

**Hearing Date: February 11, 2022**

**STATE OF RHODE ISLAND  
PROVIDENCE, SC**

**SUPERIOR COURT**

**STATE OF RHODE ISLAND;** :  
**PETER F. NERONHA, in his** :  
**capacity as Attorney General of the** :  
**STATE OF RHODE ISLAND; and** :  
**DR. JAMES MCDONALD,** :  
**in his capacity as Interim Director,** :  
**RHODE ISLAND DEPARTMENT** :  
**OF HEALTH** :

**Plaintiffs,** :

v. :

**REGENT PLACE, LLC and** :  
**ROBERT RICCARDI** :

**Defendants.** :

**C.A. NO.: PC-2021-06846**

**STATE PLAINTIFFS’ MOTION FOR A PRELIMINARY INJUNCTION**

Now comes Peter F. Neronha, in his capacity as Attorney General for the State of Rhode Island, and Dr. James McDonald in his capacity as Interim Director of the Rhode Island Department of Health (“RIDOH”)<sup>1</sup> (hereinafter collectively referred to as the “State”). Pursuant to Rule 65 of the Superior Court Rules of Civil Procedure, R.I. General Law § 23-24.6-23, and under the statutes and law of the State of Rhode Island, the State move for entry of a preliminary injunction to prevent Defendants Regent Place, LLC and Robert Riccardi (hereinafter collectively referred to as “Defendants”) from further causing harm to the general public and tenants of 51 Wealth Avenue, Apartment 2 by violating Rhode Island’s Lead Poisoning Prevention Act, R.I.G.L. § 23-24.6-1 *et seq.*, rules and regulations for lead poisoning prevention, 216 R.I. Code R. § 50-15-

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<sup>1</sup> Due to Dr. Nicole Alexander-Scott’s resignation as RIDOH director, Dr. James McDonald, in his official capacity, has been substituted as a party to this action pursuant to Rule 25 of the R.I. Superior Court Rules of Civil Procedure.

3, and the Rhode Island Housing Maintenance and Occupancy Code, R.I.G.L. § 45-24.3-1 *et seq.*, in their operation of that residential apartment unit in Providence, Rhode Island (“the property”), as described more fully in the Memorandum in Support filed contemporaneously with this motion.

Specifically, the State seeks a Preliminary Injunction requiring Defendants to:

1. Contract with a Lead Hazard Contractor licensed by RIDOH within three (3) days, and correct any and all outstanding lead violations at the property within fourteen (14) days;
2. Obtain documentation that the Lead Hazard Contractor has corrected any and all outstanding lead violations at the property;
3. Immediately ensure that Defendants’ tenants at the property are provided with, or compensated for, adequate housing accommodations during any period that they are unable to remain in their home due to the remediation of the violations;
4. Require Defendants, Regent Place, LLC and Robert Riccardi, to hereafter place all rental income collected from tenants at the lead-contaminated property in an escrow account until further order of the Court, so that it may be used for the lead-abatement work required; and
5. Such other relief as the Court deems just and proper.

Respectfully submitted,

Plaintiffs,

STATE OF RHODE ISLAND;  
PETER F. NERONHA, in his  
capacity as Attorney General of the  
STATE OF RHODE ISLAND; and  
DR. JAMES MCDONALD,  
in his capacity as Interim Director, RHODE  
ISLAND DEPARTMENT OF HEALTH

By:

/s/ Keith Hoffmann  
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**CERTIFICATION**

I hereby certify that, on the 1<sup>st</sup> day of February, 2022, I filed and served this document through the electronic filing system on the attorneys of record. The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

/s/ Karen Ragosta