

THE WARREN REPORT

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WHOSE LIMB IS IT ANYWAY?

You head outside after an intense autumn thunderstorm to find tree branches from the neighbor's sycamore scattered around your lawn. Luckily, no harm was done, but you start think about the trees in and around your property and who has responsibility for them.

A Virginia Supreme Court case, *Fancher v. Fagella*, addresses Virginia law as it relates to trees. Mr. Fancher brought a lawsuit against his neighbor because his sweet gum tree had become a nuisance. The tree's roots had invaded and damaged Mr. Fancher's retaining wall, patio pavement, and sewer and water lines. He also had complaints of overhanging tree branches depositing debris onto his roof and rain gutters. No matter how much work he did to solve the problem on his side of the fence (referred to as "self-help" or "self-remedy"), there was no end in sight for the ever-growing gum tree. He requested that the tree be removed entirely.

The court ultimately decided that encroaching trees are not nuisances simply because they drop debris on adjoining property. However, encroaching trees may be deemed a nuisance when they (1) cause actual harm or (2) impose danger of harm to the neighboring property. In addition, the law of self-help remains intact. You may remove branches and roots on your side of the fence at your own expense.

If self-help does not resolve the situation, try compelling the neighbor who has the host vegetation to cut back the limbs if they're causing actual damage. I always recommend that you try to address your concern with your neighbor to find an amicable solution before taking any legal action. If all else fails, you can ask the court to have them removed. As far as the branches that landed in your yard from the neighbor's tree, you are responsible for removing them at your own expense.





HEALTHCARE HERO NOMINATIONS

Amidst so much turmoil this year, there is still so much to be thankful for. One thing we are most grateful for are the healthcare workers who have gone above and beyond to fight for the safety and lives of the people in our community during this COVID-19 pandemic. These individuals have had to sacrifice time with their families, their own safety, and the safety of their loved ones. The Warren Firm wants to honor, thank and give back to the healthcare workers in our community, which is why we have created the Healthcare Hero Nomination.

We will be awarding \$500 to a deserving and selfless healthcare professional in the Charlottesville area. To nominate a healthcare professional you know, please visit warren-law.com/our-community to complete the form. The deadline for this nomination is March 31, 2021.



Cherrylicious Glaze for Ribs

My son recently discovered this recipe for ribs and we really love it. It's also delicious on chicken or turkey if you're feeling a little unconventional this Thanksgiving!

FOR THE RIBS

- 1 Tbsp. dark brown sugar
- 2 tsp. kosher salt
- 1 tsp. coarsely ground pepper
- 1 tsp. chili powder
- 1 tsp. paprika
- 4 lbs. pork baby back ribs
- 4 cups cherry-flavored soda (tested with Cheerwine)

FOR THE GLAZE

- 1 (12-oz.) can cherry-flavored soda (tested with Cheerwine)
- ½ cup red pepper jelly
- ¼ cup Worcestershire sauce
- ¼ cup apple cider vinegar
- ¼ cup tomato paste
- ¼ cup Dijon mustard
- 3 Tbsp. soy sauce
- 2 cloves garlic, minced

DIRECTIONS

1. Preheat the oven to 400 degrees F. Combine the dry ingredients. Rub all over the ribs and place them meaty-side up on a rack in a large roasting pan (disposable aluminum foil pan for easy cleanup). Pour the soda into the pan and cover tightly with aluminum foil.
2. Bake the ribs for about 1 hour and 45 minutes, or until very tender.
3. Meanwhile, combine the glaze ingredients in a medium saucepan and cook over medium heat for 20 to 25 minutes, stirring occasionally, until liquid is reduced and mixture is syrupy.
4. Uncover the ribs and remove them from the pan. Pour off the fat and liquid from the pan and discard.
5. Turn the oven to broil. Brush the ribs with the glaze and return to the rack in the pan, meaty-side up. Broil about 8 inches from the heat for 5 minutes, or until the glaze begins to brown. Serve with additional glaze on the side.



Welcome to the World of Adulthood

Free Resource Available

I don't know how time flies like it does – my little girl is officially a legal adult. She just celebrated her 18th birthday and amid the festivities, I recalled a great handbook that the Virginia State Bar created about this milestone. It may help you understand some of the nuisances that come with new-found adulthood.

In the state of Virginia, when you turn 18 your parents are no longer legally responsible for you, nor do they have legal control over you. So, what does that mean exactly? Here are some highpoints.

Some new rights that you have at 18:

- You have the right to vote in national, state, and local elections.
- You have the right to live independently from your parents and be free of their control.
- You have the right to enter into a contract.
- You have the right to make a will.
- You have the right to run for some elective offices.
- You have the right to work in all types of jobs.

But, with new rights come new responsibilities!

- Your parents are no longer required to support you.
- You are responsible for all of your actions. If you violate the law, you will be tried and sentenced as an adult, not as a juvenile.
- You may sue and be sued by others for contracts that you make.
- You may be called for jury duty.
- If you are male, you must make sure you are registered with the Selective Service.

If you know someone who is turning 18, or you'd like to learn more on this topic, we'll gladly mail you a free copy of the full 28-page handbook. Simply visit our website at warren-law.com/free-book.

SO YOU'RE



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4.9

**Rated 4.9
out of 5**



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The Warren Firm, PLLC
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5.0 ★★★★★

**We focus our practice on
cases involving:
Personal Injury
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