

New York's Homeowner Exemption Shields Owners, Not Contractors, as Falls Killed 370 Construction Workers

NEW YORK CITY, NY, UNITED STATES, August 14, 2026 /EINPresswire.com/ -- [Gorayeb & Associates](#) advises workers hurt on house renovations, roof work and solar installations that the Scaffold Law still reaches the general contractor and every subcontractor on the job.

Falls, slips and trips killed 370 construction and extraction workers nationwide in 2024, down from 400 the prior year, the U.S. Bureau of Labor Statistics reported in its Census of Fatal Occupational Injuries. [Gorayeb & Associates, P.C.](#), the New York construction accident firm known as The People's Lawyers, is issuing this advisory to correct a widespread belief that a worker injured on a private house has no case.



Gorayeb & Associates, P.C.

Sections 240 and 241 of the New York Labor Law hold contractors, owners and their agents responsible for elevation related safety on construction, demolition and excavation work. Both sections carve out one exception: owners of one- and two-family dwellings who contract for but do not direct or control the work. New York courts have explained that the carve out exists because an ordinary homeowner cannot reasonably be expected to understand or insure against the strict liability the statutes impose.

The exception is narrower than its reputation. It reaches the homeowner and stops there. General contractors and subcontractors remain fully answerable under both sections even on a single-family house. The shield also disappears when an owner directs or controls the work, and when the residence is used for commercial purposes.

Small residential jobs carry the hazards without the oversight. The New York City Department of Buildings documented a July 2025 death in Queens where a worker installing four solar panels fell from a two and a half story roof. Inspectors determined he wore no harness and no hard hat and was not tied off to the building. The department logged 320 construction related injuries

and 10 worker deaths across the five boroughs in 2025.

"The homeowner tells the guy it was just a favor, just a small job, and he believes his case died right there," said Christopher J. [Gorayeb](#), founder and owner of Gorayeb & Associates. "So, he never asks who hired him, who owned the ladder, who was running the crew that morning. Nobody at that house is going to raise those questions for him."

"Photograph the ladder, the roof line and whatever they gave you to tie off to. Then get the contractor's full company name off the truck or the invoice before it disappears," Gorayeb said.

About Gorayeb & Associates, P.C.

Founded in 1986 by Christopher J. Gorayeb, Gorayeb & Associates, P.C. is a New York personal injury law firm concentrating in construction accident and occupational injury litigation. The firm has recovered more than \$2 billion for more than 12,000 injured workers and their families. Known to the communities it serves as The People's Lawyers; the firm provides bilingual representation in English and Spanish throughout New York City and New York State. More information is available at <https://www.gorayeb.com/en/>

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