**Homeowner liability for personal injury of contracted workers.**

Kissimmee, FL

My insurance agent says my homeowner's insurance will not cover personal injury of people we hire to do maintenance, lawn, cleaning, etc. He said to ask them for proof of general liability & worker's comp coverage on their employees. I've tried, but none will give me this info, and I can't simply not hire anyone to work on my property. What do I do to protect myself? My agent says that Florida is a very litigious state.

[](http://www.avvo.com/attorneys/33458-fl-earl-mallory-1284700.html?ref=qad_answer_headshot)[**Earl Kenneth Mallory**](http://www.avvo.com/attorneys/33458-fl-earl-mallory-1284700.html?ref=qad_answer_name)

Jupiter Personal Injury Lawyer

I agree. NEVER hire anyone to do work at your home that is not fully licensed and insured. Check worker's compensation at <http://www.fldfs.com/wc/>. Check license at <https://www.myfloridalicense.com/wl11.asp>.

[](http://www.avvo.com/attorneys/02141-ma-daniel-malis-1342807.html?ref=qad_answer_headshot)[**Daniel Malis**](http://www.avvo.com/attorneys/02141-ma-daniel-malis-1342807.html?ref=qad_answer_name)[**Pro**](http://www.avvo.com/attorneys/02141-ma-daniel-malis-1342807.html?ref=qad_answer_pro)

Cambridge Personal Injury Lawyer

Let me echo Attorney Phillips' advice. I have represented homeowners who have been sued as a result of contractors' negligence, and also a private homeowner who was suesd when a worker for a roofing company without workers compensation insurance was paralyzed after fall from a roof. It wasn't pretty. Hire insured contractors and have the provide insurance certificates--you'll sleep better.

[](http://www.avvo.com/attorneys/33329-fl-dennis-phillips-1291926.html?ref=qad_answer_headshot)[**Dennis Michael Phillips**](http://www.avvo.com/attorneys/33329-fl-dennis-phillips-1291926.html?ref=qad_answer_name)

Fort Lauderdale Estate Planning Attorney

Every insurance person says that everywhere is litigious. My advice: CYA. Hire only licensed and insured contractors - not for their injuries so much as for their mistakes and damage to your property. In the meantime, review your policy's liability coverage and proceed accordingly.   
  
Dennis Phillips, Esq. Florida personal injury & wrongful death plaintiff’s attorney. Million Dollar Advocates Forum, Mensa, Florida Bar, American Association for Justice, Florida Justice Association, Palm Beach County Justice Association, Broward County Justice Association. [www.inawreck.com](http://www.inawreck.com). Negligence is no "accident" (TM)

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[**Lars A. Lundeen**](http://www.avvo.com/attorneys/05701-vt-lars-lundeen-1255011.html?ref=qad_answer_name)

Rutland Personal Injury Lawyer

If someone wants to be hired by you, they will be able to provide you with a valid declarations page from their insurance policy or a certificate of insurance. Do not take verbal assurances.   
  
When you are presented with a declarations page or certificate of insurance, make note of the policy number and name of the insurance carrier. I suggest that you call the insurance company and confirm that the insurance is in effect and has not lapsed or that you have not been presented with a forged document. Ideally you should receive a copy of the declarations page or certificate to keep for your records.   
  
Once a repair person has made repairs to your property and leaves, you, as the property owner, become responsible for the results of the repair. If the repair has been completed improperly and causes injury to a 3rd party, you will find yourself sued as the property owner. It is somewhat reassuring to know that the person you hired has insurance coverage and can be brought into the suit or claim to help share in payment of the damages.   
  
You may also wish to review your current homeowner’s policy to see whether or not it provides payment under a "medical payments" clause. You will need to review whether or not the policy would provide benefits to a contractor who may be injured on your property. Such a person may be excluded from coverage however, the policy language will need to state so without equivocation.   
  
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