



City of Cambridge

95.

IN CITY COUNCIL
September 8, 1997

COUNCILLOR SULLIVAN
MAYOR RUSSELL
VICE MAYOR BORN
COUNCILLOR DAVIS
COUNCILLOR DUEHAY
COUNCILLOR GALLUCCIO
COUNCILLOR REEVES
COUNCILLOR TOOMEY
COUNCILLOR TRIANTAFILLOU

WHEREAS: It has come to the attention of this City Council that unhealthy living conditions exist in the basement units at the Kennedy Biscuit Lofts Apartments; now therefore be it

ORDERED: That the City Manager be and hereby is requested to instruct the Inspectional Services Commissioner to inspect the Kennedy Biscuit Lofts basement apartments for violations to the State Sanitary Code; and be it further

RESOLVED: That in the event violations are present, immediate corrective action be taken by the owner of record and the Inspectional Services Commissioner insure that the corrective action is taken and completed.

In City Council September 8, 1997.
Adopted by the affirmative vote of nine members.
Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-
D. Margaret Drury
City Clerk

Bobbi Daugherty

129 Franklin Street, Apartment 104
Cambridge MA 02139

617-494-1921

August 27, 1997

Sheila T. Russell
Mayor
City of Cambridge

Dear Mayor Russell:

Attached is a copy of a letter sent recently by a group of tenants at the Kennedy Biscuit Lofts to the City of Cambridge Department of Inspectional Services. In our letter we demand that the City require the owners of Kennedy Biscuit Lofts to cease renting the "basement apartments," and to move all of the tenants from those apartments, at the owners' expense, to "decent, safe and sanitary housing."

Kennedy Biscuit Lofts is a 142-unit apartment building located in Central Square in Cambridge. As part of the so-called "University Park at MIT," it is owned by a partnership headed by developer Robert Kuehn and situated on property owned by MIT; it is managed by Independent Managers, Inc.

The basement apartments at Kennedy Biscuit Lofts (some of which rent for more than \$2000 per month) have been subjected to flooding ever since the building opened in 1990. The flood waters which swirl around our beds contain not only overflow from the streets, but sewage from the City sewers and from the toilets in upstairs apartments. One tenant in a basement apartment first experienced flooding when thick brown water backed up into her tub--while she was bathing.

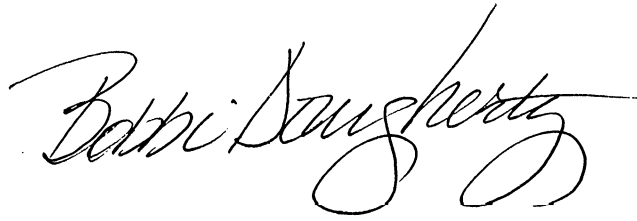
Most recently, Randyn Freeman, an eight-year-old child who lived at Kennedy Biscuit since 1990, died of asthma. We believe the mold, bacteria and dampness in Randyn's bedroom contributed to and substantially exacerbated the illness which took his life.

A group of tenants at Kennedy Biscuit Lofts have filed suit to force MIT and the other owners of the property to correct the violations of law at the building. We are also seeking damages for the owners' violations of law. As a part of our lawsuit, we will soon seek an injunction to stop the owners from continuing to put tenants in the polluted, dangerous apartments.

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By the attached letter, we are demanding that the City put a stop to the "environmental scandal" that has been created and perpetuated by MIT, Keen Development and Independent Managers, Inc. Copies of our letter have been sent to the Members of the Cambridge City Council and to relevant State and local government agencies.

For further information, please contact Bobbi Daugherty at 617-494-1921.

A handwritten signature in cursive script, reading "Bobbi Daugherty". The signature is written in dark ink and is positioned to the right of the typed text.

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TENANTS
KENNEDY BISCUIT LOFTS
129 FRANKLIN STREET
CAMBRIDGE, MASSACHUSETTS

August 27, 1997

John Fallon
Senior Housing Inspector
City of Cambridge
831 Massachusetts Avenue
Cambridge MA 02139

Dear Mr. Fallon:

The undersigned tenants of Kennedy Biscuit Lofts are writing to ask you to take immediate action to enforce the State Sanitary Code as it affects the basement apartments of our building.

Specifically, we are writing to demand that you require the owners and managers of this property--that is, Keen Development, Independent Managers, Inc., and MIT--to cease renting the basement units at Kennedy Biscuit Lofts until the cause of the repeated flooding of those units shall have been identified and corrected; and to remove from and provide alternate housing for each and every tenant now living in one of the affected units.

As you well know, our homes have been subjected to repeated flooding since the building opened in 1990. The floods have been large and small; they have filled our apartments with filthy, polluted water, including raw sewage from both the City sewers and from the upstairs units, and they have left in their wake an atmosphere of active mold, clammy dampness and a nauseating, repulsive stench.

Most of all, they have left in their wake a pervasive, debilitating sense of dread. The tenants at Kennedy Biscuit Lofts never see a cloud in the sky without asking, "Will it happen again tonight?"

For seven years, the tenants at Kennedy Biscuit Lofts have been living with these terrible conditions.

Now they have begun to live with death.

On July 30, after playing and sleeping almost every night of his young life in a damp, moldy, smelly, polluted bedroom in a basement apartment at Kennedy Biscuit Lofts, eight-year-old Randyn Freeman died of asthma.

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The tenants who have signed this letter believe that the mold, dampness and bacteria in Randyn's bedroom contributed to and substantially exacerbated the illness which took his life. We believe the owners of the building have been grossly negligent in renting out apartments which cannot be made "weathertight, watertight, and free from chronic dampness." And, we believe the City has been negligent in failing to enforce the State Sanitary Code against the owners of this dangerous, polluted building.

At the present time there are at least two other children with asthma living in basement apartments in Kennedy Biscuit Lofts. There are other people with a variety of medical conditions, many of which may have been exacerbated by the conditions in their apartments, and at least two basement residents have health so fragile that they must either flee the building at the first sign of flooding or risk their lives.

It is outrageous that the owners have maintained these illegal and unsanitary conditions for the past seven years.

It is even more outrageous that the City has permitted the owners to maintain a building which operates so egregiously in violation of the law.

We intend to press our case in court for damages for the victims of this environmental scandal.

In the meantime, we call on the City of Cambridge to take vigorous action to enforce the State Sanitary Code.

Sincerely,

Infant

Rachael Powell
 Co-Owner

Tracy Ren

Charles W. Daugherty

Beth Daugherty

Sharon Freeman

Shula Paul

cc: Cambridge City Council
 Cambridge Public Health Dept.
 Appropriate Commonwealth
 Agencies
 Cambridge Housing Authority

Councillor Sullivan

Whereas:

It has come to the attention of This City Council that unhealthy ~~condition~~ living conditions exist in the basement units at the Kennedy Biscuit Lofts Apartments; and now therefore be it

Ordered:

That the City Manager be and hereby is requested to instruct the Inspectional Services Commissioner to inspect the Kennedy Biscuit Loft basement apartments for violation of the State Sanitary Code; and be it further ~~ordered~~

Resolved

That ~~the~~, in the event violations are present, immediate corrective action be taken by the owner of record and the Inspectional Services Commissioner insure that this corrective action is taken and completed.

Bobbi Daugherty

129 Franklin Street, Apartment 104
Cambridge MA 02139

617-494-1921

Michael Sullivan

*put an order in
requesting response
to comm. Then send
copy to Mrs. Daugherty*

August

Michael A. Sullivan
City Councilor
City of Cambridge

Dear Mr. Sullivan:

Attached is a copy of a letter sent recently by a group of tenants at the Kennedy Biscuit Lofts to the City of Cambridge Department of Inspectional Services. In our letter we demand that the City require the owners of Kennedy Biscuit Lofts to cease renting the "basement apartments," and to move all of the tenants from those apartments, at the owners' expense, to "decent, safe and sanitary housing."

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Most recently, Randyn Freeman, an eight-year-old child who lived at Kennedy Biscuit since 1990, died of asthma. We believe the mold, bacteria and dampness in Randyn's bedroom contributed to and substantially exacerbated the illness which took his life.

A group of tenants at Kennedy Biscuit Lofts have filed suit to force MIT and the other owners of the property to correct the violations of law at the building. We are also seeking damages for the owners' violations of law. As a part of our lawsuit, we will soon seek an injunction to stop the owners from continuing to put tenants in the polluted, dangerous apartments.

Bobbi Daugherty

129 Franklin Street, Apartment 104
Cambridge MA 02139

617-494-1921

August 27, 1997

Michael A. Sullivan
City Councilor
City of Cambridge

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Senior Housing Inspector
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Sincerely,

Logan Terry

Rachael Powell

Quinn Keltus

Tracy Ren

Charles W. Daugherty

Bob Daugherty

Sharon Freeman

Shula Paul

cc: Cambridge City Council
Cambridge Public Health Dept.
Appropriate Commonwealth
Agencies
Cambridge Housing Authority

in # 95

September 8, 1997

MAYOR RUSSELL

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on the alleged conditions existing at the Kennedy Biscuit Lofts as outlined in the attached correspondence.

RECEIVED BY
OFFICE OF CITY CLERK
97 SEP -3 PM 3:59
CAMBRIDGE MA.



City of Cambridge

95.

IN CITY COUNCIL

September 8, 1997

COUNCILLOR SULLIVAN
MAYOR RUSSELL

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Consent Order #95 ^{Entire} _{membr} - CM-519

Councillor Sullivan re: Inspect the
Kennedy Biscuit Loft basement
apartments for violations to the
State Sanitary Code.

In City Council September 8, 1997

ORDER ADOPTED