

Landlord Liability for Tenant Safety: Lessons from the Jason Billingsley Case

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In recent years, courts have taken a closer look at what landlords must do to keep tenants safe, especially when property owners give employees access to residents' homes. A major example is the civil case that followed the violent attacks committed by Jason Billingsley in Baltimore.

The lawsuit, filed by survivors April Hurley and Jonte Gilmore, resulted in a jury awarding more than \$21 million in damages against the landlord and related property management entities. The case provides a powerful study in landlord liability, negligent hiring, and premises safety law.

In September 2023, Billingsley, who had been hired as a maintenance worker and given access to tenant areas, knocked on April Hurley's door, identified himself as "maintenance," and claimed there was a water leak in her kitchen that needed immediate attention. Once inside, Billingsley violently assaulted Hurley and Gilmore inside the apartment and set fire to the premises. Days later, he murdered tech CEO Pava LaPere in a separate incident.

Billingsley ultimately pled guilty to two counts of attempted first-degree murder, one count of first-degree murder, and was sentenced to life in prison. Hurley and Gilmore brought a civil lawsuit against the property owner and management company. Their argument was not that the landlords committed the assaults, but that their negligence made the assaults foreseeable and preventable.

The case illustrates three central doctrines of landlord liability:

Negligent Hiring

Negligent hiring occurs when an employer or property owner fails to exercise reasonable care in selecting someone for a position that poses a risk to others.

Maintenance workers typically have:

- Master keys
- Unsupervised access to private units
- Knowledge of tenant schedules and vulnerabilities

In this case, the plaintiffs argued that the landlord failed to conduct a reasonable background check before hiring Billingsley. Given his prior violent criminal record, which included convictions for assault in 2009, 2011, and 2013, the plaintiffs contended that giving him access to tenants' apartments created a foreseeable risk of harm.

The defendants argued that Billingsley was *not* an employee. According to reporting by the [Baltimore Banner](#), one of the management company's owners testified that he met Billingsley at a bar and subsequently allowed him to reside in one of the complex's apartments rent-free in exchange for completing "odd jobs" around the property.

A jury agreed with the plaintiffs, finding that reasonable property managers would have investigated his background and that the failure to do so constituted a breach of duty.

Premises Liability

Under premises liability law, landlords owe tenants a duty of reasonable care to maintain safe conditions on the property. Traditionally, this doctrine covered physical hazards (e.g., broken stairs or inadequate lighting), but modern courts increasingly recognize that safety can include protection from foreseeable criminal acts.

The key legal question is foreseeability:

- Was the harm reasonably predictable?
- Did the landlord's conduct increase the risk?

The jury concluded that giving a person with a violent criminal history unrestricted access to tenant homes made the harm foreseeable.

Breach of Lease and Implied Warranty of Habitability

Residential leases carry an implied promise that the premises will be safe and habitable. While this doctrine historically addressed structural conditions, plaintiffs argued that tenant safety includes reasonable screening of employees granted intimate access to living spaces.

Although the negligent-hiring theory was central, contractual duties reinforced the broader argument that landlords must safeguard tenants' security.

Why the Verdict Matters

The jury's multimillion-dollar award sends a strong signal about evolving expectations for landlords:

- Access equals responsibility. The more access an employee has to private living spaces, the higher the duty of care.
- Background checks are not optional in high-risk roles. Courts may treat failure to screen as unreasonable when foreseeable harm results.
- Tenant safety extends beyond physical maintenance. Security policies and hiring practices can create liability.

Importantly, this was a civil negligence case, not a criminal proceeding. The standard of proof was "preponderance of the evidence," meaning the jury had to find it more likely than not that the landlord's negligence caused the harm.

Broader Legal Implications

The case may influence:

- Property management industry standards
- Insurance underwriting requirements
- Corporate risk policies for residential landlords
- Litigation strategies in negligent security cases

Landlords are not insurers of tenant safety — they are not automatically liable for all crimes on their property. But when their

own actions increase the risk of foreseeable harm, courts may impose substantial financial consequences.

The litigation arising from the Jason Billingsley case demonstrates how landlord liability can extend beyond broken locks and dim hallways. When property owners place individuals in positions of trust and access without reasonable vetting, they may face significant civil exposure.

The defendants have appealed the jury's ruling, and the case is currently pending before the Appellate Court of Maryland.

For landlords, the lesson is clear: tenant safety includes not only maintaining the building, but also carefully screening the people given keys to it.