

34 Walnut Street
Watertown, MA 02172

Attn: Mr. Sy Shapiro
Manager of Porter Square Shopping Center
c/o Tags Ace Hardware
59 White Street
Cambridge, MA 02140

October 30, 1989

Dear Mr. Shapiro:

I am writing because my car was unfairly towed from the Porter Square Shopping Center while I was shopping on July 1, 1989. I am requesting a reimbursement of the \$40 towing fee which I was forced to pay, to retrieve my car from B&B Towing. In addition, I have been extremely inconvenienced by the carelessness of B&B Towing; my car suffered over \$200 in damages. Since B&B Towing claims no responsibility for the damages, I've had to pursue legal consultation - an unnecessary and costly hassle. I believe the current parking lot security system is unnecessarily abusive to customers and strongly suggest the implementation of a fairer system.

On July 1, 1989, a friend and I parked in the Porter Square Shopping Center at approximately 2:15 PM. We shopped at a few stores in the Shopping Center (approx. 45 minutes) and returned to the parking lot to find my car missing. We asked the AZ Security attendant what happened to my car and she didn't know. After she checked with the other attendants, she told us someone must have seen us leave and ordered the car to be towed. She could not, however, tell us who had seen us leave or where we went. She pointed to the sign telling us, we had been warned not to leave the parking lot. We tried to explain that we HAD been shopping at the Center. Since my car was towed, I had no choice but to pay the towing charge to retrieve my car.

The sign in the parking lot stated "Parking while shopping at Porter Square Shopping Center Only. Unauthorized cars will be towed. AZ Security." We were clearly shopping in the Shopping Center. The last store we went to was the Deli adjacent to the Dunkin Donuts, for approx. 10 minutes. Was the Deli considered to be outside the boundaries of the Shopping Center? There is no way to determine what buildings and stores are officially part of the "Porter Square Shopping Center." The boundaries are not posted and therefore it is extremely unfair to expect customers to keep within these unknown boundaries AND to severely penalize them by towing their cars.

Even if the sign had clearly posted the stores in the Porter Square Shopping Center, it is not clear from the sign that leaving the property for a few minutes will result in towing. In my opinion, it is extremely unreasonable not to allow customers to leave the property for a few minutes (i.e. get money from an Express machine, use a rest room, get a take-out snack). The current sign is extremely ambiguous regarding these issues.

The current security system which employs AZ security guards to watch customers is inaccurate and unaccountable. This is evident in our situation; even though we were shopping in the Porter Square Shopping Center, my car was towed. The security guards could not tell us why we were towed.

It is apparent from the many letters sent to local newspapers that customers are angry about the current policy and are publicly encouraging customers to boycott the Porter Square Shopping Center. This system is creating unnecessary aggravation for everyone involved. There needs to be a fairer and more effective system established.

Here are some possible solutions:

- 1) Use the currently employed AZ Security to personally inform people that their car will be towed if they leave the premises.
- 2) Since B&B Towing has proved their carelessness, employ a more responsible towing company.
- 3) Build parking gates at all the entrances and have the attendant inform people that will be towed if they leave. Establish a time limit for parking (i.e. 2 hours). Require customers get a card stamped at the stores they have stopped in. Lechmere has a similar system.

I was unfairly towed from the Porter Square Shopping Center and respectfully ask you to reimburse me for the towing charge of \$40. I also strongly suggest the implementation of a fairer parking lot security system. I am forwarding this letter to the Cambridge Consumer Commission and the City Council and will pursue legal action if I don't hear from you within two weeks. Thank you for your cooperation.

Sincerely,



Janette Noss

Enclosures

Cc: Mr. Paul Schlaver, Director, Cambridge Consumer Commission
✓ Mr. Frank Duehay, Councillor, Cambridge City Council
Ms. Alice Wolf, Vice Mayor, Cambridge City Council
Ms. Melissa Grossan, Attorney at Law

34 Walnut Street
Watertown, MA 02172

Mr. Mike Sorrentino
B&B Towing
41 Mooney Street
Cambridge, MA 02138

October 30, 1989

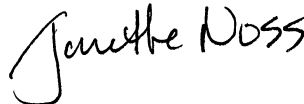
Dear Mr. Sorrentino:

I am writing because I am disappointed with the way your office handled a problem. Two weeks after the incident described below, a letter was sent to AZ Security. After legal consultation, it has been determined that you are responsible for the damages. Since I was out of the country in August for six weeks, I was unable to pursue the problem until now.

On July 1, 1989 at approximately 3:00 PM, my car was towed from the Porter Square Shopping Center to your lot. While still in the lot, I inspected my car and noticed some damages which were the result of the instrument used by the towing company to unlock the car door. These damages are on the inside of the passenger's door and are the following: the door latch was broken (it is no longer capable of locking the door), the upholstery on the side panel was ripped near the outer edge of the door and some of the fasteners for the side panel were broken (the panel no longer is securely fastened to the door). I immediately showed the damage to the attendant and explained that the damage had been done by the instrument used to unlock the door. He claimed the mechanism used, was not sharp enough to do the damage. When we asked to see the mechanism, it did indeed have sharp edges and had obviously done the damage. The attendant refused to discuss the problem any further.

My car was wrongly damaged while in the possession of your towing company. I have already incurred \$35 of expenses and have an additional estimate of \$170.40 (see attached bill and estimate). I respectfully ask you to reimburse me for the damages to my car which totals \$205.40. I am forwarding this letter to the Director of the Cambridge Consumer Commission, the Manager of the Porter Square Shopping Center and two Representatives of the City Council. Legal action will be pursued if I do not hear from you within two weeks. Thank you for your cooperation.

Sincerely,



Janette Noss

Enclosures

Cc: Mr. Paul Schlaver, Director, Cambridge Consumer Commission
✓Mr. Frank Duchay, Councillor, Cambridge City Council
Ms. Alice Wolfe, Vice Mayor, Cambridge City Council
Mr. Sy Shapiro, Manager of Porter Square Shopping Center, Tags Ace Hardware
Ms. Melissa Grossan, Attorney at Law

B & B TOWING
 FOREIGN & DOMESTIC TOWING
 ROAD SERVICE & TOWING
 RAMP SERVICE
 41 Mooney Street, Cambridge, MA 02138
 492-5781

DATE 7-7		TIME 3:00 pm	REQUESTED BY	
LOCATION OF VEHICLE PORTER Sq.				
NAME			PHONE	
ADDRESS Cambridge				
MILEAGE		SERVICE TIME		EXTRA PERSON
FINISH _____		FINISH _____		FINISH _____
START _____		START _____		START _____
TOTAL _____		TOTAL _____		TOTAL _____
YEAR 84	MAKE/MODEL/COLOR TOYOTA - Red			
VEHICLE LICENSE NO. 373-RNP		DRIVER Ron		
☐ START ☐ LOCKOUT ☐ FLAT TIRE ☐ DOLLY ☐ BATTERY ☐ WET ☐ GAS ☐ FLAT TOW ☐ BRAKES ☐ FLOODED ☐ WRECK ☒ HOIST TOW				
B & B TOWING				
PAID CASH			MILEAGE CHG.	
			TOWING CHG.	25
			LABOR CHG.	
			STORAGE CHG.	10
			UNLOCK	5
(MECHANIC'S SIGNATURE) Ganette Woss (AUTHORIZED SIGNATURE)			TOTAL	40

Nº 003029 NO CHECKS ACCEPTED

PARKING VIOLATION

PORTER SQUARE SHOPPING CENTER

Notice: This vehicle is improperly parked for the following reason(s):

- ☐ Vehicle has NO VALID PARKING PERMIT
- ☐ Parked in HANDICAP space/area
- ☐ Parked in NO PARKING space/area
- ☐ Parked in RESERVED or DESIGNATED space/area
- ☐ Parked in 2 SPACES
- ☐ Blocking driveway or access

☒ Left Lot

Location: _____

This vehicle's description has been PERMANENTLY RECORDED. Failure to conform to our regulations may result in towing and storage at DRIVER'S EXPENSE and REVOCATION OF PARKING PRIVILEGES.

PARKING PERMIT NO.		Other I.D.	
VEHICLE MAKE/MODEL		Apprx. Year	
Toyota		1997	
Vehicle Color(s)	Lic. Tag No.	State	
Red	373 RNP	MAH	
Driver's Name (if known)			

Date Issued 7/1/89 Time 1:35p By N. C. [Signature]

FORM PV-223

peachtree business forms
atlanta
800-241-4623

J4 2K 61 00 200, 51 08

A & M FOREIGN MOTORS INC.

Professional Auto Repairs

776-1780

47 WEBSTER AVE.

SOMERVILLE, MASS. OCT 30

[illegible]

NAME X Janette Noss				RECEIVED A. M. P. M.		DATE 10/3/89	
ADDRESS 34 Walnut St				PROMISED A. M. P. M.		CUSTOMERS ORDER No.	
CITY Watertown, MA				PHONE 924-6140		TERMS	
						ORDER WRITTEN BY	
MAKE Toyota		TYPE or MODEL starlet		YEAR 84		Ser. No.	
						Mtr. No.	
				LICENSE No.		SPEEDOMETER	

[illegible]

SUBLET REPAIRS

NO LONGER
AVAILABLE NEW

				I hereby authorize the above work to be done along with the necessary material, and hereby grant you and/or your employees permission to operate the car or truck herein described on streets, highways, or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above car or truck to secure the amount of repairs thereon.				F. S.		PHONE WHEN READY		YES ☐ NO ☐	
QUAN.	ACCESS. No.	ACCESSORIES	PRICE								TOTAL LABOR	35.00	
											TOTAL PARTS		
											ACCESSORIES		
											GAS, OIL & GREASE		
											SUBLET REPAIRS		
											TAX		
TOTAL ACCESSORIES											TOTAL AMOUNT	75.00	

REPAIR ORDER

RF-100

S-763

C-11

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