

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET

Name	<b>Emerald Square Mall</b>	Docket #	C25 - 001
Address	<b>999 South Washington St</b>	Docket #	
City	<b>North Attleboro</b>	Hearing	1/26/2026
Type of Complaint	Bldg	Time of hearing	2:00 PM
Complaint's Name	George Ramian		
Complaint ?		Variance ?	
Jurisdiction:	2.6	Maintenance of Access Features: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc)	

**Building Permits:**

**Assessed Value:**

**Exhibit: 1**

C25-001

AAB 1-33

**Complaints to be Addressed:**

28.1 In all multi-story buildings and facilities, each level shall be served by a passenger elevator. Complaint reports elevator outages, under 521 CMR, this is a failure to maintain access features.

On January 10, 2025 the Board received a complaint that all passenger elevators are shut down at the above referenced address (See AAB 30).

On March 12, 2025 the First Notice was sent to all appropriate parties. The Board received no response from the respondent. (See AAB 26)

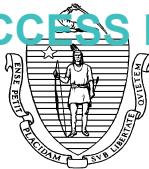
On May 19, 2025 the Second Notice was sent to all appropriate parties. The Board received no response from the respondent. (See AAB 17)

On June 4, 2025 the Notice of Hearing was sent to all appropriate parties. (See AAB 14)

On September 22, 2025, a hearing was scheduled; however, the Respondent failed to appear. (See AAB 4)

On October 7, 2025, the Notice of Fine Hearing and Decision was issued and transmitted to all appropriate parties. (See AAB 2)

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, HOUSING AND  
ECONOMIC DEVELOPMENT

## Commonwealth of Massachusetts Division of Occupational Licensure

1 Federal St., Suite 600  
Boston, Massachusetts 02110

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

### FINE HEARING NOTICE C 25 - 001

#### **RE: Emerald Square Mall ,999 South Washington St , North Attleboro**

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on **Monday, January 26, 2026 at 2:00 PM**  
See the please note section in bold writing for information on attending the remote meeting.

This hearing is being held to determine whether your failure to correct the violation cited in the Board's previous notices and your subsequent failure to appear before the Board is without justification and if so whether or not to impose fines of up to \$1,000.00 per day per violation.

This hearing will be conducted in accordance with the procedures set forth in M.G.L., c. 30A, and 801 CMR 1.02, the Informal/Fair Hearings Rules. At the hearing, each party may be represented by counsel, may present evidence and may cross examine opposing witnesses.

**PLEASE NOTE:** Requests for the continuance of a hearing must be received no later than fourteen (14) days prior to the scheduled hearing date. Continuances are granted at the Board's discretion only. **The link to the meeting can be found on the Architectural Access Board's web site under 2025 Meeting's Calendar, click Notice of Meeting then click join meeting. You can also contact Executive Director William Joyce at William.Joyce@Mass.Gov or mobile #617-894-1254 to request an electronic link to the meeting or to request a continuance.**

Date: October 7, 2025

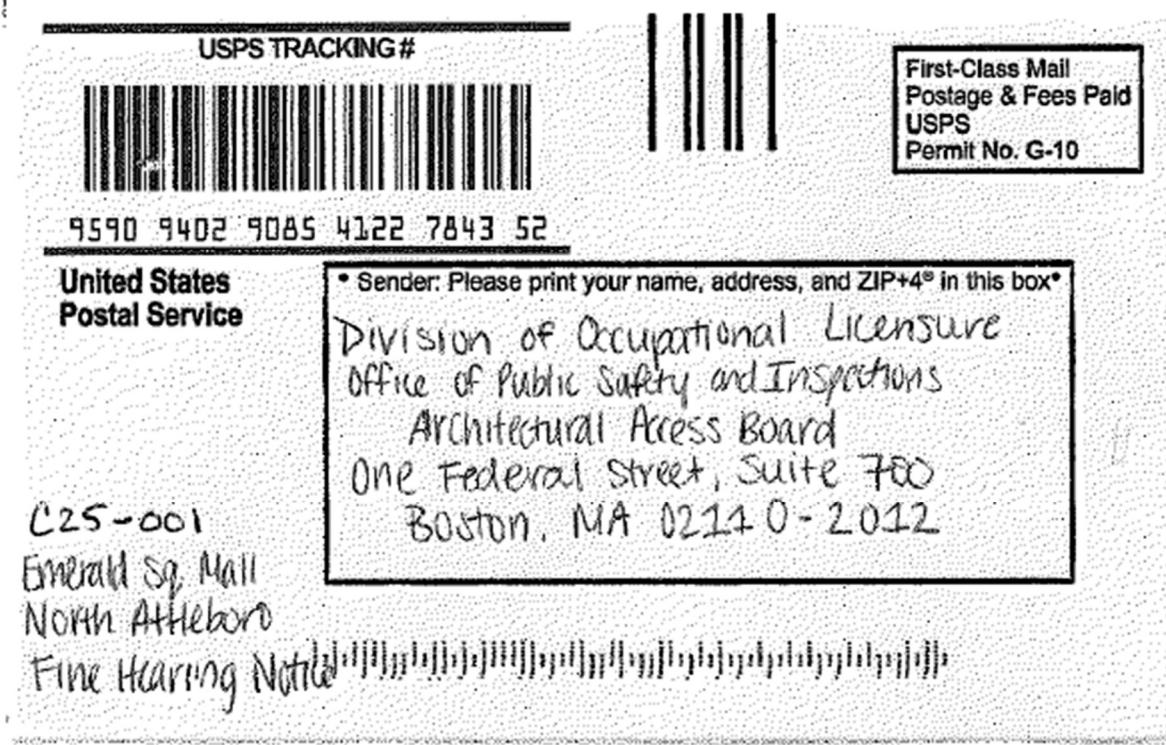
ARCHITECTURAL ACCESS BOARD

cc: Independent Living Center  
Local Building Inspector  
Local Disability Commission  
Complainant

---

Dawn Guarriello  
Chairperson

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Emerald Square Mall Realty Holding  
155 Federal St. Suite 700  
Boston, MA 02110

9590 9402 9085 4122 7843 52

2. Article Number (Transfer from service label)

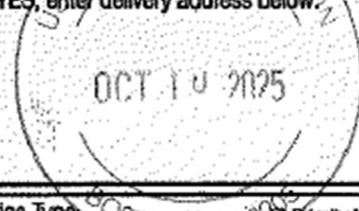
9589 0710 5270 2422 8925 67

**COMPLETE THIS SECTION ON DELIVERY**

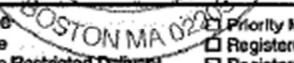
A. Signature 

Agent  Addressee

B. Received by (Printed Name) 

C. Date of Delivery   
OCT 10 2025

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type   
Boston MA 02110

Priority Mail Express®  Registered Mail™  
 Adult Signature  Registered Mail Restricted Delivery  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Signature Confirmation™  
 Certified Mail Restricted Delivery  Signature Confirmation Restricted Delivery  
 Collect on Delivery  ed Mail  
 Collect on Delivery Restricted Delivery  ed Mail Restricted Delivery (\$500)

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET

## COMMONWEALTH OF MASSACHUSETTS

**SUFFOLK, ss.**

**ARCHITECTURAL ACCESS BOARD**  
**Docket No. C25-001**

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*In re* )  
 )  
Emerald Square Mall )  
999 South Washington St )  
North Attleboro )  
 )

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### **BOARD DECISION**

#### **Procedural History**

This decision addresses a Complaint before the Architectural Access Board (the “Board”) regarding the Emerald Square Mall in North Attleboro, which is owned by the Emerald Square Mall Realty Holding LLC (“Respondent”). The Complaint alleged that the building is in violation of 521 CMR 28 (Elevators) because no elevators at this location were in working order.

On January 10, 2025, the Board received a complaint that all passenger elevators were shut down at the above-referenced address. On March 12, 2025, a First Notice of Violation was sent to all parties. The Board received no response from the Respondent. On May 19, 2025, a Second Notice of Violation was sent to all parties. Again, the Respondent did not communicate with the Board. On June 4, 2025, a Notice of Hearing was sent to all parties.

A hearing was held on September 22, 2025, in accordance with G.L. c. 30A, §§ 10 and 11; 801 CMR 1.02 et seq.; and 521 CMR 4.00.<sup>1</sup> Neither Complainant nor Respondent attended. William Joyce, Executive Director for the Board, appeared and testified. The witness was sworn in by the Board Chair. The instant decision now memorializes the determinations made at that time.

<sup>1</sup> Pursuant to state law, the hearing was held online via the Microsoft Teams platform.

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET

## **Applicable Laws & Regulations**

521 CMR 2.6 requires: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc.).

521 CMR 28.1 requires: “In all multi-story buildings and facilities, each level including mezzanines, shall be served by a passenger elevator. If more than one elevator is provided, each passenger elevator shall comply with 521 CMR 28. Accessible elevators shall be on an accessible route and located within the space with which it is intended to serve.”

## **Exhibits**

The following documentation was entered into evidence:

Exhibit 1: Board Packet AAB 1-26, including the complaint and all correspondence.

## **Factual Findings**

The following findings of fact and conclusions of law are supported by substantial evidence, based on the credited testimony of the witnesses, documents admitted into evidence, and the Board’s records. G.L. c. 30A, § 11(2), § 14(7).

- 1) On March 12, 2025, the Board served notice on Respondent of reported violations related to the elevators at this location. Ex. 1, AAB 23.
- 2) The Board followed up with a second notice of violation and a notice of hearing, but never received any communication from Respondent. Hearing testimony.

## **Discussion**

The Board’s jurisdiction is established pursuant to 521 CMR 2.6: “521 CMR 2.6 requires: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc.).”

Mr. Joyce explained after the Complaint was filed with the Board in January 2025, the Board served a first and second notice on Respondent indicating that the lack of elevator service at this location appeared to violate the Board’s regulations. Those notices directed Respondent to provide the Board with Respondent’s plan for achieving compliance. The Respondent did not provide proof to the Board that it had rectified the noncompliance or had a viable plan to do so, and so the Board scheduled this hearing. Respondent failed to attend the hearing, and accordingly continued in its failure to establish that a compliant elevator now exists at this location.

The Board has now considered all of the documents and testimony submitted as part of the hearing, and the Board’s decision is reflected below. The Board finds that Respondent

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET

failed to respond to the Board's correspondence, failed to appear at hearing, and that violations of Board regulations occurred at this location. The Board also notes that failure to comply with the Board's regulations can result in fines of up to \$1,000 per day.

## Conclusion and Order

In light of all of the foregoing, the Board votes as follows:

- to **FIND** that violations of 521 CMR 28 (elevators) occurred at this location; and,
- to **SCHEDULE** a fine hearing for this matter.

A true copy attest, dated October 7, 2025

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET

## ARCHITECTURAL ACCESS BOARD



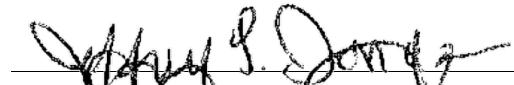
Dawn Guarriello, Chair



Patricia Mendez, Vice Chair



Kay Bell, Executive Office of Elder Affairs Designee



Jeffrey Dougan, Massachusetts Office on Disability Designee



Elizabeth Myska, Member



David Johnson, Member

Pamela Daly, Member(Not Present)



Katie Denis, Member

A complete administrative record is on file at the office of the Architectural Access Board.

This constitutes a final order of the Architectural Access Board. In accordance with G.L. c. 30A, §14 and G.L. c. 22, §13A, any person aggrieved by this decision may appeal to the Superior Court of the Commonwealth of Massachusetts within thirty (30) days of receipt of this decision.

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET

Name	<b>Emerald Square Mall</b>	Docket #	C25 - 001
Address	<b>999 South Washington St</b>	Docket #	
City	<b>North Attleboro</b>	Hearing	09/22/2025
Type of Complaint	Bldg	Time of hearing	1:00 PM
Complaint's Name George Ramian			
Complaint ?	Variance ?		
Jurisdiction:	2.6	Maintenance of Access Features: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc).	

**Building Permits:**

**Assessed Value:**

**Complaints to be Addressed:**

28.1 In all multi-story buildings and facilities, each level shall be served by a passenger elevator. Complaint reports elevator outages, under 521 CMR, this is a failure to maintain access features.

On January 10, 2025 the Board received a complaint that all passenger elevators are shut down at the above referenced address (See AAB 21-26).

On March 12, 2025 the First Notice was sent to all appropriate parties. The Board received no response from the respondent. (See AAB 15-20 )

On May 19, 2025 the Second Notice was sent to all appropriate parties. The Board received no response from the respondent. (See AAB 9-14 )

On June 4, 2025 the Notice of Hearing was sent to all appropriate parties. (See AAB 2-8)

## USPS Tracking®

FAQs >

Tracking Number:

Remove X

**9589071052702411718786**

Copy

Add to Informed Delivery (<https://informeddelivery.usps.com/>)

### Latest Update

Your item was picked up at a postal facility at 9:49 am on May 22, 2025 in BOSTON, MA 02205.

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### Get More Out of USPS Tracking:

**USPS Tracking Plus®**

Feedback

### Delivered

**Delivered, Individual Picked Up at Postal Facility**

BOSTON, MA 02205

May 22, 2025, 9:49 am

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean? \(<https://faq.usps.com/s/article/Where-is-my-package>\)](#)

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**Text & Email Updates**



**USPS Tracking Plus®**



**Product Information**



[See Less ^](#)

Track Another Package

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET

Enter tracking or barcode numbers

## Need More Help?

Contact USPS Tracking support for further assistance.

**FAQs**

## ARCHITECTURAL ACCESS BOARD - HEARING PACKET

USPS TRACKING #



9590 9402 6564 1028 0914 31



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

United States  
Postal Service

Emerald  
Square  
N. Attleboro

## Hearing

**Division of Occupational Licensure  
One Federal Street, Suite 600  
Boston, MA 02110-2012**

ATTN: HHS

AAB 11

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET

- Complete items 1, 2, and 3.
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1. Article Addressed to:

**Emerald Square Mall Realty Holding LLC**  
**C/O VCORP Agent Services, Inc.**  
**155 Federal St, Suite 700**  
**Boston, MA 02110**



9590 9402 6564 1028 0914 31

2. Article Number (Transfer from service label)

9589 0710 5270 2411 7188 47

PS Form 3811, July 2020 PSN 7530-02-000-9053

COPIES OF THIS FORM ON DELIVERY

A. Signature

**X**

Agent

Addressee

B. Received by (Printed Name)

**S. Jackson**

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



Outlook

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## C25-001 Emerald Square Mall, 999 South Washington Street, North Attleboro - Hearing Notice

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From Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>

Date Wed 6/4/2025 4:17 PM

Bcc carole.baker@comcast.net <carole.baker@comcast.net>; Ramian, George (DPL) <George.Ramian@mass.gov>

1 attachment (61 KB)

C25-001 Hearing Notice.pdf;

Good afternoon,

Please find the Hearing Notice or Decision for the above referenced case.

If you require a paper copy of a Notice or Decision, you may contact me to request one but be aware that the delivery of physical copies may be delayed.

If you have any questions, please do not hesitate to get in touch with the Board's staff.

Thank you,

**Arelyn Benitez**

Compliance Officer I

She/Her

Architectural Access Board

Office of Public Safety and Inspections

Division of Occupational Licensure

One Federal Street, Suite 600

Boston, MA 02118

(617) 727-0660

[\[www.mass.gov/aab\]](http://www.mass.gov/aab)[www.mass.gov/aab](http://www.mass.gov/aab)

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**Office of Public Safety and Inspections**  
**Architectural Access Board**  
1 Federal St., Suite 600  
Boston, Massachusetts 02118

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

TO: Emerald Square Mall Realty Holding  
LLC C/O VCOP Agent Services, Inc.  
155 Federal St, Suite 700  
Boston, MA 02110

Docket Number **C 25 001**

RE: Emerald Square Mall  
999 South Washington St  
North Attleboro

DATE: 06/04/2025

Enclosed please find a copy of the following material regarding the complaint against the above location:

First Notice       Stipulated Order  
 Second Notice       Letter of Meeting  
 Notice of Hearing       Application for Variance  
 Correspondence       Decision of the Board

Please review all enclosed documents carefully.

cc: Local Building Inspector  
Independent Living Center  
Local Commission on Disability  
Complainant

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1 Federal St., Suite 600  
Boston, Massachusetts 02110

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

## COMPLAINT HEARING NOTICE

C 25 - 001

### **RE: Emerald Square Mall, 999 South Washington St, North Attleboro**

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **September 22, 2025** at **1:00 PM**

See the please note section for information on attending the remote meeting.

This hearing is upon a complaint filed by **George Ramian** relative to Sections 2.6 and 28.1

A copy of the complaint is available for public inspection during regular business hours.

This hearing will be conducted in accordance with the procedures set forth in M.G.L., c. 30A, and 801 CMR 1.02, the Informal/Fair Hearings Rules. At the hearing, each party may be represented by counsel, may present evidence and may cross examine opposing witnesses.

**PLEASE NOTE:** Requests for the continuance of a hearing must be received no later than fourteen (14) days prior to the scheduled hearing date. Continuances are granted at the Board's discretion only. The link to the meeting can be found on the Architectural Access Board's web site under 2025 Meeting's Calendar, click Notice of Meeting then click join meeting. You can also contact Executive Director William Joyce at [William.Joyce@Mass.Gov](mailto:William.Joyce@Mass.Gov) or mobile #617-894-1254 to request an electronic link to the meeting or to request a continuance.

Date: June 4, 2025

ARCHITECTURAL ACCESS BOARD

  
\_\_\_\_\_  
Chairperson

cc: Independent Living Center  
Local Building Inspector  
Local Disability Commission  
Complainant

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



Outlook

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## Emerald Square Mall, 999 South Washington St, N. Attleboro (C25-001) - 2nd Notice

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From Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>

Date Mon 5/19/2025 2:14 PM

Bcc carole.baker@comcast.net <carole.baker@comcast.net>; Ramian, George (DPL) <George.Ramian@mass.gov>

1 attachment (141 KB)

C25-001 2nd Notice.pdf;

Good afternoon,

Attached is the Second Notice for complaint # C25-001, regarding elevator outages at 999 South Washington Street in N. Attleboro. This email is intended to keep all interested parties informed.

Regards,

**Arelyn Benitez**

Compliance Officer I

She/Her

Architectural Access Board

Office of Public Safety and Inspections

Division of Occupational Licensure

One Federal Street, Suite 600

Boston, MA 02118

(617) 727-0660

[\[www.mass.gov/aab\]](http://www.mass.gov/aab)[www.mass.gov/aab](http://www.mass.gov/aab)

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**

1 Federal St., Suite 600  
Boston, Massachusetts 02118

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

TO: Emerald Square Mall Realty Holding  
LLC C/O VCORP Agent Services, Inc.  
155 Federal St, Suite 700  
Boston, MA 02110

Docket Number **C 25 001**

RE: Emerald Square Mall  
999 South Washington St  
North Attleboro

DATE: 05/19/2025

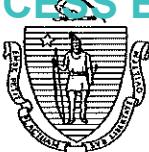
Enclosed please find a copy of the following material regarding the complaint against the above location:

First Notice       Stipulated Order  
 Second Notice       Letter of Meeting  
 Notice of Hearing       Application for Variance  
 Correspondence       Decision of the Board

Please review all enclosed documents carefully.

cc: Local Building Inspector  
Independent Living Center  
Local Commission on Disability  
Complainant

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

## Commonwealth of Massachusetts Division of Occupational Licensure Office of Public Safety and Inspections Architectural Access Board

1 Federal St., Suite 600  
Boston, Massachusetts 02110

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

May 19, 2025

Emerald Square Mall Realty Holding LLC  
C/O VCORP Agent Services, Inc.  
155 Federal St, Suite 700  
Boston, MA 02110

RE: Emerald Square Mall  
999 South Washington St  
North Attleboro

Docket Number C25 001

Dear Sir/Madam

On March 12, 2025, you were notified of a complaint filed against you with respect to alleged violations of the Board's Rules and Regulations at your premises. Attached is a copy of the original notice.

To date, we have not received a full plan for compliance or an update on the status. If you do not respond within ten (10) days of receipt of this letter, the Board will schedule a hearing for you to appear on the complaint. You should also be aware that the Board has the authority to impose fines of up to \$1,000.00 per day per violation for any person found in willful violation of the Board's orders.

Sincerely,

A handwritten signature in black ink, appearing to read "Arelyn Benitez".

Arelyn Benitez  
Compliance Officer

cc: Local Building Department  
Local Disability Commission  
Independent Living Center  
Complainant

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

## Commonwealth of Massachusetts Division of Occupational Licensure Office of Public Safety and Inspections Architectural Access Board

1000 Washington St., Suite 710  
Boston, Massachusetts 02118

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

JOSEPH M SAPONARO  
28601 CHAGRIN BOULEVARD, SUITE 600  
CLEVELAND, OH 44122

March 12, 2025

Docket Number C25 001

RE: Emerald Square Mall 999 South Washington St

, North Attleboro

Dear

Upon information received by the Architectural Access Board, the facility referenced above has been reported to violate M.G.L. c. 22, § 13A and the Rules and Regulations (521 CMR) promulgated thereunder. Reported violations, include the following items:

Section: Reported violation:

2.6	Maintenance of Access Features: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc).
28.1	In all multi-story buildings and facilities, each level shall be served by a passenger elevator.  Complaint reports elevator outages, under 521 CMR, this is considered a failure to maintain access features.

Under Massachusetts law, the Board is authorized to take legal action against violators of its regulations, including but not limited to, an application for a court order preventing the further use of an offending facility. The Board also has the authority to impose fines of up to \$1,000.00 per day, per violation, for willful noncompliance with its regulations.

You are requested to notify this Board, in writing, of the steps you have taken or plan to take to comply with the current regulations. Please note the current sections may be different from the sections that are cited above. Unless the Board receives such notification within 14 days of receipt of this letter, it will take necessary legal action to enforce its regulations as set forth above. If you have any questions, you may contact this office.

cc: Local Building Inspector  
Local Disability Commission  
Independent Living Center  
Complainant

Sincerely,

Dawn Guarriello  
Chairperson

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**  
1000 Washington St., Suite 710 • Boston • MA • 02118  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab)

Docket Number  
  
(Office Use Only)

You have received this Notice because the Board has received information indicating that an element or elements of the building or facility you own is or are not in compliance with 521 CMR. This process is designed to provide you with a reasonable opportunity to correct any outstanding violations. Please complete both sides of this form and return it to:

**Arelyn Benitez**  
Architectural Access Board  
1000 Washington Street, Suite 710  
Boston, MA 02118  
Email: [Arelyn.Benitez@mass.gov](mailto:Arelyn.Benitez@mass.gov)

Electronic Copies of this form are available at the Board's website (<http://www.mass.gov/aab>) if you wish to submit it via email. If you have any questions, please contact the Board's staff via telephone at 617-727-0660 during normal business hours (9am – 5pm Mon-Fri). Please note that failure to return this document in a timely manner will result in the issuance of a Second Notice, and continued failure to address the items cited may result in fines of up to \$1,000 per day per violation among other legal remedies.

**Please check ONE of the boxes below and return this form within 14 days of receipt of the First Notice:**

- I have enclosed a plan to correct the violation(s), including a date for when I expect the work to be complete. I am aware that this plan will need to be approved by the Compliance Officer.
- I require additional time to prepare a plan to correct the cited violation(s), I have attached an explanation for why I require this additional time, including the specific amount of additional time I am requesting (which cannot exceed 90 days from the date of receipt of this Notice), and am aware that the Compliance Officer is not obligated to grant this additional time.
- I believe that correcting the violation(s) cited in the First Notice is impracticable (as defined in 521 CMR 5) and will be submitting a completed Application for Variance in no more than 30 days from the date I received the First Notice.
- I believe that the element(s) cited in the First Notice are not in violation of 521 CMR and I have attached a detailed explanation showing why they are in compliance or not otherwise subject to 521 CMR, including specific references to the applicable code sections.
- I am neither the legal owner of the building/facility nor their employee or agent.

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(Signature)

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(Date)

## Communications Preference

Please Select one:

I want to receive all further documents regarding this case

electronically at the following **email address:**

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I want to receive all further documents regarding this case via

certified mail at the following **mailing address:**

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DIV0000 02118-RFS-1325 X95 04701  
NOTIFY SENDER OF NEW ADDRESS  
:DIV OF OCCUPATIONAL LICENSURE  
1 FEDERAL STREET 600  
BOSTON MA 02110-2012

**ARCHITECTURAL ACCESS BOARD - HEARING PACKET**

CERTIFIED MAIL



One Thousand Washington Street - Suite 710  
Boston, Massachusetts 02118

9589 0710 5270 2422 8941 65

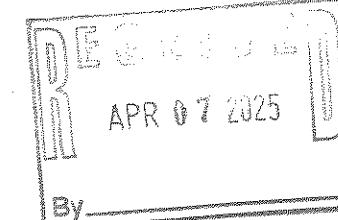
RECEIVED

APR 08 2025

*John H. AAB*  
AAB

SCANNED

JOSEPH M SAPONARO  
28601 CHAGRIN BOULEVARD, SUITE 600  
CLEVELAND, OH 44122



NIKIE 441 RE 1766 0105/25/25

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

02118-2003 0040



50% RECYCLED PAPER  
30% POST-CONSUMER

**AAB 22**

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET

Keep Safety in View as We Drive for You

USPS TRACKING #



First Class Mail  
Postage & Fees Paid  
United States  
Postage  
Permit No. G-10

C 28-601

9590 9402 8787 4005 2993 35

United States  
Postal

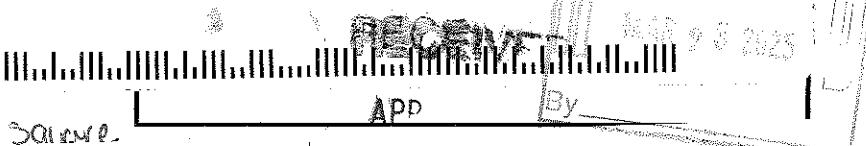
DIV0000 02118-RFS-1325 \*95 03/24/25

NOTIFY SENDER OF NEW ADDRESS

:DIV OF OCCUPATIONAL LICENSURE

1 FEDERAL ST STE 600

BOSTON MA 02110-2012



emerald saline

N. Atteba

P<sup>1</sup> Notice



# ARCHITECTURAL ACCESS BOARD - HEARING PACKET

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: \_\_\_\_\_

Emerald Square Mall Realty Holding  
155 Federal St, Suite 700  
Boston, MA 02110



9590 9402 8787 4005 2993 35

2. Article Number (Transfer from service label)

95

PS

A. Signature

X

Sam Jones

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Priority Mail Express®
- Adult Signature
- Registered Mail™
- Adult Signature Restricted Delivery
- Registered Mail Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Signature Confirmation™
- Collect on Delivery Restricted Delivery
- Signature Confirmation Restricted Delivery

tic Return Receipt

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



Outlook

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## Emerald Square Mall, 999 South Washington St., N. Attleboro (C25-001) - 1st Notice.PDF

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**From** Joyce, William (DPL) <William.Joyce@mass.gov>

**Date** Wed 3/12/2025 12:33 PM

**Bcc** carole.baker@comcast.net <carole.baker@comcast.net>; Higgins, Steven <shiggins@iacil.org>; Ramian, George (DPL) <George.Ramian@mass.gov>

1 attachment (112 KB)

C25-001 1st Notice.pdf;

Good afternoon,

Attached is the first notice for complaint # C25-001, regarding elevator outages at 999 South Washington Street in N. Attleboro. This email is intended to keep all interested parties informed.

Regards,

**William Joyce**

Executive Director

He/Him/His

Architectural Access Board

Office of Public Safety and Inspections

Division of Occupational Licensure

1000 Washington Street, Suite 710

Boston, MA 02118

617-727-0660

[\[www.mass.gov/aab\]](http://www.mass.gov/aab)[www.mass.gov/aab](http://www.mass.gov/aab)

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**  
1000 Washington St., Suite 710  
Boston, Massachusetts 02118

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

TO: JOSEPH M SAPONARO  
28601 CHAGRIN BOULEVARD, SUITE  
600 CLEVELAND, OH 44122

Docket Number C25 001

RE: Emerald Square Mall  
999 South Washington St  
North Attleboro

DATE: 03/12/2025

Enclosed please find a copy of the following material regarding the complaint against the above location:

First Notice       Stipulated Order  
 Second Notice       Letter of Meeting  
 Notice of Hearing       Application for Variance  
 Correspondence       Decision of the Board

Please review all enclosed documents carefully.

cc: Local Building Inspector  
Independent Living Center  
Local Commission on Disability  
Complainant

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



MAURA HEALEY  
GOVERNOR

KIM DRISCOLL  
LIEUTENANT GOVERNOR

YVONNE HAO  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

## Commonwealth of Massachusetts Division of Occupational Licensure Office of Public Safety and Inspections Architectural Access Board

1000 Washington St., Suite 710  
Boston, Massachusetts 02118

LAYLA R. D'EMILIA  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

JOSEPH M SAPONARO  
28601 CHAGRIN BOULEVARD, SUITE 600  
CLEVELAND, OH 44122

March 12, 2025

Docket Number C25 001

RE: Emerald Square Mall 999 South Washington St

North Attleboro

Dear

Upon information received by the Architectural Access Board, the facility referenced above has been reported to violate M.G.L. c. 22, § 13A and the Rules and Regulations (521 CMR) promulgated thereunder. Reported violations, include the following items:

Section: Reported violation:

2.6	Maintenance of Access Features: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc).
28.1	In all multi-story buildings and facilities, each level shall be served by a passenger elevator.  Complaint reports elevator outages, under 521 CMR, this is considered a failure to maintain access features.

Under Massachusetts law, the Board is authorized to take legal action against violators of its regulations, including but not limited to, an application for a court order preventing the further use of an offending facility. The Board also has the authority to impose fines of up to \$1,000.00 per day, per violation, for willful noncompliance with its regulations.

You are requested to notify this Board, in writing, of the steps you have taken or plan to take to comply with the current regulations. Please note the current sections may be different from the sections that are cited above. Unless the Board receives such notification within 14 days of receipt of this letter, it will take necessary legal action to enforce its regulations as set forth above. If you have any questions, you may contact this office.

cc: Local Building Inspector  
Local Disability Commission  
Independent Living Center  
Complainant

Sincerely,

Dawn Guarriello  
Chairperson

# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board

1000 Washington St., Suite 710 • Boston • MA • 02118  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab)

Docket Number

(Office Use Only)

You have received this Notice because the Board has received information indicating that an element or elements of the building or facility you own is or are not in compliance with 521 CMR. This process is designed to provide you with a reasonable opportunity to correct any outstanding violations. Please complete both sides of this form and return it to:

**Arelyn Benitez**  
Architectural Access Board  
1000 Washington Street, Suite 710  
Boston, MA 02118  
Email: [Arelyn.Benitez@mass.gov](mailto:Arelyn.Benitez@mass.gov)

Electronic Copies of this form are available at the Board's website (<http://www.mass.gov/aab>) if you wish to submit it via email. If you have any questions, please contact the Board's staff via telephone at 617-727-0660 during normal business hours (9am – 5pm Mon-Fri). Please note that failure to return this document in a timely manner will result in the issuance of a Second Notice, and continued failure to address the items cited may result in fines of up to \$1,000 per day per violation among other legal remedies.

**Please check ONE of the boxes below and return this form within 14 days of receipt of the First Notice:**

- I have enclosed a plan to correct the violation(s), including a date for when I expect the work to be complete. I am aware that this plan will need to be approved by the Compliance Officer.
- I require additional time to prepare a plan to correct the cited violation(s), I have attached an explanation for why I require this additional time, including the specific amount of additional time I am requesting (which cannot exceed 90 days from the date of receipt of this Notice), and am aware that the Compliance Officer is not obligated to grant this additional time.
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- I am neither the legal owner of the building/facility nor their employee or agent.

(Signature)

(Date)

## Communications Preference

Please Select one:

I want to receive all further documents regarding this case

electronically at the following **email address:**

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I want to receive all further documents regarding this case via

certified mail at the following **mailing address:**

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# ARCHITECTURAL ACCESS BOARD - HEARING PACKET



**Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
Architectural Access Board**  
1000 Washington St., Suite 710 • Boston • MA • 02118  
V: 617-727-0660 • [www.mass.gov/aab](http://www.mass.gov/aab)

Docket Number

(Office Use Only)

## GENERAL BUILDING COMPLAINT FORM

**PLEASE BE ADVISED THAT THIS FORM IS A MATTER OF PUBLIC RECORD AND WILL BE DISCLOSED UPON REQUEST.**

1. What is the name and address of the building believed to be in violation of the Rules and Regulations of this Board?

Building Name or Description:

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Street Address:

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City/Town:

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2. Does it appear that the building was recently constructed or renovated? \_\_\_\_\_
3. What date were you most recently at the building? \_\_\_\_\_
4. How many floors? \_\_\_\_\_

## ARCHITECTURAL ACCESS BOARD - HEARING PACKET

5. Please describe the violation(s) as clearly as possible. Include information on the nature of the violation, the location of the violation within the building or site, and any other information you feel might be relevant. **The Board's staff also recommends you include photographs of the violation if possible.** (Please use additional sheets if necessary):

6. Name and address of person/organization filing this complaint (if organization is filing, please provide the Board with the name of a contact person) (**required**):

Name: \_\_\_\_\_

**Mailing Address:**

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E-mail: [robert.schulz@uni-muenster.de](mailto:robert.schulz@uni-muenster.de)

Telephone: \_\_\_\_\_

8. Individual Signature (required): 

Date:

## OPTIONAL INFORMATION

The following information is optional, and your complaint will be processed regardless of whether the information is provided. **However, you should be aware that the less information that is provided, the longer it will take this office to process your complaint.**

a. Name and address of the building owner or manager:

Name: \_\_\_\_\_

Mailing Address:

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b. The Board only considers complaints with respect to buildings which are:

- 1.) constructed by the state, city or town, and construction, reconstruction, alteration or remodeling occurred after December of 1968; or
- 2.) privately financed buildings that are open to or used by the public and construction, reconstruction, alteration or remodeling occurred after June 10, 1975.

c. Do you have reason to believe the element(s) subject to this complaint have been recently renovated?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

If you answered yes, please indicate the date and extent of the work below, and if possible attach a copy of the associated building permit to this complaint.

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*Continued on Next Page*

## ARCHITECTURAL ACCESS BOARD - HEARING PACKET

2.) Do you have reason to believe that in any continuous 3-year period the spending on construction, reconstruction, alteration, or remodeling was more than:

\$100,000 \_\_\_\_\_

30% of the building's assessed value \_\_\_\_\_

If you answered yes, please indicate the date and extent of the work below, and if possible attach a copy of the associated building permit to this complaint.

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Assessed value of the building only (do not include the value of the land):

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If possible, please attach a copy of the property card to your complaint.