "physical defect," for exception to immunity under the Political Subdivision Tort Liability Act (PSTLA) for injury or death due to physical defects in buildings used for a governmental function to apply for city to be liable for negligence or wrongful death of recreation center's patron; recreation center's director selected bench after evaluating over dozen models, chosen model was antimicrobial, was movable, was suitable for use in locker rooms with condensation, and was compatible with cleaning equipment, bench was not broken, unstable, or otherwise physically flawed, and bench functioned as designed to provide seating for users of recreation center.

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