

SIDEWALK ACCIDENT DECISIONS DOCTRINE

The owner of land abutting a public sidewalk may be liable to injured pedestrians under the “Sidewalk Accident Decisions” doctrine even without a local ordinance making the adjacent landowner responsible for sidewalk repair and injuries. Under this doctrine an abutting landowner is liable to a pedestrian who is injured because of the disrepair of a sidewalk, if that disrepair was caused by a tree planted and maintained by the abutting landowner. (*Alpert v. Villa Romano Homeowners’ Ass’n* (2000) 81 Cal.App.4th 1320, 1335; *Jones v. Deeter* (1984) 152 Cal.App.3d 798, 803; *Moeller v. Fleming* (1982) 136 Cal.App.3d 241, 245.

The “Sidewalk Accident Decisions” doctrine holds that “the abutting property owner is not liable in tort to travelers injured on the sidewalk, unless the owner somehow creates the injurious sidewalk condition.” (*Jones, supra*, 152 Cal.App.3d at p. 803.) Under this doctrine, the owner of land which abuts a sidewalk has a duty to warn or protect pedestrians from a dangerous condition of the sidewalk created by a tree which was planted and maintained by that landowner. (*Alpert, supra*, 81 Cal.App.4th at p. 1330.)