

# TREE TIPS - DEAD TREE LIABILITY?

A tree that falls in a lonely forest may not make a sound, but what about the tree that falls on your neighbor's house? The sound it makes? Cha-ching!

Texas A&M Forest Service (TFS) is encouraging homeowners and landowners to remove fire- and drought-killed trees that are within falling distance of neighboring homes, roads, and pathways. Failure to do so, agency officials say, could make you liable for damages. "Be aware that your tree could fall onto someone else's property," TFS Central Texas Operations Department Head Jim Rooni said. "The rules vary from place to place, but generally the owner of the tree is responsible."

Rooni said foresters received an influx of calls following the deadly wildfire that ripped through Bastrop last September, destroying roughly 1.5 million trees. But the liability issue isn't limited to trees killed by fire, he said.

Texas is emerging from one of the most devastating droughts and one of the most unprecedented wildfire seasons in state history. Though there is no official count for the total number of trees killed by wildfire, foresters and analysts have estimated that as many as 500 million trees in rural forested areas and another 5.6 million trees in populated urban areas were killed as a result of the 2011 drought.

The sheer volume of dead trees - especially those standing in populated areas - poses a significant hazard, Rooni said. "Standing, dead trees are dangerous and unpredictable. If they fall, they can cause serious damage - and even death."

If your tree still has yet to sprout green leaves, forestry experts say it's most likely dead. If you have questions regarding liability on public land or rights-of-way, contact your local county sheriff's department or county commissioner's office.