

Is a Store or Restaurant Responsible for My Slip and Fall?

Article By:

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The last thing someone expects when they visit a store or a restaurant is that they will suffer serious injuries due to a slip-and-fall accident. However, falls are routinely listed as one of the leading causes of preventable injuries across the United States. While older customers are more likely to suffer a fall, these serious accidents can affect all ages.

As a general rule, businesses owe a legal duty to customers and others they allow onto their property. If you have been injured as the result of a slip-and-fall accident, you may be able to pursue a claim for compensation against the business owner or restaurant. Slip-and-fall claims and other premises liability cases, however, can raise complex legal issues that are best handled by an experienced attorney.

Common Causes of Slip-and-Fall Accidents

Almost any type of hazard can result in a slip-and-fall accident. Of course, some types of businesses – such as restaurants and grocery stores – see a much higher rate of accidents. However, falls can occur at any type of business location.

Below are a few of the most common causes of slip-and-fall accidents:

- Uneven surfaces
- Defective stairs
- Missing or loose handrails
- Spilled liquids or other products
- Wet floors
- Electrical wires
- Poor lighting
- Cracked pavement
- Unmarked hazards
- Weather conditions
- Overly slick flooring
- Potholes
- Debris
- Unsecured furniture or equipment

- Defective chairs or tables

Regardless of the hazard that causes a slip-and-fall accident, the chances are that the customer was not responsible for the hazard. Customers who have been injured in a premises liability accident should consult with a dedicated personal injury lawyer to evaluate their case.

Establishing Liability in a Slip-and-Fall Accident

States vary in how they handle premises liability cases. However, a few principles are almost universally applicable. For instance, when it comes to business invitees (which include customers and restaurant guests), businesses are required to warn guests of all known hazards that may present a risk to their safety. In addition, businesses must conduct a reasonable inspection of the property to discover latent hazards that may not be apparent to guests.

Another common principle in premises liability cases is that an accident victim can typically only recover if the business was more aware of the hazard than the accident victim. For example, assume a grocery store customer drops a jar of pickles on the floor but doesn't mention it to an employee. If another customer walks down the aisle and slips on the puddle of pickle juice a few seconds later – before an employee could reasonably be expected to notice the hazard– the customer may not have a claim against the grocery store.

Slip and fall cases often involve a situation where the hazard that caused a customer's fall was known to the business. In this situation, the store's efforts in warning guests of the hazard are called into question. For example, if an employee notices a spill, did they place a "wet floor" sign before they left to go grab a mop to clean up the mess?

Premises liability cases may seem straightforward; however, stores and their insurance companies frequently deal with these claims and will be prepared with a defense. Thus, accident victims should be sure they have someone on their side who can advocate on their behalf to ensure they obtain the compensation they deserve.

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