



The Vine & Branch T.I.P. - A National Award Winning Program



Vine & Branch has a nationally awarded Tree Inspection Program (T.I.P.) that can help you as you work to create a safe premises and to limit exposure to injury, property damage and expensive lawsuits.

While Vine & Branch does not want to take on your duty to inspect your property, we do want to assist you! The first step is to set up a Premises Liability Audit where we will meet on site to discuss your property and your program.



*Our sustainable approach includes proper care practices defined by ANSI Z-133 performance standards.

The Need for a Tree Inspection Program

Many property owners don't realize that part of their legal duty to maintain their premises in a safe, hazard-free condition includes their trees.

In 1991 the Indiana Supreme Court found that a "possessor of land in an urban area was subject to liability, to persons... for physical harm resulting from his failure to exercise reasonable care to prevent an unreasonable risk of harm arising from the condition of trees on the land near the highway."

THE VINE & BRANCH TREE INSPECTION PROGRAM

- CALL VINE & BRANCH:** Call Vine Branch and arrange for a premises liability audit. We will come to your property and discuss your specific needs.
- SET UP A T.I.P.:** Decide to act! Once you realize that the "But I didn't know!" defense may not hold up legally, you should plan a better program. Get out a pad of paper and determine a time line. Write out a list of the key players you'll need, invite them to a meeting to discuss the need for a T.I.P. and get their commitment to work with you to get the job done!
- CREATE A POLICY:** With your team in place, set a meeting time to discuss creating a policy. Include your attorney in this meeting, as the document must be legally correct. Clearly express your intent to reduce hazardous situations involving trees. Think of this as an action or mission statement, i.e. "We the property owners believe in providing a safe environment, including grounds free of structurally unsound trees which have the potential to cause harm..."
- INSPECT YOUR PROPERTY:** Determine the frequency of inspections and schedule them on the calendar. Work with Vine & Branch to perform an inventory, any climbing inspections, and to train your staff about the basic elements of Visual Tree Assessment (VTA).

The court further held that a landowner had a "duty ... to perform periodic inspections to be sure that the premises do not endanger those using the highway."

Valinet v. Eskew, 574 N.E.2d 283 (Ind. 1991)

Property owners, groundskeepers and managers should know what the law says about trees and liability. A lack of knowledge is not a good defense in a lawsuit.

DOCUMENT YOUR WORK: Document all your efforts to remove hazardous situations. Keep copies of invoices for work which was completed each year so you are able to show a history of care. Also, create a log that details staff efforts.

COMPLETE YOUR WORK: Complete the work in a timely fashion. Don't let the project get stuck on your desk! Have a crew on call to perform "immediate needs" removals or pruning, schedule them to perform "timely fashion" work and do routine maintenance during the off season when rates are lower.

