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Press Release

MORRISSEY, COAN AND SEN. TIMILTY PROMOTE NEW LEGISLATION ON ANNIVERSARY OF FIRE

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March 25 is the 4th anniversary of the fire at 100 Robertson Road in Quincy that killed a father and his two sons trapped in an illegal apartment with just one way out. The Norfolk District Attorney, State Fire Marshal and Senate Chair of the Committee on Public Safety and Homeland Security are proposing legislation to raise the stakes for landlords who rent unsafe apartments – threatening jail for the first time.

“Oudah Frawi and his two sons did not need to die, and never should have been in this apartment,” said Norfolk District Attorney Michael W. Morrissey, who secured manslaughter convictions against property landlords Jinny Xiu Ma in an October 2011 plea and Jason Huang and Andy Huang following a January 2012 jury trial. “These were entirely preventable deaths. If there had been forceful tools to stop landlords from renting illegal apartments, like what we are proposing here, those boys might be enrolling in kindergarten and first grade next fall.”

Morrissey described the current enforcement scheme of relying on municipal ordinances to deal with illegal, unsafe apartments as “something of a hodgepodge, difficult to enforce and lacking the leverage necessary given that lives are at stake.” He said that “addressing this through the General Laws will streamline prosecution and make it more effective.”

After the Huang brothers were convicted at trial, State Fire Marshal Stephen D. Coan and DA Morrissey promised to work together to prevent these kinds of deaths. “In addition to being hard to enforce, the current threat of modest fines has little deterrent effect on those landlords making the conscious, unscrupulous decision to maximize profits renting unsafe apartments that, in a fire, quickly become lethal traps,” Fire Marshal Coan said.

Coan added that the Robertson Street apartment had been illegally carved out of the building’s basement and had only one, inadequate way to escape. “This wasn’t a gray area or minor infraction; it was a calculated risk with the lives of others. This legislation sets clear and significant penalties for putting profit over safety, which should serve as a deterrent to those landlords who would choose to rent unsafe housing.”

The legislation creates a section of Chapter 148, the state’s fire prevention laws, punishable by a \$15,000 fine and 2 ½ years in jail. A landlord convicted for the second time under the new law would be subject to as much as 5 years in state prison and a \$35,000 fine.

Coan and Morrissey said that Senator James Timilty, who co-chairs the committee that will evaluate the legislation, was immediately receptive when they approached him to sponsor Senate Bill No. 1192. “It is important that the Legislature recognize the lessons that rise to the surface after tragedies on this scale,” Timilty said. “If we can make these situations less common by making enforcement more efficient and the potential penalties greater, such deaths may also become less common. I’ll fight for that.”

For background information see: http://www.mass.gov/da/norfolk/Press_Releases/2-3-12%20Quincy%20Fatal%20Fire.pdf

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