

The Ferraro Law Firm to Take Airbnb to Trial in Landmark Wrongful Death Case Involving Carbon Monoxide Poisoning

Airbnb Took No Corrective Action Despite 19 Previous CO Deaths on its Properties

SAN FRANCISCO, CA, and MIAMI, FL — In a legal first that may shape public safety standards and corporate accountability across the short-term property rental industry, Miami-based [The Ferraro Law Firm](#), in partnership with Wisner Baum, is moving forward with a wrongful death lawsuit against Airbnb after a California court ruled that key claims may proceed to trial in public court.

The case centers on the tragic death of Sebastian Mejia, a 24-year-old American who died from carbon monoxide poisoning while staying at an Airbnb rental property in Rio de Janeiro, Brazil, on October 5, 2022. Due to a damaged and improperly installed fuel-burning water heater in the unit's bathroom, carbon monoxide invaded the small space while Sebastian was showering. He was found deceased the next morning by local authorities.

[Despite ongoing incidents and a previous promise to do so in February, 2014](#), Airbnb does not require carbon monoxide detectors in homes with fuel-burning appliances—a policy gap that has led to 19 deaths globally, including in Mexico, Chile, Colombia, Taiwan, and now Brazil.

When the Mejia family filed suit, Airbnb attempted to compel arbitration, citing the mandatory arbitration clause embedded in its user agreement. Arbitration aimed to move the matter behind closed doors, away from a jury and public scrutiny. Ferraro Law challenged the motion—and won. A San Francisco Superior Court judge ruled that the wrongful death claims may proceed in court, setting the stage for what could become the first civil jury trial in U.S. history involving Airbnb and a carbon monoxide fatality.

“This is a huge win for the Mejia family and for all families who have been affected by Airbnb’s negligence,” said Jose Becerra, partner at The Ferraro Law Firm. “Arbitration would have done little or nothing in the way of punishing Airbnb and would also have kept the public in the dark as to its inaction regarding requiring CO detectors on its properties and potential risks to renters.”

As the case proceeds, Airbnb is expected to file a demurrer, a legal maneuver that seeks to dismiss the case before trial. Ferraro Law believes this motion can be successfully challenged, allowing the case to reach a jury.

About The Ferraro Law Firm

The Ferraro Law Firm is a nationally recognized litigation firm focused on catastrophic injury, wrongful death, product liability, and environmental cases. The firm is known for taking on complex, high-stakes cases and fighting for clients whose lives have been forever changed by preventable harm.

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