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PHILLY & REGION

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FAMILY MEMBERS SUE PHA, LIGHTER COMPANY OVER FIRE

By Nick Vadala
Staff Writer

Family members of the 12 people killed in a fire in January 2022 in the city's Fairmount neighborhood have filed lawsuits against the Philadelphia Housing Authority as well as a California-based company that distributes the lighter that investigators found was used to start the blaze.

Filed Tuesday, the lawsuits allege that the PHA was responsible for the fire by allowing the unit to be overcrowded with 14 residents, not ensuring there were functioning hardwired fire detection and suppression devices installed, and failing to provide upper-floor residents with a fire escape,

among other factors. The lawsuits say the PHA was negligent in "failing to provide a safe dwelling," including by "assigning an inadequate dwelling for the number of residents."

The PHA declined to comment Tuesday. After the fire last year, PHA president and CEO Kelvin Jeremiah said the housing authority doesn't "kick out family members ... who might not have other suitable housing options." He also said the "unimaginable loss of life has shaken all of us at PHA."

The blaze began in the early-morning hours of Jan. 5, 2022, after a 5-year-old boy playing with a lighter accidentally lit a Christmas tree on fire on the second floor. The blaze took the lives of Rosalee McDonald, 33;

Quintien Tate-McDonald, 16; Destiny McDonald, 15; Dekwan Robinson, 8; J'Kwan Robinson, 5; Taniesha Robinson, 3; Tiffany Robinson, 2; Virginia Thomas, 30; Shaniece Wayne, 10; Natasha Wayne, 8; Janiyah Roberts, 3; and Quinsha White, 18.

The Kline & Specter law firm filed suit on behalf of family members of five victims — Rosalee McDonald, Destiny McDonald, Quintien Tate-McDonald, Janiyah Roberts, and Quinsha White. Additional lawsuits for the family members of three other victims are forthcoming, the law firm said in a statement.

"This terrible tragedy resulting in precious loss of life could and should have been avoided," said attorney Tom Kline. "After a lengthy ATF investigation, ATF

report, and our own independent investigation, we are now prepared to move forward, seeking not only compensation, but accountability."

Another attorney, Jordan Strokovsky, filed a suit on behalf of Howard Robinson, a father to four of the children, who survived by jumping from the third floor.

The filings also target Enor International Inc., the California company that distributes the "Techno Torch" lighter with which the 5-year-old accidentally started the fire.

The lawsuits allege that the lighter lacked safety features that would have prevented a child from igniting it and that it was designed and distributed "such that it was attractive to children."

As a result of a number of defects, the lawsuit says, the lighter itself was "an unreasonably dangerous product."

Peter Chen, the company's founder, told the Associated Press on Tuesday that he had not seen the lawsuit and had not heard of the fire. The lighter, he said, was made

in China and approved by the U.S. Consumer Product Safety Commission.

After the fire, the victims were buried in unmarked graves at Cheltenham Hills Cemetery in the city's East Mount Airy section. Their graves remained unmarked until January, when a local monument company donated a headstone ahead of the fire's one-year anniversary date.

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