

aventure, and evidently pieced together from varying sources, with the occasional modification specific to this particular work of architecture:²⁷

The building is currently under construction but not yet completed. Any images of a competed building are artists' renderings incorporating the proposed building into the existing skyline. As depicted in the developers brochures or on the developers website, sketches, renderings, graphics, plans, specifications, services, amenities, terms, conditions and statements contained in this brochure are proposed only, and the Developer reserves the right to modify, revise or withdraw any or all of same in its sole discretion and without prior notice.

And there is more:

Use and operation of the helipad are conditioned upon obtaining FAA and other governmental approvals. No assurance can be given about whether the approvals can be obtained, and/or if so, the timing of same.

Although described in the present tense, all amenities and services

described herein are proposed only and are subject to change during the development of One Thousand Museum. Actual improvements may vary and views may not be available from all condominium units. Future development can limit or eliminate views from a particular condominium unit.

All dimensions are approximate, and all floor plans and development plans are subject to change.... All references to square footage (or square meters) are approximate and the actual configuration may vary.... You should not rely upon any listed figures....

The sketches, renderings, graphic materials, plans, specifications, terms, conditions and statements contained in this brochure are proposed only, and the Developer reserves the right to modify, revise or withdraw any or all of same in its sole discretion and without prior notice. . . . The developer expressly reserves the right to make modifications, revisions, and changes it deems desirable in its sole and absolute discretion. . . . The photographs contained in this brochure may be stock photography or have been taken off-site and are used

27
1000 Biscayne Tower
and The Regalia Group,
"Disclaimer," One
Thousand Museum,
accessed January 16, 2019,
[https://1000museum.com/
disclaimer/](https://1000museum.com/disclaimer/).

Violation City

Ann Lui and
Craig
Reschke

to depict the spirit of the lifestyles to be achieved rather than any that may exist or that may be proposed. . . .

The condominium units are being sold for personal use and enjoyment and 1000 Biscayne Tower, LLC is not making, nor does it condone, any representations about future profit. . . . Prospective purchasers of condominium units should not base their buying decision on an expectation of profit.

Prospective purchasers may, if they read these materials too carefully, note a certain inconsistency between the language of confidence — of the architect who believes “in the idea of the future” and the developers who “are deeply committed to ensuring” that her project “will live up to every expectation she had for it” — and the admonitions of the lawyers, who must note that, while “the condominium units are being sold for personal use and enjoyment,” the associated images are merely used “to depict the spirit of the lifestyles to be achieved rather than any that may exist or that may be proposed.” What, in the end, can interested parties expect from this project? Is it true that this architecture can create for them a specified lifestyle, six-star or otherwise? Will ever it avail

them, financially or existentially? As it turns out, “1000 Biscayne Tower, LLC is not making, nor does it condone, any representations about future profit.”

This story is, of course, far from over — whether for the purchasers or for the developers. On the far side of the Atlantic, the future is similarly uncertain. As of the time of this writing, the public battle over Zaha Hadid’s legacy is ongoing, and her executors have taken the matter to Britain’s High Court “in order to defend her great name and legacy.”²⁸ The maker’s mark is contested. Indeed, we read that there have been efforts to disassociate the architect’s name from her continuing practice. Those efforts may or may not prove successful; it is not yet clear whether the personality of the creator will give way to anonymity. But that outcome is no longer the architect’s responsibility.

What remains the responsibility of every architect is the articulation of a response to the challenge embedded into the surface of that encaustic tile in Great Malvern. After all, if we are hesitant to identify with the attitudes and artefacts of the makers of the fifteenth century, we may also, with good reason, be reluctant to place our faith in those surrogates that bear the distinctive mark of the twenty-first.

28
Rana Hadid, quoted in Jonathan Hilburg, “Patrik Schumacher Sues to Become Sole Executor of Zaha Hadid’s Estate,” *The Architect’s Newspaper*, November 14, 2018, accessed January 7, 2019, <https://archpaper.com/2018/11/patrik-schumacher-sues-sole-executor-zaha-hadid-estate/>. See also Katharine Keane, “Details of Patrik Schumacher ZHA Executorship Suit Revealed in Legal Documents,” *Architect: The Journal of the American Institute of Architects*, January 4, 2019, accessed January 7, 2019, <https://www.architect-magazine.com/practice/details-of-patrik-schumacher-zha-executorship-suit-revealed-in-legal-documents> and Jonathan Hilburg, “Patrik Schumacher Claims He was Forced to Drop Zaha Hadid’s Name from ZHA,” *The Architect’s Newspaper*, January 4, 2019, accessed January 23, 2019, <https://archpaper.com/2019/01/patrik-schumacher-claims-forced-drop-zaha-hadids-name/>.

Cities, like dreams, are made of desires and fears, even if the thread of their discourse is secret, their rules are absurd, their perspectives deceitful...
— Marco Polo to the Kublai Khan, *Invisible Cities* (Italo Calvino, 1974)

All of Chicago’s buildings are illegal. Since 2006 in Chicago, the city’s Department of Buildings inspectors have issued over 1,126,569 building violations at the time of writing.¹ These citations, used by the city to regulate and enforce the building code, are pervasive — exceeding in number even the total number of individual buildings in the city overall.² Violations are issued in every neighborhood, in every census tract. These violations are used to describe a myriad of building types: from garages to churches to tall towers, including structures of seemingly all ages and styles. Inspectors issue violations to document their evaluation of buildings’ non-compliance with city ordinances, which range from trivial infractions, such as piled-up refuse in a side yard (Violation Code #138056), to major structural damage in foundations (Code #069014) or exterior walls (Code #61014). In the eyes of building inspectors, all of Chicago’s buildings are in a process of continuous *slow emergence into violation* — from the splintering of a window sill after rain to the slow movement of a foundation over decades, slipping out of alignment. In 2019, the “conservation bureau” of the Department of Buildings, responsible for existing buildings, undertook 22,273 individual complaint-triggered inspections. City-wide, the majority of these inspections resulted in building violations.³ In some neighborhoods, as little as 2% of buildings were inspected without finding fault.⁴

What if, when walking the streets of Chicago, one only saw the violations, the errors, and the flaws? If the totality

of the brick wall was obscured in favor of its slowly growing cracks? What if you never saw the person in the window but only the window’s uneven frame? What if every city block was not composed of the totality of these conditions but, instead, only the broken porch members, the unaccounted-for smoke, and the crumbling masonry? What opportunities would we see? What stories would we miss?

Violation City revisits Italo Calvino’s 1972 novel *Invisible Cities* through the lens of Chicago’s building violations.⁵ In *Invisible Cities*, the explorer Marco Polo visits with a weary Kublai Khan. Marco Polo tells tales of fifty-five seemingly magical cities from his travels: a city of a

1 All data sourced from the City of Chicago’s public open data portal, including building violations since 2006, publicly accessible and updated daily. This data includes all violations, not only those administrated by the Department of Administrative Hearings. For this text, we looked specifically at violations issued by the “conservation bureau” of existing buildings, not violations of permits in new construction. City of Chicago, “Building Violations,” Chicago Data Portal, accessed May 25, 2020, <https://data.cityofchicago.org/Buildings/Building-Violations/22u3-xenr>.

2 The Department of Buildings’ “Building Footprints” data counts 820,606 unique buildings in the city of Chicago. “Building Footprints (Current),” Chicago Data Portal, accessed May 25, 2020, <https://data.cityofchicago.org/Buildings/Building-Footprints-current/-hz9b-7nh8>.

3 We compared 311 complaints for building violations from 2019 with inspections in 2019 and 2020, which produced building violations through address matching. Over 60% of inspections resulted in subsequent violations. However, this does not include the buildings which already had building violations assessed in previous years that would have increased that percentage. An assessment of the full city-wide data is outside the scope of this text.

4 This statistic is from sociologist Robin Bartram’s analysis of a “typical” neighborhood in her text: Robin Bartram, “The Cost of Code Violations: How Building Codes Shape Residential Sales Prices and Rents,” *Housing Policy Debate* 29, no. 6 (November 2, 2019): 934.

5 Italo Calvino, *Invisible Cities* (New York: Harcourt Brace Jovanovich, 1972).

thousand deep wells — a city without thresholds — a city on stilts — a city of eternal markets — a city comprised only of water pipes — a city which throws out all its possessions and begins anew every day — a city with water instead of roads, or with soil instead of air. Through these stories, Marco Polo outlines to Kublai Khan a heuristic technique for understanding cities. Marco Polo teaches us that city is not one monolithic thing; instead, it is a “desert of labile and interchangeable data,” a collection of “signs to be deciphered,” a place that is constantly constructed and re-constructed by seemingly irreconcilable subjectivities and systems.⁶ *Violation City* appropriates this technique to render visible the simultaneous impact and banality of building violations and the institutions which produce them.

In four drawings, *Violation City* zooms into one city block, using an act of fictional subtraction to highlight the twenty most frequently issued building violations since 2006. A single block is drawn through the eyes of Chicago’s building inspectors, isolating a form of observational assessment which in conjunction with the city’s building code construct and produce the state of “violation” — of buildings in the wrong. Each house collages together a group of misdeeds or failed maintenance that together describe an unspoken form of collective risk. Welcome to Violation City.

⁶
Ibid., 22.



House of Egress

This house carries the memories of the Great Chicago Fire; it is a house of smoke and warnings; it is defined by the constant need for multiple ways out; it is tangled by obstacles and obstructions; its bones reverberates with the harmonic rhythm of the well-placed alarms.

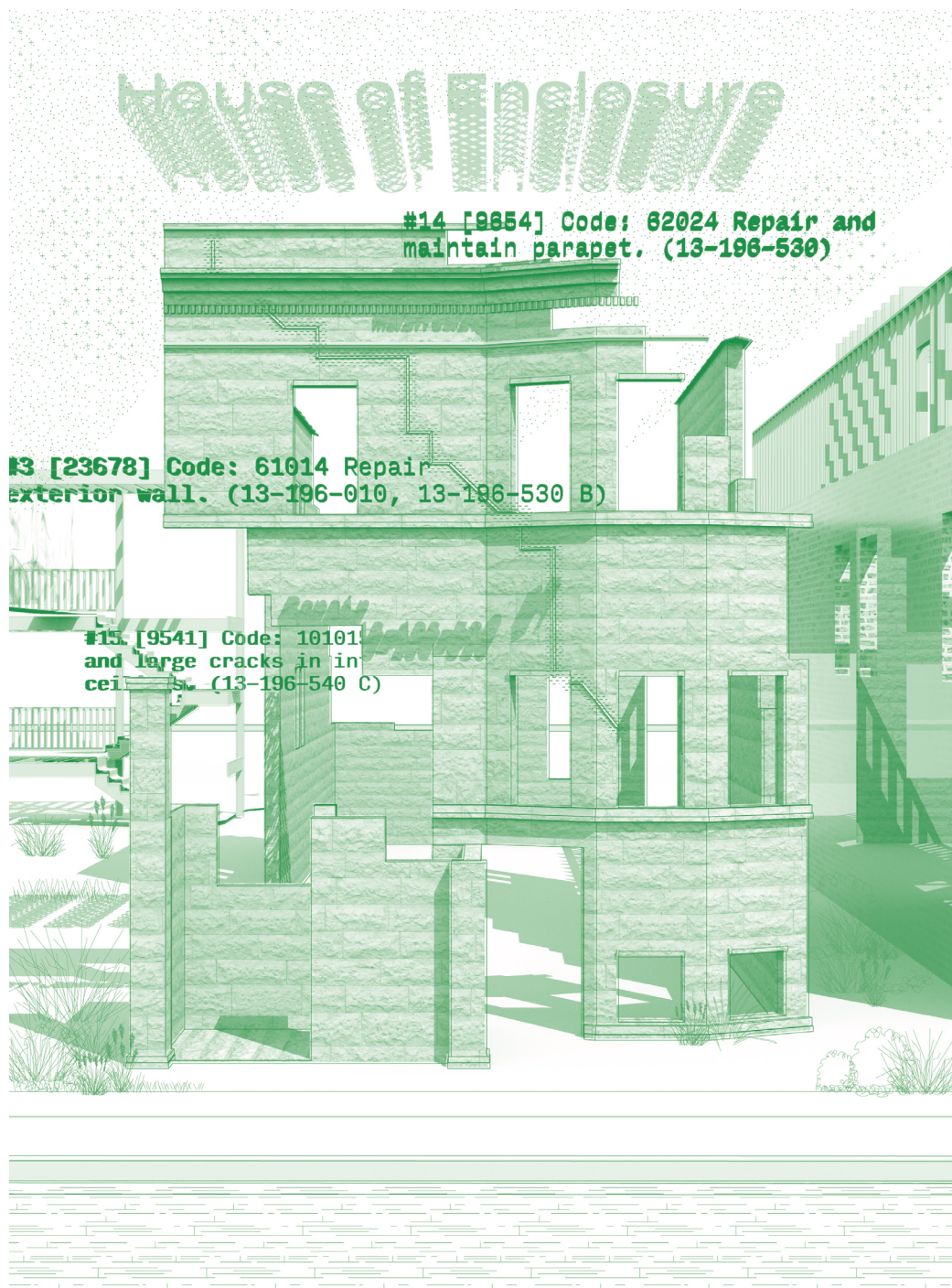
- Repair or replace defective or missing members of porch system. (13-196-570)
- Repair or replace defective or missing members of exterior stair system. (13-196-570)
- Install and maintain approved smoke detectors. (13-196-100 thru 13-196-160)
- Remove accumulation of refuse and debris and keep premises clean. (13-196-580, 13-196-630)



House of Compliance

This is a house of regulations and a house of rule-breakers; it is formed by marks on paper, notarized forms and ProjectDox 9.1.8.5; its enclosure is built around the ongoing arguments of administrative courts, city legal counsel and zoning attorneys; its archives are both infinite and always missing.

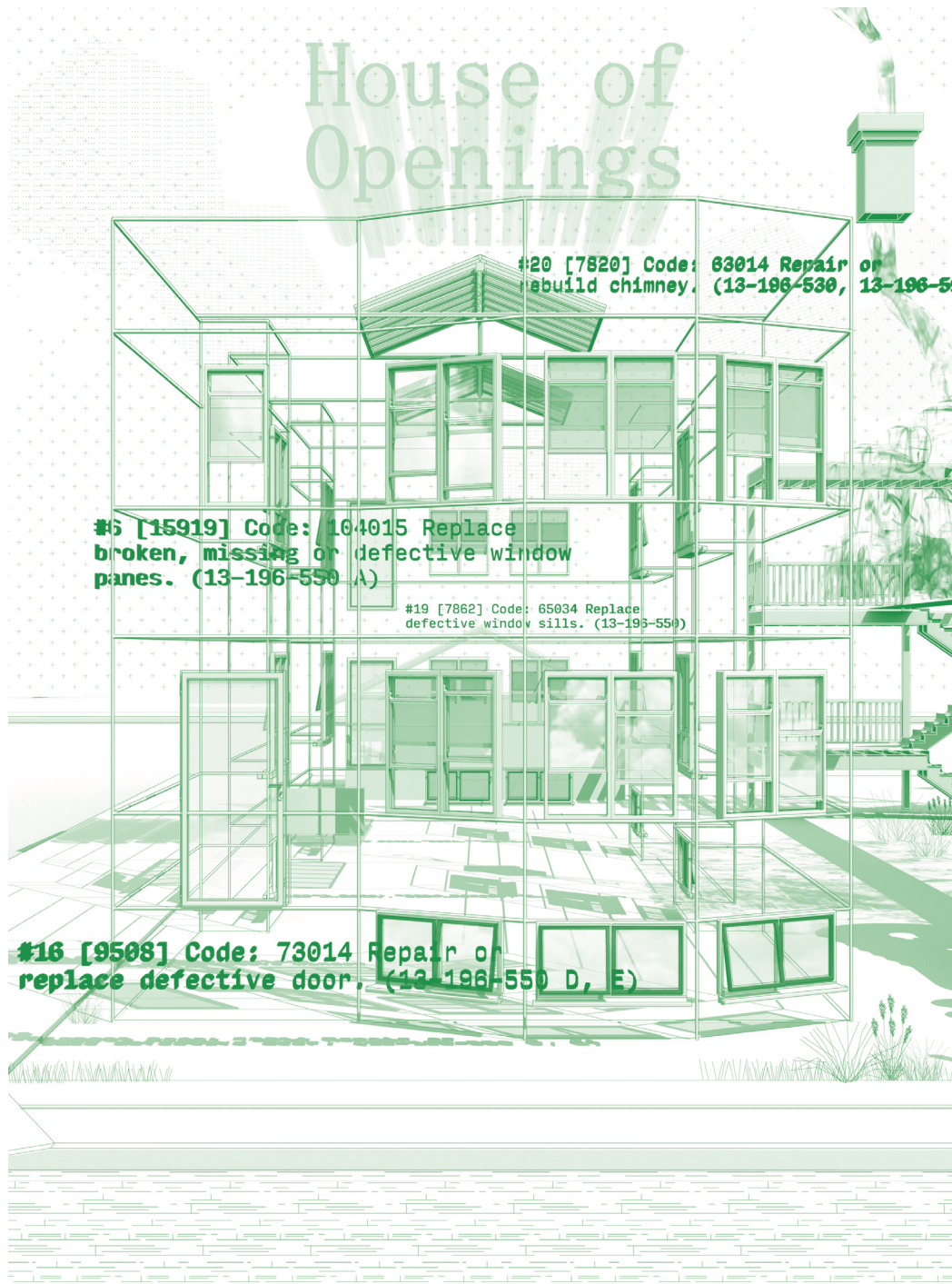
- Post name, address, and telephone of owner, owner's agent for managing, controlling or collecting rents, and any other person managing or controlling building conspicuously where accessible or visible to public way. (13-12-030)
- File building registration statement with Building Dept. (13-10-030, 13-10-040)
- Submit plans prepared, signed, and sealed by a licensed architect or registered structural engineer for approval and obtain permit. (13-32-010, 13-32-040, 13-40-010, 13-40-020)
- Obtain permit before performing work. (13-32-010)



House of Enclosure

This is the house of exteriors (it has no interior). It is made of all the stories that can be captured in a single wall—the refuse left by the framers between the wall studs, the history of the Chicago brick, the weeping of the weep holes in the masonry wall. It is the leak and the crack and the joint left untuckpointed.

- Repair exterior wall. (13-196-010, 13-196-530 B)
- Repair and maintain parapet. (13-196-530)
- Repair holes and large cracks in interior walls or ceilings. (13-196-540 C)



House of Openings

This is the house of ways in and out; inside, one can always hear the doors slamming shut, the windows creaking open, the hail on the skylight. It is the opening which lets in the breeze, the friend, the stranger and the unintentional gust of cold air.

- Replace broken, missing or defective window panes. (13-196-550 A)
- Repair or replace defective door. (13-196-550 D, E)
- Replace defective window sills. (13-196-550)
- Repair or rebuild chimney. (13-196-530, 13-196-590)

What is the role of architects in this ongoing push-and-pull between regulation and compliance — an endless war against crumbling parapets and missing smoke detectors — with the city’s residents caught in the middle? Building violations work is unglamorous for architects: ungainly in execution, requiring bureaucratic paperwork, rarely producing magazine-worthy photography and poorly paid. However, the fifth most issued building violation since 2006, with over 16,211 occurrences, is the requirement to “*Submit plans prepared, signed, and sealed by a licensed architect or registered structural engineer for approval and obtain permit. (13-32-010, 13-32-040, 13-40-010, 13-40-020).*” Building issues, which require an architect’s seal to resolve, often comprise the most serious infractions with risk to public health and safety, ranging from illegally converted basement and attic units to structural failure. Yet, despite this pervasive need for design services across Chicago, registered architects and design firms capable of absolving building violations are located in exactly the areas where this specific building violation is least common, like a bizarre inverted image.^(Fig. 1) The stakes are significant: left unaddressed, building violations can sometimes lead to receivership, forfeiture, and demolition by Chicago — upstream of the city’s well-known issues of vacant lots.⁷

Despite the ubiquity of building violations in Chicago, their impact on communities is uneven. Far from being monolithic in their judgments, the prosecutorial actions by

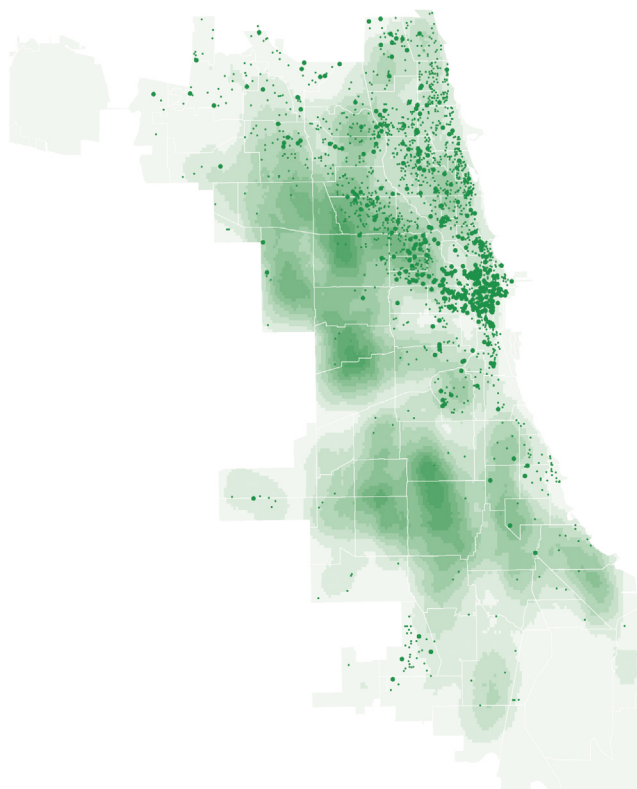


Fig. 1. Map of Chicago showing location of architects and open building violations requiring an architect’s stamp. Architects located as Registered Design Firms [IDFPR] as large points and State of Illinois registered architects self-provided addresses. Courtesy of Future Firm.

7
For a call to action in response to the impact of building violations, see: Ann Lui, “Toward an Office of the Public Architect,” *Log* 48 (2020): 39-52.

the Department of Buildings both index and reproduce the city's complexities. Chicago's regulation of new construction and existing buildings acts to maintain public health, accessibility and sound building practices. It enforces provisions hammered out through generations of lobbying, professional expertise, and activism in the city on issues, including fire safety, accessibility, and energy performance. However, while regulations protect welfare, the non-objective and sometimes discretionary systems of building code regulation and compliance continue to reproduce existing inequalities. Building violations include notes from the inspectors, which, in their minutiae capture the many interpretations for how a single violation might be adjudicated. Amongst the violations issued under the code for "Repair Window Sills," inspectors includes notes such as "not seal[ed] properly," "rotted," "air seepage," "gaskets worn." In the book *Objectivity*, on the construction of the same idea, historians of science Lorraine Daston and Peter Galison describe the emergence of "trained judgment" in the early 20th century which supplanted mechanically-produced images to produce objectivity.⁸ This epistemic change to prioritize of "judgment-inflected vision" to evaluate what is true – in fields from psychoanalysis to geography to astronomy – coincides with Chicago's establishment of the building code in 1875, which deployed a legion of building inspectors as the human interface of the legal code. When (and with whom) does a crack become a crack?

Studies by sociologist Robin Bartram have found that building inspectors have created a culture of subjective violations assessments. Inspectors, often themselves from working class backgrounds, "go easy" on individual homeowners while "going after" perceived nefarious landlords by more aggressively issuing violations.⁹ Yet, despite

the intentions of the inspectors to prosecute those they consider more culpable or with deeper pockets, the ripple effects of these efforts can propagate in unexpected ways. While resolving building violations through repair or construction has no positive impact on raising home sale prices, the cost of resolving violations is often displaced directly onto tenants – systematically reproducing housing insecurity for already low-income homeowners and tenants.¹⁰ Complaints triggering inspections to the city's 311 hotline or to its webpage mostly come from tenants; those tenants then find themselves paying these for the expenses through next year's rent, such as the porch repair they themselves reported as a hazardous risk.

Further, discretionary approaches may also reveal an unconscious bias: building violations are more frequently issued in the city's African-American and Latinx communities.^(Fig. 2) Current building violation "hot spots" in Chicago align with south and west side neighborhoods, carrying the multi-generation burden of redlining, a practice which disproportionately deprived African-American communities of inherited wealth through the mechanisms of property ownership, home equity and affordable housing.¹¹ Beyond discretionary actions of building inspectors, these historic

8
Lorraine Daston and Peter Galison, *Objectivity* (New York; Cambridge, Mass.: Zone Books ; Distributed by the MIT Press, 2007).

9
Robin Bartram, "Going Easy and Going After: Building Inspections and the Selective Allocation of Code Violations," *City & Community* 18, no. 2 (2019): 594–617.

10
Ibid., Bartram, "The Cost of Code Violations," *Housing Policy Debate*.

11
Beryl Satter, *Family Properties: How the Struggle Over Race and Real Estate Transformed Chicago and Urban America*, (New York, N.Y.: Picador, 2010).

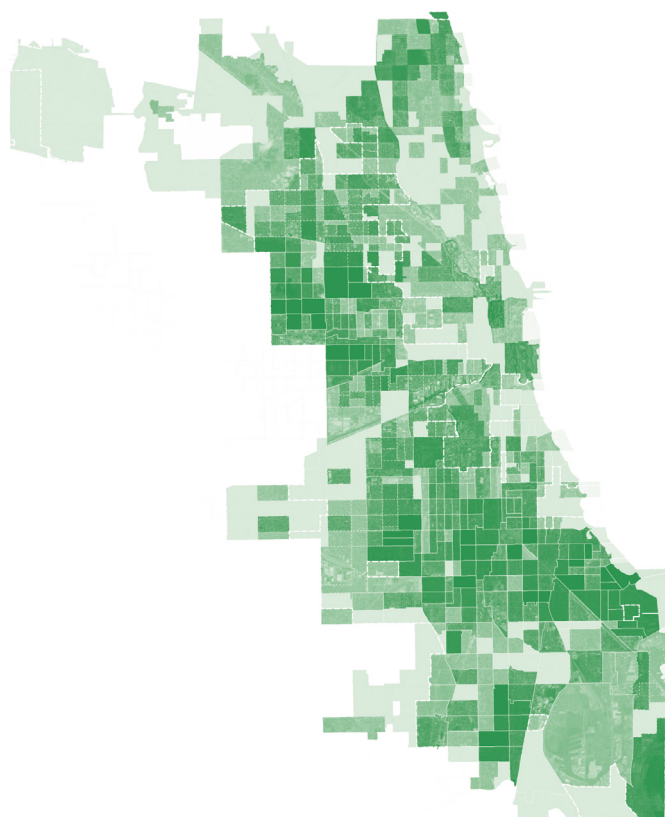


Fig. 2. Open (unresolved) building violations by census tract since 2006. Census tracts with majority black populations outlined in grey and with majority hispanic/latino populations (over 50%) outlined in dashed grey, based on 2010 American Community Survey data. Courtesy of Future Firm.

and ongoing forms of discriminatory lending policies have prevented owners from undertaking needed maintenance and repair, ultimately producing and compounding maintenance issues.¹² Other studies in planning reveal that building code regulations hamper economic growth in cities, especially in underserved neighborhoods.¹³ The burden of increasingly complex and costly compliance requirements outstrips economic growth, stymying single-family home construction and commercial remodeling, whereas a “business friendly” approach to compliance might, nonetheless, continue to protect public health and safety.¹⁴

Architects’ obligation to uphold and adhere to the building code — taught in professional practice, evaluated in licensure examinations and maintained by professional organizations — is often described within the framework of new construction. Yet, what about the ongoing project of maintenance and the difficult acts of care which comprise the ongoing work of maintaining a city’s collective building stock? How do we reframe violations from acts of criminality, enforced by fines and court actions, to a collective responsibility for the city’s residents at large, as well a potential avenue for design expertise? Is there a way

¹² Keeanga-Yamahtta Taylor, *Race for Profit: How Banks and the Real Estate Industry Undermined Black Homeownership* (Chapel Hill: The University of North Carolina Press, 2019).

¹³ Raymond J. Burby et al., “Building Code Enforcement Burdens and Central City Decline,” *Journal of the American Planning Association* 66, no. 2 (June 30, 2000): 143–61.

¹⁴ Ibid., Raymond J. Burby et al., and Mayer, Christopher J., and C. Tsurriel Somerville. “Regulatory Implementation: Examining Barriers From Regulatory Processes,” *Cityscape* 8 (1): 209–232. 2000.

Soil, Walls, and their Funambulists

Sumayya Vally

to make architectural design services – which currently require a voluminous drawing set to absolve even simple violations – nimbler and more streamlined and, therefore, more financially accessible? In the absence of architects, the work of resolving building violations and performing building maintenance falls solely to contractors and tradesmen. Work known as “cash jobs,” construction work occurring without permits as a transaction between a homeowner and a tradesman, can leave low-income homeowners vulnerable to further exploitation. How can we both address the conditions flagged by building violations, which both produce and reproduce the city’s inequitable histories – while also keeping a critical eye on the biases within the Department of Buildings and the Building Code itself?

In *Invisible Cities*, the final city that Marco Polo recounts to Kublai Khan is the city of Berenice, named for the bearer of victory. Berenice is the “unjust city, which crowns triglyphs, abaci, metopes with the gears of its meat-grinding machines,” filled with “perfumed pools [...] where the unjust of Berenice recline and weave their intrigues.”¹⁵ But lurking just below the surface, there is also “the hidden Berenice, the city of the just, handling makeshift materials in the shadowy rooms behind the shop and beneath the stairs,” where the just folk, “always cautious to evade the spying sycophants and the mass arrests, recognize one another by their way of speaking.” In fictional Berenice, in Chicago and in any city, both the seeds of justice and injustice produce and reproduce each other through buildings – sometimes visibly, often not. “Berenice is a temporal succession of different cities,” Marco Polo continues, “alternately just and unjust. But what I wanted to warn you about is something else: all the future Berenices are already present in this instant,

wrapped one within the other, confined, crammed, and inextricable.” This dialectical condition describes the landscape of building violations: alternately protecting and prosecuting, serving and undermining, constantly being issued and resolved at a scale dozens of times more prolific and at a velocity unknown to any architecture firm’s individual production. *Violation City* counters the risk of reading the city through the lens of the building inspector – as a series of unscrupulous and anonymous misdeeds – by rendering visible the systemic conditions that produce Chicago’s “illegal” buildings, presenting opportunities and untold stories that might rebuild, just hidden below the surface, a more just version of the violation city.