

Security
This Probably Never Happened To You, But...
(#146)

The tenant from #12 (she wasn't one of ours) was in her apartment late in the evening, and was attacked by an intruder who entered through street-side window. She was grievously beaten in what appeared to be a botched burglary. The intruder was not caught.

The injured tenant sued the owner, and won a significant judgment.

Ordinarily, you would not think that an owner should be responsible for injuries caused by another, but this was one of those cases where the owner simply did not take prudent precautions to protect the tenants. In fact, the owner actually maintained a situation that facilitated the break-in.

In this case, the owner maintained a thick, 6' tall hedge all along the street side of the building, between the building and the street. The hedge was planted several feet away from the building. The hedge provided perfect cover for the intruder. Parts of this side of the building were lit. But most of the rear portions were not. Several light-bulbs were not functioning at the time of the injury.

Such cases should be a great lesson for all of us, learned at someone else's expense. It would be a shame not to learn from them.

Here are some suggestions:

- If you want a fence, choose a picket or metal-rail type that you can see through.
- Prune tree branches high for clear vision across the yard. Remove branches that could be used as ladders to upper windows.
- Keep plantings low to reduce what "cover" they might provide to intruders.
- Install lamps that wash light across the house walls to silhouette intruders.
- Train thorny vines or climbing roses over fences or walls. Or, plant a low hedge of spiny shrubs. Plant prickly shrubs beneath windows, but keep the sills clear for escape from fire.
- Provide secure interior window latches. Don't skimp here. Numerous studies indicate that tenants will gladly pay for increased security.
- Furnish all exterior doors with dead-bolts. It's the law. And again, don't skimp on quality. Protect this unit as if it were your own home.

If a tenant requests permission to change his or her locks (even if he or she does not want you, the owner, to have a key) give permission. When in doubt, if it relates to security, say "YES" !! In the remote situation of an emergency demanding entry, the fire department can get you in. If the tenant subsequently requests ordinary maintenance, they may have to be home to accommodate entry.

In addition to these suggestions, it is also likely that your local police department will have a list of hints to make your property better protected from intruders. Good security is good business. Reminding ourselves of this has worked well for us.

Dear Readers: This article is the 143rd in a series based on the lessons we have learned the hard way. The contents of these articles are merely opinions of the writer. They are not intended as specific legal advice and should not be relied upon for that purpose. Our practice is in constant refinement as we adjust the way we operate to an ever- changing market. I appreciate your questions, comments, suggestions, and solutions. Contact C. Finley Beven, CPM, CCAM, JD. 99 S. Lake Avenue, Pasadena. (626) 243-4145.
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