



THE COMMONWEALTH OF MASSACHUSETTS
Housing Court Department

Southeast  Division
139 Hathaway Road Address
New Bedford, MA 02746

Bristol  SS: No. / / / C / V / / / / / / /

STATEMENT OF MATERIAL FACTS
(Please Print)

New Bedford Fire Department Lt. Kevin Pedro
Plaintiff (s)

Address: 25-51 King Street
New Bedford, MA 02745

Tel: 781-929-9861

Proactive Philanthropy Inc. Edward M. McPherson
Defendant (s)

Address: 868 Pleasant Street
New Bedford, MA 02740

Tel: 508-991-6120

BRIEFLY STATE THE FACTS:

The defendant has failed to maintain the building's fire protection system. This is a 686,164 square foot old mill style building (Former Building #19 Warehouse) measuring 964 feet wide by 100 feet in depth with railroad tracks to the west and business and residential properties on the east. If the fire protection system does not operate properly, there is potential for harm to life and property. The following surrounding units are in the danger zone : 12 King Street, 43 King Street, Dupre Inc. King Street/Nash Road, Xtreme Paint And Collision Belleville Road/King Street, and Penn Central Rail Corp (Railroad Tracks).

On 1/11/2022 : Lt. Arthur Mello and Lt. Al Marques met with Mr. Ed Mcpherson in regards to the Fire Alarm panel was in trouble. An order of notice was issued to Mr. Mcpherson. Lt. Mello and Lt. Marques called Rustic Fire and asked if it was possible to fix and maintain the current system and the response was yes.

On 3/11/2022: Lt. Mello received a call from Mr. Mcpherson that he received a quote from Rustic Fire and he would forward it to Lt. Mello.

On 5/13/2022: I, Lt. Pedro spoke to Mr. Mcpherson for an update on the Fire Alarm Panel problem and he stated it is being worked on and will be resolved by the end of the summer.

On 9/15/2022: Myself and Lt. Marques met with Mr. Mcpherson and the alarm panel was still in trouble but is communicating with our Fire Dispatch. I issued Mr. Mcpherson a ticket (#FO51-71053 , \$200).

* SEE ATTACHED DOCUMENT FOR FUTHER CORRESPONDENCE*

Signed under the pains and penalties of perjury on: 4-12-23
Date:

Signature: Lt. K. Pedro

2023 APR 12 AM 10:55

SOUTHEASTERN
HOUSING COURT

25 – 51 King Street , New Bedford, Massachusetts 02745

On 2/15/2023: I responded with Lt Marques to meet with Mr. Mcpherson and he stated no progress has been made in the repair of the Fire Alarm Panel and that it is still in trouble. I stated that he needs to get an update from Rustic Fire about what the plan is to fix the issue.

As of 4/7/2023 there has been no update or communication from Mr. Mcpherson on the progress of the repair to the Fire Alarm System at this location.

The property owner is required to submit a current NFPA 25 (Sprinkler System Test) and an current NFPA 72 (Fire Alarm System Test) which has not been done.

In 2022 the Fire Department responded to this address 11 times due to system malfunction and in 2023 so far we have responded 3 times.

Every time we respond to these malfunction alarms it ties up 3 Fire Apparatus and a District Chief. These resources could be used for other emergencies if needed.

Signed Under The Pains And Penalties Of Perjury On: 4-12-23

Signature: LT. KJA

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