

## **Fighting Fire with Fire in Athens, Georgia**

By May 8, 2017

In a recent case, the landlord of a property in Athens, Georgia was sued by his tenant for damages caused by a fire. The tenant claimed that the fire could have been caused by negligence on the landlord's part, citing that there had been an allegedly improper installation of an electrical panel as well as a hot water heater. The tenant also asserted that the landlord was aware of previous problems with the electrical outlets.

Four investigators made reports on the incident. Three investigators determined that the fire was caused by flammable substances placed in close proximity to an open flame hot water heater. One of the investigators, the tenant's expert witness, determined that the fire "could have been caused by a problem with the hot water heat." Fortunately for the landlord, "could be" is not enough to survive a motion for summary judgment, filed on his behalf by Attorney **Christina Gulas**. The Court found that there was no evidence to afford a reasonable basis for the conclusion that the landlord's actions, or lack thereof, were a likely cause of the fire. The claims against **Christina's** client were dismissed.

The tenant did not have contents insurance for the property he kept in his rental home. This is a reminder to always ensure that you are properly insured, and if you own rental property, talk to an attorney about necessary terms in your lease agreements.