

By Senator Campbell

33-42A-99

1 A bill to be entitled
2 An act relating to the Lake Wales Housing
3 Authority; providing for the relief of Joyce
4 Howard for injuries and damages sustained due
5 to the negligence of the housing authority;
6 providing an effective date.

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8 WHEREAS, on July 10, 1995, Ms. Joyce Howard sustained
9 severe injuries when she slipped on a loose stair cover inside
10 her apartment at the Sunrise Park Apartments in Lake Wales,
11 Florida, and

12 WHEREAS, the Sunrise Park Apartments are owned and
13 operated by the Lake Wales Housing Authority (hereinafter, the
14 LWHA), a public corporation insured by a self-insured risk
15 pool authorized by Florida statute, and

16 WHEREAS, prior to the date of her accident, Ms. Howard
17 had repeatedly informed the LWHA maintenance supervisor that
18 her staircase had some loose stair covers that needed to be
19 repaired, and

20 WHEREAS, Norman Jones, who was the maintenance
21 supervisor for the LWHA at the time of the accident, testified
22 at trial that he had requested work orders authorizing the
23 repair of Joyce Howard's stairs and was denied those work
24 orders by the administration of the housing authority, and

25 WHEREAS, the LWHA denied the existence of such
26 requests, but a report by the federal Department of Housing
27 and Urban Development revealed that the work-order system in
28 place at the time of Ms. Howard's accident was inadequate, and

29 WHEREAS, Ms. Howard's injuries were so severe that she
30 still suffers from permanent neurological problems and is
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1 totally disabled and unable to obtain and maintain employment,
2 and

3 WHEREAS, a jury awarded Ms. Howard damages in the
4 amount of \$659,886.91, but the amount was reduced to
5 \$197,966.07, because the jury attributed 70 percent negligence
6 to Ms. Howard and 30 percent negligence to the LWHA, and

7 WHEREAS, after set-offs for collateral sources were
8 applied, judgment was entered in the amount of \$178,883.41,
9 and

10 WHEREAS, after the LWHA pays the statutory limit of
11 \$100,000, the amount of damages that remains unpaid will be
12 \$78,883.41 plus costs, NOW, THEREFORE,

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. The facts stated in the preamble to this
17 act are found and declared to be true.

18 Section 2. The Lake Wales Housing Authority is
19 authorized and directed to compensate Joyce Howard in the
20 amount of \$78,883.41 plus costs, out of funds of the Lake
21 Wales Housing Authority not otherwise allocated, for injuries
22 and damages sustained as a result of the negligence of the
23 housing authority.

24 Section 3. This act shall take effect upon becoming a
25 law.

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