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Rogers Park heat death claims settled for \$16M

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The families of three women who died of heat exposure in their senior living apartment complex in Rogers Park during a heat wave last May have accepted a \$16 million settlement.

Delores McNeely, 76, Gwendolyn Osborne, 72, and Janice Reed, 68, were residents of James Sneider Apartments, a senior living apartment complex owned and operated by Gateway Apartments Ltd. and Hispanic Housing Development Corp.

On May 14, 2022, all three women were found unresponsive in their apartments.

According to their attorneys, the women made several calls complaining about their units being excessively hot as the heat in the building was still running.

In the days leading up to the incident, Chicago was experiencing a heat wave with temperatures consistently reaching over 90 degrees, the attorneys noted.

The attorneys claim building managers ignored the tenants' complaints for several days before their deaths.

According to their complaints in court, management told tenants that a Chicago ordinance, Municipal Code of Chicago 13-196-410, restricted their discretion in turning on the building's air conditioning.

Autopsies showed all three

women died from excessive environmental heat exposure.

The families of Osborne and Reed filed complaints in the Circuit Court of Cook County in June.

They claimed the building operators were negligent in failing to turn off the heating system in time to avoid excessive heat and in failing to turn on the air conditioning despite complaints of the heat from tenants.

McNeely's family settled their claims pre-suit.

The total payout will be divided equally between the families of the three women, the attorneys said. The cases were settled for all available insurance coverage and additional cash payments from the owners and operators of the apartment complex.

The parties came to an agreement Dec. 23. The case settled without mediation or a judge in the early stages of litigation.

McNeely's family was represented by Brian L. Salvi and Eirene N. Salvi of Salvi, Schostok & Pritchard.

"Delores's apartment unit had reached temperatures of at least 103 degrees when she was found. There is no excuse for apartment owners or managers to ignore cries for help from their tenants, especially when their main clientele is the elderly," Brian L. Salvi said in a press release. "While nothing will fill the void in her loved one's hearts, we hope



Brian L. Salvi



Eirene N. Salvi

this settlement agreement will allow the family to find a bit of closure and begin the healing process."

Osborne's family was represented by Steven M. Levin and Megan S. O'Connor of Levin & Perconti.

"Our client in particular Mrs. Osborne was an iconic figure in the Black community and in the Black journalistic community," Levin said. "It was a very avoidable, preventable tragedy. They did settle the case, and that gives our clients closure, but obviously no amount of money can restore ... [her] life and it can't compensate for her son's loss, but it is closure."

Levin noted that their deaths led to the implementation of a new city ordinance setting cooling requirements for residential buildings.

Reed's family was represented by Larry R. Rogers, Jr. and Jonathan M. Thomas of Power Rogers LLP.

"Had the defendants used common sense and turned the

heat off and the air conditioning on, these ladies would not have died," Rogers said. "Corporate greed that puts profits over people is what led to the deaths of these three ladies. These tragedies remind us all about the importance of ensuring our family members' safety, and to adequately address the many dangers our loved ones face."

Gateway Apartments Ltd. and Hispanic Housing Development Corp. were represented by Steve S. Weiss of Tribler Orpett & Meyer, P.C.

Hipolito "Paul" Roldán, president and CEO of the Hispanic Housing Development Corp., called the deaths "tragic" and confirmed the settlement. "We mourn their deaths and honor their memories," he said.

The Osborne case is *Rye v. Hispanic Housing Development Corp., et al.*, No. 2022 L 005792.

The Reed case is *Jackson v. Hispanic Housing Development Corp., et al.*, No. 2022 L 004600.