



New York City Attorney: Landlords Must Ensure That Proper Window Guards Are in Place

NYC personal injury lawyer David Resnick of David Resnick & Associates urges apartment residents with children to put their landlords on notice of the need to have properly installed window guards, which can prevent children from falling to injury or death.

New York, NY ([PRWEB](#)) October 10, 2010 -- As the summer gives way to fall, New York City residents may be tempted to leave their windows open to catch one last breeze blowing through their apartment before the frigid winter settles in.

However, if you leave your window open, make sure that you have properly installed window guards in place, especially if you have young children living in your apartment, says [Manhattan personal injury lawyer](#) David Resnick.

Resnick points to two incidents this summer involving children who fell from unguarded windows in Brooklyn and the Bronx as illustrating the dangerous consequences of tenants and their landlords failing to take precautions.

“If you have children aged 10 and under living in your apartment, you are required under New York law to have guards on your windows, and your apartment owner must ensure that adequate guards are in place,” Resnick says. “The aim of this law is to prevent these tragic accidents from occurring. That’s why it’s important to put your landlord on notice for the need to have window guards.”

The NYC window guard law was established in 1976, a year when 217 window falls were reported in the city. Although the law has drastically improved window safety, there were still as many as 13 children who fell from New York City windows in 2009, including four who died, according to Times Newsweekly.com.

“One child injured in a fall from a window is one too many when the fall could have been easily prevented by taking reasonable steps to put a window guard in place,” says Resnick, adding that a landlord’s failure to properly and promptly install window guards could amount to negligence and result in [premises liability](#) for any harm that it causes.

Under the NYC window guard law, owners of buildings with three or more apartments must provide and properly install window guards on all windows, including hallway windows and windows leading onto a balcony in an apartment where a child aged 10 and younger lives.

Apartment owners are required by the law to send notices to tenants regarding the window guards, which must be completed and returned by the tenants.

Even if you have no children aged 10 or under in your apartment, you can request window guards if you are:

- A grandparent who has children visiting your apartment;
- A parent who has intermittent custody of a child; or
- A child care provider.



If the landlord refuses to install guards, it appears the guards are poorly installed or unsecured or there is more than 4.5 inches of open, unguarded space in the window opening, the resident should file a complaint by calling 311, according to the NYC Window Falls Prevention Program.

About David Resnick & Associates, P.C.

David Resnick & Associates, P.C. is a well-respected [New York City accident and personal injury law firm](#). The firm handles slip and fall cases, premises liability cases, automobile accidents, pedestrian accidents and other injury claims in New York City's five boroughs of Manhattan, Brooklyn, Queens, Staten Island and the Bronx. For more information or for a free, no-obligation case consultation, call (212) 279-2000 or use the firm's [online form](#).

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