

Richard Fry

From: "DOBCommissioner" <DOBCommissioner@cityofchicago.org>
To: "Richard Fry" <rgfry@att.net>; "DOBCommissioner" <DOBCommissioner@cityofchicago.org>
Cc: "Burton, Mildred" <Mildred.Burton@cityofchicago.org>
Sent: Friday, April 10, 2015 15:42
Subject: RE: 400 East Randolph St, permit problem

Good Day Mr. Fry,

Thanks for reaching out to my office. I did receive your information packet. It is quite substantial. Allow me a few days to review the material and I will get back to you.

Best regards,

Felicia Davis
Commissioner
Department of Buildings
312-743-9021

City Hall
121 N. LaSalle St., Room 906
Chicago, IL 60602

" We shape our buildings; thereafter they shape us"
Winston Churchill

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-----Original Message-----

From: Richard Fry [<mailto:rgfry@att.net>]
Sent: Thursday, April 09, 2015 6:31 PM
To: DOBCommissioner
Subject: 400 East Randolph St, permit problem

To: Felicia Davis, Commissioner of Buildings DOBcommissioner@cityofchicago.org
From: Richard Fry rgfry@att.net
Date: April 9, 2015
Re: 400 East Randolph St, DOB permit problem

Dear Commissioner Davis:

I enjoyed seeing you on television recently and appreciate your commitment to improving fire and building safety in Chicago. In fact, already DOB has been very helpful in getting kerosene and other combustible materials removed from the fire stairs of our building at 400 East Randolph Street.

My current concern, however, is systemic unpermitted - or incorrectly permitted - individual condo unit reconstruction here at Outer Drive East.
(Larger building-wide projects which employ licensed contractors appear generally to be in proper order.) As you may know, this building is 50 years old. For many of us (or our parents) it is simply "home." For others it is a target for quick-flip speculators and foreclosure predators.

The "rehab"

specialists and slumlords make more money, of course, if they can circumvent the Chicago Department of Buildings permit process. In any given month, there are an average of 20 condo reconstruction projects under way in this single building. Although there are happy exceptions, many of these are not permitted at all and others misrepresent the true scope of work.

Essentially, the management company here has set itself up as its own "permit-granting" agency. No permits ever are publicly displayed or plans made available for adjacent condo owners - or anyone else - to review.

I dropped off today (Thursday) to your office what normally would be "attachments" to this e mail. If you need more documentation, additional copies, or PDF versions, I will be happy to provide these. Here are the "attachments" I dropped off today and a brief description:

- "Who we are"

First, I am a public school teacher and chaplain. I do not pretend to be a building code expert. My most rewarding work to date has been as a New York City high-school teacher for incarcerated teenagers at Rikers Island. In fact, my god-daughter (now 16), and shown with my wife and me in the photos, actually was born to a drug mother while incarcerated at Rikers Island.

My point is that not all of us who reside either full- or part-time at 400 East Randolph Street are either wealthy or anything besides ordinary. You might find it hard to believe, but there are residents here who take showers in our "luxury health spa" simply because they do not have a bathroom that works in their subsidized apartment. And while this building at street level boasts a doorman, it is only necessary to go down one or two levels to find a homeless population living on the lower street.

- Outer Drive East Newsletter

The sole mechanism for communicating to residents what construction is going on in their building is the Outer Drive East Newsletter. So for example, in the April issue, page 3, work in units 3601-03 immediately below ours is described simply as "combine units." In fact, permit 100560798 for work approved by DOB envisioned a rehab only in one unit 3603, not jack-hammering through fire partitions to an adjoining condo. Not surprisingly, the licensed contractor, Wayne Furman (TGC003802), who does much of the rogue work at 400 East Randolph Street pays for a prominent ad in the Newsletter.

- Construction Scope and Permits

As you might guess, the discrepancy between what residents and the DOB are told and what actually is done in reconstructing condo units, for me, has gotten to be a hornet's nest! I would never have gotten interested in the mayor's permit scofflaw initiative if other residents here had not shared with me their frustration (and fear of reprisals) over dust, noise, cracked walls and broken ventilation!

So I went through past newsletters and DOB permit lists, which Ron in your office ran out for me. I made a list of construction projects and permits since January 2014. In some cases, there seems to be no problem. In others there is no permit at all, or a permit whose details do not match or do not suggest such a long project duration.

- Chicago DOB permits 2013 forward

Simply as a reference and as a check for errors in my own "Construction Scope and Permits" compilation, I have included a shortened version of the permit list Ron printed for me. I have highlighted "unit" or "apartment" numbers.

- Remodeling and Construction Contract and Requirements

The "400 Condominium Association Remodeling and Construction Contract & Requirements (Updated January 2012)" appears to me to be a complete sham.

(That is an understatement. But I am hesitant at the moment to describe this clever and seemingly important-looking document and all its underlying procedures, misrepresentations, collusions, and general shenanigans in legally less-cautious language.)

Essentially the "Remodeling and Construction Contract & Requirements" sets up The Habitat Company as a replacement for the Department of Buildings.

Note, according to an e-mail from The Habitat Company, that any and all permits are for "management's eyes only." And, of course, The Habitat Company collects a fee from the condo owner for its review and permit-granting process.

If you find my concerns exaggerated or hard to believe, note in this document that "a detailed, written description of the renovation along with any necessary drawings need to be submitted to be approved by the Association architect."

Is there an "Association architect"? Does he or she actually review any plans at all? (There is strong evidence that he/she does not.) How much is he/she paid for these services? For the benefit of the ordinary people who live at 400 East Randolph Street, I hope the DOB will be more successful in finding an answer to these questions than residents have been! The Association architect is the person responsible for the permit applications that may (or may not!) have been submitted to DOB.

A recent e-mail from The Habitat Company finally gave me an architect name:

Robert Suennen, OTA Inc., Evanston, IL, 847-919-9471. Mr. Suennen, to his credit, at least did show me the courtesy of a reply: "Please direct your communication . . . to the Habitat Company. Your request is returned to you without review."

In conclusion . . .

Ordinary people in Chicago, Commissioner Davis, are hopeful about your leadership. Any time or effort you or others of your department can spend on behalf of 400 East Randolph Street will be hugely appreciated. I hope that my unit-by-unit "Construction Scope and Permits" list gives you a start for investigating my permit complaints. I know that your department has a tremendous workload. And you already are accomplishing many good things, often to the benefit of people less able to cope than some of us in Chicago's "New Eastside." Still, if you can set a significant example - note that 400 East Randolph Street is the largest condominium in Illinois - smaller permit scofflaws will think twice about non-compliance.

Thanks for all you do.

-Rick Fry

Richard Fry
400 E Randolph St #3701
Chicago, IL 60601
rgfry@att.net
312-856-1750

P.O. Box 241
Cornwall, NY 12518
312-212-3523

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