



Icy falls cost city millions in legal bills

\$30M spent on lawsuits between 2003 and 2008

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Lawsuits springing from slip-and-fall incidents on icy city sidewalks between 2003 and 2008 are estimated to cost the city more than \$30 million after all the bills are paid.

According to the city's website, 2008 alone should cost the city close to \$5.5 million in settlements and legal fees due to sidewalk slip-and-fall claims. There were 533 such claims that year, which had a particularly harsh winter, compared to 368 the year before.

In January, the city refused to release the slip-and-fall figures to the *Star*, saying they would encourage more people to sue following such incidents. After filing a freedom of information request, the *Star* was informed this month that the numbers were put up on the city's website in a February report.

City officials said they did not have specific information on how many people slip and fall on city streets due to ice and snow – only sidewalks.

Toronto budget chief Shelley Carroll said settlements between citizens and the city are not announced because the city doesn't want to "invite that sort of action." Likewise, she said, the amount of money in the reserve account set aside for liability claims is not made public.

In December, a 42-year-old nurse named Vier Guy was awarded damages of \$33,948.39 after slipping on an icy laneway and bumping her head and fracturing her wrist. An Ontario Superior Court judge ruled the city was "grossly negligent" in failing to treat the laneway near the Greenwood exit of the Bloor-Danforth subway line like a sidewalk. The city is appealing the decision.

Alan Preyra, Guy's lawyer, says the slip-and-fall claims noted by the city are the tip of the iceberg. He estimates lawyers take only 10 per cent of the cases brought to their attention. Many more people fall and aren't even aware they can pursue the city for compensation, he adds.

Overall claims against the city's transportation division, which include slip-and-fall and pothole claims, cost an average total of \$11 million to \$15

million per year, said Peter Noehammer, director of transportation services. Last year, that figure was approximately \$7.48 million, marking a significant improvement.

Noehammer said the city has been making a conscientious effort to correct physical deficiencies on the roadways to try to reduce the number of claims.

With files from Sandro Contenta

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