

NEWS

Family Of Man Killed In Fall From Porch Settles Suit For \$975K

September 13, 2011 6:48 PM

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Sean Heflin, 24, died after he fell off a porch with a railing that was not up to code. (Credit: CBS)

CHICAGO (CBS) – Sean Heflin fell from a deck that was not up to code and died from his injuries. Now a building management company has settled a wrongful death lawsuit for \$975,000.

CBS 2 investigator Pam Zekman, who first disclosed the tragic details in Heflin's death, has more on the latest developments.

For Heflin's mother, the lawsuit was more about the message than any money she could expect to get.

And it's a message she hopes will be driven home to the city, building owners and tenants who may have dangerous porch code violations where they live.

"The hope is ... is that the city will be much more diligent in doing checks of the porches in the city and that landlords are aware that, if they have a porch that is not up to code, that they could have a suit against them," Jane Heflin said.

Her 24-year-old son was at a Lincoln Park building at 1909 N. Bisell St., attending a party on the 2nd floor deck. The railing on that deck was 10 inches lower than the building code requires.

"That 10-inch difference, in this case, was the difference between no accident and serious injury and tragic death," said Steven Levin, the Heflin family attorney.



Reporting Pam Zekman

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Heflin suffered brain injuries after he fell backward over the railing and fell on the concrete below.

Documents showed that in the two years before the accident the building owner had been cited at other buildings for porch code violations, including the height of guard rails –

connected to the required 46-inch height.

Witnesses said Heflin had been drinking when he leaned back and fell.

But Levin said, "The purpose of this (porch) ordinance is to protect people sometimes from their own unwise behavior."

Asked if the settlement provides any consolation, Jane Heflin said, "The only consolation is that maybe by this being brought back into the news, that someone will go out and measure their railing. There is no consolation for losing my son."

Stammich Management, which owned and managed the apartment where Sean Heflin died, could not be reached for comment.

A spokesman for the city's Buildings Department, which was not sued in this case, said if renters identify porch problems, they should contact their landlord immediately. If the landlord refuses to take correction action, call 311 and a building inspector will be sent out to inspect the porch.



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