



# Impact of Social Inflation and Political Climate on Excessive Verdicts

2021 HADA Seminar and Risk Control Symposium  
September 7, 2021, 1:00 p.m. to 3:00 p.m. ET  
Virtually Via Zoom

**HADA** SEMINAR



# Hypothetical Fact Scenario

Resident Jane Doe has been residing in Section 8 Housing in Plaintiff Friendly County, USA, for the past 4 years at the No Security Apartment Complex. Jane's 5 and 7 year old sons live with her. One evening at approximately 2:30am, Jane is woken by an intruder, laying in her bed. After enduring two hours of sexual assault, Jane calls her neighbor to come watch her kids and goes to the emergency room. Jane's youngest child woke up during the assault and unbeknownst to the intruder, witnessed the rape for several minutes before hiding under his bed. When Jane reported the incident to the apartment manager, she was not told about any other incidents.

Later, Jane finds out that a week before she was assaulted, another tenant was sexually assaulted in the middle of the night. Separately, and three days before Jane was assaulted, a female tenant reported that a man approached her late at night at gunpoint in the parking lot, but abandoned efforts when another car pulled into the parking lot and surprised the assailant.

Jane files a lawsuit against the complex alleging negligence – and that although the apartment complex had been notified of two prior incidents, the apartment complex did not notify the tenants that an intrusion or assault had occurred on the premises and did not warn tenants to take any extra safety precautions. The complex also reportedly had knowledge of inoperable security entrances devices and inoperable lighting around the perimeter of the complex. The complex did not hire security personnel, take any steps to repair broken entrance security devices, implement controlled access, or repair the inoperable complex lights around the perimeter of the complex, and did not otherwise warn or notify tenants.

The intruder was eventually arrested and charged with 4 assaults, 2 of which occurred at the property, and two at nearby residences. The assailant has been staying at the apartment complex for 6 weeks as a guest of one of the tenants, however, she failed to report him as a guest. He freely came and went and spent time in the common areas for the six weeks he was present.

Jane seeks \$100,000,000 in damages, and has plead gross negligence as a result of the alleged knowledge of similar incidents prior to her attack.



# THANK YOU!!



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