



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL  
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April 2, 2020

**Via Email**

Jeffrey Turk, Esq.  
Therese Quijano, Esq.  
Turk & Quijano, LLP  
10 Forbes Road, Suite 400W  
Braintree, MA 02184

Re: Violations of the Massachusetts Consumer Protection Act

Dear Attorneys Turk and Quijano:

I am writing in follow-up to our phone call today with Attorney Turk to call your attention to the Massachusetts Consumer Protection Act, M.G.L. c. 93A, and the Attorney General's Regulations governing debt collection practices, 940 C.M.R. 7.00 *et seq.* The Commonwealth has learned that, in violation of federal and Massachusetts law, Turk & Quijano, LLP (T&Q) has been:

- Filing numerous eviction cases in Massachusetts Housing Court that violate the 120-day eviction moratorium provided for under the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act), on behalf of clients that qualify as covered properties under the CARES Act;
- Serving letters upon tenants-defendants in those proceedings stating that the court will continue trial dates due to the COVID-19 crisis, but that all other applicable deadlines on the summons and complaint remain the same, including the date by which the tenant-defendant must file an answer to the complaint, creating the misimpression in many cases that April 6, 2020 is the deadline for answers, which contradicts Massachusetts Housing Court Standing Order 3-20, in violation of 940 CMR 7:08.

As discussed during today's phone call, T&Q has agreed to take the following steps to address the above conduct.

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- (1) T&Q will provide to the Office of the Attorney General copies of the summonses and complaints in all eviction cases relating to properties covered under the CARES Act that bear a court's "Date Filed" stamp of March 27, 2020 or later. The Office of the Attorney General requests that T&Q provide these documents no later than one week from the date it receives this letter.
- (2) T&Q will withdraw all eviction cases relating to properties covered under the CARES Act wherein the summons and complaint bears a court's "Date Filed" stamp of March 27, 2020 or later. Such cases include, but are not limited to, those brought on behalf of Beacon Communities, LLC, Georgetowne Homes One, LLC, Georgetowne Homes Two, LLC, and the YMCA of Greater Boston, Inc.
- (3) T&Q will provide to the Office of the Attorney General copies of any documents filed with the housing courts in connection with its withdrawal of the cases referenced above in list item number 2. The Office of the Attorney General requests that T&Q provide these documents no later than one week from the date it receives this letter.
- (4) In all eviction cases wherein T&Q served upon tenants-defendants a summons and complaint on March 18, 2020 or later, and in which T&Q notified the named tenants-defendants in writing that all dates on the summonses, except the trial date, would remain the same, T&Q will:
  - a. within 24 hours of receiving this letter serve upon those named tenants-defendants in non-CARES Act cases a remedial written notice correcting this information to reflect current court deadlines as set out in applicable COVID-19-related court standing orders;
  - b. within 24 hours of receiving this letter serve upon those named tenants-defendants in cases the CARES Act covers, a remedial notice to the tenants-defendants confirming that the case has been or will be withdrawn;
  - c. within 48 hours of receiving this letter provide the Office of the Attorney General with copies of remedial notices;
  - d. and no later than one week from the date T&Q receives this letter, provide copies of the summonses and complaints and remedial notices in these cases to the Office of the Attorney General.

Unless otherwise ordered by the Massachusetts Housing Court, the letter shall reflect the Supreme Judicial Court's April 1, 2020 order extending all deadlines set forth in statutes, court rules, and standing orders to May 4, 2020.

Please send all copies of documents by email to the address listed in my signature block.

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While the Office of the Attorney General recognizes T&Q's cooperativeness in taking the above steps, note that nothing in this letter exempts you from the requirements of the Massachusetts Consumer Protection Act, or any other federal or state statute or regulation. Continuing to engage in any of the conduct described in this letter or failure to take the steps enumerated herein may result in the Office of the Attorney General taking appropriate legal action. The Office of the Attorney General further reserves all rights with respect to your conduct.

Please contact me should you have questions or wish to further discuss this matter.

Sincerely,

/s/

David Ureña  
Special Assistant Attorney General  
Civil Rights Division  
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cc: Abigail Taylor, Chief, Civil Rights Division  
Max Weinstein, Chief, Consumer Protection Division  
Shafaq Islam, Deputy Chief, Civil Rights Division