

“Washers and Dryers” – Board Meeting Minutes and Unit Owners Forum, 2007 through 2017

Poor business judgment, hopeless incompetence, negligence . . . or worse

“Washers and Dryers” – Board Meeting Minutes and Unit Owners Forum, 2007 through 2017 – context



Recent ad, Urban Real Estate,
400 E Randolph St, Unit 2008

Washers and dryers are an elegant amenity as touted by real estate speculators at 400 East Randolph Street, but they are against condo rules and can wreak havoc with plumbing, gas, electric, and ventilation.

For the sake of quick profit, and a management culture of actively looking the other way, everyone else in the building – including both children and elderly – pays heavily in terms of water damage, air quality, and fire safety.

According to “400 Condominium Association Remodeling and Construction Contract and Requirements,” “*No washing machines may be installed in residential units* [emphasis added].”

It is not without warrant, then, to suspect Habitat Company of *poor business judgment, hopeless incompetence, negligence . . . or worse*.

Minutes, Regular Meeting, July 2, 2007,
Engineer's Report

"Steve Bisping has the report on missing/non-operational smoke detectors, unauthorized washer/dryers, etc., that were found during the convector filter change and this is being given to the Management Office."

Unit Owners Forum, August 13, 2007

"Robert Goodman, #2830: He recently received a real estate notice regarding a one bedroom unit for sale in this building that offers a washer and dryer. As he recalls the requirements for having a washer and dryer, it is impossible for a one bedroom unit to have these, unless the rules have been changed."

Minutes, Regular Meeting, April 21, 2008,
Management Report

"Washers and Dryers – we have met with our architect on this and we are reviewing the City Ordinances governing this issue. It seems that this building will not be allowed to continue to put these machines in according to the City Ordinances. The reason is that when the building was built they did not build into the capacity of the drain stack the capability to absorb the expansion of suds. There is a history of back-ups into units. We are working on getting a copy of the specific ordinance and get an opinion from the City, how they will view this building. This is being pushed to get a final answer that is clear."

Minutes, Regular Meeting, May 5, 2008,
Management Report

"Work is still being done with the special engineer, Robert Sonan, regarding the issue of washers and dryers and the City Ordinance. It still is under review, we are just waiting for the City to give their final interpretation. It is much more complicated than expected, and it is something that the building will have to adhere to once the opinion comes in."

Unit Owners Forum, June 2, 2008

“Leif Bergstrom, #925: Raising laundry fees when the Association is already making a profit will just encourage more ‘illegal’ washers.”

Unit Owners Forum, October 13, 2008

“Arlene Crandall, #2809: She asked if the issues surrounding washers and dryers in units have been resolved yet?”

Unit Owners Forum, July 6, 2009

"Donald Jacobsen, #2419: He asked what the status of the illegal clothes washers and dryers. He brought this issue up three months ago and hasn't heard anything. This issue came after he had an incident in his unit where sludge came up the drain and the plumber had told him it was probably from a clothes washer, but nobody could tell him from where. In 2005 Management said a unit could not have a dishwasher and a clothes washer. In 2008 Management commented that the plumbing drain lines were not capable of handling discharge from a clothes washer and there are instances of flooding/backups in units above or below and this is inconsistent with present building codes. Washers present a plumbing problem; dryers provide a fire hazard."

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Unit Owners Forum, July 6, 2009 (continued)

"Jim Jacobsen responded that the policy regarding washers and dryers is unchanged that was enacted by a previous Board. According to the Rules and Regulations, under certain circumstances a washer and dryer would be allowed. No washers/dryers have been installed in the building in 2008/2009."

"Donald Jacobsen, #2419: He responded that there was one installed 18 months ago. He has reviewed all of the approved units for washers and dryers, 20 of them. There have been opinions of an architect and a plumber working in the building and these are inconsistent with building codes. He is concerned that there will be a flood from one of these washers and cause damage to his kitchen cabinets. . . .

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Unit Owners Forum, July 6, 2009 (continued)

. . . The building approves all sales of all units in the building, thus approving the sale of an illegal plumbing unit. If he has a flood in his unit because of a washer that is illegal, the building should be responsible as they approved the sale. He has seen washers and dryers in units that cannot be legal; that are not legal but in place when a unit is sold and the new owner is not aware that they are illegal. Units should be prohibited from being transferred to a new owner that have a washer and dryer. Units are being advertised for sale listing a washer/dryer; but what about a unit without, it won't sell as quick. The building doesn't know what is being brought into the building as there are no inspections."

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Unit Owners Forum, July 6, 2009 (continued)

"Jim Jacobsen responded that it seems Donald Jacobsen is advocating that the Board of Directors use their authority in the selling process. If a unit comes up for sale, the unit should be inspected and if an illegal washer/dryer was found, you would advocate the current Unit Owner removing this at their expense and not approving the sale process until this was done."

"Donald Jacobsen, #2419: He commented that he recently became aware that there was some issue with the building and the Building Department back in 2002 regarding all units and then a release filed regarding this in 2005. Who got charged for this recording process, the building? . . .

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Unit Owners Forum, July 6, 2009 (continued)

. . . No information regarding this was given to Unit Owners. Perhaps he should contact the Building Department directly; and there are inspectors in the building currently. He feels that every unit that is to be sold should be inspected; any washer/dryer should be removed before approval of the sale. He feels he has the right to have the building codes enforced in the building."

"Jim Jacobsen responded that the Board Members and lots of volunteers work very hard in the building on behalf of all Unit Owners. They all deserve respect. Yes, these are some valid complaints/issues, but this has been going on for 35 years. Policy has been made and enforced by different management companies, different Boards. It is not a simple issue, there is no easy solution."

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Unit Owners Forum, July 6, 2009 (continued)

"[name missing]: He commented from the audience, that he agrees this is an issue, this building was not made for washers/dryers and it is against code. The Board should take this opportunity and adopt a policy that no new washers/dryers be allowed."

"Jim Jacobsen responded that no new washers/dryers have been approved."

"Arlene Crandall, #2809: She [said] that in the unit above her a Jacuzzi was installed and because of it part of her ceiling in the bathroom fell down. . . .

Unit Owners Forum, July 6, 2009 (continued)

. . . When this unit is sold, how is the new Unit Owner going to know they can't use the Jacuzzi? There is also the issue in the smaller bathroom of the unit with multiple sprayers that the drains can't handle that affected her ceiling. This may be the opportunity as units are listed for sale something could be done. New Unit Owners also shouldn't be misled into believing things in the unit such as these can be used."

Unit Owners Forum, August 3, 2009

"Ashish Kuthiala responded that it is really not a decrease in the [laundromat] volume; it is expected that there is going to be a major rehab of the Laundry Room in this Budget Year. It is possible that the current contractor may be replaced; as a part of the new contract it is hoped that the equipment will be replaced and all of the piping will be redone and because of this it is anticipated there would be a loss of income because of the disruption of service. In the previous Budget cycle, it was recommended to have the increase in the fees but this didn't happen until four months into the budget year."

Unit Owners Forum, August 3, 2009 (continued)

"Donald Jacobsen responded, that there is still a decrease in the [laundromat] volume, the number of loads of approximately 25%. What is the reason for this? Are residents going elsewhere, are they doing it in their home installations? There essentially is no fear of repercussions if one puts a laundry in a unit so who knows how many have been installed. Again he pointed out that he has overflows into his unit; people are getting lint in their bathrooms from dryers being vented into the system. This all comes back to his request of the Association to do something, at least inspect all units for washers and dryers."

Unit Owners Forum, August 3, 2009 (continued)

"Jim Jacobsen responded that one additional factor that has become apparent is the fact that many Unit Owners have Units now as a second residence, an in-town residence. There has also been a decrease in monthly parking. These people use parking passes when they are in town; laundry goes home with them to the suburbs, The subject of in-unit washers and dryers does have to be looked at closer, and it is being worked on.

Unit Owners Forum, August 3, 2009 (continued)

"Dennis Gates, #3017: He commented that about 5 years ago he wrote a letter, and again about a year ago suggesting general inspections be done of every unit in the building. This shouldn't just be for washers and dryers but a whole host of things. He recently was in an elderly neighbor's unit and was stunned to see the condition of the unit from a flood that had occurred; carpet moldy, etc. This really needs to be addressed by the Association. All units should be inspected for leaky faucets, convector problems, illegal washers and dryers, proper vents above stoves, improper flooring, improper electrical outlets, many items. Other condominium buildings do inspect all units every couple of years and this should be done here for everyone's . . .

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Unit Owners Forum, August 3, 2009 (continued)

. . . protection. A thorough job with a check list should be done. He had an incident in his own unit with a small leak and it wasn't until the unit beneath his brought it to his attention that he became aware of it – it may have been going on for years. Every month there is a notice about convector leaks and residents should call Maintenance to come and put a tray under it, but this should be cleaned out."

"Jim Jacobsen responded there have been some inspections of units around sinks and such, but yes there is always room for improvement. Regarding the convectors, last month this notice was changed."

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Unit Owners Forum, September 8, 2009

"Carroll Delaney: She wants to know what is legal in the building regarding washers and dryers. She has a continued problem with blue dust coming into her unit, she has nothing blue in her unit, and therefore she feels this is lint coming from a dryer/dryers that are being vented into the system. Is this legal? Regarding washers, she has heard they are being put in by people moving into the building during reconstruction but being "slipped in" after an inspection is done; what is being done to see that this is not happening? Are inspections being done? Can her stack be checked to see if a dryer is hooked up?"

Unit Owners Forum, September 8, 2009 (continued)

"Jim Jacobsen responded that dryers should not be vented into the system. The issue of washers and dryers is an ongoing issue. In the past 2 years the Board's position is to not allow any new washers or dryers to be installed. There are lots of technical questions involved in this issue for the building as well as how this could impact Unit Owners who have legally installed washers and dryers within the building's rules and all of these components are being evaluated thoroughly. Anything in the building should be compliant with City Codes. The stack can be checked."

Unit Owners Forum, April 5, 2010

"Donald Jacobsen, #2419: He commented that inspections are done of the units; weekly inspections are done of units during remodeling. Are units inspected before they are sold to see if they are in compliance with any improvements that are on record? This is not only regarding his previous complaint about illegal washers/dryers. He saw a picture of a unit that was sold and there was some type of covering on the floor of the balcony and nothing is supposed to be on the balcony floors. He assumes he should just install an illegal washer and dryer to make his unit more marketable as it won't be inspected so nobody will know about it."

Unit Owners Forum, April 5, 2010 (continued)

"Jim Jacobsen responded that he is unaware of any inspection regime prior to selling any unit. It might be a good idea to consider. Units are entered to change filters, etc. and this is an opportunity to check to see if any unit's balcony has been modified and this could be added to the list of what is inspected already."

