

NORTHWESTERN UNIVERSITY

Picking Battles with Buildings:  
Governing Material Inequality in the City

A DISSERTATION

SUBMITTED TO THE GRADUATE SCHOOL IN PARTIAL FULFILLMENT OF THE  
REQUIREMENTS

for the degree

DOCTOR OF PHILOSOPHY

Field of Sociology

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EVANSTON, ILLINOIS

September 2018

## Abstract

This dissertation is a mixed-methods study of municipal building inspections in Chicago. Existing literature demonstrates links between housing, urban governance, perceptions of dilapidated buildings, and racial and economic stratification. Less is known, however, about the intermediary actors who work at the nexus of on-the-ground interpretative processes and city-wide regulation. Building on urban sociology, cultural sociology, political sociology, and legal geography, I ask 1) what do inspectors take into consideration – about the social characteristics of residents, landlords, and property owners – when deciding what to do when their inspections turn up violations; 2) how do inspectors interpret physical characteristics of buildings; and 3) how do inspectors' decisions aggregate to either reproduce or ameliorate existing inequalities in the city? To answer these questions, I draw on ethnographic observations of inspections in action, neighborhood ethnography, courtroom observations, interviews, and statistical analyses of building violations, complaints, and housing market data. I find that inspectors try to protect and discipline unlikely suspects: they go easy on low- and moderate-income homeowners, go after professional landlords, understand building conditions through a lens of effort and negligence rather than disorder, and often misalign with City priorities. I also show that inspectors' decisions backfire; going after landlords increases rents for tenants and going easy on homeowners lowers their property values. As such, my dissertation challenges conventional wisdom about the coherence of the growth machine and perceptions of disorder, and sheds light on how state actors unwittingly perpetuate inequality. Overall, I urge sociologists to attend to the potential and parameters of intermediary social locations and the processual nature of the perpetuation of inequality to understand how cities work and how change might occur.

### **Acknowledgements**

I am lucky to have had the best dissertation committee I could wish for: Mary Pattillo, Wendy Griswold, and Lincoln Quillian. I thank them for their particular styles of support, feedback, and mentorship; each were invaluable. Numerous others read chapters, listened to me discuss the project, and gave advice. I thank Niamba Baskerville, Debbie Becher, Claudio Benzecry, Japonica Brown-Saracino, Jordan Conwell, Anya Degenshein, Diego de los Rios, Laurie Edelman, Gary Fine, Catherine Gillis, Emily Handsman, Paul Hartman, Al Hunter, Marcel Knudsen, Kevin Loughran, Alka Menon, Frank Munger, Michael Rodríguez-Muñiz, Laura Beth Nielson, Melissa Osborne, Jeffrey Parker, Melissa Pearson, Craig Rawlings, John Robinson, Beryl Satter, Stefan Vogler, and Vincent Yung. The encouragement I received early in graduate school was pivotal; I am immensely grateful to Jon Norman, Japonica Brown-Saracino, Kelly Moore, and Judy Wittner. More recently, Gary Fine and Celeste Watkins-Hayes both offered their support through my anxious navigation of fieldsite access. For assistance with the quantitative portions of the project, I thank Pé and Sue Bartram, Jay Cao, Anthony DeFusco, Frank Nguyen, Jessica Ruminski, and MD Ward in Chicago's 311 FOIA department. I am especially grateful to Kelsey Ryland for teaching me how to make maps. I also thank participants in Northwestern's Culture Workshop, Ethnography Workshop, Urban and Communities Workshop, and Legal Studies Workshop, the University of Chicago's Urban Workshop, and the Paris Law and Society Graduate Student Workshop. I thank all the participants in this study, especially the inspectors who welcomed me and the Buildings Department Commissioner for allowing me access. Finally, I thank Melissa and our household for absolutely everything.

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## Chapter 1. Introduction

All buildings have code violations. None are perfect.

– City of Chicago building inspector

All buildings have violations. All the time. Building inspections are about picking your battles.

– Alderman's Office representative, Chicago

“You know? This really isn't in such bad shape.” Bill said, kicking broken glass and peeled paint chips across the water-damaged pink carpet. Bill is a City of Chicago building inspector and we were responding to a complaint about the condition of this three-flat apartment building, which had multiple broken windows, a missing lock on the front door, water damage, and crumbling exterior brickwork.<sup>1</sup> Bill could have cited the property owner for each of these violations of Chicago's Municipal Building Code. Indeed, these issues often result in fines or court cases for property owners.

Bill, however, decided not to cite the property owner at all. His decision flies in the face of existing academic research about disproportionate perceptions of disorder, uneven policing of low-income minority neighborhoods, and urban development. This literature would suggest that inspectors like Bill – who is White and working-class – would heavily penalize the owner of this building, located in a low-income African-American neighborhood on Chicago's Southwest Side. To be sure, as we drove to the inspection in Bill's gray Ford Explorer, he told me that the neighborhood was in “bad shape,” and pointed to apartment buildings on neighboring streets that

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<sup>1</sup> To protect anonymity, all names are pseudonyms and I have changed small details about inspectors' backgrounds. I also do not refer to actual neighborhoods in Chicago.

were the subject of current court battles over heavy fines for building violations. So, what was it about this building, this owner, or these violations, that had prompted Bill's decision not to cite the property owner? Did he not deem the violations serious enough compared to others in the area? Did he want to give the property owner a break, prompted by compassion after the 2007-2008 housing crisis? What information about the residents, owner and neighborhood, as well as about the building itself, had he considered? In general, how do Bill and his fellow City inspectors decide whether to ignore a violation, cite a property owner, or pursue a court case? Under what conditions do they decide to pick battles with buildings? To what extent do inspectors' decisions align with those of other city actors? And how do inspectors' actions reproduce or contest racial and economic inequality in the city?

The above vignette highlights the discretion of inspectors that I observed throughout my research. While every building has violations – as the opening epigraphs suggest – not every violation produces the same result. Nor does the same violation produce the same result in different contexts. The motivations, adjudications, interpretations, and implications related to these decisions are at the heart of this project. I ask 1) what do inspectors take into consideration – about the social characteristics of residents, landlords, and property owners – when deciding what to do when their inspections turn up violations; 2) how do inspectors interpret the built environment and physical characteristics of buildings; and 3) how do inspectors' decisions aggregate to either reinforce or ameliorate existing trends in inequality in the city? To answer these questions, I draw on a variety of methods and data: from ethnographic observations of inspections in action, to statistical analyses of building violation data. Contributing to urban sociology, cultural sociology, as well as the sociology of bureaucracies, work, law, inequality, and



legal geography, my dissertation reveals relationships between on-the-ground interpretive processes and city-wide urban patterns and regulation.

I find that inspectors try to protect, discipline, and blame unlikely suspects. I demonstrate how inspectors go easy on low- and moderate-income homeowners, go after professional landlords, understand building conditions through a lens of effort and negligence rather than disorder, and are often misaligned with City priorities. These findings build on and challenge conventional wisdom about how the state supports the growth machine, and how social actors perceive material conditions. I also show that inspectors' decisions backfire; going after landlords increases rents for tenants and going easy on struggling homeowners lowers their property values. As such, my dissertation sheds light on how state actors<sup>2</sup> can unwittingly perpetuate housing inequality. There are limits to state actors' potential to contest inequality, both in terms of their own biases and the structures in which they operate. The main contribution of my dissertation is bringing these findings together to reveal the entwined and processual nature of inspectors' motivations, interpretative schemas, decisions, actions, and the ensuing implications. Existing studies rarely follow state actors through each of these processes, and, as such, we seldom glimpse the complicated, and sometimes contradictory relationship between on-the-ground decisions and inequality, and between structure and agency. Inspectors – and other frontline agents – do not just make decisions. They have socio-structural locations, dispositions, and motivations; their decision-making entails interpretations, experiential knowledge, appeasing other public and

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<sup>2</sup> The term “state” can cause confusion. Inspectors work for Chicago's city government and not for the state government of Illinois. I refer to building inspectors as state actors to mirror how others discuss frontline agents (see Lara-Millan 2017; Soss et al 2011).

private actors, and getting through a heavy workload. They consider not only choices during inspections, but how their choices will unfold in neighborhoods and in courtrooms. The decisions and actions of intermediaries are far from discrete and isolated, but processual in nature. Motivations shape interpretations, and interpretations guide decisions. Decisions delimit consequences. If the perpetuation of inequality is processual, it is also contingent and fragile. Without an understanding of the potential, parameters, and processes of state intermediaries, I argue, we are blind to the chain of events between on-the-ground decisions and city-wide trends in inequality. We thus fail to understand how cities work and how they might be changed.

In what follows I first provide an overview of existing literature that relates to each of my research questions: urban governance; frontline agents and the reproduction of urban inequality; and interpretations of built environments. In each section, I explain how my dissertation builds on gaps in current knowledge and answers lingering questions. I then discuss the scope of the project: my research methods and data, as well as the landscape of building inspections in Chicago. Finally, I outline each chapter in the dissertation.

### **Urban governance**

Theories of urban governance conceptualize the role of agents of the state in various ways. While urban political economists tend to assume unified priorities of economic growth, recent work in political sociology and legal geography highlights the multiplicity of governance. I review each before turning to existing studies of code inspectors and the role of frontline agents of the state in perpetuating inequality.

#### *Growth machine*

As agents of city government, building inspectors might act on behalf of municipal officials and the policies they support. Political economic theory has dominated the way urban sociologists understand city governments for over 30 years since the publication of Logan and Molotch's (1987) *Urban Fortunes*. The book explains the city through tensions between exchange and use value and shows how "growth coalitions" – bankers, lenders, landowners, and developers, as well as politicians, lawyers, and realtors – work together to maximize the exchange value of real estate and increase intensification of land-use in key governance decisions in U.S. cities. The government is key to the growth coalition's success. Indeed, as Logan and Molotch state: "in order to keep the property market rising, government must act on behalf of the market" (p. 154).

Though not all urban sociologists draw explicitly on Logan and Molotch's growth machine hypothesis, urbanists repeatedly show how city governments act on behalf of the market, facilitating and promoting economic development, and prioritizing property and land in terms of its exchange value above all else. Local and federal governments – through practices of state-sanctioned unfair lending, eminent domain, urban renewal, and redevelopment – exercise public power to stimulate redevelopment and protect the values of certain private property (e.g. Becher 2016; Busà 2017; Gotham 2002; Logan and Molotch 1987; Molotch 1976; Massey and Denton 1993). City governments, and those they employ, are thus part of a growth coalition that unites capital, local elites, politics, and public power.

To be sure, schisms among city growth coalitions do exist. Conflicts between city officials and elites delimit growth policies (Gotham 2000; Purcell 2000), for example, and new actors change the relationship between urban politics and economic development (Pacewicz 2012; 2016). Despite these schisms, economic growth remains city governments' main objective. Indeed, it

appears “cleavages” within the growth machine can develop, but, “because of the hegemony of the growth machine, its disagreements are allowable and do not challenge the belief in growth itself” (Logan and Molotch 1987: 64-65). Thus, schisms and cleavages do not stem from a challenge to the growth machine logic. While the policies and practices of city governments often clearly prioritize economic growth and development, urban sociologists pay less attention to how the priorities of frontline agents of the state deviate from those in City Halls. As such, it is too easy to assume city agents – like building inspectors – are pawns in ongoing processes of uneven urban development. In most sociological accounts, city agents appear as willing participants in growth machine coalitions and monolithic in their priorities.

#### *The multiplicity of the state*

Other literature highlights the potential for difference and contradiction in governance. Legal geographers, who sit at the intersection of urban studies and legal studies, insist that geographers must account for the law, and legal scholars should attend to geography. In so doing, they investigate the spatial components, frames, limitations, and purviews of urban regulations, as well as the legal underpinnings of the creation and governance of places and property in the city (see Bennett and Layard 2015; Blomley 1994, 2007; Cooper 1998; Valverde 2011). In this view, practices of urban governance are specific to the urban context; while nation-states govern by “seeing like a state” (Scott 1998), municipal governments “see like a city” (Valverde 2011). Valverde argues that cities govern in a qualitatively different way than nation-states. Nation-states govern people (e.g. defining rights, establishing territories that bound populations). Cities and their systems of municipal law, on the other hand, govern property; people are more of an afterthought. Valverde also insists that modern practices of urban governance are more flexible,

contradictory, and fragile than many urbanists assume. City actors deploy the malleable and dialectic relationship between objective quantitative regulations and subjective interpretations of disorder and nuisance. Importantly, whether cities use objective rules or subjective interpretations depends on which most effectively protects private property rights in any given situation (see also Blomley 1994; Cooper 1998; Novak 1996). Although these theories and studies of urban governance concern the built environment, absent in this literature is attention to property as material. How do different material aspects of built environments shape, limit, or afford subjective interpretations among city actors? Similarly, how does the content of the municipal regulations that actors translate and enforce direct attention to some properties and away from others? In current accounts, the city's power to interpret built environments appears almost boundless and their decisions to switch between objective rules and subjective interpretations seems either entirely strategic or haphazard.

Political sociology provides an alternative framework for considering the multiplicity of state actors. Political sociologists have recently called on scholars to attend to the “many hands of the state” and “move away from conceptions of the state as a unitary actor and toward an understanding of states as encompassing multiple institutions, varying forms of interpenetration with civil society, multiple scales of governance, and multiple and potentially contradictory logics” (Morgan and Orloff, 2017:3). Morgan and Orloff's edited volume on the subject is dedicated to understanding the many hands of the state to identify processes of state transformation, which, they argue, most often occur unevenly and are overlooked if we treat states as uniform and cohesive entities. Within this volume, Lara-Millan (2017) provides an empirical example of multiplicity within the state. He shows how political leaders and frontline

workers are in constant negotiation with one another over how to classify and exchange juvenile offenders and foster children through different state agencies. The result, Lara-Millan argues, is far from a rational and coherent coordination of these populations. Rather “the exchange of people is a product of distinct agencies acting alone, often in conflict with other state agencies over which one will have responsibility for different categories of people” (p. 82). Yet, frontline officials can also force higher levels of government to change, and, as such, these street-level actors can prompt state transformation. The many hands of the state framework thus acknowledges the discretion of state actors, allows for contradictions within groups and coalitions of state actors, and suggests that frontline actors have the power to challenge hegemonic priorities and be agents of social change.

In bringing the many hands of the state and the seeing like a city frameworks together, I suggest that city officials govern in ways that are flexible, contradictory, and fragile, yet their motivations and actions are more structured and have more political potential than theories of urban governance in legal geography suggest. Following political sociologists, I argue that we must attend to the trends and patterns in how city actors – the many hands of the city – categorize and govern. Specifically, I show that we should pay attention to the battles that city actors choose to pick, and their potential to challenge the growth machine.

#### *Existing studies of code inspectors*

While enforcement of municipal codes is an aspect of many of the processes urbanists study, there are only a handful of existing studies of code enforcement officials, such as building inspectors. Proudfoot and McCann (2008) interviewed city officers who enforce municipal ordinances concerning property-use, health, and liquor, in Vancouver. The authors ask how everyday

decisions of state actors “shape and are shaped by the neighborhood spaces they regulate” (p. 349), and how the state mediates urban change. They find that inspectors’ decisions about what is appropriate where are shaped by their opinions, assumptions, and ways of seeing and speaking about areas, which stem from official *and* informal discourses about certain places as desirable, dangerous, unhealthy, or problematic. Valverde (2012) incorporates fieldwork with Toronto’s code enforcement officers into her study of city governance and diversity. She analyzes ride-alongs with inspectors who are responding to complaints about unsightly yards and noise, demonstrating the geographical selectivity of inspectors’ decisions about code enforcement. For example, inspectors do not enforce legislation banning gardening in an Italian-Canadian neighborhood as they do in Asian-Canadian areas. The inspectors in Sommers’ (2016) – who enforce ordinances about trash, noise, and taxi licensing in Hamilton – are also selective in their enforcement practices. Sommers stresses that inspectors do not universally convey the City’s neoliberal agenda. Rather, their actions are reactive and aimed at maintaining order and civility.

The consensus across each of these studies is that enforcement officials selectively interpret and enforce building codes. These studies thus build on historical accounts of how municipal inspectors deploy objective laws and subjective interpretations of fuzzy terms like “nuisance” and “blight,” to protect the value of middle-class property and bolster the market for lucrative real estate and exchange value in the city (e.g. Novak 1966; Valverde 2011). Contemporary studies also show how inspectors selectively interpret and enforce building codes in ways that ultimately penalize residents and businesses that diverge from middle-class tastes and threaten property values. To be sure, some highlight inspectors’ good intentions and their sympathy for vulnerable populations (Proudfoot and McCann 2008; Sommers 2016). Yet, inspectors selectively enforce

municipal regulations inline with what they perceive to be neighborhood norms, thereby reproducing spatial difference in building conditions and aesthetics (Proudfoot and McCann 2008; Valverde 2012). Thus, even when inspectors carefully consider their decisions, they bolster uneven development and support the growth machine.

There is much we still do not know from this sparse body of research – about inspectors, their motivations, and their decision-making processes. Inspectors do not work in a vacuum. How do they incorporate knowledge about the tenure of the building, landlord-tenant relationships, or previous experience with management companies and landlords? They are savvy about neighborhood change and geographies of race and class (Proudfoot and McCann 2008; Sommers 2016), but how do other local trends matter, such as crime, architectural styles of buildings, or vacant lots? How might the clout of local politicians, neighborhood-level initiatives, or the role of private developers shape how inspectors use their discretion? How do they align with these other participants in growth machine coalitions? Finally, how do different material aspects of built environments shape inspectors’ interpretations of the buildings they assess, the building code they enforce, and the battles they pick? My dissertation illuminates how these social and material characteristics shape inspectors’ interpretations and actions. In so doing, I reveal the importance of common strategies and interpretive processes – of buildings and people – in the regulation of built environments and governance of cities. As such, I stress the potential and limitations – vis-à-vis social change – of inspectors’ discretion and their selective allocation and enforcement of code violations.

*Frontline agents of the state and inequality*



The everyday decisions of frontline agents of the state aggregate to city-wide trends that may reproduce or ameliorate existing patterns of socio-economic and racial inequality. Urban sociologists tend to suggest that the consequences of inspectors' actions usually justify or reproduce patterns in uneven development and result from a lack of concern or foresight regarding these consequences. Indeed, city governments do use building inspection reports to justify urban renewal (Fairbanks 2009; Gans [1962] 1982; Vale 2013), controversial eminent domain takings (Becher 2014), and business closures (Sutton 2015).<sup>3</sup> In these accounts, however, inspections amount to little more than rhetoric that governments and developers use to justify existing plans for development projects. Similarly, landlords choose opportune moments to deploy building inspectors – often by strategically requesting on-the-spot inspections – which have a variety of deleterious consequences for tenants (and sometimes landlords too) (Desmond 2016; Rosen 2014). Again, the assumption is that inspections produce the desired effects of other actors in the city. Overall, inspectors appear at worst as willful accomplices in furthering uneven development and housing precarity, and at best as unassuming pawns in these processes. And many sociologists would expect agents of the state to reproduce racial and economic disparities in housing inequality due to explicit and tacit racialized adjudications of deservingness (e.g. Harcourt 2001; Katz 2013; Soss et al. 2009). Similarly, while minority agents of the state might be more likely to assist race-mate clients (Lewis 2000; Pattillo 2007; Watkins-Hayes 2011), we would not expect White working-class code inspectors to help minorities.

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<sup>3</sup> Scholars note similar patterns stemming from early twentieth century tenement reformers' and social workers' inspections of people's homes (Gordon 1988; Lubove 1962; Peel 2012).

Existing studies of code inspectors demonstrate inspectors' unwitting role in the perpetuation of urban inequality. Although the code inspectors in Proudfoot and McCann's (2008) study profess sympathy for vulnerable populations in a rapidly changing city, the authors argue that code enforcements pave the way for densification, gentrification, and displacement. Similarly, Sommers' (2016) ethnography with municipal inspectors highlights how code enforcement displaces renters, despite inspectors' sympathy towards certain groups of tenants. Valverde (2012) also suggests that, although city officials "do not set out in the morning to protect wealthy homeowners" (p. 66), code enforcement reproduces uneven landscapes of housing by class and tenure. However, these connections between inspectors' decisions and the consequences of their actions remain somewhat hypothetical because extant research on code inspectors has not systematically investigated the relationship between intentions, decisions, and outcomes (Proudfoot and McCann 2008). These qualitative studies illuminate what inspectors consider during inspections, but not how their actions carry forward into courtrooms, for example. Nor do these studies match individual decisions during inspections to city-wide data. As such, we do not know the extent to which on-the-ground decisions and ensuing actions reproduce disparities in the same way across the city.

In short, existing literature does not connect the chain of events through which micro-interactive processes and interpretive decisions aggregate to create macro-inequalities. Existing studies of code inspectors, for example, do not systematically analyze the effects of code violations and citations, how they manifest in court cases, in material changes to buildings, or in how they affect property value or rents. My dissertation traces the processes through which inspectors' intentions backfire, connecting the dots between intentions, actions, contexts, and consequences.

I show how going after landlords increases rents for tenants and going easy on struggling homeowners lowers their property values. Thus, inspectors' decisions have unintended consequences and threaten to reinforce the divide between wealthy and poor homeowners, as well as the lack of affordable housing in decent condition for renters. As such I show the complex and sometimes paradoxical processes and interpretations through which individual decisions of state actors produce city and national-level trends in housing inequality. Advancing other studies, I also demonstrate how material conditions of buildings are important in these processes.

### **Interpretations of the built environment**

Although studies of urban governance tend to overlook the role of materiality, scholars in other subfields theorize the overlapping relationships between material and social characteristics. A subset of urban sociologists and criminologists focus on the uneven perception of signs of physical disorder, and cultural sociology and science studies offer a more materially-oriented approach to understanding perceptions, interpretations, and social action. I briefly review these literatures before addressing a third way that materiality is implicated in urban governance: the material and geographic patterns of housing inequality.

#### *Uneven perceptions of physical disorder*

Disorder is key to how urban sociologists understand material conditions in cities. Scholars of disorder posit that “objectively observable aspects of disorder” such as garbage, broken bottles, litter, graffiti, abandoned cars, and drug paraphernalia are indicators of a lack of social cohesion and control (Sampson and Raudenbush 1999; Sampson 2012; Sampson and Raudenbush 2004). Sampson and Raudenbush advanced this theory of disorder from a systematic social observation project in Chicago in the 1990s, in which a research team logged land use, building condition,

traffic, and signs of physical and social disorder on a sample of block groups across the city. The data from this study shows correlations between crime and physical disorder (see Sampson 2012; Sampson and Raudenbush 1999). Additional studies combine data on physical signs of disorder with survey instruments to show that people possess explicit and implicit biases about perceptions of disorder in low-income and minority communities (see Sampson and Raudenbush 2004). While some research highlights variation in people's perceptions (Franzini et al. 2008; Hipp 2010; Wallace, Louton and Fornango 2015; Prickett 2014; Wallace and Schalliol 2014), respondents generally perceive more signs of disorder in low-income, minority neighborhoods. Disorder scholars theorize that social characteristics dictate interpretations of physical environments. As the concentration of minority groups and poverty increases, residents and non-residents (of all races) perceive heightened disorder – such as litter, graffiti, and dilapidated buildings – regardless of the amount of disorder as measured by researchers themselves (Murphy 2012; Sampson and Raudenbush 2004; Wallace and Louton 2018). Thus, as the concentration of minority groups and poverty increases, code enforcement officials may also be more likely to assess buildings and neighborhoods as dilapidated or unkempt. Similarly, most inspectors in Chicago are working-class Whites and existing literature has shown both explicit racial bias and the tendency to valorize aesthetic standards common to their own residential built environments (e.g. Hirsch 2009; Kefalas 2002; Sugrue 2014). The values of the White working-class residents in Kefalas's (2002) study, for example, manifest through a preoccupation with the fastidious upkeep of their property to safeguard their neighborhood from the perceived threat of Black newcomers. Overall, there is good reason to expect code inspectors to perceive low-income and minority neighborhoods as disordered, irrespective of the actual material conditions.

Conceptualizations of the built environment in terms of a measure of disorder are pervasive in urban sociology.<sup>4</sup> But research on disorder rests on two assumptions that require additional interrogation. First, researchers posit a priori what counts as physical disorder, and then count the frequency with which they observe these physical characteristics. In this way, physical disorder appears ontologically objective and agreed-upon. There is little room for alternative interpretations or different lenses through which to see built environments. Second, studies of disorder tend to disaggregate the built environment into discrete, objective, individual features. Despite attending to the importance of location, studies of disorder tend to reduce places to demographic variables and ignore the role of other variations, for example in building or tenure type, architectural style, or density. In considering how inspectors interpret built environments, my dissertation investigates both assumptions. To do so, I draw on studies of materiality.

### *Materiality studies*

Cultural sociology and science and technology studies (STS) advance materiality studies in response to the discursive turn across the humanities and social science. Although debates abound over the extent to which an object has agency, cultural sociologists and scholars of science and

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<sup>4</sup> Although disorder studies are most prominent at the intersection of urban sociology and criminology, other scholars also use material conditions of buildings and neighborhoods to chart relationships between social and physical disorder in households and across the city (see Murphy 2012; Prickett 2014; Wallace and Louton 2018; York 2008). Most recently, Hwang and Sampson (2014) used Google Street View to detect neighborhood change, which in part they measure by observations of building age and condition, beautification efforts, and the lack of disorder and decay.

technology studies (STS) tend to agree that physical characteristics of objects matter (e.g. Epstein 2008; McDonnell 2010; Molotch 2010; Mukerji 1994; Zubrzycki 2016). Cultural sociologists often conceptualize relationships between objects, their producers, receivers, and context using Griswold's (1987) cultural diamond, which posits cultural objects as interpreted by people and allows for variation in interpretation. Following this logic, material conditions that some people identify as disorderly, may mean something else to a different group of observers. Material objects have "affordances," certain material properties that allow certain actions (Gibson 1979). The size of an object, for example, "affords" actors to be able pick it up or notice it. In this vein, Keane (2003), an anthropologist, advances the term "bundling" to capture the *combined* material qualities of an object. A broken window, for example, has multiple material qualities; it could be a large hole in a frame with peeling paint, on a vacant property, with glass shards still visible. Or it could be a small crack in a stained-glass window on a historic building. Keane's work suggests any material condition has multiple qualities that are codependent.

Bringing materiality studies to bear on studies of urban governance raises fruitful questions. For building inspectors, the size, age, design, location, or perceived severity of a part of a building may deem it more noticeable, for example. Construction materials might dilapidate at different rates or require different levels of maintenance. Architectural features, such as small windows associated with public housing, grand entrances to apartment buildings, or a well-manicured garden, may provoke certain interpretations. Focusing on these interpretations also prompts additional questions. Existing studies tend to focus on measurements of disorder in low-income minority neighborhoods or study residents' aesthetic preferences in affluent neighborhoods. There is very little attention to the reverse of the relationships between

neighborhood demographics and (dis)order. How, for example, might *orderliness* or other aesthetic preferences be important for low-income minority residents;<sup>5</sup> or signs of dilapidation in upper-class neighborhoods? Comparative cases against which to hypothesize how physical things matter differently in different places are few and far between; sociologists tend to ask certain questions of some populations and not others. Observations of inspections across the city and a case study of a diverse neighborhood fill this gap.

My dissertation builds on studies of materiality by illuminating how inspectors interpret not just material features of buildings, but their social production. I bridge studies of materiality and urban sociology to show how inspectors infer intent and effort from their interpretations about how material conditions are produced, not just from material objects themselves. In so doing, I problematize assumptions that disorder is the main organizing schema for interpretations of built environments. Materiality is also important in urban governance because racial and economic inequality manifests in material ways, creating the uneven housing landscapes of cities and associations between particular material environments and certain populations.

#### *Material patterns in housing inequality*

Structural inequality is materialized in housing. Sociologists, geographers, historians, and legal scholars have documented the history that created contemporary patterns in housing inequality in the US. While histories of slavery, immigration, work, and exploitation created economic disparities between White Americans and others, extant literature reveals the ways such disparities

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<sup>5</sup> Recent work, for example, stresses the importance of aesthetics for recipients of housing voucher holders when choosing where to live (Turney, Kissane, and Edin 2013; Edin, DeLuca and Owens 2012).

are perpetuated through contemporary housing policies and practices, which further sustain patterns of racial and economic inequality. Structural inequality is materialized in housing types and prices across the city. Past and present policies – including those explicitly about housing, as well as other policies about transportation (see Purifoye 2014), defense, and welfare – have created persistent racial and economic segregation in cities. Federal policies, for example, that subsidized White – and only White – homeownership in the suburbs, and that disproportionately sited public housing in Black neighborhoods underlie much of the contemporary racial disparities in housing values (e.g. Fishman 1987; Jackson 1987; Massey and Denton 1993; Rothstein 2017). Moreover, conservative backlash at the federal level after the New Deal and the Great Society programs of the 1930s to the late 1960s ushered in measures that actively disinvested from minority communities, reproduced ghettos, and demolished public and affordable housing (e.g. Hirsch 2009; Hunt 2009; Vale 2013; Venkatesh 2000). More recently, banks reversed decades of red-lining by instead flooding Black and Latino neighborhoods with high-risk and high-profit loans, which borrowers inevitably could not repay. This further extraction of wealth in these communities led to the concentration of foreclosures and abandonment (see Hall, Crowder and Spring 2015; Thomas et al. 2017; Rugh and Massey 2010; Rugh, Albright and Massey 2015), and explains the oft-depicted derelict buildings, vacant homes, and empty lots in many low-income and minority neighborhoods.

Housing decisions of private actors also reproduce racial and economic segregation, as a result of choices about where to buy or rent homes (e.g. de Souza Briggs 2005; Krysan and Crowder 2017; Zubrisky-Charles 2000), through sometimes violent acts in “defense” of their neighborhoods (Gonda 2015; Gotham 2000; Kefalas 2003), as well as their role in gentrification



and displacement (e.g. Smith 2005; Zukin 1987). Each of these processes create the built environments that inspectors – and others – see throughout the city.

### *The geography of Chicago*

In Chicago, these policies and practices have created a distinct racial geography (see Figure 1). The map in Figure 1 shows the stark racial segregation in the city, which is divided rhetorically into the North, South, and West sides. While these labels obscure heterogeneity, the North Side, houses the majority of the city's White population, while the South and West Sides are (today) predominately Black. The Northwest and Southwest Sides are more mixed, with large Latino populations. Racial and ethnic minorities are more likely to be renters, to live in worse housing, and to live in homes with lower values. The images in Figure 2 depict these disparities. The majority of owners in Chicago are White, and a majority of Whites are owners. Nearly twice as many Blacks rent as own their homes, and Latinos are also predominantly renters. Blacks and Latinos that are homeowners not only have lower home values, they are also more cost-burdened by their homes (Institute for Research on Race and Public Policy 2016).

Racial disparities are pervasive across renters too; more Latino and Black renters are cost-burdened by their rental units (Institute for Research on Race and Public Policy 2016). The recent housing crisis exacerbated these disparities. For example, 17 of the 18 community areas with the highest recent rates of foreclosure in Chicago, are majority Black or Latino (ibid), demonstrating the persistent and chronic nature of these trends (see also Thomas et al. 2017). Minorities are also much more likely to live in substandard housing, be exposed to lead paint and other household toxins (e.g. Adler and Rehkopf 2008; Conley 2010; Sampson and Winter 2016) and spend less money on home repairs (Joint Center for Housing Studies of Harvard University 2017).

While these geographical and material patterns are well-documented, much less is known about how state actors make sense of them or draw on materializations of inequality beyond studies of disorder. Perhaps frontline agents of the state perceive differences between residents who are high-income relative to their neighborhood's average, and, similarly, those who are low-income in comparison to the median for where they live. Moreover, there is a general assumption that high-income neighborhoods are White. While this may be the case for most areas of Chicago, there are non-poor non-White neighborhoods. Do state actors conceive of these areas and non-poor White neighborhoods differently? Incorporating a case study of one racially and economically diverse neighborhood along with fieldwork across the city, my research design, fills this gap and offers a robust framework – of the relationship between on-the-ground decisions and inequality as processual – that encompasses urban governance of material conditions in the city writ large.

In sum, existing literature leaves questions unanswered. How do material features and material manifestations of housing inequality shape the work of code inspectors and other forms of urban governance? How do regulations themselves limit enforcement? How do neighborhood characteristics – beyond racial demographics and economic status – matter? To what extent do frontline agents of the state contradict or share motivations of other city actors? And what are the processes through which motivations produce actions and outcomes? Beyond gaps in existing literature, these questions demand answers so we better understand the decisions, negotiations, and processes through which inequality is reproduced. Without such an understanding, we are unable to identify how our uneven urban landscapes might be changed. My mixed-methods study of building inspections in Chicago takes up this task.

Figure 1. Map showing the racial geography in Chicago (Institute for Research on Race & Public Policy, University of Illinois at Chicago, 2016)

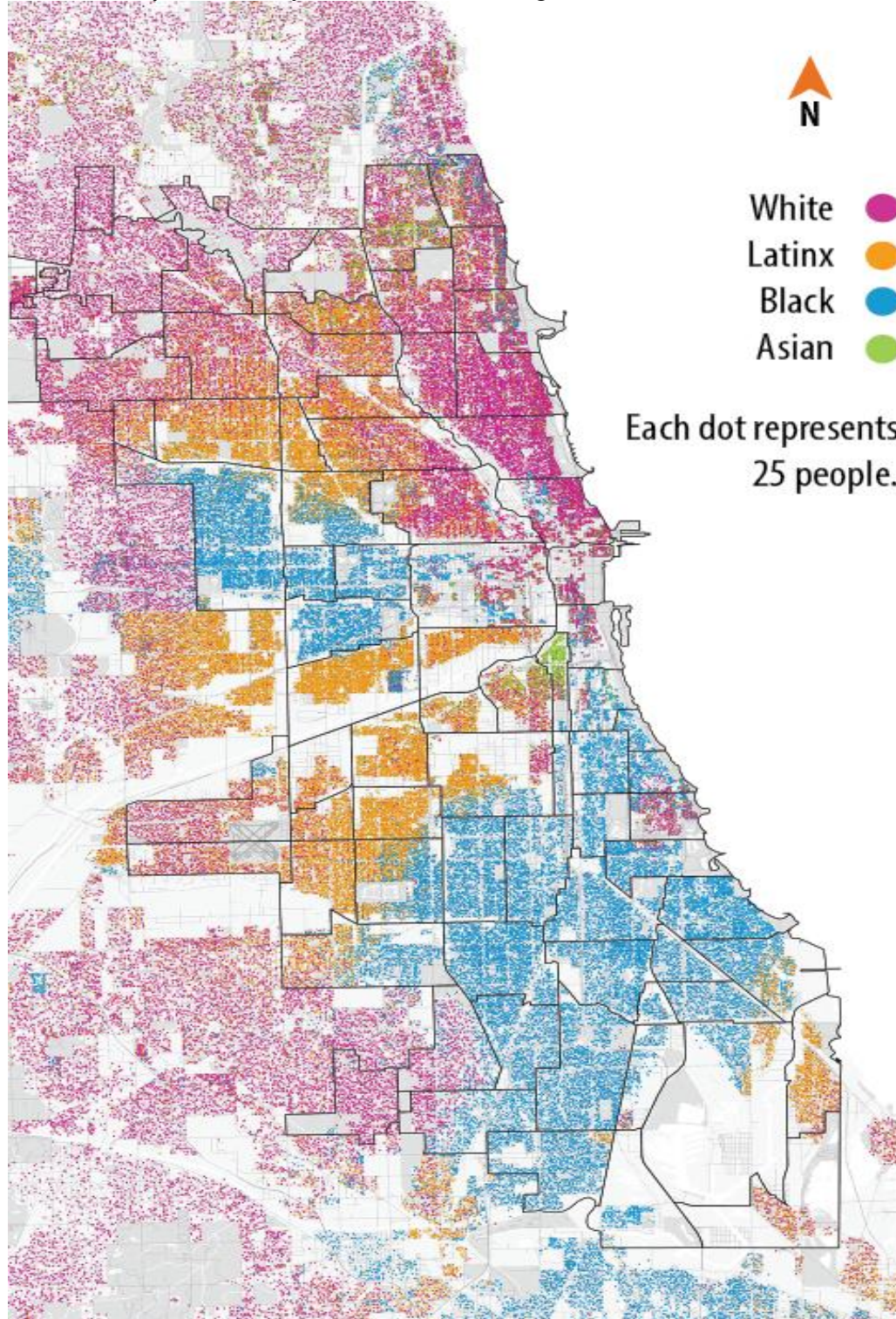
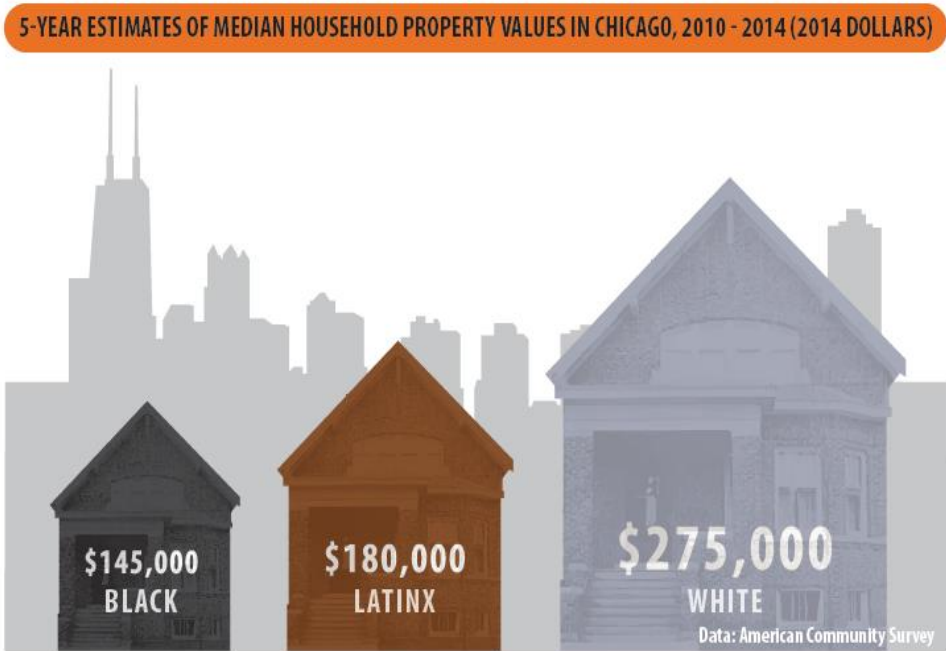
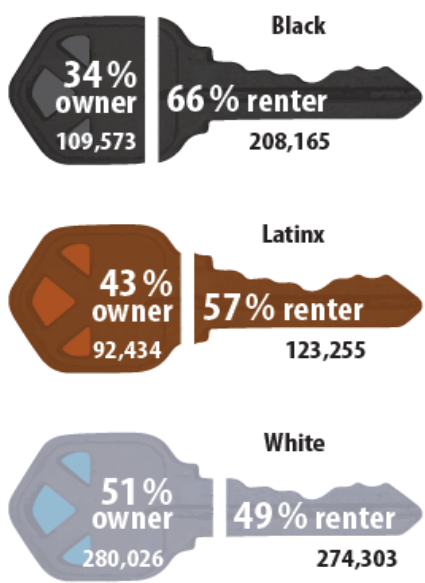


Figure 2. Depictions of racial disparities in housing in Chicago (Institute for Research on Race & Public Policy, University of Illinois at Chicago, 2016)

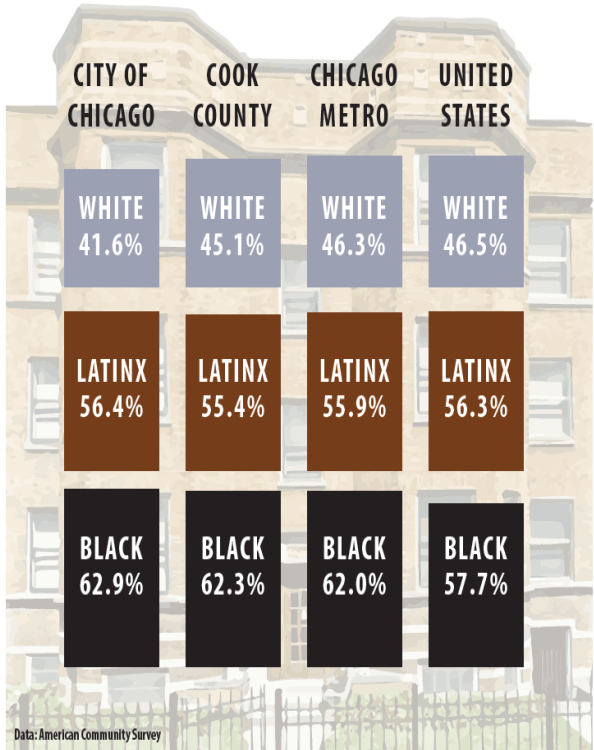


**5-YEAR ESTIMATES OF CHICAGO HOME OWNERSHIP AND RENTAL NUMBERS, 2010 - 2014**



**All Chicagoans**    48% Owners    52% Renters  
 1,270,301    1,390,122

**5-YEAR ESTIMATE OF CHICAGO RENTER-OCCUPIED UNITS SPENDING AT LEAST 30% OF THEIR INCOME ON RENT AND UTILITIES, 2010 - 2014**



## **Building Inspections in Chicago**

Like other US cities, Chicago has a building code, a fleet of building inspectors, and a legal framework that enables the City to penalize property owners for violations. The Department of Buildings is the arm of Chicago's city government charged with "enhanc[ing] safety and quality of life for residents and visitors of the City of Chicago through permitting, inspections, trade licensing, and enforcement of the Chicago Building Code."<sup>6</sup> The Buildings Department is responsible for inspecting all kinds of buildings, from single-family homes to airports.<sup>7</sup> While the Department employs almost 200 inspectors in 12 bureaus – ranging from elevator and refrigeration specialists to demolition and new construction permit inspectors – I focus on inspectors in the Conservation Bureau.<sup>8</sup> The Department's Conservation Bureau follows up on complaints about

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<sup>6</sup> City of Chicago. 2018. *Buildings*. <https://www.cityofchicago.org/city/en/depts/bldgs.html>

Accessed on April 4 2018.

<sup>7</sup> Municipal building inspectors do not inspect the interior of rental units occupied by Housing Choice Voucher recipients. While municipal inspectors still assess such buildings for exterior issues, federal building inspectors are charged with inspecting and enforcing any violations of FHA housing regulations inside units. Conversely, inspectors are required to inspect Chicago Housing Authority (CHA) buildings. However, the Buildings Department cannot prosecute other city or state entities (such as the CHA), thus any citations neither lead to court cases nor mandate enforcement.

<sup>8</sup> The Conservation Bureau gets its name from Illinois's Urban Community Conservation Act of 1953, which was aimed at preventing blight and "conserving" areas at risk from decay (Satter

residential properties.<sup>9</sup> Conservation inspections are the most common type of inspections and have the broadest scope in terms of violations, ranging from peeling paint to caved-in roofs. Although inspectors move between bureaus, there were between 25 and 30 conservation inspectors at the time of my research.<sup>10</sup>

The complaints that prompt conservation inspections originate as 311 service requests.<sup>11</sup> Concerned residents can call 311 or go to the 311-website to file a complaint. Although a variety of people use the 311-system (neighbors, passersby, police officers, local elected officials etc.), tenants of the targeted building make up most complainants (and likely comprise many of the

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2009). Prompted by this focus, Chicago passed its housing code in 1956. Unlike other cities, Chicago has not adopted the International Building Code (IBC). However, many cities use the IBC but also retain large segments of their city-specific building codes (e.g. San Francisco and New York City). Thus, Chicago is not the only city with a specialized building code.

<sup>9</sup> The Conservation Bureau is also responsible for annual inspections of buildings over three stories. However, the bureau prioritizes complaints and only completes a small portion of annual inspections each year.

<sup>10</sup> It is difficult to ascertain the number of inspectors that respond to complaints because the Buildings Department does not track positions by bureau (see Office of Inspector General 2017: 20).

<sup>11</sup> I use the term “complaint” rather than the official term “service request” to mirror the language of inspectors.

anonymous complaints). This means that most complaints are about rental buildings.<sup>12</sup> The 311 system funnels complaints that relate to buildings to Chicago's Department of Buildings, where supervisors then allocate complaints to inspectors. Though there is no formal system to measure the seriousness of complaints, supervisors direct inspectors to attend first to complaints where someone may be at risk of imminent danger (e.g. a complaint that mentions fire damage, or a collapsed roof). Figure 3 shows an example of a 311-complaint print-out that an inspector receives each morning. This caller provided their contact information and details about the issue, but information on these slips ranges dramatically; some slips only list an address, and sometimes an incorrect address. Regardless of the extent of the information, inspectors are expected to follow up all complaints. I observed many instances in which inspectors doggedly investigated complaints even when they suspected information was incorrect or out of date.<sup>13</sup>

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<sup>12</sup> My analysis of complaints in one neighborhood found that 70% of complaints were about rental buildings. 41% of complaints were about buildings with 10 or more units.

<sup>13</sup> A recent investigation found that the Buildings Department rarely met the city's 21-day deadline to respond to complaints and had a significant backlog of over 5,000 overdue complaints (The Office of the Inspector General 2018). While inspectors often mentioned a backlog of complaints, my research suggests that inspectors eventually follow up on all complaints. My analysis of complaint data in one neighborhood supports what I found in my qualitative observations. I found that 95% of complaints with accurate information (i.e. an address that exists) resulted in an inspection within a year.

Figure 3. An image of of a 311 print-out

CSR Info -

Service Request Information *No ACTIVE CASES*

Call Date:  
SR Number:  
Dist: CN\_S

Associated Buildings & Ranges#	Units	Annual/Insp Date
[REDACTED]	1	N N/A

No Open Cases found for the given Service Request  
No Open Inspections found for the given Service Request

Description TENANT - RENTING HOME - KITCHEN, BATHROOM AND BEDROOM FLOORS ARE LOOSE AND UNEVEN AND FOUL SMELL COMING FROM THE BASEMENT, PERMEATING THROUGHOUT THE ENTIRE HOUSE ALSO HOME INFESTED WITH RATS

Input Flex Questions

Give precise address - floor or unit #	renting home
What is the actual problem being encountered?	kitchen, bathroom and bedroom floors are loose and uneven and foul smell coming from the basement, permeating throughout the entire house
Is this a CHA Property?	
Is anyone in danger because of this condition?	Yes
Has the owner been notified?	Yes
Is this an owner occupied property?	No
Are you a tenant, neighbor, or other?	Tenant

Contacts

Capacity	Primary(Y/N)	Contact Name	Day Phone#	Evening Phone#
OWNER	Y	[REDACTED]		
CALLER	N	[REDACTED]	000-000-0000	

No Service Requests found in Last 60 Days

Figure 4 shows a map of 311 complaints about buildings for each block group in Chicago between 2006-2015. To make this map, I geocoded 10 years' worth FOIA-requested complaint data and matched it to its corresponding block group. I calculated the number of complaints per block group and normalized the number of complaints by the number of housing units per block group.<sup>14</sup> As the 311 data spans 10 years, complaints outnumber housing units in some block groups. The map shows that complaints are distributed across the city with relatively clear geographical patterns. There are concentrations of large number of complaints per housing unit in

<sup>14</sup> Akin to standardization, normalization is the process of dividing one value by another to minimize differences in values based on the size of an area or the number of features in an area.



the south and west of the city, which mirrors broad geographical patterns in poverty rates and housing conditions. Some block groups on the far North Side also have large concentrations of complaints. Perhaps most noticeable is the relatively few number of complaints on the near North Side and the far North West sides of the city. These areas are the whitest and wealthiest in the city (see Figure 1). Importantly, the map does not control for building-level or demographic characteristics, such as race and income, or tenure, building age, and density. Similarly, the 311 data plotted on this map depicts any complaint made, which could range from bedbugs to a caved-in roof. This map also does not convey which of these complaints is a legitimate issue for building inspectors to evaluate versus, say, a complaint about a noisy neighbor or ice on a sidewalk (which, despite being the domain of other city workers, still routinely end up at the Department of Buildings). This map thus depicts the landscape of complaints that inspectors face, navigate, and evaluate.

Figure 5 shows a map of building violations for each block group in Chicago between 2006-2015. To make this map, I geocoded 10 years' worth of building violation data and matched it to its corresponding census block group. I also normalized the number of violations by the number of housing units per block group to control for the number of units. As the 311 data spans 10 years and the mean number of violations per inspection is eight, violations tend to outnumber housing units. The map of recorded building violations mirrors geographical patterns in housing conditions, wealth, and poverty more starkly than the map of complaints. Inspectors record more violations in the West and South Sides of the city. Inspectors' allocation of building code violations does not map onto the city in the same way as complaints. The volume of complaints in some areas – particularly the far North Side, Downtown (the central lakeside portion of the city),

and the South West Side – does not amount to a similar volume of violations. The differences between these maps beg questions about the process of building inspections and inspectors' discretionary actions and selective allocation of violations. What happens after someone makes a complaint? How do inspectors decide what to record and what to overlook? Do the same factors explain discrepancies between complaints and violations across the city? In short, the differences between the maps call for an investigation of the processes, decisions, and activities, that occur in the space between the actions that these maps depict.

Figure 4. Map showing number of complaints about building violations, per block group 2006-2015 (normalized for number of housing units)

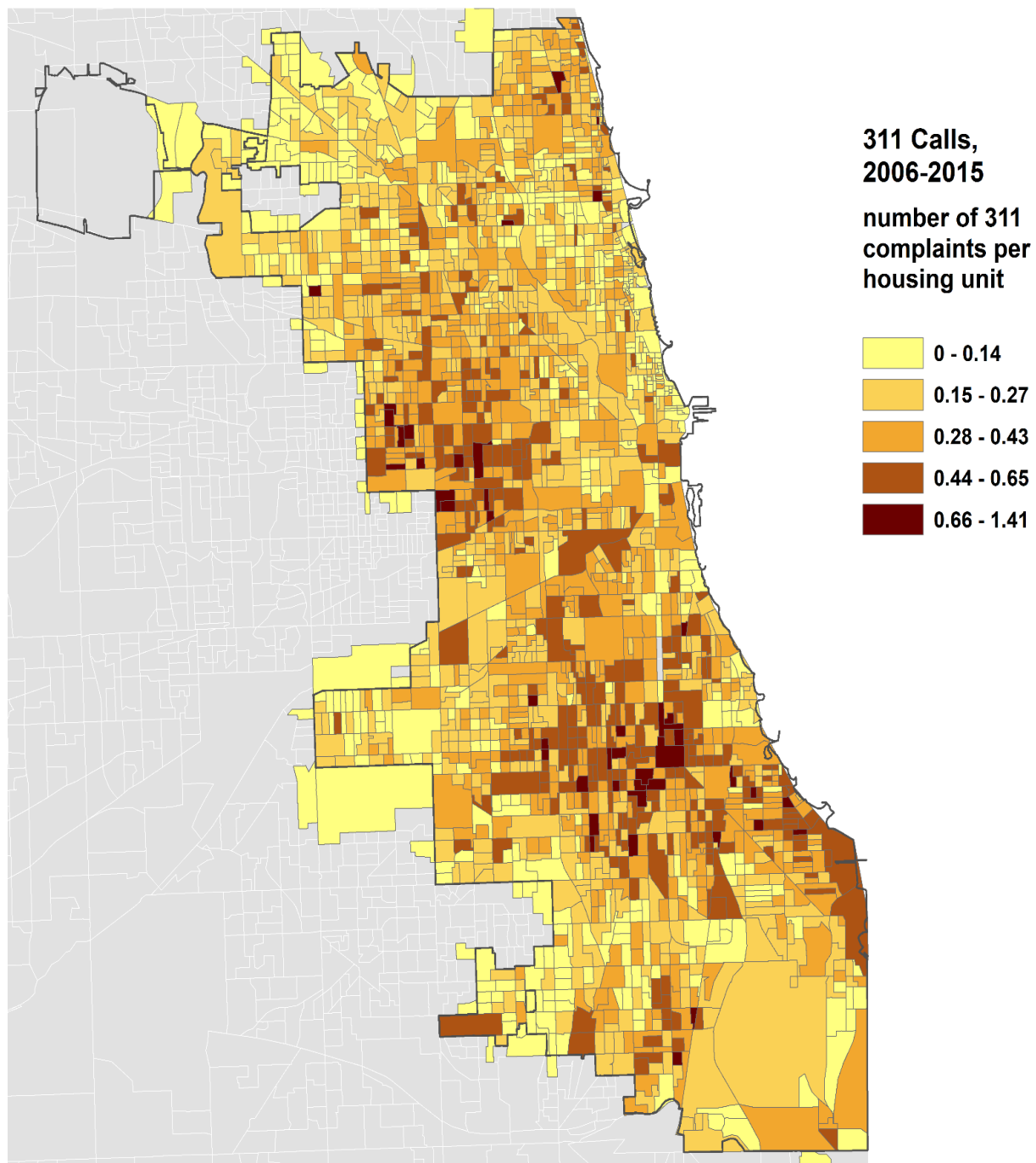
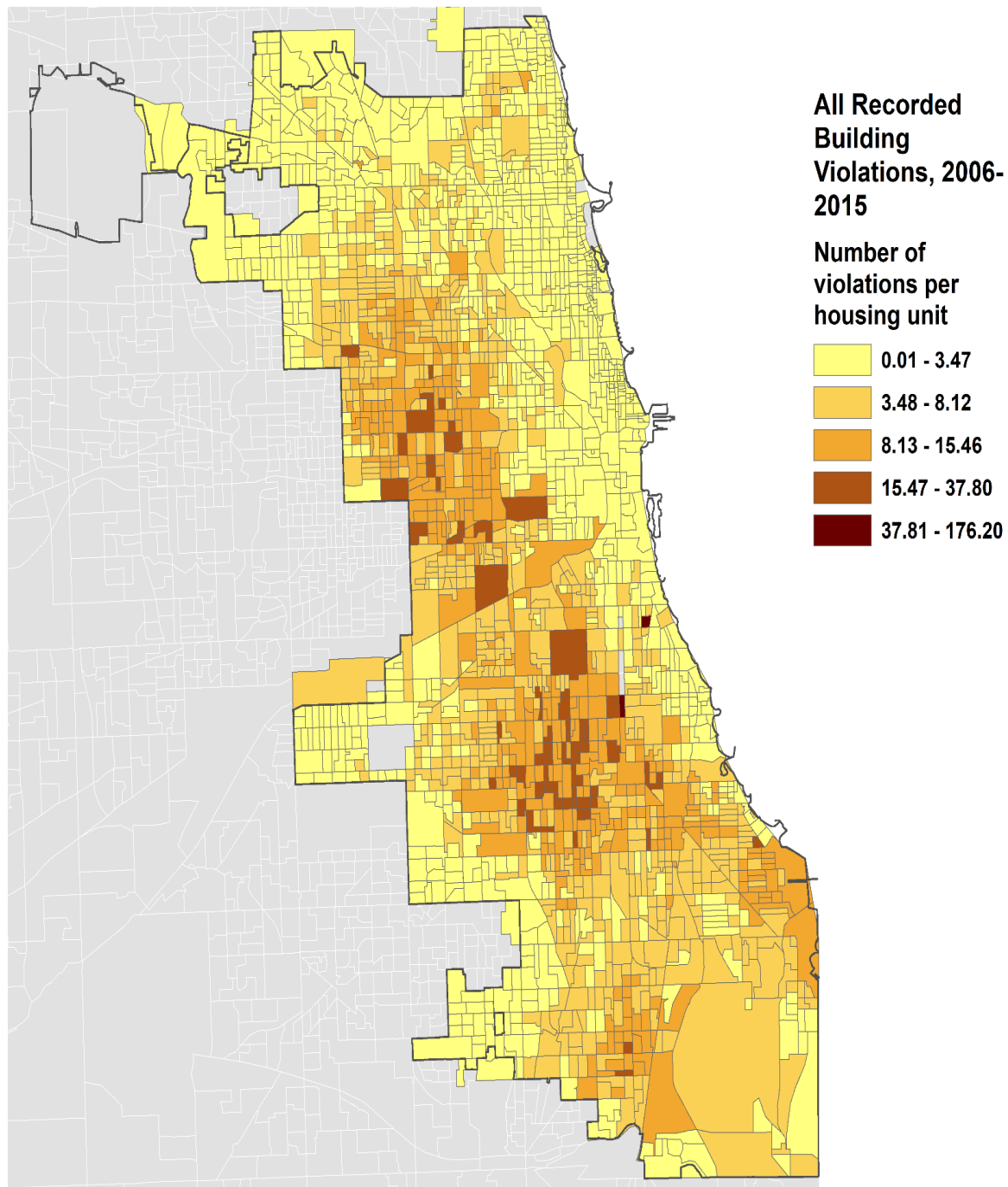


Figure 5. Map showing recorded building violations, per block group, 2006-2015 (normalized for number of housing units)



Once at a property, inspectors must decide whether the building violates Chicago's Municipal Building Code. Properties often receive multiple violations per inspection. Indeed, although the mean number of violations per inspection is 8, some inspections result in well over 30 violations. Between 2006 and 2015, there were 982,737 conservation violations of 256 different code ordinances. Figure 6 shows a breakdown for violations recorded by the aspects of buildings that they concern. Walls, windows, doors, smoke and carbon monoxide detectors, and porches are the most frequently cited aspects of buildings. Rarer aspects include skylights, garbage storage, and drains. Violations that pertain to walls, for example, range from "Failed to use materials with appropriate fire resistance to finish interior wall, ceiling and interior trim" (Chicago Municipal Code Section 15-8-370, 15-8-380 through 15-8-430), to "Failed to maintain interior walls and ceilings free from holes or cracks" (code section 13-19-540(c)). Rarer violations, for example, related to garbage storage range from "Provide tight fitting impervious covers for garbage and refuse containers" (code section 7-28-210), to "Provide for regular removal of garbage and refuse from premises" (code section 7-28-240). Importantly, each affords discretion, varying from what decisions about what counts as appropriate fire resistance, whether any crack or hole in a wall should count as a violation, to what an inspector would consider as tight fitting or regular.

Figure 6. Chart showing building violations by object, 2006-2015

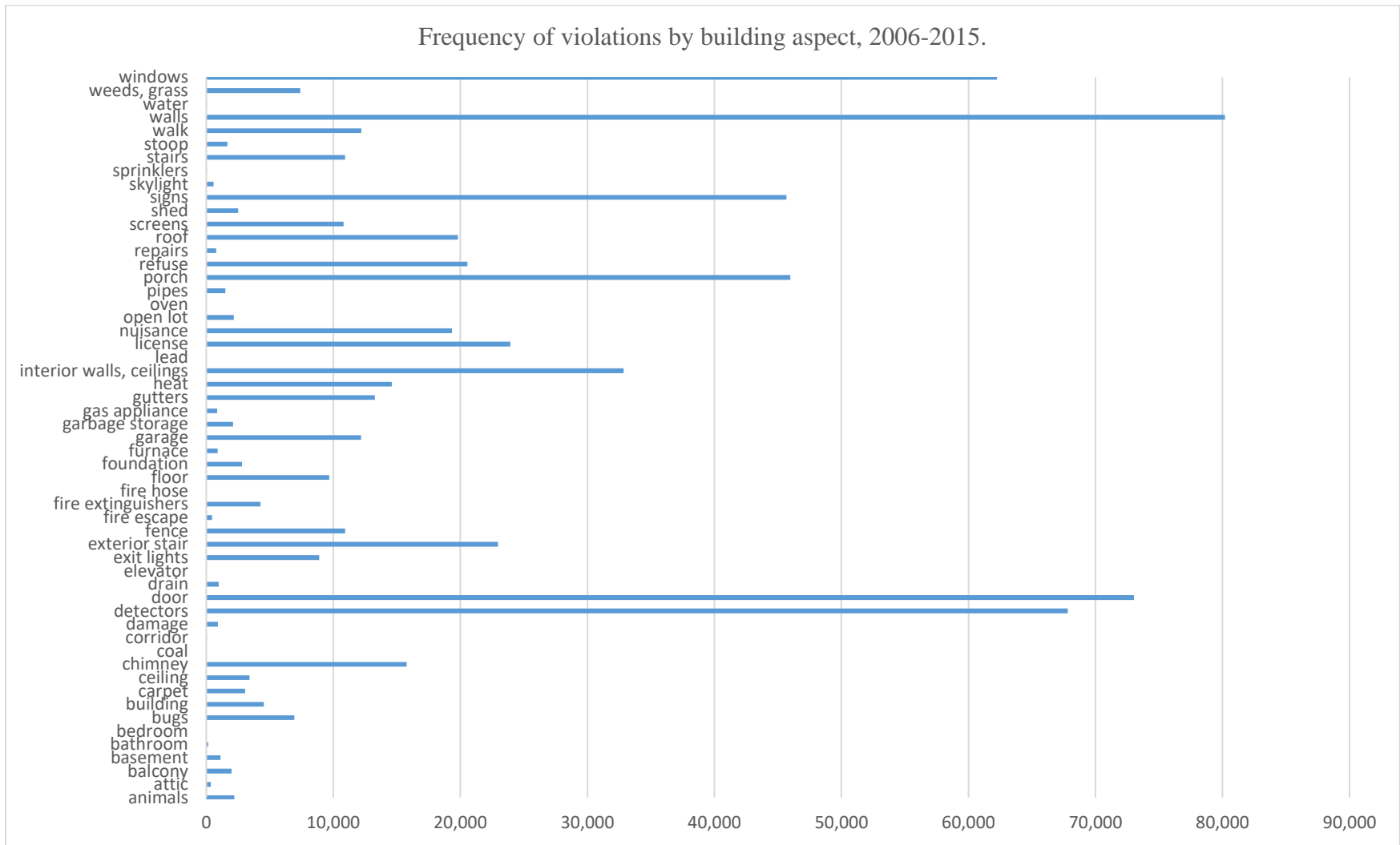
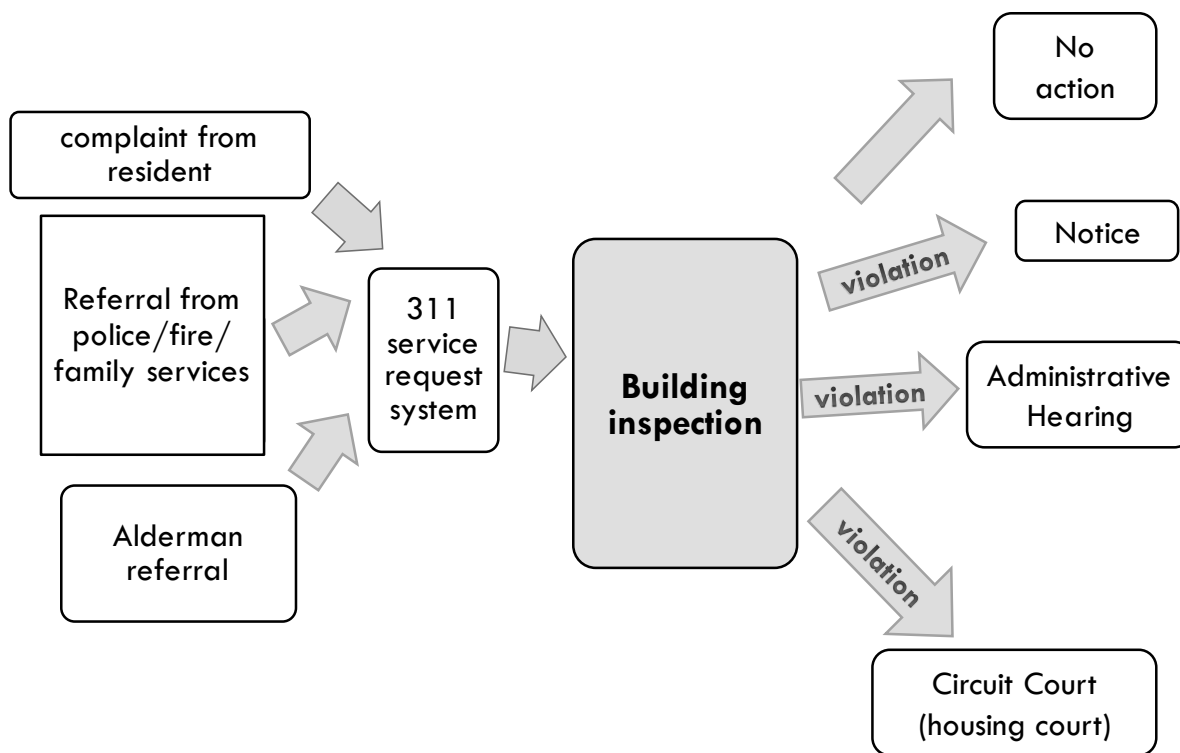


Figure 7. diagram of the processes of reporting complaints, allocating violations, and the possible outcomes of a conservation inspection



As Figure 7 shows, there are four possible outcomes of conservation building inspections: no action, a notice, an Administrative Hearing, or a Circuit Court hearing (housing court). Inspectors take *no action* in the rare case that they do not find code violations. More likely, they take no action because they have decided not to cite the violations they find. Inspectors mail written *notices* to property owners if violations are relatively minor. These warning notices list code violations and notify owners to arrange another inspection or make necessary repairs. One inspector told me that “a notice is for minor things like grass that a guy hasn’t cut or broken windows. A notice is really letting them know that we know, and we want them to make repairs.”

However, inspectors do not follow up on these notices. Inspectors can instead opt to send the owner to an *Administrative Hearing*, at which property owners must pay fines for violations (these fines are set by the Hearings judge and can be \$200-500 per violation, per day of non-compliance). Although the fear of further fines may encourage owners to bring their buildings into compliance with the Code, Administrative Hearings do not focus on compliance: owners are fined for not being in compliance during an inspection, irrespective of any work they have done since. Similarly, building inspectors do not participate in Hearings. As one inspector told me: “once you file a case in Administrative Hearings, you pretty much forget about it...it pretty much falls off your radar...It’s more of a fine machine and they don’t give you a lot of time to correct the violations.” At *Circuit Court*, conversely, the focus is on compliance. The same inspector explained: “Whereas the Circuit Court, they generally don’t assess a heavy fine or sometimes they don’t assess a fine at all. And you get a lot more time to get the work done.” Inspectors are supposed to recommend owners to Circuit Court if they deem a property has serious safety issues. Cases last for months, and judges regularly do not fine property owners if they are making progress towards compliance. Inspectors are expert witnesses in housing court cases, and judges rarely question their expertise or testimony.

Inspectors have discretion in selecting one of these courses of action. To be sure, their decisions are limited by the type and severity of violations. There are guidelines for the kinds of violations that should result in a court case, for example: dangerous porches, illegal conversions, or missing smoke or carbon monoxide detectors. In court, inspectors advise attorneys and judges



how much time to allow building owners time to fix violations and comply with code.<sup>15</sup> Inspectors also advise judges as to when a building owner has made sufficient progress for a court case to be dropped. Oftentimes, building owners do not remedy every violation before cases are dismissed.

Inspectors exercise discretion and opt for leniency or severity in various ways at different points during their work. Being lenient can mean not doing a very thorough inspection, thereby not finding violations. Leniency can also mean not recording a violation that an inspection turns up. If an inspector does record a violation, it is still possible to be lenient. An inspector can cite a building owner but not send the building to court. And, even when a building is in court, the inspector can show leniency on a building by allowing ample time to comply violations, dismissing the case, and not recommending fines or fees when the case is dismissed. Rather than characterizations of leniency and severity, inspectors frequently described their actions as “going easy” and “going after.” “We’re only going after the people that are bad landlords,” one inspector told me, for example. Another stressed that he would not record violations for “peeling paint, cracked windows, crap like that.” “That’s what I mean by taking it easy,” he told me. Table 1 depicts inspectors’ points of discretion in these terms.

Of course, inspectors do not have unlimited discretion. In some instances, they have very limited discretion. As I detail in chapter four, for example, inspections sometimes are targeted attempts to evict tenants seen as problematic. Inspectors have little discretion in such cases. Most often, however, inspectors are alone in the field responding to a – usually anonymous – complaint

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<sup>15</sup> I use the term “comply” to mirror the way inspectors talk about violations. In contrast to legal scholarship, here it connotes the remedy of a building violation.

about a specific issue. Questions about what guides their discretion in these situations are the basis of this project.

Table 1. Table depicting inspectors' points of discretion within courses of action

	<b>Going easy on building owners</b>	<b>Going after building owners</b>
<b>During inspections</b>	Not doing a thorough inspection; only writing up D&H; Overlooking violations	Very thorough inspection; writing up every violation;
<b>Selecting a course of action</b>	Notifying owner, but no other action.	Send building to Administrative Hearing or Housing Court
<b>In Administrative Hearings</b>	Only listing a few violations	Listing as many violations as possible
<b>In Housing Court</b>	Ample time to comply; dismiss case; not adding additional violations; no fines or fees; do not insist on permits	Little time to comply; adding additional violations; levying fines and fees; insist on permits.

### **The project**

This dissertation draws on over two years of fieldwork, content analysis of the building code and statistical analyses almost a million records of building violations and complaints in Chicago. While no city is typical, Chicago's building inspectors are demographically similar to inspectors in other US cities,<sup>16</sup> and Chicago shares the policy priorities and orientations of other

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<sup>16</sup> A national report on Buildings Departments states that 85% of inspectors are over 45, most began their careers in construction trades, and three quarters do not have a bachelor's degree (International Code Council 2014). There is no data on race or gender. However, since most respondents began their careers in construction trades, they are likely white and male (see Goldberg and Griffey 2010).

neoliberal city governments (Bennett, Garner, and Hague, 2016). Similarly, issues of spatial racial and economic inequality, coupled with the lack of affordable housing, aging housing stock, and rising costs of construction pervade US metropolitan areas. As such, Chicago's building inspectors and their (demographically similar) counterparts in other municipalities work within the same general trends and at the behest of governments with similar priorities.

### *Code analysis*

To understand the legal framework within which inspectors work, I conducted content analysis of the Chicago Building Code. I selected each ordinance that conservation inspectors had applied between 2006-2015 (n=259), and categorized the ordinances in the following ways: 1) what building types the ordinance addresses (e.g. single-family homes or high-rises); 2) what material features the ordinance addresses (e.g. chimney, walls, windows); 3) whether the ordinance is more qualitative or quantifiable (e.g. sanitation vs. height of a wall); 4) whether the ordinance is caused by a defect or dilapidation (e.g. height of wall vs. peeling paint); and 5) what justifies the ordinance (e.g. fire safety, sanitation). I categorized both the number of ordinances and the frequency with which inspectors use these ordinances. The findings from this analysis are in Chapter Three.

### *Office observations*

My qualitative research began in 2015, with fieldwork, interviews, and ride-alongs with Chicago building inspectors, and observations of housing court. I spent eight months as an intern at the city's Department of Buildings, where, among other things, I helped to prepare cases for court and researched buildings and their inspection history. I also assisted with revising a section of the Municipal Code for crane operators, created databases of buildings with expired elevator

inspections and certificates. In the office, I was surrounded by inspectors as they got assignments, shared stories upon returning to the office, and cursed the office computer software they used to input inspection reports. The internship enabled me to get to know building inspectors, and to eventually negotiate access and permission to do interviews and go out on inspections.<sup>17</sup> I use these data primarily in Chapters Two and Three.

### *Interviews*

During and after my internship, I interviewed twenty building inspectors. I enrolled half of my participants during my internship, by approaching inspectors I met in the office. To ensure I enlisted a broad range of inspectors, a supervisor in the Buildings' Department arranged the other half of my interviews. Most interviews took place in the office building of the Buildings Department; others occurred in less formal settings such as coffee shops. The interviews, which I recorded unless inspectors preferred I did not, each lasted between 45 and 90 minutes. Though I had informal conversations with female inspectors at the Department, all my interviewees were males in their 40s, 50s, and early 60s.<sup>18</sup> Most of them had over ten years' experience on the job.

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<sup>17</sup> My internship was invaluable in my finally getting access to an otherwise very opaque government bureaucracy. However, like others who have studied inspectors and city workers, I encountered a great deal of resistance when I asked to observe inspections (though this came from management and not from inspectors themselves) (see Nagle 2013; Proudfoot and McCann 2008, Sommers 2016).

<sup>18</sup> There were five female inspectors at the Buildings Department (out of a total of 189) and most seemed unwilling to talk to me. I took their reluctance as an effort to keep their heads down in a male-dominated field. Indeed, one female inspector told me she felt she had "to work twice as

Two of my interviewees were African American, three were Latino and the remaining 15 were White. This is, from my observations working in the Buildings Department, a fair representation of the racial composition of the inspectors in Chicago (as well as nationally). I provide more information about inspectors in Chapter Two.

### *Ride-alongs and observations*

I also observed over 60 inspections during ride-alongs with six inspectors, the majority of which took place over a six-month period in 2016-2017 and spanned Chicago: from the blocks of bungalow homes on the city's far Northwest Side, to the disinvested and partially desolate landscape of the Southwest Side. Most often I went out with Nick, Malcolm, or Eddie, each of whom I describe in Chapter Two. Our days would begin with a pile of 311 complaints and we would arrive at each address, survey the outside of the building, and attempt to get access to the interior. As inspections are usually not prearranged, we regularly did not meet owners or tenants of the buildings we inspected. Ride-alongs with inspectors not only allowed me to observe inspections in action. Driving around the city – and often sitting in traffic – enabled long conversations about the places we were driving through as well as clarifying discussions about inspections we had just completed. As with interviews, inspectors seemed happy to talk to me about their work.<sup>19</sup> I took copious fieldnotes during and after ride-alongs, paying particular

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hard to show [her] expertise.” Aware of this power imbalance, I opted not to go to extra lengths to recruit female inspectors.

<sup>19</sup> I suspect that inspectors were additionally forthcoming as I am not from Chicago, and thus they explained aspects of the city to me that they perhaps may not have to a native Chicagoan.

attention to what inspectors said, the characteristics of buildings, and how inspectors weighed decisions about what to do when they found building code violations. I also noted addresses of buildings we inspected, which allowed me to search Chicago's publicly-available database of building violations and court actions, so I could be sure of inspectors' eventual decisions. Observing inspections also allowed me to confirm that inspectors acted in the ways they told me they did during interviews. In short, observations, interviews and fieldwork at the Buildings Department allowed me to triangulate across interview and observational data, thus affording my findings additional validity.<sup>20</sup>

In addition to observations of inspections and interviews, I also did fieldwork in housing court and at administrative hearings. This comprised observing 20 administrative hearings over 100 cases in housing court and interviewing three housing court judges and five attorneys. I did not prioritize administrative hearings because inspectors are not present for these cases. Chicago's housing court groups building violation cases into 11 "court calls," ranging from specific calls focused only on heat complaints or exterior walls, to more general calls. I observed at least five cases in each call, though focused my attention on the broad call for "occupied buildings with general code violations," which is divided into three court rooms by geographic

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For example, most inspectors explained the city's North, South, and West Side geography and distinctions.

<sup>20</sup> Sociologists have recently debated the utility of different qualitative methods (see Lamont and Swidler (2014) for an overview of this debate). Following Lamont and Swidler, I opt for methodological pluralism and pragmatism. I make use of interviews and observations, while recognizing the limitations of each.

location (north, west, and south). I took copious fieldnotes in housing court, paying particular attention to what inspectors said and how judges, attorneys and property owners relied on or contested their testimony. Each court room has a different judge, city attorneys, and a building inspector. Inspectors give testimony in these hearings as expert witnesses. Although I only occasionally refer to court observations in the following chapters, this data informed my understanding of the consequences of building violations, and how inspectors assess these consequences.

### *Neighborhood case study*

I conducted a case study of one ward in Chicago to show how meso-level factors shape building inspections and code violations and how inspections and violations affect housing, gentrification, and inequality at the level of a neighborhood. The ward is diverse in demographics and its built environment and includes relatively distinct subareas. I draw on in-depth analysis of buildings in the ward, combining content analysis of complaint records, observations of inspections, reports, media accounts, public opinion, fieldwork in housing court, and observations of material changes to buildings. I also use two years of observations at community meetings and events, supplemented with interviews with local politicians, residents, and inspectors.

### *Quantitative Analysis*

While my qualitative observations afford insight into inspectors' on-the-ground decisions, I also use statistical analyses of multiple unique datasets to investigate the relationships between these decisions and trends in inequality at the level of the city. Much of the quantitative analysis in my dissertation makes use of the City of Chicago Data Portal's database of building violations and a database of 311 requests concerning building violations in Chicago. I matched entries in these

datasets to their corresponding census block groups, using their points of latitude and longitude. I then matched block groups to Census and American Community Survey data and used negative binomial regression models to investigate how the frequency of violations and outcomes of inspections vary according to census tract-level demographics such as socio-economic status and race/ethnicity, as well as building characteristics such as tenancy, age, and type. The models, which I draw on in Chapter Two, show correlations between complaints, violations and demographic and building characteristics and suggest my qualitative findings are representative of inspections over time and across the city.

I also make use of quantitative analyses to show the implications of building violations. I created unique datasets that combine data on property transactions and rent prices, matched to building violation data, and run ordinary least squares regressions to test two hypotheses: 1) that unaddressed violations devalue property for homeowners, and 2) that addressed violations in rental buildings increase rents for tenants. This analysis – presented in Chapter Five – demonstrates the breadth and long-standing effects of what I noticed in my qualitative research. I provide more detail about each of these statistical methods in the chapters that follow.

### *Chapter outline*

In Chapter Two, I triangulate fieldwork with building inspectors and statistical analyses of building violation data to demonstrate an overarching trend in how inspectors use their discretion to pick certain battles. I demonstrate that inspectors' sympathy for struggling homeowners prompts them to go easy on buildings they perceive to be owned by people who are hardworking and low- and moderate-income. Conversely, inspectors' disdain for unscrupulous profit and negligence causes them to go after professional landlords and property companies. In addition to on-the-ground



interpretations of buildings and people, I show how inspectors also make decisions using assumptions about neighborhood change and projections about how housing court hearings unfold. As such, this chapter demonstrates the one stage of the processual relationship between on-the-ground interpretive decisions and city-wide trends.

The third chapter draws on interviews, observations, and analysis of the building code to dig into interpretive decision-making during building inspections. I reveal how inspectors assess the production of material aspects of buildings – as much as their physical characteristics – to guide their decisions about which buildings deserving leniency. In so doing, I present a framework for understanding relationships between physical and social characteristics: a landscape of responsibility. I show how inspectors deduce culprits and profit from building conditions, thereby urging urban sociologists to move beyond assuming disorder to be the main organizing schema for interpretations of built environments. I argue that identifying the social cause of material conditions is more advantageous than a schema of disorder because it highlights a more concrete path towards actionable social change.

Chapter Four demonstrates how other city-level and neighborhood-level actors also have a hand in producing building violations. Using debates about gentrification, urban development, and state urban interventions in one neighborhood as a backdrop, I trace how inspectors' decisions and motivations both conflict and overlap with the priorities and visions of city- and ward-level actors and institutions in the construction and allocation of violations. I show that inspectors act in various ways depending on the situation: as tools of the state, resign themselves to capitalism, overtly support gentrification, or try to protect old-timers. But I also show that inspectors' seemingly contradictory actions can be explained by their ability to identify a common enemy. As

such, I suggest that state actor's roles are more organized than extant theories in legal geography about the multiplicity of the state suggest. This chapter thus demonstrates the contextual nature of inspectors' work and the contingent nature of their decisions.

Chapter Five shows how inspectors' logics backfire. Using building violations data and property transactions and rental listings in Chicago, I present quantitative evidence of the economic effects of inspectors' actions: that property depreciates when inspectors go easy on homeowners by allowing them to leave violations unaddressed, and that – because inspectors' disregard tenants – rents increase when inspectors go after landlords by insisting they address violations. Thus, in tracing the legal and financial ramifications of building code violations, I argue that inspectors inadvertently reinforce the divide between poor and wealthy homeowners and the lack of decent and affordable housing. However, this chapter also cautions that the effects of state actors' actions should not obscure their intentions. Rather, sociologists should aim to unpack the connections – sometimes contradictory – between intentions and consequences.

In the conclusion, I detail the entwined and processual nature of inspectors' motivations, interpretations, decisions, actions, and the ensuing ramification. I also expand on the ways inspectors pick battles with buildings and how frontline actors categorize and govern the city. I address what my dissertation can teach us about other contexts and what sociologists, policy makers, and the public might learn from my research. Throughout each discussion, I advance my argument that sociologists should take seriously the motivations of an array of city actors and look for potential in everyday efforts to redistribute and reorganize the city. While building inspectors pick battles with buildings, I suggest there are many other battles to pick

## **Chapter 2. Going easy and going after**

“All buildings have violations.” I heard this statement countless times during my research with inspectors at Chicago’s Department of Buildings. Indeed, over the past decade, the City of Chicago’s building inspectors have recorded more violations of the Municipal Building Code than there are housing units in the city. Yet, while all buildings may have violations, not every housing unit gets inspected and not every inspection leads to a recorded violation. Sociologists would correctly guess that the geography of building violations is uneven. Various subfields would point to the myriad ways that public and private actors protect the values of lucrative real estate, enforce the tastes of elite and middle-class populations, and unfavorably sort low-income and minority residents. Building inspections stand in the background of these processes and in many recent studies of housing, exploitation, power, poverty and race (e.g. Becher, 2016; Desmond 2016; Edin et al 2012; Rosen 2014; Satter 2009). Yet, we know remarkably little about how inspectors decide what counts as a violation and whether these decisions mirror existing trends in inequality.

The few studies of code enforcement officials like building inspectors generally point to a desire to maintain orderliness in urban spaces, which aligns with growth machine priorities (Proudfoot and McCann 2008; Sommers 2016; Valverde 2012). And by all other accounts, building inspectors’ decisions and actions would mirror those of other frontline agents of the state or housing intermediaries who shape access and profit from housing. Sociologists would expect inspectors to reinforce inequality, either due to 1) aligning with the interests of the growth machine in which public power stimulates redevelopment and protects the values of lucrative real estate and investments (Becher 2016; Massey and Denton 1993; Seligman 2005; Valverde 2012); 2) using discretion to sort out who gets to access and profit from what kind of housing (Besbris 2016;

Desmond 2016; Edin et al 2012; Rosen 2014); 3) acting on race-based perceptions of social and physical disorder (Duneier 1999; Harcourt 2001; Murphy 2012; Sampson 2012; Sampson and Raudenbush 2004); or 4) relying on raced classifications of deservingness (Katz 2013; Soss et al 2009; Quadagno 1994). Yet, building inspectors in Chicago do not articulate these orientations. In fact, they invoke certain categories of property and people that stem from the economic inequality that the aforementioned practices produce and subsume them within their existing moral adjudications of deservingness. Far from individual acts, inspectors' surprising and strategic acts of discretion are informed by a collective sense of whose side they are on.

Drawing on fieldwork with city inspectors in Chicago, this chapter demonstrates that inspectors use inferences about categories of property, struggle, and profit when using their discretion. They go easy on low- and moderate-income homeowners and go after professional landlords. For inspectors, "going easy" usually means not insisting that homeowners correct minor building violations, such as peeling paint, unmaintained yards, or damaged windows, so homeowners can avoid fines or costly maintenance. By contrast, "going after" means reporting as many violations as possible, insisting on compliance, and levying fines. I argue that both lines of action are a result of inspectors' adjudications of deservingness, which stems from a combination of their working-class backgrounds, their workplace culture, and manifestations of inequality in the city. Inspectors identify with low-income homeowners and small-time landlords and think they deserve leniency because they are trying to do the right thing in a context in which the odds are stacked against them. Professional landlords, conversely, deserve harsh treatment because inspectors perceive them as making money unscrupulously. Inspectors' decisions incorporate on-the-ground interpretations of housing conditions and the financial status of property owners, but

also assumptions about neighborhood change and projections about how housing court hearings unfold. Statistical analysis of data on building violations, complaints, and census block group characteristics suggest that my qualitative observations represent systematic trends across the city. I present results from negative binomial regression models showing that, controlling for complaints and building and demographic characteristics, areas with more low-income single-family homes receive fewer violations and areas with high numbers of large rental buildings receive more violations.

The findings in this chapter build on studies that examine the motivations of people with discretionary power. Inspectors' class and residential backgrounds and their ongoing experiences in the city shape their ways of seeing the world and the *collective* categories and boundaries they construct. While some sociologists attend to the interplay between class background and acquired dispositions (e.g. Bourdieu 2000; Corneillsen 2016; Desmond 2006), and others stress links between the social locations of street-level bureaucrats and attempts to offset inequalities (Baker 2001; Becher 2014; Mashaw 1985; Watkins-Hayes 2009a), this chapter prompts sociologists to attend not just to discretion, but to the shared categories that are salient for social actors on the ground. Doing so makes visible how city brokers and other frontline workers might be guided by collective attempts to offset inequities.

My findings prompt sociologists to attend not just to discretion, but to the shared categories that are salient for social actors on the ground. In existing accounts, urban regulatory actors act in concert, but I show that some possess alternative categories of deservingness and oppose relentless attempts to make land more profitable or to appease those who benefit from economic development. In fact, inspectors construct categories of deservingness from the very inequities

that growth-oriented urban policies produce: exploitation, and the economic instability of low-income residents exacerbated by the housing crash. As such, my findings demonstrate how structural inequality furnishes the people and buildings that constitute and concretize inspectors' categories of deservingness. In correcting a longstanding assumption in sociology about the coherence of frontline agents of the state in urban economic development, this chapter urges sociologists to look beyond assumptions about the unified logic of the growth machine, and the relationship between frontline agents of the state and the reproduction of inequality.

### *Frontline agents and inequality*

There is a long sociological tradition of unpacking the discretion of people in frontline positions vis-à-vis the public and governments or markets. Building on Lipsky's (2010) classic text, scholars are trained to consider individual agency and its limits. In this vein, Watkins-Hayes' (2009a) concept of "situated bureaucrats" most clearly captures how individual discretion is actually the product of systematic social locations such as class, race, and gender. Despite the attention to discretion, many studies end up showing that everyday decisions and adjudications reinforce existing patterns of inequality. The mechanisms connecting discretion to inequality in these studies – spanning urban sociology, research on policing and law, and welfare scholarship – fall into three main camps, and I discuss each in more detail below.

The first group of studies link city inspections to the growth machine and generally demonstrate how inspectors – directed by other city officials – selectively carry out inspections to protect middle-class tastes and property values. Scholarship on the legal geography of property and value also documents how inspectors protect the value of middle-class property and bolstered the market for lucrative real estate and exchange value in the city (e.g. Fairbanks, 2009; Marcuse

and Madden, 2016; Novak, 1966; Sutton, 2015; Valverde, 2012). Each study claims that inspectors selectively interpret and enforce building codes in ways that penalize residents and businesses that diverge from middle-class (usually White) tastes. In this view, inspectors are city agents and thus, above all, focus on protecting real estate as the economic engine that enables cities to grow.

A second group of studies would predict that inspectors reproduce inequality due to perceptions of disorder and criminality. Research consistently finds explicit or implicit biases about perceptions of disorder towards low-income and minority homeowners (e.g. Go, 2014; Harcourt, 2001; Murphy, 2012; Sampson and Raudenbush, 2004). As the concentration of minority groups and poverty increases, residents (of all races) perceive heightened physical disorder regardless of the amount of disorder as measured by researchers themselves (Murphy, 2012; Sampson and Raudenbush, 2004). Thus, even in mundane inspections, in which the city may have no vested interest per se, as the concentration of minority groups and poverty increases, we would expect inspectors – like other city officials and residents – to notice and assess buildings as dilapidated or unkempt, and thus to act accordingly. Similarly, the majority of inspectors in Chicago are working-class Whites and existing literature has shown both explicit racial bias and the tendency to valorize aesthetic standards common to their own residential built environments (e.g. Hirsch, 2009; Kefalas, 2002; Sugrue, 2014).

A third line of scholarship demonstrates how categories of deservingness structure who should be allocated government services and resources. These categories are raced, classed, and gendered, and scholars consistently find that those already marginalized receive the least assistance (Katz 2013; Soss et al. 2009; Quadagno 1994). Like welfare allocation, inspections could also

have disproportionately negative effects on particular populations if they ignore violations, thereby failing to ensure decent housing. Scholars show, for example, how inspectors neglect to inspect or to enforce building codes in poor people's housing with deleterious consequences – both during disasters like heatwaves (Klinenberg 2002) and fires (Davis 1998; Desmond 2016; Satter 2009) and throughout day to day life (Desmond 2016).

In sum, sociologists from a range of subfields would expect that building inspections – though discretionary practices or lack thereof – would either heavily penalize or ignore low-income and minority residents and would prioritize and protect the economic value and tastes of middle- and upper-class residents. To be sure, some studies do show that intermediaries, such as welfare workers and attorneys, are motivated by their desire to decrease inequality (see Baker 2001; Mashaw 1985). These studies, however, most often capture intermediaries attempting to more strictly uphold the laws and policies they work with and within, and show little indication that motivations are collective.

It may seem odd to suggest that building inspectors have a sense of social justice. There is a common perception that inspectors are corrupt,<sup>21</sup> take too long, are in cahoots with developers,

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<sup>21</sup> There is a history (which, in some cities is very recent), of corruption among building inspectors. During my fieldwork, an inspector was arrested on corruption charges. The shock and reaction of other inspectors – who told me he was foolish for risking his job and pension – indicated that his actions were no longer commonplace in Chicago. However, since corruption usually entails taking money from big developers, in some ways it might also support my findings about inspectors' resolve to get one over on the big guy.



or only out to make money for city. Furthermore, a multitude of studies – many conducted in the very neighborhoods inspectors are from, claim that blue-collar White ethnics – like these inspectors – are most prone to racism because they have historically had the most to lose through integration (e.g. Gamm 1999; Kefalas 2003; Hirsch 1983; Hartigan 1999; McGreevey 1996; Rieder 2009; Rubin 1972, Sugrue 1996). So how can it be that inspectors attempt to offset economic unfairness, disinvestment, and uneven development, when prior research and contemporary wisdom suggests they would be the *least* likely to? I suggest that the answer lies in the interplay between inspectors' working-class backgrounds, their workplace culture, and the manifestations of economic inequality in the city. This interplay can be captured by a meso-approach to organizations (see Fine and Hallett, 2014), that attends to the group culture of organizational actors without privileging either the organizational structure (Dimaggio, 1988; Lawrence, Suddaby and Leca, 2011) or the individual actor (Jepperson and Meyer, 2011; Turner and Boyns, 2002).

As I will demonstrate, in addition to their working-class backgrounds, and workplace culture, inspectors draw on the manifestation of economic inequality in the city. Uneven housing landscapes – that housing discrimination and the growth-oriented policies produce, and inspectors invoke – manufacture and legitimize typifications of deserving people and buildings (Prottas 1979), such as of struggling homeowners and exploitative landlords.

### **Building inspectors in Chicago**

Inspectors are steadfastly working men for at least three reasons. First, despite their high salaries,<sup>22</sup> the type of occupation, workplace authority, and levels of education relative to their supervisors make building inspectors comparable to the men Lamont (2000) describes as working-class. Most inspectors were not college educated, began their working lives in construction, were members of the regional carpenters' union, and became inspectors later in life.<sup>23</sup> Inspectors regarded their jobs as “good jobs,” step-ups, and ones that they were lucky to have. All of Chicago's building inspectors live in Chicago. Most also grew up in the city, predominately in the far South and West Side Chicago neighborhoods that make up the city's outer-ring “bungalow belt,” a series of neighborhoods characterized by working-class single-family homes (see Kefalas

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<sup>22</sup>The average salary for a building inspector in Chicago is \$93,000, which comes with benefits and a pension. This figure is likely skewed by the fact that most inspectors have had their jobs for over 10 years. The starting salary is closer to \$70,000, which is comparable to that of the Chicago Police Department.

[https://www.cityofchicago.org/city/en/depts/dhr/dataset/current\\_employeenamessalariesandpositions.html](https://www.cityofchicago.org/city/en/depts/dhr/dataset/current_employeenamessalariesandpositions.html).

<sup>23</sup> The only requirement necessary to apply for a job as a building inspector is six years of construction experience. Their construction backgrounds, and the history of patronage in Chicago, may explain why most inspectors are White (see Goldberg and Griffey 2010).

2003).<sup>24</sup> Some biographical details of three inspectors I accompanied most often on ride-alongs further illuminates their class background.

I did most of my ride-alongs with Nick, Malcolm, or Eddie. Nick is a White inspector in his fifties. The son of Italian immigrants, he grew up in a Catholic parish on the far South Side of the city. Like many inspectors, he used to work as a carpenter for a construction company and has worked at the Buildings Department for well over twenty years. Although he now lives in a different neighborhood, his mother still lives close to where he grew up and he spends every Sunday back there with his family. He is divorced with two teenage children, who both go to Catholic school. Malcolm is a slight man in his early forties. He is also White and told me proudly that his grandmother was Polish. Unlike most inspectors, he went to college (at a small private college in Iowa), and then returned to Chicago to help manage his father's construction company. He became a building inspector twelve years ago, after the family business went bankrupt. Eddie is fifty, White, grew up in a Southside Irish-Catholic neighborhood as many Whites were leaving for the suburbs. He began college but did not finish and has worked as an inspector for almost 25 years. He used to work as a foreman and told me he "jumped at the chance to have City job." He is a big sports fan and is married with one son who plays on his Catholic school's football team.

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<sup>24</sup> The distinction between South and West Sides and "far South and West Sides" is important. In contrast to most South and West Side neighborhoods, Whites still live in far South and West Side neighborhoods. Many of the residents in these areas are city workers who must live in the city but admit they would prefer to move to suburbs (Kefalas 2003).

Though the details vary there are some key signals of working class backgrounds – e.g., construction work, connection to a working class, White-ethnic neighborhood, and infrequent college education. Overall, the backgrounds and contemporary class positions of these inspectors are representative of other White inspectors at the Department. I also attended single inspections with four other inspectors: Bill, a White middle-aged male supervisor with almost thirty years’ experience; Elaine, a White female supervisor; Antonio, a Latino male inspector; and Natasha, a Black female inspector. Although I observed similar trends in their approaches to inspections, these observations comprised a very small part of my observational data.

In addition to these observations, I interviewed 20 inspectors, twelve of whom were White, five were Black, and three Latino. Five of my interviewees had been – or currently were – supervisors. Most of the Black and Latino inspectors I interviewed and accompanied on inspections also grew up on the south and west sides of the city, but in majority Black and Latino neighborhoods that currently have high rates of poverty. While the particular residential backgrounds of the Black and Latino inspectors in my interview sample may suggest that they identified even more with low-income homeowners than the White inspectors did, I did not observe this during my fieldwork. Perhaps because they all see themselves as “little guys,” I found the tropes of going easy and going after pervasive across inspectors of different races, and among both interviewees and the inspectors I accompanied on ride-alongs.<sup>25</sup> The consistency of

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<sup>25</sup> This contrasts with existing literature. Lamont (2000), for example, finds that, due to experiences with racism, Black working-class men tend to stress solidarity and generosity.

White working-class men, on the other hand, are more individualistic. Lamont suggests that the differences are due to the demise of unions and progressive religious institutions in the lives of

inspectors' attitudes might also be explained by their workplace banter and sharing stories from the field in the office about going after bad buildings in dangerous conditions. I take up the question of generalizability with statistical analyses later in the chapter. First, drawing on fieldwork and interviews with inspectors, I lay out the overarching framework for the rest of the dissertation by detailing which buildings and owners inspectors invoke – and why – when they talk of going easy and going after.

### **Going Easy and Going After**

“We don’t nitpick...we’re not out to hurt a homeowner just trying to do the right thing with his property. We’re only going after the people that are bad landlords.” – Dave, White inspector with 20 years’ experience

As Dave’s comment suggests, inspectors value homeownership. Inspectors often told me they “leave alone” most single-family homes after only a quick glance to check that things look “neat or well-kept.” While existing literature would caution this may have discriminatory effects (e.g. Kefalas 2002), inspectors’ assessments of “neat and well-kept” were surprisingly broad and inclusive. I discuss the meanings and significance of property maintenance in the following chapter. Inspectors’ overall attitude to single-family homes is unsurprising considering what sociologists know about the pervasive valorization of homeownership in US society (see Garb 2005; Lauster 2016; McCabe2016; Schlay 1986). Yet, inspectors also admitted they would be

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the White working-class. The prevalence of unions for both White and Black building inspectors in Chicago, as well as entrenched political patronage, however, may diminish this difference somewhat. Though Lamont’s study does not include working-class Latinos, one might reasonably expect that Latino inspectors’ ideals may fall somewhere between those of White and Black inspectors.

more likely to cite a wealthy homeowner for minor violations. Thus, unexpectedly, within their general favorable approach to homeowners, they favor those they perceive as moderate- or low-income homeowners. Indeed, inspectors often repeated verbatim Dave’s insistent statement that “we’re not out to hurt a homeowner just trying to do the right thing with his property.” The emphasis here that the owner is “trying to do the right thing” suggests a struggle. In terms of the framework for understanding inspectors’ motivations, a struggling homeowner is the inspectors’ “little guy,” who above anyone else deserves a break.

On the flip side, while all landlords are fair game, inspectors prioritize punishing professional landlords who manage large and multiple buildings. During an interview, Paul – a White inspector of almost 30 years –laughed as he told me that “if someone actually has money [or] there’s an actual corporation that owns a whole bunch of buildings...and they have issues, then yeah, I’m going to hold them to the very small violations.” Frank agreed. “Hey, I’m not doing it because I’m trying to fund my pension,” he stressed, “I’m doing it because I know they can afford to pay, and they should pay!” Another White inspector, Mike, took a gulp of his coffee before explaining that he thought it was important to “look at single-family homes as a sole investment that doesn't generate revenue, versus an apartment building that generates revenue.”<sup>26</sup> Condo

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<sup>26</sup> Although this distinction does not always hold in cities where many single-family homes are rented out by their owners (see Desmond 2016), single-family homes comprise a relatively small percentage of Chicago’s rental stock compared to other cities (see Fannie Mae. 2012 “Single-Family Rental Housing – The Fastest Growing Component of the Rental Market.”

<http://www.fanniemae.com/resources/file/research/datanotes/pdf/data-note-0312.pdf> Accessed on May 4 2018).

buildings may also trouble inspectors' categories, since they are owner-occupied but may employ professional maintenance companies and may vary by socio-economic status. On the whole, however, building size signals to inspectors that owners have funds to maintain their property, and not doing so suggests negligence.

*From Bungalow Belt to building inspector*

Patterns in how inspectors considered negligence and struggle are guided by their perceptions of unfairness, which in turn are shaped by their background and knowledge of the city. The Bungalow Belt – the series of detached single-family homes on the city's far South, West, and Northwest Sides where most of Chicago's building inspectors grew up – is home to many city workers, who, despite any desires to move to the suburbs, have to live within the city limits. For many – in Chicago and beyond – bungalows are a tangible expression of working-class sensibilities, hard-working families, and strong, reliable values (Conklin 2001; Kefalas 2002). These mirror moral values highlighted in other research on working-class Americans (see Halle, 1984; Lamont, 2000). The men in Lamont's (2000) study, for example, overwhelmingly respect people who care, are straightforward, have a strong work ethic, and are not disruptive; they dislike people who are irresponsible, who complain, milk the system, take advantage of people, and are lazy. As such, they particularly enjoy David and Goliath type stories where an underdog goes up against the evil giant (Kefalas 2002). Building inspectors in Chicago align with these traits and carry their support for the underdog into their daily work lives. They favor protecting the honest, deserving good guy and going after the bad guys. In their work as inspectors, these values become categories to do with tenure, profit, and financial status – categories with significant consequences as they inform who inspectors decide deserves leniency and who does not. They identify with the

owners of the modest homes they inspect and take pleasure in small opportunities to get one over on the wealthy. For Chicago building inspectors, David and Goliath take on different forms, manifesting as struggling homeowners *city-wide* and property owners benefiting from undeserved profit or wealth. In this way, economic inequality furnishes the people and buildings that slot into inspectors' moral adjudications of deservingness.

While their class position shapes their resolve to go easy on the underdog, inspectors' experiences at work and in the city inform who the underdog is. Steve, a White inspector in his 60s told me "if you work in a lot of distressed neighborhoods, what is defined as bad can mean a lot of things...the layman could go out to some place and think it's horrific, whereas I might think well it's not bad." Inspectors also distinguished between newer and older inspectors. Al, another White inspector, told me that "new guys" have "a habit of citing everything." "Down the road," however, inspectors "make decisions about whether they're going to write something or not write something." After deriding a new inspector for citing a homeowner for a missing fence post, one inspector went on to tell me that his years on the job allowed him to distinguish between what matters. "With my experience," Mick, a Black inspector in his 40s, told me, "even when something appears dangerous...I'm able to look at violations and see which things are important, which things are not important." Similarly, Tyler, a Black inspector in his 30s, told me that "good inspectors" have a "good sense of good and bad." Rather than "just looking at the building," he told me they "understand the social issues along with it." Their stances are also reproduced through interactions in the office, particularly in moments in which inspectors took pleasure in telling their colleagues about recommending big buildings for court or sharing stories about known



bad landlords. In short, inspectors acquire priorities and dispositions from their experiences on the job and the workplace culture.

*Race, class, and buildings*

Inspectors' knowledge of the city is also tinged with biases and stereotypes common to their backgrounds (and to society more broadly). Standing on a block littered with boarded-up windows, a Black inspector also referred to the actions of residents to explain the persistent poverty in this majority African-American neighborhood. "All you got to do is make the playing field even," Natasha told me:

if we had the same income that would balance out...but sometimes you go into distressed neighborhoods and you just act out because that's all you see. It's no excuse but it's...the glass window or the broken window or something...if this is all you see this is what you do.

This reference to broken windows – the notion that minor social ills breed disorder more broadly – and family structure flitted between empathy, sympathy, and blame. Yet, I came to realize that, overall, inspectors' focus on unfairness took a kind of pragmatic precedence over their biases. For example, while discussing a predominantly African-American and low-income neighborhood on the city's South Side, Marco – a Latino inspector – insisted that "believe it or not...the family homes on the South Side, they try *the* hardest. And a lot of times they comply better than somebody that's got the money on the North Side." And, in many instances, inspectors seemed intent on telling me that poverty or exploitation was the problem in minority neighborhoods, not the culture or actions of the residents. Steve, a White inspector in his 60s, told me that on the South and the West Sides "you're always going to find the worst problems" due to "deferred maintenance, lack of investment...and that just goes back to economic conditions, maybe it's not profitable to invest in the building, generally it comes down to money." "Today, he continued "it's pretty much

racial...the Black, the Hispanic communities are probably the most devastated...but you could go back 50, maybe 100 years and it was another ethnic group that was in that same situation.” Other inspectors framed their views in terms of neglect. Importantly, however, inspectors often blame property owners rather than residents for the neglect they lament. Of course, these categories overlap, but inspectors seemed more intent to fault whoever is set to profit rather than the residents writ large.

In many ways, inspectors’ views on wealth were more straightforward than their views on poverty. Between inspections one day, Eddie told me, for example, that inspectors “universally” consider people from the North Shore (a group of affluent suburbs north of Chicago) “to be a-holes; it’s the wealthiest part of the county.” And, in a majority African-American neighborhood one day, I asked another White inspector if, based on the location, he could guess the race of the landlord whose building we had just written up for deplorable living conditions. Eddie paused to think before telling me: “you know, back in the day the quintessential slumlord was a White guy with Black residents, and that’s not so much the case anymore...it’s not really about Black or White landlords, it’s about *landlord*.” Similarly, in a discussion about newly rehabbed buildings in a majority Black neighborhood on the South Side, Frank suggested that “nobody’s in this neighborhood magnanimously; it’s for profit and to generate interest in the development community.” As with their views on homeowners, inspectors’ attitudes to professional landlords are wrapped up in how they viewed inequality, wealth, poverty, race, and class antagonisms more broadly.

Overall, inspectors’ recognition of structural inequality, their lack of sympathy for landlords, and sentiments of empathy to poor people, Blacks, and Latinos and the neighborhoods

in which they live are surprising given existing literature; the categories of property and deservingness they invoke are not what sociologists would expect. The pervasiveness of these categories became increasingly apparent the longer I spent with inspectors. Though I was initially wary of taking inspectors at their word in the interviews, I frequently saw inspectors in the field act on their oft-repeated assertions. In the following sections, I use interview and ethnographic data to demonstrate how inspectors adjudicate – using inferences about tenure, financial status, and fairness of profit – between who deserves leniency and who does not.

### **Going easy on low- and moderate-income property owners**

Throughout my fieldwork, inspectors frequently expressed a resolve to go easy on property owners. Near the end of a work day, Malcolm and I turned up at a single-family home on a tree-lined residential street in middle-income, racially and ethnically diverse neighborhood, with a housing stock comprised predominantly of low-rise apartments and single-family homes. We were responding to a complaint about a metal fence with sharp edges that separated the house from the 20-unit apartment building next door. He held the 311-slip in his hand as he looked back and forth between both buildings, and then explained to me that the 311-operator must have confused the addresses of the complainant and the apartment building. He assumed the owners of the single-family home had complained about the adjacent property, but that the operator had recorded the address of the single-family home on the complaint. He opted not to cite the single-family home for this reason, telling me that if he insisted the fence was removed – which did indeed have sharp edges – there would be no guarantee it would be replaced, meaning “suddenly [the single-family homeowners] could have 30 tenants on [their] yard grilling.” Here, Malcolm’s preferential

treatment towards – and desire to protect – the owners of the single-family home was explicit.

Eddie’s statement during an interview echoes Malcom’s stance:

I know other inspectors will not write up a single-family home because ... They'll just do a no-entry [record they could not access the property] and call it a day. I think all of them think the way I do on the single-family home, as far as, if you've got a broken window, a missing balance spot, a cracked service walk, the fence is falling over ... Now if you've got a mountain of junk in the yard...you've got to write that up because it's a rat problem. If it's a place you wouldn't let a dog live in, but it's not gonna kill you, more often than not, they're not gonna write it up. It's just cruel.

Eddie believed other inspectors shared his resolve to go easy on single-family homes as long as issues are not too severe.

Other times, inspectors were more overt about their desire to protect *struggling* homeowners. During an interview, Danny, who is White and has been on the job for 14 years, recalled trying to help an African-American woman whose “family building” – a term inspectors use to mean a two- or three-flat owned by one family member who rents the other units to family members – was close to being recommended for demolition. He told me that the woman was the single mother of seven children and had been holding down numerous jobs until a car breakdown caused her to lose them. “What I'm running into is people that are stuck in between,” Danny stated:

they're trying to make it in a market sense...but their mortgage got out of control, they're in foreclosure, they failed to tap into the HARP program to get their mortgage modified, and their principal interests and taxes are \$3000 a month. And that's just outrageous for a two-flat on the West Side. They could have used a property tax appeal and would have won, reduced the property taxes, God only knows what they're paying for homeowners' insurance...I'm sure that area's been red-flagged, and then the fucking mortgage... guaranteed they're ripping them off on the mortgage.

Danny clearly expressed sympathy for this woman and tried to help her by not recommending her building for demolition. Importantly, his concern stems from her struggle to “make it” as a homeowner when the odds are stacked against her.

While inspectors most identify with single-family homeowners, they are also not often called to these properties because they receive relatively few complaints. Thus, I observed their empathy towards low and moderate-income property owners most often during inspections of owner-occupied two and three-flat buildings across the city. During a long day of inspections, for example, I accompanied Malcolm to a building with an illegal (i.e. non-permitted) basement conversion in the northern most part of a rapidly gentrifying historically Latino neighborhood. As we pulled up to the two-flat brick building with dying flowers and plastic chairs in the front yard, we were met by the owner, a Latino man with a heavy accent who appeared to be in his 60s. The owner showed us into the now empty basement and pointed out that the kitchen that had been in the corner had been removed, meaning he could no longer rent it out as an apartment. Malcolm opted not to force the owner to get permits – nor to write him up for some issues with the basement windows. As became customary, he explained his decision to me as we got back into his truck. “This guy,” he said, “in this two-flat, probably doesn’t have a lot of money...plus he’s just lost the revenue from renting out the basement.” Malcolm estimated that, the owner was losing \$600-700 per month from the rent on the basement. “I don’t want to pile on extra for this guy,” he concluded. Malcolm saw his decision as a way of helping this property owner out, who he assumed did not have much money and was an oldtimer in this rapidly changing area, which had lost 35% of its Hispanic population, and gained over 47% more Whites since 2000, and which Forbes rated the one of the 20 “coolest places to live” in the US in 2017. But this was not the only reason for Malcolm’s leniency. He also suspected that development companies were responsible for making the initial 311 complaints in situations like this, in efforts to drive down the property prices or prompt owners to sell in gentrifying and increasingly lucrative areas. He told me that, contrary to

“an average homebuyer who likely wouldn’t know what was an illegal basement or not,” developers are savvy about “what violations are and what counts.” “The city doesn’t like to be part of that,” Malcom continued, “but [we have] no choice but to write it up if we see an illegal unit.” I discuss inspectors’ resignation in situations like this in Chapter Four.

I observed other inspectors making similar decisions about other violations too. One afternoon, I joined Nick to inspect a vacant three-story three-unit brick building on a wide, tree-lined residential street in a racially and economically diverse North Side neighborhood. The building was in court for a dangerous garage and porch and we were there to check for progress before its upcoming court date. Nick explained that the current owner – a middle aged White woman from Eastern Europe – had recently inherited the building and she could not afford the necessary upkeep. No work had been done on the porch since the building’s last court date three months prior. Some of the masonry on the back of the building had also begun to crumble and windows had been smashed since his last inspection. These were new violations, yet Nick did not add these to the existing list, explaining “I’m not going to add to her headache or ours.” And in court the following week, I observed as he recommended to the judge that the owner should be given more time to comply, rather than coming down hard by giving her a final date due to her continued lack of progress. He explained to me that he made these decisions because, through having met the owner, he knew she was struggling with money and, based on the location, he thought a developer would soon snap up the property anyway to do a gut rehab. This example shows Nick’s sympathy to this property owner, but also how he forecasts the potential for further discretion in court.

Inspectors' attitudes to homeowners extends to condo owners too. Danny, for example, told me about a case in which he had advised an almost bankrupt condo association how to avoid costly repairs a contractor stated would be necessary to comply violations. Rather than replacing a dangerous porch and leaky roof, for example, he told the condo association's attorney that contractors could instead "upgrade [the porch] with a variety of things including steel brackets and to bring it up to code" and "just patch up" the roof. "We're talking about saving thousands of dollars," he told me. Danny, like other inspectors, had gone out of his way to steer struggling property owners towards a solution that he deemed to be more financially-manageable.

In sum, when faced with situations when they perceive a homeowner is struggling financially, Malcolm, Nick and their colleagues neither record minor violations nor always insist on compliance so as not to "add to [a homeowner's] headache," or "pile on extra." These decisions incorporate on-the-ground interpretations of housing conditions and the financial status of owners, but also projections about how housing court hearings unfold. In addition to protecting homeowners from additional expenses, inspectors may be making practical assessments about who it is worth trying to insist complies; it may make more sense to go after landlords because they have greater capacity to comply versus struggling homeowners who are more likely to prioritize other expenses. On the surface this may seem like an alternative motivation for inspectors' actions: namely that they go easy on poor homeowners and to go harder on the wealthy because they assume that the former will not make necessary repairs and will just create more official work, whereas the latter will. Similarly, choices about when to show leniency may also be a way of

dealing with a heavy workload of complaints.<sup>27</sup> But these kinds of pragmatic considerations are part and parcel of inspectors' decision-making rather than alternative rationales. As the examples in this chapter demonstrate, inspectors make assessments about what people can afford, and what should be prioritized. They go easy, as in the case of Nick, because they do not want to add to a property owner's headache, or their own.

### **Going after the bad guys**

Along with their resolve to go easy on low-income homeowners, inspectors frequently spoke of their determination to "go after the bad guys." Bad guys take many forms, ranging from aldermen, contractors, development companies, banks, and mortgage and insurance companies. Inspectors expressed – and acted upon – outrage at their perception of unscrupulousness and corruption of these actors and organizations. This outrage aligns with Lamont's (2000; see also Halle 1984) findings about working-class men's animosity towards unfairness, cheating the system, and interference with "honest" people trying to "make it." Inspectors are most vocal about their abhorrence of anyone who exploits people who are already struggling financially.

As we sat in his car between stops one humid afternoon, Eddie began pointing out the numerous worn-out roofs he could see on the frame-buildings in the area. Many of the roofs and the siding on these buildings had not been maintained and were beginning to slide off. Eddie, however, blamed contractors as much as owners for this. "Fly by night contractors," he told me, are "thieving assholes," and often just nail new siding into rotting wood, especially in low-income

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<sup>27</sup> Noting the "pragmatic necessity of discretion," Proudfoot and McCann (2008) note "were bureaucrats were to enforce every regulation on every occasion, their work would grind to a halt" (p. 351; also see Lipsky 2010).



neighborhoods, which he described as “target-rich environments for fraud.” Eddie, who like most other inspectors worked in construction for many years, told me he used to try to vet contractors for homeowners, but it had become too much work.<sup>28</sup> This aligns with Lamont’s (2000; see also Halle 1984) findings about working-class men’s resolve to provide protection from unpredictable environments and animosity towards people who they think are cheating the system.

Most universally, the bad guys for inspectors are landlords who inspectors believe can afford to maintain buildings but fail to. I observed multiple incidents of inspectors’ efforts to punish landlords, seemingly spurred on by their disgust for their negligence. An early morning inspection in a racially and ethnically diverse neighborhood on Chicago’s North Side exemplifies this trend. Malcolm rang various buzzers to try to get access to the medium sized apartment building. No one answered, though the noise set dogs barking somewhere else in the building. The complaint alleged the landlord had padlocked the back gate and had done nothing to abate a bedbug infestation that had been an issue for months. We were about to leave when a young woman approached the doorway with her keys. Malcolm asked her if the issues on the complaint were accurate and she told him they were.<sup>29</sup> This was not enough for Malcolm, however. He proceeded to go around the side of the building and pointed out a mass of loose wires hanging at shoulder height from an exterior wall. “I wouldn’t normally write this up...” he told me as he scribbled. Yet he did so in this case because he thought the owner was a bad landlord who deserved everything he could throw at him.

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<sup>28</sup> The Department of Buildings tasks specific inspectors to deal with contractor fraud.

<sup>29</sup> We could not inspect the tenant’s unit because she was under 18 and home alone.

The last inspection of the day on one hot and humid afternoon also illustrates inspectors' determination to go after bad landlords. Eddie and I were in a majority African-American neighborhood, notorious among inspectors and the public for its empty buildings, violent crime, poverty, and vacant lots. As we walked up to the six-flat, a man approached us to tell us he was the one that made the initial complaint about a lack of electricity and cockroaches, and he led us inside his apartment, where he lived with his wife. The couple were both Black and seemingly in their 20s, and both wore faded jeans and t-shirts. They occasionally talked over each other as they went from room to room pointing out numerous violations throughout their apartment that the landlord had refused to fix, ranging from holes in the walls, clogged drains, and sparking outlets, to kitchen and bathroom ceilings that were thick with orange mold, and their neighbor's trash and mop bucket tipped across their back doorway. The back porch was unstable, the back gate was padlocked, and various kinds of insects were in plain sight on the kitchen walls and floors. The landlord had also failed to provide heat last winter, or electricity for the past three months. And this was the height of the summer, making the use of air conditioning units or even fans impossible. The lack of electricity had also meant the tenant was unable to use some medical machines that he needed, giving him little choice but to readmit himself into hospital and causing his insurance company to take back the machines. The couple were disgusted with the condition of their apartment and their landlord's negligence. "See that?" the woman asked, barely able to keep herself from yelling while pointing to the bathroom ceiling, "she just don't care. At all." Eddie seemed disgusted too; he had been furiously scribbling notes the whole time, telling them he was sending the landlord to court, and wanted to get every detail down. As we were leaving, Eddie asked them what they paid for rent. "I ask," he explained to them, "because when I pray for

landlords to go to landlord hell, it's based on how much rent they charge for a shithole.” “Yeah, she's on her way to landlord hell,” Eddie said after they told him their rent was \$750. The write-up for this building listed numerous severe violations for housing court. At the minimum, the owner will be forced to fix the porches, electricity and ceilings. What becomes of the tenants during and after this work, and how the repairs will affect the rent they pay, is less certain. I return to this in Chapter Five.

In sum, my fieldwork with building inspectors demonstrates why and how inspectors use their discretion. They opt to heavily penalize professional landlords and are lenient towards low- and moderate-income homeowners. Inspectors’ motivations stem from their opposition to the very inequities that growth-oriented policies and practices produce. But do my observations of inspections in actions and interviews with inspectors represent systematic patterns across the city? In the following section, I test this question using data on building violations, complaints, and data on demographics and housing stock at the block group level.

### **City-wide patterns of going easy and going after**

To test the generalizability of my findings, I test for the effects of income, tenure, and building size on the number of violations at the census block group level<sup>30</sup> using two negative binomial

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<sup>30</sup> I use data at the block group level as they are the smallest geographical units for which the Census Bureau publishes sample data. Block groups are groupings of census blocks based on population characteristics and are relatively homogenous; there are typically between three and five block groups to a tract. Their relative homogeneity suggests that effects at the block group level are representative of those at the level of the building. Similarly, as inspectors often do not

regression models.<sup>31</sup> The dependent variable in my models is a count of the number of violations per census block group. I created this variable using the City of Chicago's Data Portal database of building violations, from 2006-2015. The buildings violations database, which is publicly accessible and updated daily, contains information on every reported building code violation since 2006. I geocoded the data to match each entry to its census block group in ArcGIS and then calculated counts by block group. As these violations are all prompted by 311 calls, I control for the number of complaints per block group using this as an exposure variable in my models.<sup>32</sup> Typically measures of time, population size, or geographical area, exposure variables account for the number of times the event (i.e. a violation) could have happened. To create the complaint variable, I obtained and geocoded 311 records of building violation complaints between 2006 and 2015. As an exposure variable cannot have a value of 0, I do not use the nine block groups that received no complaints or that have no housing units, yielding a sample size of 2181 block groups.

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meet residents or property owners, the block group demographics may more accurately capture inspectors' knowledge about a building.

<sup>31</sup> Specifically intended for analyzing count outcomes, negative binomial regression is an extension of the Poisson regression model that relaxes the Poisson's assumption that the conditional variance of the outcome is equal to the conditional mean of the outcome (Long, 1997:230).

<sup>32</sup> I also ran the models with housing units per block group as the exposure variable, which yielded similar results to the models with complaints as the exposure variable. Thus, controlling for the number of complaints is also a proxy control for the number of housing units per block group.

Model 1 – “Going Easy” – tests my hypothesis: that, controlling for complaints, inspectors go easy on low- and moderate-income and owner-occupied buildings. I thus predict that violations will be positively correlated with block-group level income, and negatively correlated with the number of small owner-occupied buildings per block group (compared to larger owner-occupied buildings and rental buildings). Model 2 – “Going After” – tests my second hypothesis: that, controlling for complaints, inspectors go after professional landlords. I predict that violations will be negatively correlated with the number of large rental buildings per block group, compared to smaller rental buildings and owner-occupied buildings.<sup>33</sup> I used the American Community Survey 2008-2012 5-year summary data to create the independent variables for my models.

In Model 1, I include the percent of a census block group’s housing stock that is made up of owner-occupied units in small buildings. This variable is the percentage of a block group’s housing stock that is one or two units, in 10% increments, and thus captures not only single-family homes, but two-flats like those I observed inspectors favoring. If my observations represent systematic patterns across the city, there should be a negative correlation between the percent of these small owner-occupied properties in a block group and the number of violations. To make sure that effects stem from the building size and not the tenure, I also include a variable for larger owner-occupied buildings (three or more units). Doing so enables me to test whether inspectors go easy on all owner-occupied properties, including larger buildings such as condos. To test for the effect of low- and moderate-income property owners, I include the median household income in the past 12 months (in 2012 inflation-adjusted dollars, where each one unit equals \$1000). I

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<sup>33</sup> I use two models, rather than one, to reduce the concern about multicollinearity caused by the correlation between my variables for building size and tenure.

also control for the poverty rate in the block group, given that existing literature points to the significance of concentrated poverty versus income (Lichter, Parisi, and Taquino 2012; Wilson 1987). If my hypothesis is correct, income should be positively correlated with violations and poverty should be negatively correlated: as incomes decrease and poverty increases, inspectors give owner-occupied buildings fewer violations.<sup>34</sup>

In Model 2, I include a variable for the percentage of large rental buildings (five units or more, in 10% increments) per block group. Although professional landlords also own smaller buildings, large rental buildings serve as a proxy to operationalize professional landlords. During my fieldwork, inspectors often used the terms “big buildings” and “big companies” interchangeably. If my hypothesis is correct, violations should be positively correlated with the percent of large rental buildings in a block group. To pinpoint the effect of large rental buildings, I include a variable for smaller (one to four unit) rental buildings.<sup>35</sup> In both models, each unit change represents a change of 10% for each of the property variables.

My models contain several control variables. I control for building condition by including variables that measure overcrowding and lack of kitchen facilities, which are the only measures of

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<sup>34</sup> While my hypotheses in both models are about actions taken against individual buildings, my models capture building composition at the property level. The relative homogeneity of block groups, however, suggests I can reasonably interpret my findings at the level of individual buildings.

<sup>35</sup> Inspectors also expressed empathy for small-time landlords of three-flats during my fieldwork. As the ACS does not separate three- and four-unit buildings, I opted to create one variable for one to four units and another for five or more.

physical condition available.<sup>36</sup> Since buildings can deteriorate with age, I control for the age of housing stock by including a variable for the median year built. Finally, while existing literature finds race to be a powerful predictor of perceptions of disorder and uneven regulation (Harcourt 2001; Murphy 2012; Sampson 2012; Sampson and Raudenbush 2004), my fieldwork suggests that the racial composition of an area does not predict inspectors' attitudes. In fact, inspectors may go the easiest on racial and ethnic minorities because they are more likely than Whites to live in substandard housing and live in homes with lower values. Overall, these trends suggest that inspectors' decisions – both in terms of leniency and punitive actions – may be most consequential for low-income minority residents because they are most likely to occupy the categories of struggling homeowners and rent units from negligent landlords. If this were the case, we would expect inspectors to go easy on homeowners go after landlords in minority neighborhoods. To test these hypotheses, I included ACS variables for the percentages of the block group population that are White non-Hispanic, Hispanic, Black, and Asian. To ease interpretation and improve meaningfulness of my results, I use 10% units for these variables. Table 2 presents descriptive statistics for my variables. Table 3 presents results from my model.

*Results:*

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<sup>36</sup> Following HUD's Comprehensive Housing Affordability Strategy (CHAS) custom tabulations, I used the ACS variable for the number of units that are crowded (defined as units with more than one person per room) and the number of units lacking complete kitchen facilities. See <https://www.hudexchange.info/resources/documents/CPD-Maps-Glossary.pdf> I calculated percentages per block group for each.

The results in both models show support for my hypotheses. In Model 1, block groups with a greater proportion of small owner-occupied buildings are negatively correlated with violations and income is positively correlated. Both coefficients are statistically significant. A 10% increase in the number of one- or two-unit owner-occupied buildings per block group is associated with a 5.4% decrease in the number of violations, holding other variables constant. And, a \$1000 increase in median household income per block group is associated with a 0.3% increase in violations. The effect of larger owner-occupied buildings – such as condos – is positively correlated with violations but is not statistically significant. While existing literature documents the valorization of homeownership (and particularly single-family homes, see Garb, 2005; Lauster, 2016; McCabe, 2016; Schlay, 1986), the negative effect of income, is not what scholars of the growth machine would expect. Rather than favoring high-end real estate, or owner-occupied properties in general, my findings suggest that inspectors go easy on lower income and small owner-occupied buildings.



Table 2. Descriptive statistics

Block group variables	Mean	Standard deviation	Minimum	Maximum
Number of violations	449.51	356.97	0	2220
% lacking kitchen	.09	.19	0	5.83
% overcrowded	4.23	5.6	0	38.61
Median year built	1948	13.6	1939	2010
% Black <sup>‡</sup>	3.68	4.29	0	10
% Asian <sup>‡</sup>	.38	.84	0	9.1
% Hispanic <sup>‡</sup>	2.1	2.68	0	10
Median income (\$1000)	50.27	26.8	0	203
% poverty	22.41	13.63	.37	74.01
% (of units) owner-occupied, 1 to 2 units <sup>‡</sup>	3.70	2.8	0	10
% (of units) owner-occupied, 3 or more units <sup>‡</sup>	1	1.49	0	10
% (of units) rental, 1 to 4 units <sup>‡</sup>	1.6	1.46	0	10
% (of units) rental, 5 or more units <sup>‡</sup>	1.7	1.66	0	10

<sup>‡</sup>one unit = 10%

Table 3. Results from negative binomial regression models of property categories on number of violations, with complaints as the exposure variable

	Model 1: Going Easy	Model 2: Going After
% lacking kitchen	0.365*** (6.42)	0.326*** (5.45)
% overcrowded	0.000658 (0.40)	0.000775 (0.45)
% median year built	-0.00816*** (-12.77)	-0.00539*** (-8.10)
% Black <sup>‡</sup>	0.0258*** (6.78)	0.00802* (2.07)
% Asian <sup>‡</sup>	0.0383*** (3.53)	0.0510*** (4.35)
% Hispanic <sup>‡</sup>	0.0421*** (8.28)	0.0255*** (4.80)
Median income (\$1000)	0.00295*** (6.19)	0.00262*** (5.61)
% poverty	0.000930 (0.97)	0.00452*** (4.71)
% (of units) owner-occupied, 1-2 units <sup>‡</sup>	-0.0543*** (-13.04)	
% (of units) owner-occupied, 3 or more units <sup>‡</sup>	0.0152 (1.86)	
% (of units) rental, 1 to 4 units <sup>‡</sup>		0.0396*** (5.32)
% (of units) rental, 5 or more units <sup>‡</sup>		0.0564*** (9.37)
Constant	16.98***	11.28***
L <sub>n</sub> alpha	-2.038***	-1.951***
N	2181	2181

t statistics in parentheses; \* p < 0.05, \*\* p < 0.01, \*\*\* p < 0.001, ‡ one unit = 10%

Model 2 also supports my hypothesis. In this model, larger rental buildings are positively correlated with violations and the effect is statistically significant. A 10% increase in the number of rented units in buildings with five or more units per block group, is associated with a 5.6% increase in the number of violations, holding other variables constant. Though smaller in magnitude, the effect of small rental buildings is also positively correlated with violations. The similarity between these two coefficients may be linked to a condition of the buildings that my models do not capture, or it could be a result of inspectors' awareness that some smaller rental buildings are professionally managed. Indeed, though many do not, landlords are supposed to post the name of the owner on a building's façade.

Unsurprisingly, the effect of the building age – measured as year built – is significant and negative in both models: older buildings receive more violations controlling for complaints. The effects of the lack of kitchen facilities and overcrowding are both positively correlated with violations, although the effect of overcrowding is not statistically significant. Of note is the positive correlation between percent poverty and violations (which is statistically significant in Model 2), despite the positive correlation between income and violations.<sup>37</sup> This suggests that while an increase in a block group's average household income is associated with a decline in the number of violations, there may be a limit to the effect of income when inspectors are going after landlords; as poverty increases, the number of violations also increases. Thus, it is possible that inspectors favor working-class over poor property owners, and that they can tell the difference. I address the clues that inspectors use to infer class from buildings in the following chapter.

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<sup>37</sup> My results barely changed when I ran the models without poverty as a variable.

Also noteworthy in both models is that percent Black, Asian, and Hispanic are all significant and positive: as the percentage of these populations increases, so do the number of violations that inspectors record.<sup>38</sup> This is somewhat consistent with existing literature that demonstrates racial bias in perceptions of disorder and policing (Harcourt 2001; Murphy 2012; Sampson 2012; Sampson and Raudenbush 2004), although these studies would predict that percent Black would have the largest effect, which is not the case in my models. There are at least three plausible explanations for this incongruity between my qualitative and quantitative findings, which I briefly discuss below.

First, and perhaps most expectedly, the race-based patterns in my quantitative findings may stem from inspectors' biases and discrimination towards minorities. However, as I did not observe such bias during my fieldwork (and considering the comfort with which Whites express racist views in front of other Whites (e.g. Eliasoph 1999; Myers 2005; Picca and Feagin 2007)), this remains an open question in need of further investigation. A second explanation is that effects of the race coefficients in my models stem from an inadequate control variable for actual housing conditions. To be sure, the variables I used – the lack of kitchen facilities and overcrowding – do not capture the breadth of housing conditions. And, due to a long history of limited housing options and obstacles to wealth as well as contemporary financial barriers to home repairs, there

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<sup>38</sup> To be sure, the coefficients for race in my Model 2 (for rental buildings) captures the race of tenants, and not necessarily that of the landlord. Extant literature would predict the positive correlation between violations and minorities for rental buildings to stem from inspectors' uneven perceptions of disorder among minority tenants, I observed the opposite of this in my fieldwork. Inspectors rarely mentioned tenants, and instead focused on landlords.

is a strong correlation between minorities and buildings in poor condition. As such, the homes occupied by minorities – and the units rented to minorities – are more likely to have building violations, and severe issues that inspectors cannot overlook and thus they record more violations in areas with more minority residents. For example, there is institutional pressure for inspectors to always record violations that relate to missing smoke detectors and dangerous porches. In such cases, inspectors record violations for these buildings but can exercise leniency at other points in the code enforcement process, for example by not insisting on compliance, allowing property owners additional time to repair their buildings, or recommending leniency in housing court. As such, my models may not fully capture the extent of inspectors' discretionary actions; there are other ways in which they go easy and go after. A third possible explanation for the correlation between minorities and violations in my models is inspectors' colorblind considerations of the origins of poor housing conditions, which ignore racial discrimination and likely underestimate racial disparities in economic equality. As such, this may set an inaccurate – and unreasonable – bar by which inspectors compare, measure, and evaluate who is a struggling homeowner or who is an unscrupulous landlord.<sup>39</sup> I discuss this further in Chapter Five. I suggest that the reason for

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<sup>39</sup> In my models, areas with more Asians and Hispanics receive more violations than areas with more Black residents. Following each of the explanations in this section, this could mean that 1) inspectors are most implicitly biased towards these block groups; 2) these block groups have the worst housing conditions (or are more likely to have the kinds of violations inspectors must record); or 3) that inspectors assume Hispanics and Asians are more economically comparable to Whites and thus hold them to that standard more so than Blacks. However, Whites remain the

the incongruence between my fieldwork and quantitative findings is likely a combination of each of these explanations. While I did not observe racial discrimination, some inspectors may indeed be prejudiced. And, although inspectors do claim to be just as likely to go easy on minority homeowners as their White counterparts, in practice this may not happen due to the reality of substandard and dangerous housing conditions *and* perhaps their implicit biases.

Although my quantitative results pose further questions regarding race, my statistical analysis does suggest that the patterns I observed in my fieldwork – such as Eddie’s prayers for negligent landlords to go to “landlord hell” and Nick’s attempt not to add to the headache of a struggling owner of a two-flat – represent systematic patterns across the city. The analysis in this chapter raises further questions about the consequences of building code violations and who bears the brunt of the inspectors’ actions. I turn to these questions in Chapter Five.

## **Conclusion**

In this chapter, I demonstrate that building inspectors in Chicago favor protecting “little guys” and go after the “bad guys.” While existing accounts assume that urban regulatory actors act in concert to further urban economic development, I show that some city workers oppose relentless attempts to make land more profitable or to appease those who benefit from economic

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reference category, and as such, hypotheses about inspectors’ assessments of Blacks, Asians, and Hispanics must also account for why they record fewer violations in Whiter block groups.

development. Inspectors' sympathy for struggling homeowners prompts them to go easy on buildings owned by people with low- and moderate-incomes, and their disdain for unfair profit and negligence causes them to go after professional landlords and property companies. As economic inequality in the city provides the people the buildings that furnish inspectors' categories of deservingness, my findings push sociologists to examine attention to existing trends in inequality alongside the categories that actors invoke. How do other state agents go easy and go after in surprising ways? In unpacking what inspectors consider when they make decisions, this chapter also reveals one stage of the processual relationship between on-the-ground interpretive decisions and city-wide trends. The examples from my fieldwork I presented in this chapter involved interactions with people who own and live in the buildings inspectors assess. In the following chapter, I show how inspectors also rely on material clues to guide their decisions about leniency, and punishment, and which buildings to pick battles with.

### Chapter 3. Material clues and landscapes of responsibility

In this chapter, I show how material aspects of buildings shape how inspectors do their job. I investigate the ways that inspectors interpret material features to make decisions about the kinds of people who live in and own the buildings they inspect. In short, I show how interpretations of material conditions shapes social action. The previous chapter demonstrated overarching patterns in inspectors' discretion: how they go after bad landlords and go easy on struggling homeowners. Yet inspections are rarely scheduled ahead of time, and inspectors often do not meet those who make complaints or own the buildings in question. Instead, inspectors are left to decide which battles to pick from material clues.<sup>40</sup> This chapter focuses on instances in which inspectors use materiality to guide and articulate their discretionary decisions. How do material features of buildings help inspectors decide who is a struggling homeowner and who is a bad landlord?

Drawing on analyses of the Municipal Building Code and fieldwork with inspectors, this chapter advances sociological understandings of the built environment. I challenge the way

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<sup>40</sup> Malcolm estimated that fewer than 40% of 311 complaints include contact information.

Similarly, 70% of inspections I observed did not include interactions with residents or owners.

Indeed, most inspectors told me meeting people is time-consuming and complicates their assessments. Inspectors often told me that they tried to avoid "drama." Keith, for example, insisted "we try not to get involved with all of that stuff, we don't take a side, we just show up, write it down, move on to the next one." I saw inspectors act on this preference too. Oftentimes, they would barely engage beyond a greeting with people in the buildings we visited.



theories of disorder disaggregate the built environment into discrete features and assume unambiguous interpretations. I show instead that material features are neither objective, nor independent of other material features to which they are attached and by which they are surrounded. In contrast to existing theories of materiality, however, I argue that it is not material affordances per se that enable interpretation and action, but rather inspectors' inferences about the production and producers of the material aspect in question. I thus offer a new framework for how built environments matter that moves us beyond studies of disorder and towards a framework that accounts for social origins of the production of material conditions: the built environment as a landscape of responsibility. I demonstrate how inspectors interpret material conditions through assessments of negligence and effort, deducing culprits, profit, and responsibility from building conditions. While the Building Code specifies that porches must be built to certain requirements and inspectors can tell if a porch they inspect violates the code, for example, beyond this, inspectors infer intent into the reason why a porch violates the code. Inspectors may decide a porch is not up to code because the building owner is poor and cannot afford to make repairs. Conversely, inspectors may assume a porch violates the code because a landlord is negligent. While upkeep and negligence are related to order and disorder, I demonstrate how the production – in terms of effort and neglect – are more important to inspectors than the aesthetics of (dis)orderliness or the normative evaluations of social (dis)order. Attending to how social actors identify and attribute responsibility for material conditions gets sociologists further than assuming a schema of disorder as it sheds light on where and whom we might focus attempts to improve disparities in housing conditions and urban inequality.

## **Interpretations of built environments**

Existing studies of building inspectors and other enforcers of municipal codes pay little attention to the built environments that these frontline agents of urban governance observe, inspect, and regulate (e.g. Proudfoot and McCann 2008; Sommers 2016; Valverde 2012). Material characteristics of buildings appear, in existing accounts, to be entirely polysemic; they do not structure or shape interpretations or the actions of frontline officials, and instead appear to afford selective, subjective, and politically desirable interpretations. Work in other subfields, however, suggests different ways that built environments might matter for how inspectors make decisions. Scholarship on disorder would suggest that certain physical features would carry interpretations of disorder, and that this would be more likely in low-income and minority neighborhoods. Studies of distinction and taste would suggest that material and aesthetic features signify class. Scholars of materiality offer some analytic tools for unpacking how material features of buildings matter. I build on each of these literatures and offer a new framework that accounts for social origins of the production of material conditions: landscapes of responsibility.

### *Perceiving disorder, reading status*

Disorder is arguably the most dominant framework for how urban sociologists understand material conditions in cities. Contemporary studies and theories of disorder began in Chicago in the 1990s as part of the Project on Human Development in Chicago Neighborhoods. This project incorporated systematic social observations of almost 24,000 blocks in the city. For each block, researchers logged land use, building condition, traffic, socially disorderly behavior, and “objectively observable aspects of disorder” such as garbage, broken bottles, litter, graffiti, abandoned cars, and drug paraphernalia (Sampson and Raudenbush 1999; Sampson 2012;

Sampson and Raudenbush 2004). Researchers then counted the frequency with which they observed these cues and, uncovering correlations between physical and social disorder, surmised that physical signs of disorder are indicators of a lack of social cohesion and control. Another set of studies using this data show that, as the concentration of minority groups and poverty increases, residents (of all races) perceive heightened disorder, regardless of the amount of disorder as measured by researchers themselves (Sampson 2012; Sampson and Raudenbush 2004). Research on physical disorder has also extended into other areas of sociology, such as aging and the home environment (York 2008) and debates about measuring gentrification (Hwang and Sampson 2014).

Despite its prominence and pervasiveness, the subfield of disorder studies rests on two assumptions that necessitate further investigation. First, studies of disorder tend to disaggregate the built environment into discrete features and reduce places to demographic variables. Second, these studies assume a consensus around what counts as a sign of disorder. Disorder scholars posit a priori that particular physical features – such as broken windows – count as signs of physical disorder.<sup>41</sup> There is variation in people’s perceptions of disorder, however (Franzini et al. 2008; Hipp 2010; Wallace, Louton and Fornango 2015; Prickett 2014; Wallace and Louton 2018; Wallace and Schalliol 2014). Wallace and Schalliol (2014), for example, demonstrates the variable potential of measures of disorder. Wallace and Schalliol attend to neighborhood characteristics that, they contend, scholars of neighborhood disorder have overlooked (such as alleys, backs of buildings, and backyards) to argue that the presence and severity of disorder

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<sup>41</sup> According to Sampson (2012), signs of disorder are either a violation of a code ordinance (broken window) or an act of criminality (graffiti, drug paraphernalia).

varies over time. In particular, the authors find that the assumption of downward spirals of disorder may be an oversimplified story. They suggest that certain levels of disorder could lead to further decay or to either a halt or plateau in decay. Furthermore, Wallace and Schalliol hypothesize that very severe decay may provoke less social disorder because people see areas as inhospitable, local residents may increase guardianship, or decay may galvanize neighborhood activism. By pointing to how material disorder may lead to social cohesion, Wallace and Schalliol elucidate potential misalignment between trajectories of physical and social disorder. Prickett (2014) also argues that disorder is not always a destructive force. She uses ethnographic and historical data to demonstrate how participants in an urban mosque see specific signs of physical disorder in their environ as symbols of their collective identity. In keeping with other scholars who study disorder however, these studies still rely on the framework of disorder. By and large, studies still show links between perceptions of disorder and low-income minority neighborhoods and still treat disorder as the explanatory schema for understanding the urban physical environment.

A second group of studies would also point to correlations between people and their built environments but allow more room for differences in interpretation. Drawing on Bourdieu, scholars demonstrate how domestic spaces and objects are signifiers of class-based taste, consumption, and distinction, finding material differences in the homes of those with high economic capital and high cultural capital (Banks 2010; Woodward 2003; Silva and Wright 2009). In so doing, scholars argue that household items are used as ways of presenting the self (Csikszentmihalyi and Rochberg-Halton 1981; Hurdley 2006; Kempen and Ozaki's 2002; Riggins 1990), symbols of class status (Goffman 1951; Laumann and House 1970; Sewell 1940;

Veblen 1953 [1899]; Warner 1949), and expressions of cultural variation, such as nationality or ethnicity (Miller 1988; Ozaki 2001; Rapoport 1969). This literature, by and large, assumes that distinctive styles or taste can be “read” from material objects. As such, this body of work would predict that inspectors could determine socio-economic status of residents from the buildings they inspect.

Other studies depart from this tradition slightly and offer a more context-driven connection between class and built environments. In his study of upper-class homes, Halle (1993) stresses that differences in art on display is more of a product of their current residential life and neighborhood context than usual Bourdieusian predictors of “taste” such as class, education or income. Neighborhood safety and density, for example, can be just as influential for residents’ choices about outdoor swimming pools, fences, and yards, which would commonly be assumed to be purely aesthetic preferences and signifiers of class-based distinction. Context is also important in Kefalas’ (2003) study of a White working-class bungalow community in Chicago. She demonstrates, for example, how “the fastidious upkeep of lawns and houses” is both a signifier of working-class White pride but also became a weapon among White working-class residents who felt under threat from Black newcomers (p. 99). As such, these studies suggest that neighborhood context shapes the meaning of material features of the built environment.

I build on these studies to show that inspectors prioritize neither socio-economic status nor disorder when they interpret buildings. While urban sociologists consistently demonstrate the ubiquity of uneven perceptions of disorder among residents and non-residents, it is telling that building inspectors – the very people who deal in physical disorder of built environments –

do not share this stance. Inspectors do not perceive built environments in terms of disorder or class status, but rather through a lens of responsibility. This suggests urban sociologists should broaden our scope when considering how materiality matters in the city.

### *Materiality and the built environment*

Sociological studies of materiality are largely the domain of cultural sociology and science and technology studies (STS) (e.g. Epstein 2008; McDonnell 2010; Molotch 2010; Mukerji 1994). Most scholars from these subfields agree that there is a dialectic relationship between interpretations of cultural objects (Griswold 1987) and objects themselves. However, some studies emphasize the malleability of interpretation, often suggesting that well positioned social actors intentionally select whatever interpretation is most useful in a given situation. In terms of buildings, for example, Molnár (2005) suggests that Hungarian politicians selected certain aspects of housing to augment the authority and credibility of their profession. Accordingly, building inspectors would be more likely to cite property owners in areas that the city has slated for redevelopment, irrespective of the actual physical condition of a property.

Other studies stress the importance of the material characteristics of objects themselves in shaping potential interpretations. Although debates abound over the extent to which an object has agency,<sup>42</sup> cultural sociologists tend to agree that physical characteristics of objects matter, often citing Gibson's (1979) notion of "affordance" to refer to certain material properties that allow certain actions. The weight, shape, or size of an object, for example, "affords" actors to pick it up, stand on it, or notice it, and recent work in this vein illuminates the unanticipated and unruly propensities of objects as they deteriorate or are otherwise misinterpreted (see McDonnell 2016;

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<sup>42</sup> For a summary of such debates, see McDonnell (2010) and Bartram (2016).

Rubio 2014). Taking a different tack, Keane (2003) uses the term “bundling” to capture the combined material qualities of an object. A building, for example, has multiple material qualities; it could be a courtyard building, made of brick, with numerous broken windows. Or it could be a two-story frame building with decorative finishes. Keane stresses that different aspects are important at different times, and, although some qualities may be more noticeable at one time, Keane urges analysts to attend to the full extent of an object’s materiality because qualities are codependent. Though bundling and affordances are useful analytic tools for understanding how buildings play a variety of roles in the work of inspectors, my findings suggest that inspectors’ *interpretations* about the production and producers of material objects are just as consequential as the material affordances scholars theorize.

Cultural sociologists often conceptualize interpretative relationships between objects, their producers, receivers, and context using Griswold’s (1987) cultural diamond, which posits cultural objects as interpreted by people and allows for variation in interpretation because of variation in the cultural object (e.g. tidy yards vs. unkempt yards) or in those doing the interpreting (e.g. inspectors vs. residents). What I show, however, is that what the recipients (inspectors) are interpreting is not just the cultural object but the cultural object’s relation to its producer. Thus, inspectors interpret the messy front yard of a professional landlord as something to write up, while they interpret the messy yard of the struggling owner of a modest home as something to overlook. In this way, the cultural object is the *relationship* between a material aspect and its social origin, rather than a material thing or its producer.<sup>43</sup>

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<sup>43</sup> In calling for a “relational sociology,” scholars in other subfields also attend to how objects come to represent biographies, narratives, and value (see Degenshein 2017; Emirbayer 1997;

This chapter thus builds on existing literature in three ways. I demonstrate one way that materiality matters for urban governance, urge scholars of materiality to pay more attention to inferences about the production of material things, and move urban sociologists beyond assumptions about the ubiquity of perceptions of disorder and distinction. Disorder is such a pervasive trope that scholars pre-assume it as the categorization of urban environments, and then ask how various people perceive it to vary. In showing how inspectors consider material conditions, I suggest it is time urbanists alter their framework. Building inspectors' perceptions of a landscape of responsibility and focus on the cause of conditions suggests an alternative exists and prompts us to cast a wider net. Assuming a schema of physical disorder, I argue, is too narrow in scope and does not set out a course for action. To make this argument, I first establish the extent to which regulations of materiality (set out in the Building Code) limit inspectors' discretionary interpretations of buildings.

### **Material regulations**

Inspectors refer to the Building Code to guide and justify their decisions about when to allocate building code violations. During interviews, inspectors often began by stressing that inspections are objective and impartial, telling me versions of the same thing repeatedly: everybody gets the same in the building code. Keith, a White inspector of almost 20 years told me:

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Zelizer 2005; see also Kopytoff 1986). This concern can be traced back to the origins of sociology. Durkheim (2008) and Marx (1978), for example, both theorized objects – whether totems or commodities – that appear external to their origins.



It's pretty easy...there's no gray in the building code, it's basically black and white...it's either broke or it's not broke, it's got to be fixed, or it doesn't have to be fixed. It's pretty simple. You know, we take a snapshot of what the condition of that building was in that minute in that time and write it down on a piece of paper...it's not hard, you know...to make it black and white is very simple. When you go to a gray area, that's when you're taking your own personal idea of the building code...that's not what we get paid for. We're just building inspectors: it's broke, it's not broke, it needs to be fixed...that's how easy this job is. You know, so if somebody says it's hard, it's not.

Keith insisted that building code makes the job easy and I should not trust anyone who told me otherwise. Others stressed the universality of the code. Micky, a White inspector in his 60s told me that “a building in a nice neighborhood has to stay at the same minimum building requirements as a building in a...not so happy neighborhood,” and that “people deserve the same things all across the city.” Sooner or later, however, inspectors began to tell me – in one way or another – that violations can be subjective, that the code is malleable, and that they assess violations case by case. Tyler, who is Black and in his 40s, told me that he and his fellow inspectors “have to look at everything individual, you know, everything gets situational, as opposed to just a blanket.” Previous chapters demonstrate how inspectors invoke categories of deservingness based on financial status, tenure, and profit to guide their decisions. Here, however, I focus on how material aspects matter.

To establish how the Building Code directs violations to certain material features and building types, I conducted a content analysis of the 259 code ordinances that inspectors use. This chapter draws on my categorizations of the ordinances in the following ways: 1) what building types the ordinance addresses (e.g. single-family homes or high-rises); 2) what material features the ordinance addresses (e.g. chimney, walls, windows); and 3) whether the ordinance is more qualitative or quantifiable (e.g. sanitation vs. height of a wall). I categorized both the number of

ordinances and the frequency with which inspectors have used these ordinances between 2006 and 2015.

Overall, my analysis suggests that the code affords inspectors much interpretative leeway. Almost all ordinances used by conservation inspectors apply to buildings of all construction materials.<sup>44</sup> And, although there is some differentiation in requirements across building sizes and types, 85% of ordinances apply to all buildings.<sup>45</sup> Moreover, it is usually the content of the ordinance that differs by building size and type, not the existence of an ordinance. For example, although a single-family home does not need as many points of egress as an apartment building, there is still an ordinance that applies to points of egress for single-family homes. My analysis further suggests that the code is comprehensive and malleable because 68% of ordinances apply to physical aspects that all buildings (should) have (e.g. windows, doors, walls, and floors vs. chimneys, stairs, and yards). Furthermore, some ordinances are comprehensive and non-specific, and inspectors can use them to cite items that are not named specifically in the code. For example, while there is an ordinance for carpets, there is not one for hardwood floors. However, an inspector can still record an issue with a hardwood floor under the general ordinance for floors. Likewise, although 36% of ordinances in the code are more qualitative (e.g. lack of sanitation) than quantifiable (whether a wall meets minimum size requirements), 60% of violations recorded by inspectors are

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<sup>44</sup> Less than 1% of ordinances distinguish between frame or brick buildings, for example in the minimum requirements for fire-rated walls.

<sup>45</sup> 7% of ordinances, for example, specify they do not pertain to single-family homes. However, these ordinances make up only just over 1% of all ordinances that inspectors used between 2006 and 2015.

more qualitative. To be sure, the difference between quantifiable and qualitative is a scale rather than a dichotomy, and codes that seem quantifiable are not devoid of subjectivity. In short, the Building Code does little to render certain built environments more governable than others.

### **Material conditions beyond disorder**

While the Building Code provides few restrictions on the kinds of buildings inspectors can cite, buildings themselves structure how inspectors evaluate buildings. Inspectors' experiences on the job have informed them about how material conditions vary by kinds of buildings and neighborhoods. As I explained in the previous chapter, inspectors are familiar with distinctions in building condition across neighborhoods. John, a Black inspector who looks much younger than his 45 years, for example, expanded on geographical differences in the upkeep of buildings. Using an area on the city's near South Side as an example, he told me that the issue is most often maintenance. "If there's no one maintaining the building then it becomes deplorable...you'll find junk and debris, rubbish, garbage is not picked up." He contrasted this situation with a wealthy neighborhood on the near North Side and explained that "because it's marketable or it's attractable, you'll have people that are making sure the debris is picked up and garbage is cleaned up ...because it has value." The same material conditions of a building can also elicit disparate responses in different areas of the city. "Things can easily become relative," Bill told me during an interview. When I asked him to elaborate, he explained:

if you work in a lot of distressed neighborhoods, what is defined as bad can mean a lot of things. A layman could go out to some place and think it's horrific, whereas I might think well it's not bad; they have four walls and a roof, they have heat and hot water.

Thus, to inspectors, substandard housing conditions and dilapidation do not necessarily signal social disorder. The absence of maintenance indicates a lack of marketability rather than

disorderly residents. This stands in stark opposition to theories of disorder and suggests that perhaps urban sociologists have got too comfortable assuming that disorder is the most pervasive way people interpret material features of built environments. In contrast to the kind of neighborhood demographics (i.e. race and class) that explain perceptions of material conditions in existing literature, inspectors focus on material differences in size, age, and tenure of buildings. Interpretations of material conditions cannot be disaggregated from other material and social aspects of buildings and their environs. And these interpretations form the basis of inspectors' decisions about how to enforce the building code; their interpretations of material objects shapes action.

Inspectors expect old buildings to have more issues, for example, and thus are more likely to thoroughly inspect them. Bill told me that when he inspects an old building, he prioritizes looking for certain violations:

[In] a lot of those older buildings, [the] doors are original, they may be corroded, may be difficult to open, if they have glass in them, it's supposed to be fire rated glass, the wire glass. A lot of times if the glass is broken, the landlord will just put in non-fire rated glass.

For inspectors, building age does not only imply deterioration, but leads to special consideration for features like fire-rated glass. Thus, the age of a building shapes which other aspects inspectors notice. This example suggests that certain material characteristics of buildings shape how their condition is interpreted, begging questions about whether the age of a building might shape people's perceptions of a broken window or other material conditions we associate with disorder. This is important, because interpretations have consequences for investment in neighborhoods (Wallace and Louton 2018) and why communities may or may not organize to improve material conditions (Prickett 2014). Similarly, Bill's comment shows that age does not simply equate to

expectations about dilapidation, but rather to a mediating factor: the landlord who does not provide properly maintain the building.

Even when inspectors are faced with the very physical conditions on which disorder scholars focus – such as broken windows and vacant buildings – their assessments do not mirror those we would expect. Inspectors frequently include broken windows on the list of what counts as nitpicking Eddie told me, for example, that:

If it's just a single-family home. If they have two viable exits, but the gutters are hanging off, got a couple broken windows, and the heat works, the hot water works, and you've got say an old lady there, and even with a couple of ne'er-do-well grandkids, they're dirt poor, I'm not gonna write them up. No one's gonna die there.

Here, Eddie is clear that he would ignore broken windows if the building is a single-family home and not in a dangerous condition. His additional description – of an elderly impoverished woman and her troublesome grandkids – also challenges how demographics matter in existing theories of the uneven perceptions of disorder. Existing studies would assume an inspector like Eddie would cite this building because of the low socio-economic status of the residents. The fact that he does not challenges the pervasiveness of the trope of disorder, and also illuminates that an inspectors' interpretation of a broken window relies on much more than the individual object.

Vacant buildings are also commonly viewed as a sign of neighborhood disorder. To be sure, inspectors are wary of entering vacant buildings. Javier, a Latino supervisor, explained why:

We've had inspectors beat up, robbed, things happen. You always got to be kind of mindful of your surroundings, always check everything, you go with a gut feeling. You learn to use instinct in the winter and look for snow tracks, see if any...if I see snow tracks I know wait a minute, there might be somebody in here... And you got dogs, too, people...you'll see dog tracks...those are the little indicators that somebody might be in there.

Eddie noticed one such indicator on the way to an inspection one afternoon. He slowed the car to gesture to a building that I thought looked vacant and forgotten. Part of the second-floor masonry

appeared scorched from a fire, and the first-floor windows were boarded up and only just visible behind the thick shrubs that had grown around the base of the building. “I wrote this up like 100 years ago. This should have been a hole in the ground by now,” he said, “and I know it's occupied.” “How can you tell?” I asked. “The drapes,” he responded, pointing to a window with half-open drapes, “see right there, there's somebody in there.” I craned my neck to look, expecting to see someone in the window. But then I realized that, to Eddie, the presence of drapes signaled someone was living in the building that was slated for demolition. And the vacant building was a sign that the City was behind in its demolition schedule, not of a disorderly neighborhood.

Inspectors are also wary about inspecting buildings with criminal activity, especially related to drug dealing. As we pulled up to a building for our first inspection of the day one morning I asked Eddie if he could tell anything about the inhabitants of the building just by looking at it. “Well,” he began, “it’s fairly clear to me that the building is not secure, [the] rear door and front door are open, the door lock’s broken. That's usually a sign to me that there's trouble...that's there some kind of criminal activity.” During ride-alongs, Eddie, Nick, and Malcolm each suggested I initially wait in the car when we arrived at buildings with open or missing doors. On one occasion, Eddie came back to his car grinning sheepishly, telling me the door was not open to allow drug dealing, but propped open because a tenant was moving out. Here, then Eddie’s initial assessment – that linked material conditions to social disorder – was inaccurate.<sup>46</sup>

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<sup>46</sup> Occasionally, inspectors cautioned that appearances can be deceiving. During an interview, Keith, a White inspector of almost 30 years, stated that, “as far as buildings, I’ve seen it all...it’s like opening a Christmas present. Because I’ve been fooled before. You go around the outside and you say “wow, this is really nice,” and you go inside and there’s two feet of poop on the

Existing literature would also predict that some building types would be more likely to be interpreted as disorderly. Since perceptions of disorder increase in areas with low-income and minority populations, it would follow that inspectors would interpret public and subsidized housing as disorderly. My fieldwork with inspectors suggests this is not the case. As we arrived at a six-flat in an area notorious for its empty lots, violent crime, and poverty, I heard Eddie muttering under his breath. “There are some poor people living here,” he said, “and it’s not even Section 8.”<sup>47</sup> To be sure, the building did not seem well maintained, litter was strewn across its dirt yard, and it was surrounded by numerous empty lots. I was not surprised by Eddie’s assessment that its inhabitants were poor. “But how can you tell it’s not Section 8?” I asked. He responded without hesitation: “my general impression on seeing the fucked-up blinds. Crappy. No replacement windows. Section 8 wouldn’t allow that. It just looks like it’s frumpy and dumpy. And it’s got a shit porch.” The off-white blinds visible in the first-floor windows were indeed broken and bent, and the wooden porch seemed to be rotting in some places and bowing in others. I persisted with my questions: “so it would look nicer if it was Section 8?” “Yes,” he replied, “it would have a nice clean look.” Eddie’s interpretation of the building had ramifications. He told me that he considered Section 8 units in one of two ways. While he would “automatically write

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inside, you know, you just don’t know...you just don’t know what’s on the inside of people’s homes.” However, there was usually no way of attesting to the accuracy of inspectors’ initial assumptions during inspections unless we met residents or owners, or buildings went to court.

<sup>47</sup> Section 8 refers to a portion of the 1937 Housing Act that allows the federal government to pay rental assistance to private landlords who rent to low-income tenants. Municipal building inspectors do not inspect the interior of these rental units.

the shit out of” a bad landlord who was profiting from the voucher program, if he found a complaint to be unwarranted, then he would be “pissed at the tenants complaining,” because, in his view, voucher recipients “have it good.” Thus, inspectors do not rely on a logic of disorder in the way we would expect. More generally, the assumption that a building is occupied by voucher recipients has potential consequences because municipal building inspectors do not have jurisdiction over inspecting the interior of these units. As such, inspectors may be less likely to try to gain access to buildings they assume to be occupied by voucher holders, even if their assessments are not accurate. If a building in a low-income neighborhood appears well-maintained, an inspector may assume the tenants are housing voucher recipients and be less thorough in an inspection. In this case, material clues could limit inspectors’ purview and produce patterns in which populations benefit or suffer from state intervention. The distinction Eddie made among material conditions that may be conventionally subsumed under the category of disorder matters for his attitude toward tenants. To be sure, Eddie’s experience on the job helped him make these connections, but other kinds of experiences in the city and familiarity with certain built environments may afford other social actors similar ability to draw subtle distinctions and shape how they act.

Later that same day, as we were driving slowly down a street to look for the building on our next 311 slip, Eddie casually referred to a three-story building – shown in Figure 1 – as public housing, managed by the Chicago Housing Authority (CHA). When I asked how he knew, he told me he could tell “just by looking at it.” He pulled the car over in front of the building to elaborate: “it has a plain brick façade, no adornments around the windows, a typical modest cookie-cutter look...all the CHA buildings are largely the same.” He compared it to the adjacent three-story brick building (also shown in Figure 8). “I think these are condos,” he told me. As with Section



8 units, Eddie's assumptions have implications. Though not necessarily ones that conventional wisdom would lead us to expect. Rather than leading to assumptions about physical and social disorder, public housing buildings prime inspectors in other ways. One inspector confessed he was not sure whether "technically" city inspectors are supposed to inspect CHA buildings, for example. While inspectors are required to inspect CHA buildings, the Buildings Department cannot prosecute other city or state entities (such as the CHA), thus citations neither lead to court cases nor mandate enforcement. If they did, Malcom commented, it would be "kind of like bringing ourselves to the judge." Thus, if inspectors assume a building is owned or managed by CHA they may be reluctant to do a thorough inspection because they know their reports will have little effect. Again, this example demonstrates how buildings shape inspectors' work and how built environments do more than just signal disorder. They also shape action in ways theories of disorder do not capture. As such, the example calls into question the current ways urbanists think about materiality in the city.

Figure 8. An image of buildings Eddie assumed were public housing and condos



In sum, inspectors do not invoke a scheme of disorder or class status when interpreting material conditions. This suggests that urbanists should begin to think more broadly about how to theorize the built environment. Extant theories of disorder fail to explicate the extent to which material features of buildings have the potential to shape, limit, enable, and propel action. It is thus necessary to move beyond the framework of disorder to accurately understand how built environments make social action possible, and how state actors – among others – can contest and improve disparities in material conditions. Certain material clues stand out, however, in guiding inspectors’ adjudications of deservingness. I turn to these in the following section.

### **Landscapes of responsibility and the social origins of material conditions**

As I demonstrated in the previous chapter, inspectors valorize hard work and scorn negligence and unfair profit. While inspectors infer these social characteristics into building and

tenure types, in this section I show how inspectors make these determinations; how they use physical aspects of buildings as material clues to which property owners are hard workers and who is negligent. I show how the process rests on inspectors' inferences about the production of material conditions as much as the material features themselves. I first discuss how inspectors adjudicate effort by inferring upkeep and good construction – or “good work” in inspectors' words – from material clues. I then show how inspectors arbitrate negligence from inferences about the careless and unscrupulous production of other material conditions.

*Effort, upkeep, and “good work”*

Without exception, inspectors told me about the importance of their initial impression of a building. Time and time again, inspectors insisted that a manicured yard and up-to-date maintenance are signs of good building owners, who deserve leniency. For Bill, the maintenance of the exterior is his “number one indicator” for how he should proceed. He explained:

If the building looks well maintained from the exterior, chances are the interior's going to be the same. Maybe not always, but that's how you generally start off...And so if you see [a building] that looks well maintained, is clean and looks like the owner's spending a lot of time there, you know, then you're pretty much making up your mind that I don't have to spend a lot of time here and whatever the reason that you're there, you can maybe just zero in on that and get out of there.

Bill stressed the significance of a building that looks well maintained. Maintenance is not just about an aesthetic of orderliness, however, but the effort involved in maintenance. Thus, Bill also mentioned the time an owner invests in upkeep and not just how the exterior looks. Malcom echoed this, telling me that he tends to only “knock on a few doors” to check the condition of units if a building is “generally in good shape.” If it is “in bad shape,” however, he will “look throughout the building at everything.” Keith concurred: “if the house is neat,” he told me, “it doesn't have to be brand new, but if it's neat or well-kept, we'll leave it alone.” Synonymous with going easy,

leaving a building alone means only conducting a cursory inspection and showing leniency. An inspection late in the day on the far North Side of the city exemplifies this. Nick and I were inspecting a garage with huge cracks across one exterior wall that had caused two inches of concrete to shift inwards. “Looks like this was hit hard by something big!” Nick commented, as he knelt to get a better look at the cracks. “It’s pretty bad,” he surmised, “but not on scale of dangerous.” Nick had the choice to whether to insist this exterior wall got fixed or not. He decided to write it up, but not insist it got fixed, explaining that he assumed the owner knew about it and was waiting for an insurance claim before fixing it. “The building looks pretty good from out front,” he told me, “and this is not due to neglect, so why hammer things?”

Inspectors also determine deservingness through material signs of effort and their praise for “good work.” On inspections, inspectors would point to the work of particular construction companies known for their “over-engineered” porches. While inspectors often decried current regulations for porches as being over the top, they also praised sturdy and code-compliant porches built beyond the minimum requirements. Nick also pointed out that many of the construction workers who build porches are Polish. On one inspection he told me he took this into consideration when deciding a porch was built well, “because Eastern Europeans do really good work.” Conversely, I saw Nick’s disapproval upon learning that a building owner had tasked his handyman with patching up some tuckpointing over a doorway. “It’s not that good of a job,” Nick told the owner, “you might want to get someone else to do the rest.” In these examples, inspectors have knowledge of the producers of the material features in question. And this knowledge shapes their assessments of the work. In other instances, however, producers are less obvious, and inspectors defer to material clues to who produces good work.

Good work often prompts inspectors to show leniency to building owners. At a two-flat Greystone, for example, Nick told me he was pleased with the work that had been done on the first-floor balcony, which had been crumbling. He shared his happiness with the owner – a 50 something year old man with an Eastern European accent, who came out to meet us after watching us pull up from his window. “This is a really nice job!” he said, “and you did work on the masonry on the sides! And I only cited the porch!” Nick was impressed that the contractor had done additional work to maintain the brickwork, and suggested he give the contractor’s name to his neighbor, who Nick had also cited for crumbling brickwork. Nick told the owner that he would not incur any court fines because the work was done quickly, and well. On top of this, Nick decided not to check that the owner had a permit for the work. Furthermore, he volunteered that, while he could also cite the owner for other violations (such as an improper beam column joint and stringer connection), he would not since they were not dangerous, and the owner had curried his favor. “It’s a pretty decent building,” he said, “they just let the front go a bit.” This is thus an example of a modest “pretty decent” building, whose owners – who had been lax – were now making an effort. This effort – visible to Nick in the material features of the building – prompted leniency.

Inspectors also frequently pointed out buildings they had had a hand in improving. On ride-alongs throughout the city, Nick routinely pointed to good “fix-up jobs” of previously vacant buildings. As we drove past the building pictured in Figure 9, for example, Nick mentioned that the new owners of this once-vacant building “did a nice job fixing it up.” This is a good exemplar of the kind of building inspectors approve: it is plain, neat, and unostentatious. Keith described

his sense of pride in an interview. For him, however, improvements to buildings can be demolitions as well as repairs:

I drive down the streets, every street in the city I've been down, and I see my handiwork you know...where there once was a problem, it's now a dirt lot. Or it once was a problem, now there's a beautiful family running out front with their kids on the front lawn and a blow-up Santa Claus, you know, so it works both ways.

Thus, inspectors also interpret certain material features and changes in the built environment as signs of their own good work. In these situations, they are the producers and the receivers of the material object. While they are quick to point to examples of good work and decent buildings, inspectors also have an eye for interpreting negligence and unscrupulous intent of building owners.

Figure 9. An image of a building Nick pointed to as a “nice fix-up job”



*Clues to negligence and unscrupulous intent*

Early in my fieldwork, I noticed that inspectors tended to talk about “deferred maintenance” rather than dilapidation or disrepair. This trend in vocabulary illuminates the importance inspectors place on the active neglect and lack of effort that dilapidation or disrepair entail. While many buildings they inspect are dilapidated, inspectors are often concerned as much by the cause of these material conditions than the conditions themselves.

A history of building-related issues is a sign to inspectors that a property owner has had the chance to fix issues. Although the municipal code requires owners of rental buildings to post their contact information on signs on the front of buildings, many do not. As such, inspectors assume that signs on old buildings that look to have been recently posted have been mandated by a previous inspection. Nick smiled as he told me that when he sees them while driving around, he knows “a building inspector has been” to that address. As a result, inspectors are more likely to act punitively towards these buildings because they assume that owners have already had the chance to fix issues. On spotting a new-looking sign on a three-flat one afternoon, Nick told me he opted to give the owner minimal time between court dates to get issues in compliance because he assumed the owner had already been given a notice.

Inspectors also use material features to infer intentional neglect in the buildings they see. Mismatched and broken blinds in apartment buildings, for example, signify negligence because it suggests landlords do not provide blinds for their tenants (Figure 10 shows an example of mismatched blinds). These interpretive decisions form the basis for inspectors’ initial assessments of buildings and the action they decide to take.

Figure 10. An image of mismatched and broken blinds in an apartment building



I also noticed inspectors' negative reactions when they noticed buildings were managed by certain companies. Eddie, for example, sighed when he saw a sign for a company recently named-and-shamed in the local media for its host of building code violations. "This company is renowned for not being so hot," he said, "they're no good." And, on an inspection in an economically and ethnically diverse neighborhood one morning, Nick pointed to the remnants of an orange notice about utility cut-offs on the door. "That's a bad sign," he stated simply, suggesting that he assumed this signified negligence. Inside the building a few moments later, Nick went on to tell me that the trash and dirt in the stairwell meant that the building was poorly maintained. "There is no maintenance guy" coming by to clean every few weeks, he told me, "this



is a bad building owner.” Here, shabbiness and dirt signal the landlord’s deferred maintenance and negligence; not socially disorderly residents. Similarly, driving down a long street full of vacant lots, Eddie told me the lots were signs of neglect. “You might notice the number of vacant lots,” he said, “that’s the result of demolition over the years without replacement.” Thus, again, inspectors’ interpretations of material features of the built environment diverge from expectations in existing literature and suggest we need an alternative framework for understanding how social actors perceive built environments.

Inspectors also look for signs in the buildings themselves. After Frank told me he was “good at discerning what is a bad building versus not a bad building,” I asked him what kind of things alert him to a bad building. He told me various things – from windows, to brickwork, to sewage – could be clues:

Windows that haven't been replaced. By now, most properties should have replacement windows. The porch...the brickwork, but if you've got a brand-new porch, you could still have bad brickwork. You could have a brand-new porch and recently tuckpointed brickwork but still, you have broken windows and stuff like that...If maintenance has been deferred to a point where a place is becoming in serious disrepair, it would warrant a red flag on it. Going around to the backside looking at the basement wall area, especially after it's raining, if there's standing water there, that means we got drainage problems which means sewage problems. Stuff like that.

Bill echoed Frank’s focus:

You could go into some places and you’ll see basically the apartment structurally hasn’t changed since the day it was built, you’ll have the original toilet, bathtub, kitchen sink, the cabinets in the kitchen. And then only thing that’s probably changed is maybe some painting, maybe some floor tile or carpeting, but everything else is still the same. And a lot of those cases it’s very dingy, you know, things are very worn...but they function. Even in some cases the original light fixtures...again they’re all working, but it’s...some of it is just the fact that it’s dated, but usually they show their age. But what it is though, it’s a sign that the owner has done nothing to improve the building. I mean, I like a lot of that old stuff, and it’s amazing that it’s still functioning, but really what it’s pointing to is that the owner hasn’t done a damn thing, or a number of owners haven’t done a darn thing for decades. So they haven’t updated the electric, they haven’t updated the plumbing. So folks

are probably experiencing, you know, backups in the sinks, there's probably, maybe one outlet in a bedroom and they can't have a lot of electrical appliances.

Here Bill distinguishes between function and form of material characteristics of old buildings. His comments suggest that he may be more likely to penalize a landlord of an older building irrespective of any issues because the material conditions suggest prolonged negligence and disregard. In short, old buildings and original fixtures are clues to the origins of substandard building conditions.

Inspectors do not only infer negligence in dilapidated buildings with substandard housing conditions. One sunny but cold afternoon, I joined Bill on an inspection of a rehabbed four story, 42-unit apartment building on the North Side. Bill told me the inspection had been requested by the Alderman, upon realizing the building was occupied without permission from the Buildings' Department. The building – advertised as luxury-style apartments – exemplified other rehabs of four-plus-ones in the area and boasted a shared roof deck with a view of Chicago's skyline, a boutique hotel-like lobby, with a high-tech video surveillance and entry system, a dog-run, covered parking, sliding barn-style doors, spa-style baths, and high-end finishes. Despite the luxury-look of these apartments, however, many did not meet light and ventilation portions of the building code. To maximize the number of units, the bedrooms had been built with no external windows; the only source of light and ventilation were cut-outs in the bedrooms partition walls. These cut-outs did not meet code – some were covered by blinds and others were too small. Bill expressed his annoyance as he kept finding the same issue as he careened irritably from one apartment to another throughout the large building, with me trying to keep up. Shaking his head, he told me this kind of building was all the rage with developers on the North Side, who were converting old

buildings into micro-apartments but still charging rents comparable to larger units to maximize profits. “300 square feet for \$1000 a month?” Bill said incredulously. “That’s what shouldn’t be allowed in the code!” His anger boiled over at one point as he talked to one of the developers. Bill pointed out that some of the iron posts on the balconies had sharp edges. I did not hear the owner’s response, but I could not miss Bill’s angry, loud reaction: “Why are you being like that? I am pointing things out for safety!” Despite his anger at the developer, and his resentment towards the development itself, Bill did not act on his conviction in this case. He told me he expected his supervisor would tell him not to cite the property for the light and ventilation violations because it would not be realistic to do the work with tenants already living there. In this situation, Bill’s inferences about unscrupulous production of these high-end rehabs did not amount to action. Despite his anger, Bill resigned himself to the situation because of the pressure he anticipated from his supervisor.

Nick’s reaction during an inspection in an economically and racially diverse neighborhood known for its bungalows demonstrates this same trend. I was with Nick at a two-story, vacant, brick building to check to see if the owner had cleaned-up the mold in the basement or worked on the porch in response to the ongoing court case. Walking around the side of the building, Nick pointed out new siding and windows. A Latino man dressed in overalls opened the door and let us in after explaining that the owner was not there, and then went back to his cardboard box makeshift seat and table where he joined two other Latino men who were eating lunch. They remained seated while we walked around the interior of the building, which was covered in sawdust, sheets of plastic, planks of wood, and tools. Nick pointed out that the basement has been gutted and refinished, there were new electrics, a new furnace, and a new stair system. In Nick’s

eyes, this was great progress; rehabs nearly always take care of existing violations in a building. His mood changed, however, when he checked the permit that was displayed – as a legal requirement – in the window at the front of the building. The permit covered 1100 square feet of drywall, a new bathroom, and other minimal repairs; it did not cover the gut rehab that was underway. “You might want to stop working at this point,” Nick called over to the workmen, “[the owner] is going to have to get a new permit.” Nick later explained that he had not told them they must stop work, nor put an official stop-work order on the building, because he wanted to make the owner “learn the hard way.” Not only would the owner now have to remove all the drywall in the building just to have an inspector check the electric wiring behind it and then replace it in order to correctly follow the permit procedure. He would also have to continue to pay the workmen if they kept working. Nick reasoned that “they probably have kids to feed and this way the owner will still have to pay them.” He seemed to relish the power he had to penalize the owner, who had tried to pull the wool over Nick’s eyes by displaying an inadequate permit. In the car later on, Nick also told me that, based on the “finish” of the rehab, such as granite countertops and the expensive chrome appliances, he assumed the owner of this building was planning on flipping the property and would thus be passing the insufficient permit issues on to the next owner. Here, then, Nick opted to heavily penalize someone he thought was trying to profit by taking short-cuts, while trying to protect the workers and the future owner of the building. His decision was shaped by the intent he inferred from the material features of the rehab.

In sum, not everyone makes sense of material environments in the same way. Existing literature would suggest building inspectors – especially considering their social location as White, working-class city workers – would use buildings to interpret disorder or socio-economic status.

Yet this does not capture what material features signify to inspectors. Although they very often deal with dilapidation, disrepair, and neglect – which are observable signs of disorder in other accounts – inspectors do not invoke a schema of disorder. Rather, inspectors focus on the social origins of the material conditions they see and use material features to decide what counts as effort and what counts as negligence. I suspect that it is not only building inspectors who consider the cause of material conditions and think in terms of responsibility rather than disorder. The regulars at an urban mosque in Pricket's (2014) study are concerned with the cause of dilapidation in their surroundings, for example. Thus, interpretations about production and attributions of responsibility are important in other contexts, but they are rarely made explicit. Going forward, I suggest, we should make them explicit in order to understand the potential to change and improve uneven material conditions.

## **Conclusion**

Building on the previous chapter, this chapter shows one of the processes in the chain of events between on-the-ground decision-making and city-wide trends and regulations. In doing so, I illuminate one way that materiality matters in urban governance that is yet to be accounted for in existing research: how material conditions act as clues to how they – and other conditions of the building which may violate the building code – were produced and the intent of the producer. Inspectors' interpretations about the social origins of production in turn shapes how they evaluate the things which may be code violations. Governing buildings, it turns out, is as much about deciding who is responsible and who is set to gain from building violations as it is deciding what aspects of buildings are dangerous, unsanitary, or a nuisance. Overall, I suggest that urban sociologists should move beyond commonplace assumptions that perceptions of disorder are the

driving force behind how actors interpret built environments. Disorder is such a pervasive trope that scholars pre-assume it as *the* categorization of urban environments, and then ask how various people perceive it to vary. What if we changed the framework? What if people do not always see disorder (though come to think in these terms due to its prominence), but other clues, categories, interpretations, and connections? What might this make possible in terms of improving material conditions? I suggest that attending to how social actors identify causes of and attribute responsibility for material conditions gets us further than a schema of disorder. While we should also consider how social actors might inaccurately apportion blame and wrongly deduce culprits, identifying responsible parties could highlight a path to actionable social change. Following from the previous chapter, this chapter thus highlights divergence among commonly assumed stances, and overlooked potential within state workers' actions. While this chapter focuses on assessing responsibility for violations, the next turns to how who benefits from inspections matters in inspectors' quest to determine the bad guy and achieve "the ultimate goal."

#### **Chapter 4. Neighborhood battles and common enemies**

“Sometimes you use the building code in your favor, to get an ultimate goal...you know if it’s really something that shouldn’t be there, the people shouldn’t be there, the company shouldn’t be there, they shouldn’t be doing that there ‘cause it’s detrimental to the rest of the neighborhood, you make sure that you use the building code to the city’s best interest and the adjacent property’s best interest, you know, for the ultimate goal.”

– Lou, White Chicago building inspector of 30 years

What does this inspector mean when he says the “ultimate goal” and how does this align with the “city’s best interest?” Do inspectors, city government, the Buildings Department, and local politicians share the same goals? In the previous chapters, I showed how inspectors infer categories of tenure and financial status of property owners to make decisions, and how these decisions are directed by inspectors’ sense of whose side they are on. In this chapter, I demonstrate how other city-level and neighborhood-level actors also have a hand in producing building violations, and trace how inspectors’ decisions and motivations both conflict and overlap with the priorities and visions of city- and ward-level actors and institutions. Using examples of state-led and privately-initiated changes and interventions into buildings in one neighborhood as a backdrop, I ask how the priorities and goals of other metropolitan and neighborhood-level state actors filter down and shape what inspectors do on the job, and how and when inspectors adopt or contest such goals. In short, I ask how other actors pick battles with buildings and how these overlap with those that inspectors pick. To answer these questions, I examine the politics, priorities, and practices related to building interventions in the 48<sup>th</sup> ward of Chicago. Comparing inspectors’ stances to those of other City actors affords insight into the purview and parameters of inspectors’ discretion. Where can they contest policies, initiatives, and neighborhood

development and when do they have little option but to conform? Unpacking this enables a better sense of the potential and parameters of their work and decisions.

Home to approximately 56,000 residents, the 48<sup>th</sup> ward makes for a fruitful microcosm of analysis for several reasons. First, the ward – which shares most of its boundaries with the Edgewater neighborhood and encompasses portions of Andersonville and Uptown (see Figure 11)<sup>48</sup> – receives an approximately average number of complaints about buildings per year.<sup>49</sup> Second, the ward is diverse both in demographics and housing stock. The ward’s population is 54% White, 17% Black, 14% Hispanic, and 14% Asian.<sup>50</sup> In some tracts of the ward, almost half of residents are foreign born, while in others the population is over 85% US-born. The population is also diverse in age; home to many lakefront high-rise senior buildings, and accommodation for students from Loyola University Chicago. Median household incomes range in the ward, spanning \$71,101 in one census tract to \$12,485 in another. While 32% of the ward’s housing stock is owner-occupied, tracts range from 100% rentals to 76% owner-occupied. One-unit

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<sup>48</sup> While the neighborhood name is more commonly used in neighborhood meetings, newspaper articles and among interviewees, this chapter draws primarily on events and places within the ward. I occasionally use the term Edgewater to reflect participants’ terminology.

<sup>49</sup> In 2014, for example, 450 complaints were made about building violations in the 48<sup>th</sup> ward. This is just under 2% of all building violations service requests in the city for that year, which is approximately average since there were 25,113 requests in total and there are 50 wards in Chicago. If each ward had an equal number of requests, the number of requests would be 502.

<sup>50</sup> I calculated these figures by using census tract data from the American Community Survey’s 2012 5-year summary.

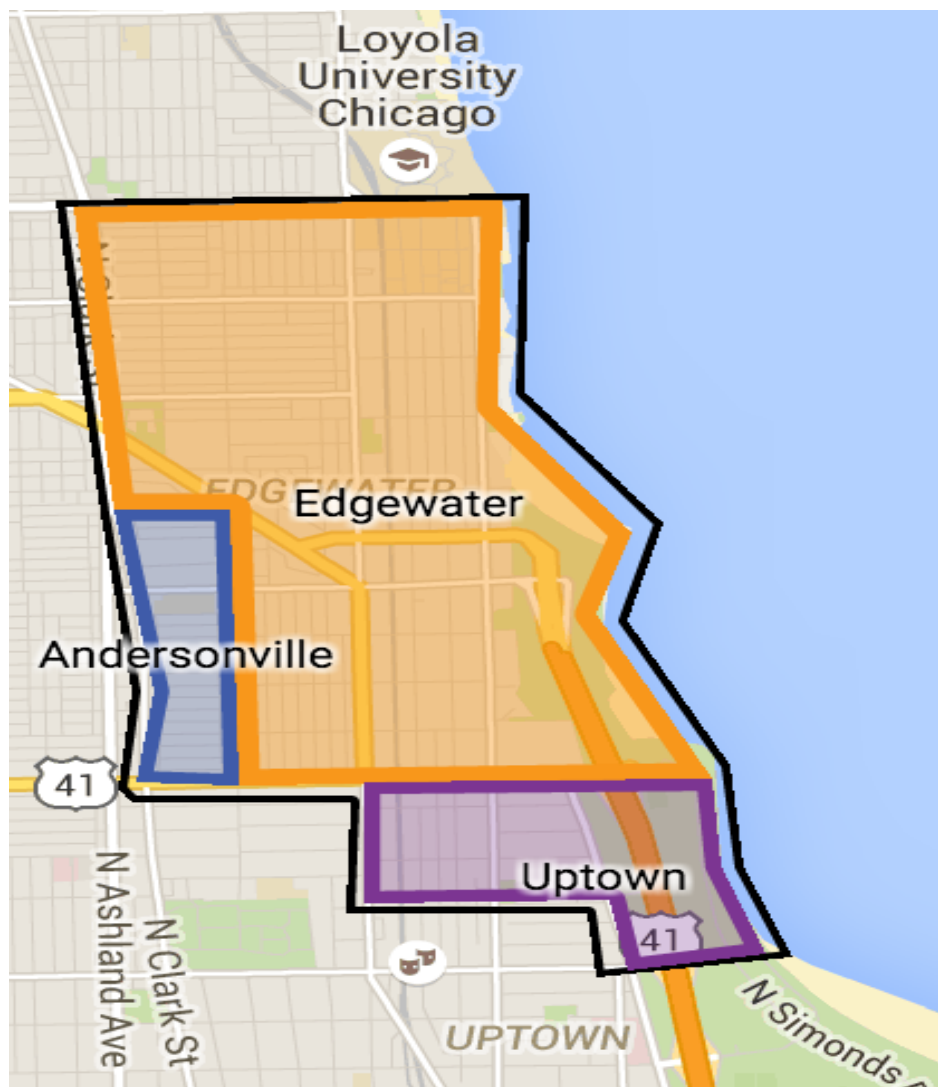


buildings (i.e. single-family homes) make up 11% of housing stock in the ward, 2-9-unit buildings comprise 36%, and 53% of housing stock is over 10 units.<sup>51</sup> Median ages of buildings per tracts range from pre-1939 to 1973. As such, the ward offers insight into several different contexts in which social actors – inspectors in particular – act. Some parts of the city have reputations among inspectors, as either problem areas with a lot of complaints and poor housing, or quieter areas with fewer complaints and fewer issues. The 48<sup>th</sup> ward is on the North Side of Chicago, which connotes Whiteness, wealth, and safety when compared to the South and West Sides. However, Edgewater is not the area that most people conjure in their minds when they think about the North Side; it is distinctly less White and wealthy, and there is more crime than most other North Side neighborhoods. As such, the 48<sup>th</sup> ward’s reputation is less predictable and uniform. One inspector explained, for example, that, in Edgewater “it would be building by building...I think up there it’s going to be landlord by landlord...it’s going to be hit or miss.” Thus, rather than exemplifying a “typical” neighborhood, the ward is a useful case as it affords a glimpse into how various demographics, building types, and subareas shape inspections, while holding constant the politicians, institutions, and other factors that comprise the area’s general political climate and actors.

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<sup>51</sup> I calculated these figures by using census tract data from the American Community Survey’s 2012 5-year summary.

Figure 11. Map showing the 48<sup>th</sup> ward boundary and encompassing neighborhoods<sup>52</sup>



Although I occasionally draw on fieldwork from other parts of the city, I use the 48th ward as the main backdrop to this chapter, thereby contextualizing state interventions into building-related issues and also demonstrating how local contexts differently shape the priorities of local

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<sup>52</sup> 48<sup>th</sup> Ward. 2017. *The 48<sup>th</sup> Ward Map*. <http://48thward.org/ward-map/#map> Accessed on April 15 2018.

politicians and other municipal actors.<sup>53</sup> I draw on two years of observations at community meetings and events, supplemented with interviews with local politicians, residents, landlords, property managers, and inspectors. I also use in-depth analysis of buildings in the ward, combining observations of inspections, reports, media accounts, public opinion, fieldwork in housing court, and observations of material changes to buildings.

*Urban governance and the growth machine*

Existing research on urban regulations most often links city inspections to the growth machine and generally demonstrate how inspectors – directed by other city officials – selectively carry out inspections to protect middle-class tastes and property values. Scholars show how city planners and politicians deploy inspectors’ reports, sometimes irrespective of actual housing conditions, to justify slum clearance, urban renewal, new development, closures of minority-owned small businesses, and eminent domain (Becher 2014; Fairbanks 2009; Satter 2009; Seligman 2005; Sutton 2015). These accounts tend to assume inspectors are willing participants in uneven urban economic development.

Other studies investigate *how* inspectors’ actions produce inequality in cities. Scholarship on the legal geography of property, for example, documents how inspectors – relying on both objective laws and subjective interpretations of fuzzy terms like “nuisance” and “blight” – have historically protected the value of middle-class property and bolstered the market for lucrative real estate in the city (e.g. Novak 1966; Valverde 2011). The inspectors in Valverde’s (2012) study of

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<sup>53</sup> Aldermanic officers in Chicago have direct contact with the Buildings Department. As such, using the ward as my unit of analysis allows me to hold constant any specific characteristics of the Alderman’s office or its relationship with the Buildings Department.

municipal law in Toronto, for example, impose aesthetic standards and regulate private property according to “culturally laden assumptions about who has the right to what level of “tranquility” and about who is a credible complainant” (p. 67). Through these assumptions, inspectors favor wealthy property owners and penalize tenants.

A third group of studies points to inspectors’ concern for marginalized populations (Proudfoot and McCann 2008; Sommers 2016). In these accounts, however, inspectors above all attempt to maintain orderliness, which generally aligns with growth machine priorities. In his ethnography of municipal law enforcement officials in Hamilton, Canada, for example, Sommers (2016) finds that officers sympathize with residents in sheltered accommodation and tenants with absentee landlords. In the end, however, officers prioritize maintaining order and civility, which leads to displacement of tenants that they deem disorderly and bolsters the growth machine. Similarly, Proudfoot and McCann (2008) find that code enforcement officials in Vancouver are animated by informal discourses of order, uniformity, livability, and the public good. Above all, however, they believe their role is to facilitate neighborhood change and their selective enforcement of municipal codes inadvertently produces an “urban landscape amenable to development and elite forms of consumption” (Proudfoot and McCann 2008: 362). Overall, existing literature either suggests that inspectors’ actions have detrimental consequences because, as city agents, they explicitly protect real estate as the economic engine that enables cities to grow, or because of a lack of concern or foresight. In showing these negative consequences, these studies rarely ask how motivations and stances of inspectors compare to those of other City actors. As such, we get a limited view of the purview and limitations of inspectors’ discretion. We do not know how much room they have to maneuver within and against the growth machine coalition.

Recently, urbanists have pointed to schisms among city growth machines. Gotham (2000), for example, highlights how conflicts between city officials and elites delimit growth policies in Kansas City, Pacewicz (2012; 2016) documents how new actors are changing the relationship between urban politics and economic development, and Purcell (2000) documents a demise of a broad growth consensus in LA. Although these accounts demonstrate inefficiencies, threats to legitimacy, and resistance, economic growth remains city governments' main objective in each. Indeed, these studies mirror Logan and Molotch's contention that "cleavages" within the growth machine can develop but, "because of the hegemony of the growth machine, its disagreements are allowable and do not challenge the belief in growth itself" (1987:64-65). And, while other recent research demonstrates how politicians and community organizations switch their stances about neighborhood change and gentrification in front of different audiences (Betancur and Smith 2016; Troutman 2004), bolstering economic growth remains the intention and effect of these divergences. Thus, while scholars highlight conflict and discrepancies among government actors, these differences do not stem from a challenge to growth itself. Even less attention has been paid to how street-level bureaucrats' goals deviate from those in City Halls. I suggest that this is an important area of study because of the discretionary power – albeit limited – that actors in this social location wield. Their labor, expertise, testimonies, and reports are necessary for cities to justify creative destruction (Brenner 2009), to mark certain buildings as "dilapidated," to label an area as suitable to become a TIF district, and to otherwise make housing stock "gentrifiable" (see Zukin 1991). Inspectors are necessary for the functioning of the growth machine. If we do not understand their discretionary power, we miss instances of how they might contest growth machine logic.

While existing literature would predict that inspectors would align with politicians, protect lucrative real estate, and pave the way for creative destruction and gentrification, previous chapters in my dissertation suggest that inspectors rail against these priorities and practices. This chapter unpacks some of the actual policies and practices commonly subsumed under the umbrella of the growth machine and details how and when inspectors' actions align with City priorities and when they do not. This line of inquiry builds on Valverde's (2011) theory of "seeing like a state," which posits that modern practices of urban governance are more flexible, contradictory, and fragile than urbanists assume. I suggest, however, that there are limits to and patterns within flexibility, fragility, and contradictions. Providing empirical examples of the "many hands of the city," this chapter advances Valverde's framework by attending to the lines that inspectors draw, thereby illuminating limits to the kind of flexibility, contradiction, and fragility recent theories of governance highlight. As such, this chapter provides an empirical study of the recent move in political sociology to attend to the "many hands of the state" and "move away from conceptions of state as unitary actors and toward an understanding of states as encompassing multiple institutions, varying forms of interpenetration with civil society, multiple scales of governance, and multiple and potentially contradictory logics" (Morgan and Orloff, 2017:3).

Indeed, I find that within the policies and practices that fall under the umbrella of economic growth and development, inspectors draw subtle distinctions. Rather than a universal acceptance or rejection of growth machine logics or defaulting to mainstream perceptions of disorder, inspectors consider buildings on a case by case basis, attending to who is set to profit from building-level change and interventions, and how appropriate buildings are to their surrounding

area. I argue that inspectors align with the priorities of other City actors – such as the Mayor’s Office, local elected officials, and public-private initiatives – when they share a common enemy: a building or activity that threatens other property values.

In what follows, I describe on-the-ground articulations, similarities, and differences between building inspectors’ logics and those of other governing actors. I outline visions and priorities of various actors using examples of actual policies and on-the-ground practices that exemplify them. I organize this chapter by issues that inspectors, politicians, and city governments all address (see Figure 2). First, I discuss how, for the most part, inspectors assist other city actors in addressing “problem buildings” through strategic task force inspections because they agree with other agents of the state that the certain landlords are bad building owners. Next, I discuss a departure between inspectors and public-private initiatives (at both the metropolitan and local levels) in the use of receivership, which is a kind of taking of property. I highlight inspectors’ reluctance to collaborate because they believe this kind of state-initiated intervention benefits shrewd professional property owners and contractors at the expense of struggling homeowners. In short, in contrast to other City actors, they see receivers as the enemy. Finally, I show the subtle divergences in how inspectors evaluate development projects, new investment, and gentrification in the ward. I demonstrate that their attitudes are rooted in the scale of projects, their assumptions about who will benefit, and their feelings of resignation. While inspectors usually favor struggling homeowners, they do not always try to protect oldtimers in gentrifying neighborhoods because newcomers are often property owners too. In comparison to inspections of buildings owned by professional landlords, homeowners are pitted against one another in many situations inspectors view as related to gentrification. Inspectors align with the interests of the state and development

when they have a common enemy: people who threaten property values of neighboring buildings (see Table 4). Thus, while Chapter Two documents how inspectors' backgrounds and workplace culture shape their work, this chapter illuminates the conditions under which specific goals are filtered down and variously adopted, diluted, resisted, or rejected.

Table 4. Summary of differences between inspectors and other state actors

	<b>Mayor's Office</b>	<b>Local politicians</b>	<b>Building inspectors</b>	<b>Common enemies?</b>
<b>Problem buildings</b>	Tough on gang and drug crime	Tough on crime; rid area of "problem buildings"	Tough on crime	Yes: City and inspectors view bad building owners as the bad guy
<b>Receivership</b>	Encourage redevelopment, economic growth	Encourage redevelopment, economic growth; rid area of "problem buildings"	Cynical of program that feeds undeserved profits	No: Inspectors view the city's Receivership program as the bad guy
<b>Development projects and gentrification</b>	Encourage and support new constructions and rehabs	Encourage and support (most) new constructions and rehabs	Encouraging of newcomers when they are homeowners; disdain for large developments	Sometimes: depends on tenure and scale of a project

### **Politics, demographics, and trends in the 48<sup>th</sup> ward**

The 48<sup>th</sup> ward is following the trajectory of many of Chicago's neighborhoods, especially those close to public transit and/or on the lakefront. Rents and house prices are rising in the ward, but there are also areas of the ward where violent crime has increased, and reports of record levels of homelessness are rife. The ward is split down the middle vertically by the mostly commercial Broadway Avenue. During my research, many businesses opened on Broadway, including a Whole Foods supermarket, a Verizon cellphone store, LA Fitness, a coffee shop, a



wine bar, a wine boutique, three restaurants, a craft store, and a bakery. While most opened in previously empty storefronts, a few businesses also closed, including a bar, a wig store, a bank, a health food store, a gym, and a fabric store. West of Broadway is markedly different from the section of the ward east of Broadway. Most buildings between Broadway and Clark Street (the ward's western boundary) are single family homes and low-rise early 20<sup>th</sup> century apartment buildings. The census tracts west of Broadway have a higher number of White residents, higher property values and higher median incomes than those east of the thoroughfare. Within this area is a historic district, in which many of the large, single-family homes with manicured gardens, are registered landmarks. The abutting streets are part of the gentrified and gay enclave of Andersonville, known for restaurants, antique stores, and its Swedish and (more recently) LGBT population (see Brown-Saracino 2009).

East of Broadway is the "Edgewater corridor" – consisting primarily of two long parallel streets, Winthrop and Kenmore, that have long been notorious for crime and gang activity. The housing on these and their intersecting streets is diverse, comprising of a mixture of large early 20<sup>th</sup> century single family homes, early to mid-twentieth century apartment buildings, and the infamous Chicago 1960s four-plus-ones. The term "four-plus-one," which is unique to Chicago, connotes the much maligned 1960s apartment building where the first floor consists of the lobby and or a parking lot and other floors are residential units.<sup>54</sup> The north portions of these streets

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<sup>54</sup> The buildings straddle the sides of the lot but are set back about fifteen feet from the sidewalk. These buildings were squeezed into lots, fulfilling the minimum requirements of zoning and building code, while maximizing the number of units. Because the resulting structure is only considered four stories, it could be built in areas zoned R5 and higher. The bulk

in the north of the ward are also home to many Loyola University students, whose campus is just to the north of the ward. Adding to the diversity in this area, the ward's eastern most streets – Sheridan Avenue and Marine Drive – are lined with high-rises, several of which are senior housing. The southernmost part of the ward is the most racially diverse, has the largest number of foreign-born residents, and has the lowest percentage of White residents. It has the highest percentage of rental housing in the ward, and there are a host of Asian – mostly Vietnamese – restaurants and stores along a commercial stretch. Although portions of the ward are recognizably at different stages of development and investment, visual clues (such as upscale wine bars and coffee shops), coupled with sharp increases in rents and home prices, render the

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of the area zoned R5 and higher exists near the city's lakefront. When they were built in the late 1960s, four-plus-ones were met with much hostility; opponents argued that the buildings destroyed the aesthetic character of neighborhoods, dramatically increased population density, and attracted a transient, single, or elderly population rather than families. See Serhii Chrucky. 2009. "Defining the Four Plus One." *Forgotten Chicago*.

<http://forgottenchicago.com/features/defining-the-four-plus-one/> Accessed 4/11/17. See also Monica Petraglia. 2008. "The "Four-plus-One" Controversy and Its Role in Chicago Zoning." Unpublished paper, University of Illinois at Chicago; Joseph P. Schwieterman and Dana M. Caspall. 2006. *The Politics of Place: A History of Zoning in Chicago*. Chicago: Lake Claremont Press.

whole ward on a trajectory towards gentrification (see Brown-Saracino 2009; Voorhees Center 2014).<sup>55</sup>

In Chicago, as with other US cities, the mayor and other City actors publicly prioritize economic development, the stimulation of housing markets, high-end real estate, and investment (see Becantur and Smith 2016; Bennet, Garner and Hague 2016). Through its Department of Planning and Development, the City “promotes the comprehensive growth and sustainability of the City and its neighborhoods...encourage[s] business and real estate development, as well as a diverse and stable housing stock throughout the City.”<sup>56</sup> I provide further empirical evidence of this throughout this chapter. In community meetings and weekly email updates, the 48<sup>th</sup> ward’s Alderman’s office also – for the most part – lauds various signs of the general gentrification of Edgewater, from new high-end businesses and residential developments, to increases in property prices. In addition to observations of over 30 meetings and events organized by the Alderman’s office, I interviewed two of the office’s seven employees, Louie and Ralph,<sup>57</sup> both of whom grew

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<sup>55</sup> The Voorhees Center’s (2014) report, *The Socioeconomic Change of Chicago’s Community Areas (1970-2010)*, charts Edgewater’s gentrification using a set of thirteen empirically tested socioeconomic variables related specifically to gentrification, that includes race/ethnicity, education, income, and, home value.

<sup>56</sup> City of Chicago. 2018. “Planning and Development.”

<https://www.cityofchicago.org/city/en/depts/dcd.html> Accessed on April 2 2018

<sup>57</sup>In addition to the Alderman and his Chief of Staff, employees comprise of officers specializing in the following: Teen Programs, Youth Initiatives, Arts, Senior Living, Public Safety, and Economic Development and Communications.

up in the ward. The current Alderman has been in office since 2011. Like many Chicago aldermen, he rose up through the city and state political system and is closely aligned with the Chicago Democratic Party and the mayor's office. However, as I detail below, there are also limits to his office's support for the growth machine. In the remainder of this chapter, I demonstrate how and to what extent inspectors diverge from the priorities of these city and local-level officials.

### **Problem buildings and strategic task force inspections**

In this section, I show how city officials do use inspections – both practically and rhetorically – to “clean up” areas and address crime through a variety of specific interventions, ranging from requesting regular inspections of “problem buildings” and attending court cases, to comprehensive strategic task force (STF) sweeps. STF inspections are carried out by members from the Chicago Police Department, Department of Law, and the Department of Buildings in properties with alleged criminal activity. The aim of these inspections is to cite property owners for as many violations as possible, send the building to housing court, and pressure the owner to evict tenants deemed problematic. For the most part, I argue, inspectors are willing participants in these efforts; they tend to agree that problem buildings are bad for neighboring properties and willfully penalize irresponsible property owners. There are occasions, however, when inspections do not go the way city officials plan. Thus, in what follows I demonstrate how inspectors' desire to penalize negligence aligns with the priorities of other city actors who deploy them when they share a common enemy. Importantly, I illuminate how inspectors actively align rather than fulfil the City's wishes inadvertently or unintentionally. In these examples, inspectors are largely willing participants rather than pawns in building-level neighborhood change.

*Problem buildings*

One way that inspections overlap with the goals of city-level policy and local politicians is through a focus on buildings that the police and Alderman's office have identified as problems. During a community meeting in a high-school auditorium in 2015, the Alderman told his 50-strong audience that he would use building inspections as a way of penalizing landlords of "problem buildings" who fail to screen tenants. "We'll come at them with building inspections," he told us, "we have ways to make buildings better, and we do it all the time." Like many of the ward's community meetings focused on safety, this one followed recent violence in the area. Three people had been shot in a month, and the community members present were heatedly discussing police visibility (or lack thereof). The Alderman's comments about building inspections came amid what I came to recognize as his standard responses to crime: promising to increase street lighting and the number of surveillance cameras, lauding new development for bringing vitality to the area, encouraging residents to participate in positive loitering (see Doering 2016; Rai 2011), and building "little libraries" and holding block parties to "show community pride." In other community meetings during my fieldwork, the Alderman highlighted "problem buildings" on a slide in his PowerPoint presentation on "what the Alderman's office does." The Alderman thus invoked the idea of using building inspections to further the goals of his office. The unspoken assumption was that city inspectors fall into line.

"Problem buildings" are most often so called because criminal activity – usually gang or drug-related – is alleged to occur in or around the building. The building becomes a "problem" because the owner fails to prevent crime by evicting problem-causers. The local politicians I interviewed told me that problem buildings in the south portions of the ward (which is also the

poorest and most diverse, with numerous SRO hotels and a noticeably shabbier housing stock than in other parts of the ward) were their current biggest challenge. Louie – a White 40-year-old longtime Edgewater resident and current staff member in the Alderman’s office – told me they were in the process up “cleaning up all that.” When I asked him what “cleaning up” entailed, he responded:

It’ll have to involve dealing with building managers and buildings in general that I would consider a problem. For example, [landlords] that don't do criminal background checks on people coming in there, don't do credit checks, don't have safe housing standards... It's a matter of training landlords, it's a matter of you know, kind of giving them a heads-up, like, "hey, you're being watched... This needs to change for the safety of the community." And it's, you know, slowly but surely... That's part of why we have the streetscape, that's part of why I organized... about 80 or so folks into a brand-new block club down there... it's community organization, outreach, all that stuff, and trying to get everybody to basically take ownership of their neighborhood.

The streetscape that Louie referred to is a recently completed street design that widened the sidewalks and installed planters on a commercial street in the south of the ward. The street, lined mostly with Vietnamese restaurants, supermarkets, and convenience stores, was under construction for most of my fieldwork. As this quotation suggests, there is a connection – in the eyes of local politicians – between decreasing crime and preventing certain people from renting. Mediating this relationship, however, is the improvement of housing conditions or tenant screening practices. In this view, building inspections play an important role in the ward.

After two deadly shootings in the area, the Alderman led a “safety walk” around the area, to which residents were invited to “come together with police to identify and address ongoing safety issues in the neighborhood.”<sup>58</sup> Over 70 people participated in the safety walk, and – despite the area’s racial diversity – the clear majority was White. During the walk, residents

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<sup>58</sup> Email bulletin, “Public Safety Walk Tonight.” 9/9/15

informed the Alderman and his staff members about things they deemed problematic. Two White women complained about Chinese newspapers littering their yards, multiple people decried the lack of police response to gang gatherings and blatant drug deals in certain locations, as well as daytime beer-drinking and the ensuing collection of beer bottles in a playlot. Outside a three-story scattered-site public housing development, others complained about residents throwing garbage into neighboring yards, and trees hanging over fences that needed pruning.

The Alderman also stopped occasionally to point to buildings that were problems in the area and informed us about actions his office was taking. We gathered across the street from a disused synagogue, for example, that the Alderman told us was a “known drug hang-out,” but that had just been bought by a condo developer. Close by, we stopped again as the Alderman pointed to a large courtyard apartment building that was recently bought by a new company, which was working with the Alderman’s office to “improve the building.” He told us that the year before “two people were shot right outside this building. It was a gang and drug hang out and there were high weeds out front.” He mentioned the shooting and weeds in the same breath and seemed to delight in telling us this as we stood in front of the now well-manicured grass in the yard. Here, the Alderman rhetorically deployed disorder as equivalent to crime. He also used the clout of building inspections and code enforcement as both a rhetorical tool and a physical prop by which to demonstrate to his constituents that he can get things done and make improvements to their community. In doing so, he implied that building inspections work at the behest of city officials like himself. To be sure, inspectors spoke to me about helping to improve problem buildings. Bill told me one of his favorite parts of his job was “rescuing buildings in distress.” When I asked him what this entailed, he told me “turning buildings around and preserving housing...before it goes

over the edge.” “By sending inspectors in to find violations,” he told me, the City can “basically force” owners to give buildings up. This is also the logic behind strategic task force inspections.

### *Strategic task force inspections*

The City implemented strategic task force (STF) inspections as an alternative to criminal justice methods. During these inspections, a team of building inspectors, chaperoned by the police, comb through a building with alleged criminal activity under instructions to cite the owner for every possible violation of building and fire codes. In the 48<sup>th</sup> ward, STF inspections tend to follow violent incidents. The Alderman told us about two STF inspections in the ward during a safety walk, which was prompted again by multiple shootings in the area. Though attendance was lower than on the safety walk I described above, the crowd was more diverse; most participants were Black, Asian, or Latino. Almost twenty children also joined the walk, many holding homemade signs demanding “stop the violence,” and the walk was chaperoned by three police cars and three officers on foot. As the group snaked along the commercial street, the Alderman pointed to two convenience stores, which, he told us, had been “stung by a police undercover operation” the previous week. Media accounts and an email bulletin from the Alderman referred to the operation as a gang and narcotics bust, which had prompted the forcible closure of the two stores. The legal rationale for these closures, however, was not criminal activity but building violations; stores had undergone STF inspections.

During the safety walk, the Alderman told us “we are working to get [the business owner] out” of one of the stores. Sure enough, this store closed permanently shortly thereafter. The STF inspection report available online lists six electrical code violations, holes in a fire separation wall, and an exit that was not tall enough. Although these violations would not land every building in



housing court, they did in this case. Louie from the Alderman's office went to the hearing and told me that the judge "strongly encouraged" the building owner to not renew the store's lease. Although I was not at this court hearing, I observed others in which judges turned to Aldermanic representatives for testimony and guidance before deciding cases. At the time of writing, the building – which sits on the new streetscape and underwent significant construction – sits vacant (see Figures 12 and 13) and Ralph from the Alderman's office told me they are "working with the building owners to get a new tenant." Here, then local politicians use code enforcement to regulate who gets to operate a business in the ward, as well as which tenants can remain.

The other store, which advertises selling "American, African, Hispanic groceries," closed briefly but was back open for business by the time of the safety walk. "This one is the worst," the Alderman announced as we gathered in front of the store, "gambling, harboring criminals... don't spend your money here. I support local business...but this is not the right business to support." He implored us to call the police if we saw anything suspicious at this building. We have to "build a case to get this gone" he told us. The STF inspection only prompted a temporary closure of the store because the building owner opted to let the store remain open (rather than not renewing the lease like the building owner of the other store). According to Louie, the City allowed the store to reopen under the conditions that the owners change staff, not allow loitering, no longer sell certain items (such as tobacco rolling papers and white t-shirts) and pass regular unannounced inspections. It is surprising that the STF inspection only recorded two building violations – work performed without a permit and faulty emergency lighting – considering inspectors are instructed to write up every possible violation on these targeted inspections, and given how easily inspectors can find

violations, as I show in earlier chapters. Although I was unable to interview any inspectors who had been on this inspection, I approached the puzzle from other angles.

A store employee told a reporter that inspectors could not find any violations during their three-hour inspection.<sup>59</sup> The lack of violations raises the possibility that the material conditions of the building thwarted the intended outcome of the inspection: inspectors could not find enough violations to close the store down permanently. This is unlikely, however, because all buildings have violations. I visited the store with a regular STF inspector, who – after a brief glance – verified that inspectors would have been able to find violations in the building. Thus, perhaps inspectors intentionally overlooked violations in order to protect the small business owner? One inspector did tell me he would occasionally “find nothing” on purpose when he thought STF inspections unfairly targeted family members of alleged gang-members. But this was a store, not a family home. And, he also recalled the ire of his supervisor on occasions when he had opted to find nothing. Either way, the Alderman was not happy that the store was open under the same management. The STF inspection did not produce the desired results. Despite the Alderman’s office’s best attempts, and those of the STF inspectors, this “problem building” remained open and occupied by the same people. When asked about the store in a meeting, the Alderman angrily said he “needed to have a talk” with the building owner. The Alderman has a clear enemy in this situation. The STF inspectors did not concur and I speculate that inspectors intentionally overlooked violations to protect this small business owner.

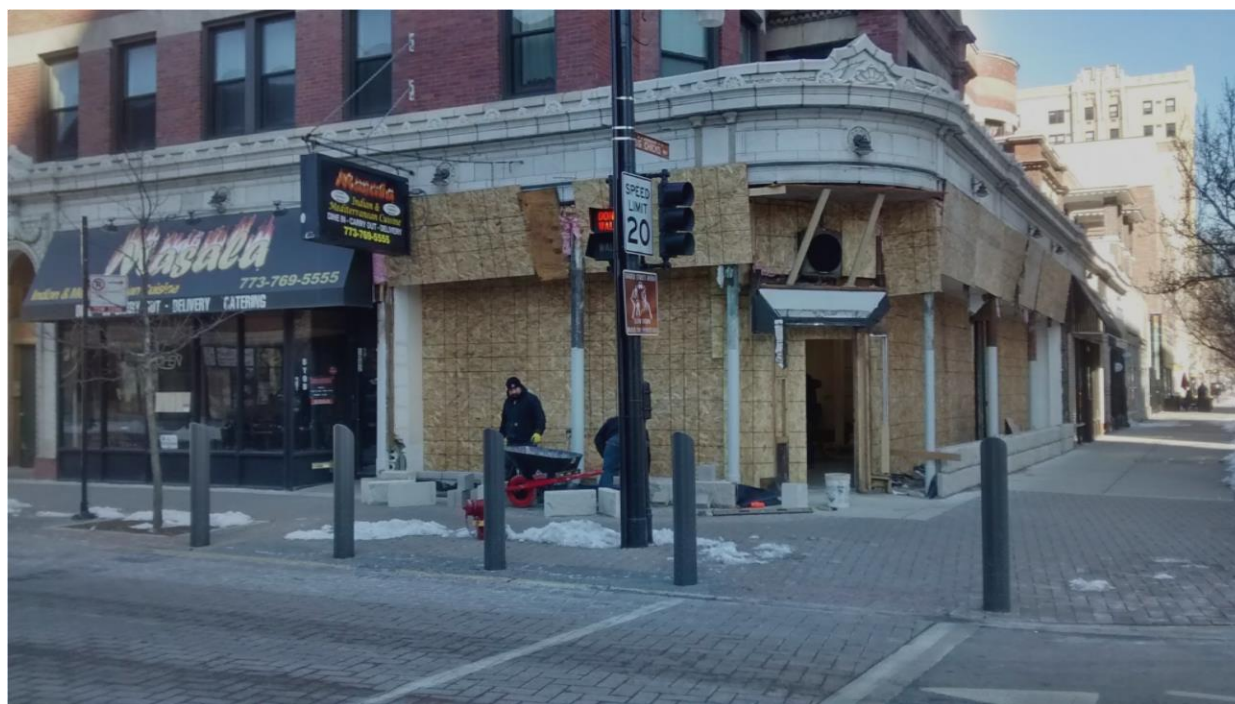
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<sup>59</sup> <https://www.dnainfo.com/chicago/20160427/uptown/drug-bust-on-argyle-street-prompts-businesses-praise-alderman>

Figure 12. An image of a convenience store immediately after the STF inspection



Figure 13. An image of the store six months later



Another STF inspection took place after a shooting in an area Louie described as “usually quite” and very close to a high school. Attendees at a community meeting, prompted by the shooting, suggested that the large rental building – which also houses a mosque on the ground floor – was a source of trouble and hangout for gang members. After this meeting, Louie visited the building himself, he told me, “before police or inspectors became involved.” He was irritated found unlocked and open doors:

There's no reason that at two in the afternoon, I should not be able to walk into your building, walk all the way upstairs, get to the roof, get to the basement, everything with no questions asked, and with no hesitation whatsoever. That should not happen.

Louie was even more enraged that, after two months, the building owners had not fixed the issues he had asked them to. “Not a single thing was touched!” he told me. “And for me it's very simple. I'm gonna treat you like an adult. If you start acting like a child, I'm gonna treat you like one. So, what do we do? We call mommy and daddy. We call the [Buildings] Department.”

Sure enough, STF inspectors recorded 60 violations, all of which remained open more than three years later. More recently, the building was plastered with Department of Public Health notices warning of lead paint. Despite the severity of the violations and their prolonged court case, inspectors in court did not seem to share the hostility that Louie expressed towards the owners. Sitting in on a busy day of housing court hearings, I was surprised by inspectors' attitudes towards the owners of this building in comparison to other property owners with whom they had interacted. The owner – a sixty something year old woman who spoke in broken English and who I assumed to be South Asian – was in court with her son who had an American accent, but also conversed comfortably with his mother in her native language. I watched as the son showed the group of three inspectors City-approved plans for new plumbing and “high-end rehabs” in the building, as

well as rat abatement certificates. The inspectors scoured the paperwork and nodded in approval. Later, the son told his mother that “the inspectors seem really pleased” with their progress. To be sure, housing court cases reward progress, but inspectors are not always this congenial to property owners or sympathetic to high-end rehabs. Here, inspectors were both pleased about the progress and also supportive of upscaling likely because of the existing poor condition of the building. As such, inspectors fell in to line with the Alderman’s office, coalescing around a common vision of improvement.

A third STF inspection took place during my fieldwork, this time at the family home of a local rapper and alleged gang member, which three weeks earlier was the scene of a SWAT standoff lasting over two hours, after police reported hearing gunshots. The STF inspection turned up 29 code violations, ranging from a lack of water and broken roof tiles, to high weeds, peeling paint, and a missing toilet seat. Probably in response to requests for “advocates” to attend the court case in the Alderman’s Weekly Update emails, 18 residents of neighboring buildings joined Louie in front of the judge at this housing court hearing, which I also attended. Though the residents of the building in court were Black, these neighbors all – bar one – appeared to be White. The judge – a White woman seemingly in her 50s – thanked them all for attending, assuring them “the court is very receptive to community concerns and turnouts like this.” The judge listened intently to the advocates’ concerns about the current tenants and their friends, and the owner’s failure to screen tenants, and the loud parties that occurred at the property, assuring them that “when a building is under scrutiny like this, the City has power to force landlords to screen potential tenants.”<sup>60</sup> She,

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<sup>60</sup> The resident – whose alleged ties to gangs and guns precipitated the STF inspection – was murdered before the case went to court.

did, however, rebuff one community member's comment that "criminals shouldn't be allowed to rent," retorting that "then there would be nowhere for people with criminal records to live" and "that's not what society is about." City attorneys reported that the building had gone into foreclosure the year before, although the former owner and his grandson still lived in the building. Presumably because he no longer owned the building, the resident had stopped maintaining the property. The judge was quick to issue a vacate order on the property, meaning the residents had a week to collect their belongings and leave. And most of the remainder of the court hearing involved inspectors discussing the most effective way to board up the property to prevent anyone from entering. The City boarded the building's windows, and the judge instructed the residents to arrange with the police when to collect their belongings that were still in the building. Despite granting extensions on the vacate order in follow-up cases, the property was awarded back to the mortgage company before the final resident had removed his belongings. I walked past the building, as pictured in Figure 14, regularly in the following months and saw various windows with boards removed. The building was sold six-months later. While online records show that none of the 29 violations had been fixed at the time of writing, the new owner has a permit to restore the porch.

In sum, inspectors – enacting the citywide STF initiative – usually work alongside and at the behest of police and local politicians in buildings identified as problems. While inspectors may dislike having only limited discretion during these inspections,<sup>61</sup> they also expressed pride about the effectiveness of STF inspections to get the bad guy. "We use the building code to fight crime" one inspector told me proudly. As I have shown in previous chapters, inspectors sometimes

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<sup>61</sup> See Lipsky 2010.

delight in finding the smallest of violations. This logic aligns with their desire to penalize landlords who are making money unscrupulously. Inspectors, however, also told me that it was not their job to police residents' behavior. During my fieldwork, I saw inspectors ignoring tenants smoking marijuana, public drunkenness, and drug deals. While they may turn a blind eye to certain criminal activity they witness while conducting inspections, inspectors categorize problem buildings as bad for neighboring properties and enabled by irresponsible property owners. Thus, in these cases, their desire to penalize negligence usually aligns with the priorities of other city actors: they have a common enemy.

Figure 14. An image of a boarded-up property, post STF inspection, with one window open



### **Reluctant receivership**

Another way inspections are deployed by city-level officials is through the Troubled Building Initiative (TBI), in which housing court judges appoint receivers to “troubled buildings.” Although any building type is eligible, the City of Chicago has focused on appointing receivers to repair multi-unit buildings. The receiver completes the court-ordered repairs and records liens against the properties. If an owner does not pay off a receiver lien, the receiver can foreclose, take possession, and sell the building.<sup>62</sup> Though private receivership occurs, receivers in Chicago are usually public-private entities, funded by banks and subdivisions of the Treasury Department. Community Initiatives, Inc. (CII), Chicago’s largest receiver agency, for example, brings together funds and support from the JPMorgan Chase Foundation, three Chicago Community Development Financial Institutions, the US Department of the Treasury, and the Federal Home Loan Bank of Chicago. Between 2003 and 2015, CII dealt with 500 buildings across the city,<sup>63</sup> and ten buildings

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<sup>62</sup> This is limited receivership. General receivership, by contrast, is when a judge gives an agency the title outright. Receivership is similar to but distinct from eminent domain, which is when a city takes ownership of a property that is purportedly thwarting a public development project and compensates the owner at market value. In a receivership case, the city does not take – but rather gives to another entity – the title to a property and does not compensate the owner.

<sup>63</sup> In the words of CII, they “over[saw] the rehabilitation of 500 buildings with 9,800 units; purchased and transferred to responsible owners 245 buildings with 3,802 units of affordable rental housing; and acquired 289 condo units, filed condo deconversion orders and transferred 57 buildings with 581 units to new owners” (see <http://www.cicchicago.com/about2/troubled-buildings/>).



in the 48<sup>th</sup> ward, ranging from a 5-unit building to a 48-unit building. While STF sweeps on “problem buildings” are attempts to stop alleged criminal activity, troubled buildings are so called when the owner is deemed unwilling or unable to repair a property that is deemed dangerous. In short, STF is used to change social characteristics about a building, while TBI is aimed at physical changes.<sup>64</sup> TBI is an efficient program, multiple receiver agents told me, because threats of a potential lien and foreclosure usually prompt property owners to “wake up” and do the necessary repairs themselves.

Urban scholars have barely scratched the surface of receivership and its effects on cities. Though not concerned with receivership per se, recent studies document how states justify other forms of property takings, such as state-ordered destruction of private property as fire prevention in 19<sup>th</sup> century American cities (Novak 1996), eminent domain in contemporary Philadelphia (Becher 2016), and post-Apartheid “dignity takings” in South Africa (Atuahene 2016). While Novak argues that narratives about public safety, health, and morality justify interventions, takings, and demolition of homes, Becher suggests most people only object to eminent domain when governments do not adhere to a logic of “property as investment.” This logic values and prioritizes economic, emotional investments into a property, committed over time (Becher 2016).

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<sup>64</sup> To be sure, there is much correlation – in the eyes of receivers – between social and physical changes. One receiver agent told me that “in bad buildings,” the problems are “both physical and social.” “Peeling paint and windows that don’t close are not a big deal in a safe, quiet building where tenants pay rent” he explained. Thus, generally, there is “virtually always a correlation,” receivers assume that if a property owner is not managing or screening tenants, they are likely not managing the physical condition of the building either.

Receivership is qualitatively different from eminent domain, however, because the legislation is aimed at properties in which the City deems owners are not investing. Following Becher's (2016) argument, one might expect the general public to widely accept and support receivership of these disinvested buildings. Building inspectors, however, do not.

Inspectors commonly expressed their dislike for receivership, particularly because they believed receivers charge owners too much for repair work. Receivers, in the words of one inspector are "one big expensive headache that charge high fees and cloud titles." Court inspectors told me they routinely tried to help buildings avoid receivership by recommending to the judge that owners be allowed more time to rectify their violations. Inspectors' distaste for receivership fits with their general dislike for undeserved profit. They see receivership as a way for someone to profit from someone else's misfortune. Indeed, representatives from receivers often sit in on housing court cases, waiting for the judge to recommend receivership and then approach building owners. While most I saw represented the public-private initiatives, some were individuals who – Eddie told me – get tipped off about opportunities to make large profits by their attorney friends. "They're like vultures," Eddie commented. Inspectors were particularly critical of private receivers, assuming these were just well-connected people getting tip-offs about lucrative investments. They were also skeptical of the public-private receiver agencies. "It's all cronyism," Danny told me "it's all political payback." I asked him to elaborate:

[Receivers are] non-profit, but obviously that's a relative term. The administrators of a non-for-profit can make a nice salary. And that's saying nothing about exorbitant fees that can be channeled someplace that we know nothing about. Also, who do they market and sell properties to? You can steer it any way you want to. And trust me, there are some choice properties that I've seen marketed and sold.

Inspectors' disdain for receivership is not necessarily rooted in the program itself, just who benefits. After an inspection of a condo building that needed a new roof, Eddie tried direct the benefits of the receivership program to someone he deemed deserving. Eddie suggested to a member of a near bankrupt condo association that he should investigate acting as a receiver for the building about acting as receiver. Otherwise, he told the condo owner, who was a well-dressed Indian man who looked about 60, "you might end up doing more work than you need to do."

I observed frictions in interactions between receivers and inspectors during inspections. An officer from a public-private receiver agency and a private receiver joined Eddie and me on an inspection one morning, for example, to assess their interest and the potential of a mostly empty condo building, with a non-functioning association. Both pointed out issues with the building that the inspector had not seemed to notice or about which he did not seem to care. To be sure, the inspector seemed more concerned with the lack of furnaces and exposed wiring in some of the units. Though the issues the receivers mentioned were less severe – a missing hatch, exterior brickwork that had not recently been tuckpointed, and a PVC tube lodged in the cement basement wall – they were all building code violations. Perhaps they were trying to be helpful. Perhaps they were trying to increase the number of issues the building had recorded to drive down the price or drive up the repair costs, each of which would render their potential possession of the property more lucrative in the long run. Either way, the misalignment between the inspector and these receiver agents was stark.

This misalignment is no secret. During an interview, one receiver agent told me that inspectors' interpretations were often different from those of receivers and that inspectors often did not cite buildings for serious violations when receiver agents thought they should. He recalled

occasions in court when inspectors had not testified a porch was dangerous when receivers deemed it was. This is important, because judges can only appoint receivers if an inspection report testifies a building is dangerous. The agent, who has over 20 years' experience, told me that inspectors generally "came around" in court once City attorneys started to "prod them." When I asked what he thought was at the root of initial differences in interpretation, he told me there was too much "subjectivity" in building inspections and violations are too often "in the eye of the beholder." He also told me that inspectors try to "follow the path of least resistance. They don't want hassle, keeping their heads low, keeping heads from being chopped off. No fuss no muss." Thus, he thought, inspectors were content to adapt their testimony in court so it matched that of City attorneys and receivers. After pausing to think, he also told me that inspectors likely have "different standards depending on the neighborhood" they are in. In Edgewater, he told me, they probably think a certain number of issues are just normal. "They'll see a building that's not great, but it's mediocre and think it's okay in this neighborhood" and thus not write up violations. Though this receiver is unaware of inspectors' intentions and adjudications that my research uncovers, his statements do elucidate something else: that inspectors reluctantly fall into line with the receivership program, sometimes only because of prodding from other actors in court. They do not have a common enemy in these battles.

The following example also demonstrates how inspectors address receivership when out on inspections by themselves. As with building violations and inspections, receivership is more common in some parts of Chicago than others. In wealthier parts of the city, inspectors are more likely to deploy receivership only as a threat. Multiple inspectors told me that they will mention receivership during inspections as "leverage" to encourage property owners to take action but try

to avoid actually recommending buildings for receivership. Thus, after Nick made a recommendation to a housing court judge one day that a building in the 48<sup>th</sup> ward should be appointed a receiver, he told me, “this shows how bad it is” because he usually does everything he can not to recommend receivership. Nick felt he had exhausted other options when it came to this three-flat. He had been to the property multiple times over six months to check on its progress. The owner kept promising to take care of the dangerous back and front porches, as well as bricks that were beginning to bulge from some parts of the exterior wall. But she did not have the funds for this work, and, eventually, Nick felt he had no choice but to recommend that a receiver step in to complete the necessary repairs. In sum, inspectors reject the logic of receivership and only reluctantly participate in its deployment because they believe people profit unfairly from the initiative. Thus, while the City requires inspectors’ court testimony to enact the program, inspectors’ involvement is patchy, reluctant, and hard-won. This section shows one way in which inspectors do not align with growth machine priorities. Although they are sometimes compelled to follow along, identifying the schism is an important step to understanding the potential and limitations of inspectors’ discretion, and, as such, where there are opportunities for building on the potential.

### **Development, investment, and gentrification**

In this section, I overview some examples of building-level neighborhood change: the rehab of a home on an otherwise dilapidated street, the conversion of office space into rental unit, and a development company purchasing prime real estate from an oldtimer resident. Set against the backdrop of Edgewater, to most, these examples would signify gentrification. However, analyzing inspectors’ seemingly contradictory views – from encouragement to despondence –

concerning these examples sheds light on recent calls to be more specific when using the term “gentrification” (Brown-Saracino 2017; Halle and Tiso 2014) and pay attention to disinvestment that occurs in conjunction with upscaling (see Brown-Saracino 2017; Harvey 1996; Zukin 1991; 2006), and the interconnections between the two processes (Betancur and Smith 2016; Harvey 1996; Zukin 1991; 1996). While some scholars offer typologies for differentiating between different stages and kinds of gentrification (Owens 2012; Halle and Tiso 2014), these frameworks do not explain differences in inspectors’ views. And, as such, do not elucidate how state actors understand neighborhood change and try to intervene. I demonstrate that inspectors can be both encouraging of development, investment and gentrification, or apathetic, in the same neighborhood. Inspectors’ stances vary by building and by block; as such, they are even more localized than differences posited in extant literature and rarely neatly match those of local politicians and city government.

In Chicago, as with other US cities, the mayor and other city actors prioritize development, the stimulation of housing markets, high-end real estate, and investment (see Becantur and Smith 2016; Bennet, Garner and Hague 2016). Building inspectors’ opinions and actions on development, waiver, however. At times, they seem steadfastly against gentrification and new development projects. At other times, they support development and use their discretion to bolster economic growth. In this section, I demonstrate what explains this apparent contradiction and show how inspectors consider the scale and beneficiaries of development projects and changes in the area. Inspectors are not steadfastly against development because they see areas that need investment. Yet they are also cognizant of the uneven effects of gentrification. I show how their stances take active and passive forms, ranging from encouraging developments by not penalizing

certain properties to despondently deferring to the code in situations where they feel powerless to affect gentrification. As in the state-initiated interventions I detailed earlier in this chapter, I argue that inspectors' stances and (in)actions are shaped by who they consider to be the bad guy.

*The City of Chicago as growth machine*

Echoing the city government as a whole, the Department of Buildings proudly states the increase in building permits and crane-use over recent years. Every downtown groundbreaking or crane tower is a photo opportunity (see Figure 15). In a 2017 speech, the Commissioner of the Buildings Department invited her audience of prominent business, civic and government leaders to “look around our great city” to:

see all the building improvements that are happening around the city of Chicago, from a record number of tower cranes dotting the skyline, to a dramatic increase in home renovations in our neighborhoods...Chicago is in the midst of an undeniable building boom. The City of Chicago is committed to being a partner, not an obstacle in this progress...We do not want to see promising projects slowed down by bureaucracy or tangled up in red tape.

One way the Buildings Department acted on commitment was through the introduction of the Direct Developers Services Program in 2016, which reduced the time it took to get permits for large and high-rise development projects. In a speech, the Commissioner boasted that, “since late 2015, we have issued 152 permits for large development projects throughout the city,”<sup>65</sup> listing a new Apple store, the Willis Tower redevelopment project, the new 95-story Vista Tower, a new 125,000-square-foot Chicago Blackhawks training facility, two luxury hotels, and the MacDonald's headquarters, as noteworthy mentions.

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<sup>65</sup> As I explain in the introduction, my research does not include fieldwork with inspectors who address permits for new construction sites.

Building Department management are quick to stress their intention to bring the economic benefits of development beyond downtown and into Chicago's neighborhoods. At a building code conference in early 2017, she told her audience of community health activists and professionals that "the biggest problem" facing the city in terms of buildings is owner-occupied homes where owners cannot afford to keep up with necessary maintenance. A few months later, the Department announced a much-hyped code relief program that provides flexibility on some electrical, energy, light and ventilation code requirements for residential buildings.<sup>66</sup> According to a supervisor at the Buildings Department, the code relief is intended to incentivize developers to rehab deteriorating vacant properties where building code compliance was previously "not worth [the expense]." To be sure, some homeowners may benefit from these changes to the code, but the focus is the rehabilitation of existing housing stock through redevelopment projects, and not everyday maintenance.

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<sup>66</sup> The changes, the press release states "are expected to reduce the cost of, and remove technical barriers to, the rehabilitation of residential buildings throughout Chicago." City of Chicago.

2017. *Department of Buildings Announces Code Relief to Encourage Redevelopment of Affordable Housing Across the City.*

[https://www.cityofchicago.org/city/en/depts/bldgs/provdrs/vacant\\_buildings/news/2017/february/departments-of-buildings-announces-code-relief-to-encourage-redev.html](https://www.cityofchicago.org/city/en/depts/bldgs/provdrs/vacant_buildings/news/2017/february/departments-of-buildings-announces-code-relief-to-encourage-redev.html) Accessed on April 15 2018.



Figure 15. Post from Chicago’s Department of Buildings Twitter account



Although local politicians in Edgewater seem less squarely or overtly focused on economic growth),<sup>67</sup> interviews and observations in the ward suggest that the growth machine logic still

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<sup>67</sup> In interviews, Alderman’s office representatives insisted they wanted to preserve diversity by keeping some housing in the ward affordable. Press releases concerning proposed developments also claim that the Alderman’s office has “worked with” developers to ensure they build more affordable units that they inclusionary zoning ordinances require. Similarly, during my research

guides decisions about the ward. The Alderman celebrates new business openings and repeatedly lauds the new Whole Foods, despite telling his constituents he would not shop there in what I assumed to be an attempt ingratiate himself with the many constituents who had expressed concern that the store would be too expensive for them. The Alderman's office also tries to protect property owners in the ward. Louie told me:

we're not trying to screw anybody over...we get it. We've all been through that situation of getting a violation. We've been through the situation of getting a ticket. We've all been through that. We know how much of a pain in the ass it is.

Indeed, when the Alderman's office finds out that an otherwise unproblematic building in the ward is due in housing court, for example, a representative will go to court to vouch for the owner and "ensure their fine isn't excessive." "We try to work with people," Louie said, "we're fighting for property owners, not against them." But his office also supports new developments in the ward. At community meetings, the Alderman frequently cites examples of residential development projects that have "turned around" "problem buildings." During one community meeting in a school hall, for example, he mentioned a four-story mid-century apartment building on one of the ward's dense residential corridors that had been severely damaged in a fire. A development company, that in recent years had purchased and significantly rehabbed several buildings in the area, had bought, gut-rehabbed, and redeveloped the burnt-out building. These redeveloped rental apartments rented for much higher prices, and included amenities like free wi-fi, a gym, shared

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the Alderman bowed to community pressure and intervened to prevent a developer buying and converting a historic single-family home into a condo building. This could be because the Alderman needs to please constituents to secure reelection, or because he really does care about maintaining diversity.

patio space, and in-unit laundry. This was a success story in the eyes of the Alderman. In meetings, he frequently discussed these rehab projects as good for the area, telling his audiences that developing dilapidated buildings was a “matter of pride” and that “problem properties need to be renovated to market rate.”

In this meeting, as in others, the Alderman slipped between the language of physical dilapidation and social problems. Despite a wealth of literature connecting perceptions of social and physical disorder (see Duneier 1999; Harcourt 2001; Murphy 2012; Sampson 2012; Sampson and Raudenbush 2004, Valverde 2011), I was still often surprised by the unwavering and explicit conflation of problem people and problem buildings. The Alderman also repeatedly suggested that renovations would automatically curtail problems, presumably because serious renovations a) forced existing tenants to move during construction projects; and b) raised rents meaning previous tenants were unlikely to move back. Inspectors, however, have less straight forward views on the buildings and desirable neighborhood change, ranging from passive resignation and retreating behind the code in response to changes they see as inevitable, to taking sides and actively encouraging certain kinds of developments.

#### *Resignation and retreating behind the code*

Inspectors often expressed despondence and resignation when I asked them about gentrification. Though they concurred that gentrifying areas received more complaints, inspectors’ logic contradicted their general attempts to help low-income property owners. Indeed, inspectors told me that newcomers often complained about their oldtimer neighbors. “You get people complaining because they don’t like the neighbor that they bought a condo next to. But [the building’s] been that way for 20-30 years,” Matt told me before asking rhetorically: “what do you

do?” “Well, what do you do?” I prompted. “Well,” he said shrugging, “we go in and if it’s not to code, we write it up as such.” Inspectors regularly referred to the building code as objective and violations as self-evident when recounting situations in which they believed inspections were motivated by gentrification. What explains this? Earlier chapters would lead one to reasonably expect inspectors to go easy on oldtimers as their neighborhoods gentrify around them. But this is not always the case. In this section I unpack how it is that inspectors do not always try to protect oldtimers. I argue that, relative to professional landlords or problem buildings, gentrifiers do not fit inspectors’ mold of the unscrupulous profiteer. The lines are blurred in part because inspectors also want to help newcomer homeowners in some situations, as I discuss below.

Additionally, inspectors – many of whom have spent over 10 years traversing Chicago’s neighborhoods – see gentrification as unstoppable once it begins. Indeed, when discussing gentrification in a Latino neighborhood on the city’s West Side, Eddie told me it was too late, because “you can’t stop capitalism.” This presumption of inevitability can lead to a sense of resignation among inspectors, which often results in their deferring to the building code and not acting on the stances they profess. This contrasts with inspectors’ stances and interventions regarding landlords, which is also a case of urban capitalism and its uneven effects. What is different here, however, is that both parties – the gentrifier who called 311 and the oldtimer – are both the little guy in inspectors’ formulation.

Inspectors told me that in “neighbor-on-neighbor complaints” – most often about overhanging trees, garages, yards, and weeds – their sole aim is to “do enough” to get people to stop complaining. This aligns with inspectors’ sympathy towards individual homeowners. On the way to one inspection, Nick pointed to single-family home with gaudy ornaments sprawled across

the front yard, some were still upright though many lay on their side. He sighed as he told me that, although the issue was far from serious, he was trying to get the owner to tidy up, just to “get to the point where [the] neighbors stop calling.” Aware of the changes in the area, Nick told me that not cleaning up their yard would not benefit the homeowner in the long run. He also told me that if he didn’t cite them “another inspector would.” He was convinced that the neighborhood change was inevitable, and the easiest course of action was to go along with it. Nick’s resignation was driving his decision in this situation. While he was not going out of his way to help the oldtimer or obviously trying to get even, as previous chapters would predict, he was attempting a much subtler kind of intervention that involved keeping the peace and accepting neighborhood change without penalizing oldtimers. In other situations, however, inspectors take sides much more explicitly.

### *Taking sides*

Sometimes, however, inspectors do take sides and try to help newcomers, either because the newcomers are modest or struggling homeowners themselves, or because inspectors assume that newcomers will improve the existing building. In these ways, inspectors would go easy on gentrifiers. Echoing this, Danny told me that, when possible, he used his discretion to “stimulate the market.” Because he “give[s] a shit about the neighborhood,” he told me he aims to avoid penalizing property owners “in a way that discourages development.” To Danny, this means not citing new residential or commercial developments for minor violations. I observed Nick applying this logic one rainy morning at a two-unit building with a brand-new porch and siding. The recent work meant the building stood out among its dilapidated neighbors, some of which appeared vacant. As he parked the car, Nick told me he was here to determine whether the rehabbed building

was ready to be inhabited. Before opening the car door, however, he told me he already knew that “the answer will be a no” and pointed to the front stoop which had no handrail. This seemed to set the tone. Nick was unfriendly to the owner, a White, twenty-something year old who wore his flannel shirt tucked into his ripped designer jeans. And his mood seemed to worsen upon seeing the work that had been done beyond the scope of the permit. Suddenly, however, Nick’s demeanor changed. The owner casually mentioned that he and his wife – who was expecting their first child – planned to live in one of the units. “Oh, so this is an investment property!” Nick said and made no further mention of needing a new permit or the building not being ready. Instead he asked the owner to email a picture of the handrail once it was in place. Nick’s sudden change of attitude was prompted by the kind of investment he now believed the owner was planning. Unlike an example from Chapter Two in which Nick’s disdain for the property flipper prompted the harshest treatment, to Nick this was an example of a good investment that would develop the neglected area on a small-scale through homeownership. “It’s not a great area, but it’s a quiet block,” he told me as we got back in the truck, “and we want properties occupied.”

Similarly, Micky, a White inspector of 30 years, told me that enforcing the building code “is for safety and should not detour development.” “Owners are investors” too he added. To be sure, inspectors’ attempts to encourage revitalization of disinvested areas may be more frequent in parts of the city that are more heavily disinvested, but it also shapes inspectors’ actions in Edgewater. During one inspection in the south of the ward, Malcolm encouraged the Vietnamese owner of a three-flat to rent the currently empty second- and third-floor units and make it the “best place to live on the block.” Both this building and its neighbor were in housing court for dangerous

porches and other properties on the street were noticeably run-down. Malcolm seemed to have a vision for what this property could become and how it could benefit the area.

Similarly, on the way to an inspection in the north of the ward, Nick told me he was going to show me an example of “a good urban development project and gentrification,” which entailed the conversion of empty office space into residential units. The owner of the building – Roberto, an Italian-American man in his 50s – could not rent out the office space on the second floor, so decided to convert it into six apartments. When I asked about the cause of our court-mandated inspection, Nick paused before telling me that, “well, unfortunately he did it illegally.” Roberto had converted the space without permits and was currently in the process of “trying to make it legal” by hiring an architect to draw up plans and applying for retroactive permits. As we were leaving, Roberto told me that Nick is “one of the good guys.” Indeed, Nick has been patient with Roberto, advising him which violations to prioritize. Roberto was a business owner attempting to become a smalltime landlord. To Nick, Roberto’s renovation was modest and was an example of a local business owner trying to get the most from the building he owns. The renovations were certainly not out of character with the area.

Javier recounted a different kind of case, in which he discovered a woman was living in a building that had an entirely collapsed back wall. “I’m taking pictures,” he told me:

And she looks out of the window and starts cursing me “what you doing taking pictures? I live here.” And I’m like “you can’t live there.” So, I had to call supervisors, had to get the police out there, and we had to put it in court right away. And we actually got her to vacate and got her out of the building. She was really...you know she was an older woman, so this was probably where she was raised, that’s what she was attached to, finally we got inside, and it was deplorable. She had no plumbing, she was using buckets as bathrooms and actually at the end of the day it was a good story because they found her housing, she’s actually living with her daughter. She sold the property to a developer, she got about half a million dollars. At the end of the day after court she actually hugged me crying. So, it felt good, you know, it shows that we have a purpose out there.

In this example, Javier approves of the development because it benefits the former resident – an elderly oldtimer who is attached to her home and fits easily into the category of deserving – and is in keeping with development in the area, which Javier described as “prime” real estate.

In sum, inspectors express different opinions about development projects and gentrification, ranging from resignation and retreating behind the code, whole-heartedly embracing small-scale modest renovations, or disapproving of big projects. Though inspectors sometimes take clear sides in development projects, other times their attempts are less obvious. Sometimes, the battles that inspectors pick have more to do with a flattening or dampening of differences that inspectors view as inevitable. These divergent approaches to neighborhood change point to differences in development and gentrification that are often obscured in existing literature. Thus, while the priorities and goals of other metropolitan and neighborhood-level state actors filter down in strategic task force inspections, inspectors try to contest receivership programs, for example, and they are stuck between support and contestation concerning gentrification and new development. I suggest that the priorities and visions of frontline agents of the state are an important area of study because of the discretionary power – albeit it limited – that actors in this social location wield. Existing literature does not compare the stances and motivations of various state agents, and thus cannot identify the terrain in which these actors do and do not have degrees of discretion and divergent motivations.

## **Conclusion**

Building inspectors are not the only ones involved in the production and allocation of building inspections and violations. This chapter shows how other city-level and neighborhood-level actors also pick battles with buildings. Examining the relationships between politics,



policies, trends and building inspections highlights the contingencies of inspectors' attitudes. Bringing political sociology to bear on urban sociology, I thus account for state actors as manifold and potentially contradictory (see Morgan and Orloff, 2017; Valverde, 2011). Building on the "many hands of the state" approach, this chapter thus demonstrates the many hands of the city. Rather than a universal acceptance or rejection of growth machine logic, or adoption of city government goals, inspectors align with some goals and logics, and resist others. Sometimes inspectors align fully with the priorities of other city actors. Other times, their actions fall into line, but their rationale remains distinct from local politicians and city government. These differences can be explained by how inspectors consider what they think is appropriate or inevitable in certain areas, and who they think is set to profit. For the most part, inspectors assist other city actors in addressing "problem buildings" through strategic task force inspections because they agree with other agents of the state that the landlords of these are bad building owners. They are reluctant to collaborate in receivership because they believe this kind of state-initiated intervention benefits professional property owners and contractors at the expense of struggling homeowners. And their evaluations of development projects, new investment, and gentrification are rooted in the scale of projects, their assumptions about who will benefit, and their feelings of resignation.

While this chapter focuses on one neighborhood, it also sheds light on how inspectors might consider investment, development, and other building-level interventions in other parts of the city. In disinvested areas, inspectors are likely to act favorably to investment, while in rapidly gentrifying areas they may try to protect oldtimers. Observations from my fieldwork throughout this dissertation suggest this is the case. Importantly, however, as I have shown in earlier chapters,

once again inspectors do not decry the effects of gentrification in terms of displacement of low-income renters. In the following chapter, I return to this discussion and demonstrate the effects of inspectors' actions.

## **Chapter 5. How Going Easy and Going After Backfires**

This chapter pans back out to the level of the city and turns to examine the parameters of inspectors' interpretations of buildings and their resolve to go easy and go after. While the previous chapters uncovered patterns in inspectors' surprising motivations and (mis)alignments with other city actors, this chapter investigates the effects of the actions inspectors take. Connecting the dots between inspectors' on-the-ground decisions and housing inequality, I ask how inspectors' selective allocation and enforcement of violations affect property prices and rents in the buildings they inspect. As I have demonstrated in previous chapters, going easy on low-income homeowners commonly means that inspectors either ignore minor building violations or record violations but do not insist on compliance. This may indeed be helpful for homeowners in the short term, yet – as I show in this chapter – it also means that violations remain on record for the building and drive down property values. Conversely, as I have demonstrated, inspectors very often cite professional landlords for every violation they possibly can, are more likely to recommend professional landlords for court, and insist they comply (i.e. repair) violations. In response, however, landlords may raise rents to cover the costs of fines or to pay for work required to get the building in compliance.

I thus test how (non)compliance shapes rents and property prices through statistical analyses of building violation data. I use ordinary least square regression models to uncover correlations between the number of building violations and property prices and rents in Chicago over a five-year period. My results suggest that building violations do shape prices and rents, yet there are differences in how violations affect each. Rather than a universal effect of violations, I find evidence that unaddressed violations lower property prices and that complied violations

increase rents. Drawing on literature in legal studies, I show how building codes carry different implications when they are complied versus when they are not. As such, I argue that the actions of building inspectors end up paradoxically reinforcing patterns of inequality: violations reinforce the divide between wealthy and poor homeowners, as well as exacerbate the existing lack of affordable housing options for renters. Overall, this means that the poorest homeowners and renters end up with increasingly precarious claims to property and housing. In addressing the uneven effects of violations, I also suggest that inspectors' colorblind actions produce a double-edged sword, rendering minority residents most likely to suffer the unintended consequences.

Demonstrating the links between inspectors' actions and housing inequality, this chapter makes two contributions to urban sociology and the sociology of law and inequality. Unpacking the parameters of inspectors' discretion and actions first reveals one hitherto overlooked way that state actors reproduce racial and class-based disparities in housing inequality. While sociologists have numerous explanations for how states reproduce race and class-based disparities in housing, less is known about how this occurs unwittingly. Second, I illuminate important differences in code (non)compliance that tend to be obscured in existing literature. While extant studies demonstrate that building codes affect rents and shape property prices, studies rarely differentiate between complied and non-complied codes. As such, we are left with an incomplete and inaccurate account of how building code enforcement shapes residential landscapes in the metropolis.

#### *Housing, inequality, and building codes*

Sociologists would expect agents of the state to reproduce racial and economic disparities in housing inequality in several ways. State workers possess both explicit and tacit raced perceptions

of disorder and adjudications of deservingness. Police officers and welfare workers, for example, penalize or detrimentally neglect low-income minority individuals and neighborhoods (e.g. Harcourt 2001; Katz 2013; Soss et al. 2011). City-level decision makers also consistently neglect low-income and minority residents in decisions about where to site toxic dumps or factories, or the failure to prevent communities of color living with high exposure to lead, or in buildings without proper fire safety (e.g. Crowder & Downey 2010; Mennis & Jordan 2005; Pastor et al. 2002). Relatedly, many city officials fall in line with the growth machine: the notion that cities prioritize (and subsidize) high end-real estate and leave landlords largely unchecked and allowed to racially sort tenants, reproducing racialized patterns in the geography of concentrated poverty (e.g. Desmond 2016; Edin et al. 2012; Rosen 2014; Sullivan 2017).

However, while many sociologists are concerned with the relationship between housing and inequality, less attention is paid to how the regulation of housing conditions may reproduce inequality, despite recent attention to housing conditions (e.g. Desmond 2016). While some studies use building violation data to calculate rent reasonableness and as a proxy for government regulation of vulnerable populations (see Desmond and Perkins 2016; Lauster et al 2016, respectively), they stop short of measuring the effects of citations. Policy-makers and scholars from other disciplines contend that building codes matter for the affordability of housing. Most argue that regulations – in the form of building codes – increase housing costs, and measure how new construction regulations affect construction costs (see Euchner 2003; Manvel 1969; Noam 1983; Salama et al 1999). Though they diverge in the magnitude of effects, there is broad consensus that regulations increase costs of labor, materials, and land necessary for housing construction, and improvements to existing housing conditions negatively affect low-income

populations by prompting increases in rents (Desmond 2016; Tucker 2009). As such, these studies focus on the effects of *complied* building codes rather than building codes in general; they do not compare the effects of compliance to non-compliance.

Sociologists of law and legal scholars have long advocated for thinking about “law in action” or “everyday law” rather than law as more of a text or abstract rule (Ewick and Sibley 1998; Sarat and Kearns 1993; Valverde 2012). Valverde, for example, draws on this perspective to illuminate the enforcement of various laws regulating public and private space in Toronto. While the public oftentimes knows very little about these laws, their selective application by state officials has consequences for how people – and which people – are governed. It is not laws per se, but their enforcement (or lack thereof) that matters. Attending to the enactment of law – by enforcement officials or members of the public – pushes scholars to recognize the potential for law and legislation to have disparate effects depending who is being governed and who is doing the governing.

I take this approach in considering the effects of inspectors’ actions. I use data on building code violations to differentiate between compliance and non-compliance of building codes. I test for differences in effects of complied and uncompiled building codes,<sup>68</sup> and I test for the *varying effects* of building violations on different kinds of buildings: owner-occupied and rentals. As such, this chapter offers a broader lens on to the ways building codes, and their enforcement or lack thereof, perpetuate housing inequality. Specially, I show how violations increase the dearth of

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<sup>68</sup> Using building violation data does not capture properties that initially comply with building codes before an inspection. Unfortunately, this is unavoidable as there is no data that captures initial compliance.

affordable rental housing and bolster gaps between wealthy and poor homeowners. In so doing, this chapter also builds on a broader theme in law and society about the legacy of laws that reinforce inequality, irrespective of their origins (Berrey, Nielsen, and Nelson 2017; Bumiller 1988; Freeman 1978; Scheingold 1974).

### **How going easy and going after backfires**

As I demonstrated in Chapter Two, for inspectors, going easy on homeowners usually means recording building violations but not insisting on compliance, either by only writing a notice, or recommending leniency in housing court. Homeowners may benefit from these decisions in the short term. But if homeowners do not fix issues, open violations remain on record for the building. Records of violations are not only available to view online on some real estate company websites, but some states (including Illinois) require sellers to tell prospective buyers, in writing, if their property has municipal code violations.<sup>69</sup> I thus hypothesize that unaddressed building violations drive down property values. The more violations that remain unaddressed on a building's record, the more the building will depreciate in contrast to properties with complied violations or with no record of violations.

I also explore the consequences of inspectors' attempts to heavily penalize negligent and unscrupulous landlords. As I have demonstrated, inspectors very often cite landlords for every violation they possibly can and are more likely to recommend professional landlords for court and insist they comply violations. In response, however, landlords raise rents to cover the costs of fines or to pay for work required to get the building in compliance. This is no secret. Landlords in housing court discussed this freely, seemed to deem it reasonable and in some cases as the only

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<sup>69</sup> <http://www.ilga.gov/legislation/ilcs/ilcs5.asp?ActID=2152&ChapterID=62>

course of action. While big jobs like fixing-up a porch system on a mid-sized apartment building can cost a minimum of \$20,000, small things add up too. During my court observations, one landlord of several large apartment buildings complained about needing to recoup \$6000 he spent on new window screens, because of a relatively minor code violation. Another professional landlord told me he was left with little choice but to hike rents after he had to pay for heat treatment to rid his building of bedbugs. “The city must think we have a printer,” he told me “that we just print money. How do they think we can afford this?” Thus, I hypothesize that fixing violations in rental properties prompts increases in rents. The more violations that a landlord remedies, the more rent will increase in contrast to properties without violations or with violations that are unaddressed. In short, I hypothesize that going after landlords leads to increased rents.

In the following section, I test for the effects of building codes – complied, open, and in total – on property price and rent by running two sets of ordinary least square regression models. Specifically, I test the following hypotheses: that there is a negative correlation between unaddressed violations and change in home values, and a positive correlation between fixed violations and change in rents.

#### *How violations affect rents*

To test for the effects of building code violations on rents, I match (by street address) building violation data to the Multiple Listings Service (MLS) database of rental listings in Chicago, 2010-2015.<sup>70</sup> From the MLS rental listings database, I extracted data on units that were rented (to

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<sup>70</sup> I obtained this database from Midwest Real Estate Data, a real estate data aggregator and distributor that provides the Chicagoland MLS to nearly brokers and appraisers across the Midwest. The data is limited to properties listed by realtors. The benefit of this data, however,



different tenants) twice between 2010 and 2015. My dependent variable is percent change in rent from the base year logged, calculated as:  $\ln((\text{rent}_2/\text{rent}_1)*100)$ . Using data on properties at two points over time – with building violations between the two points – allows my models to capture the effects of building violations. This provides much stronger evidence of a causal effect than would be possible with cross-sectional data (see Allison 2009; England et al 1988), which would limit my analysis to observing general correlations between property values, rents, and violations. Using repeat sales is equivalent to using models with fixed-effects for housing units, as it affords a high degree of internal validity by being able to hold property level characteristics – that would significantly shape prices – constant, such as a building’s age, size, or surrounding amenities.<sup>71</sup> To this end, I only included the rental listings for which the data specified the unit number (to ensure I compared the same unit across time). I also only include properties with less than 30 violations to attempt to exclude buildings that are specifically targeted by STF inspections. The goal of these inspections is to evict tenants or change ownership and thus the effects of violations are arguably qualitatively different than in normal inspections. My sample size is thus 13,290 rental units (within 6664 distinct building street addresses).

To control for neighborhood differences in rent, I used ACS data on the average percent change in rent for each calendar year (2010-2015) for each of Chicago’s census tracts, calculated as:  $\ln((\text{rent}_2/\text{rent}_1)*100)$ . I assigned the appropriate percent change to each year gap for the

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is that it lists unit numbers Other data (e.g. webscraping Craigslist listings) rarely include unit numbers (or addresses) and would not allow me to ensure I was capturing changes in rent for the same unit in a building.

<sup>71</sup> For a discussion of the advantages of fixed-effects, see England et al (1988).

properties in my dataset and used robust standard errors clustered at the tract level to account for correlation of observations within tracts. To account for renovations that might also affect price of rent, I controlled for differences in number of rooms between the first and second rent. My models also included controls for the difference in years between each rent.

To pinpoint the relationship between violations and price change, I ran three ordinary least squared regression models with different main independent variables: all violations, open violations, and complied (i.e., remedied) violations. In the first models, the main independent variable is the total number of violations on a building's record (since 2006). In the second model, the main independent variable is the number of these violations that still remain "open" (i.e. not addressed) at the time of the second rent. And, in the third model, the main independent variable is the number of violations that were complied between the first and second rent, i.e. they were fixed by the time of the second rent. I also included a variable for the number of open violations at the first rent, as this may have affected the initial price. Table 5 shows descriptive statistics for variables in my models (n.b. the variable *% change in rent between rents* is unlogged in this table).

The results of these models (see Table 6) support my hypothesis. A rental unit with complied violations can be expected to increase in rent relative to a unit without complied violations (either because they are open or because there were no violations recorded), controlling for the average price change in the area, renovations, the number of violations at the first rent, and the difference in the number of years between each rent (i.e. there are two years between a unit rented in 2011 and then again in 2013). A 10% increase in complied violations is associated with

a 5.52% rise in rent, holding other variables constant.<sup>72</sup> Additionally, the effects of open violations are not statistically significant suggesting that the (modest) effect of all violations is caused by the effect of complied violations.<sup>73</sup> These results are best explicated using an example.

In Chapter Two, I described Eddie’s reaction as we inspected a building with orange moldy ceilings, sparking outlets, a dangerous back porch, and an intermittent electricity supply. Eddie was furious about the landlord’s negligence and – upon hearing she charged \$750 for rent – told the tenants he would pray the landlord went to “landlord hell.” Eddie wrote up 29 violations during that inspection, ranging from a dangerous porch, to clogged drains and sparking outlets. City attorneys are currently preparing a court case against the owner, in which they will likely insist the owner fixes most issues due to their severity. My analysis, however, predicts that, if the owner fixes all 29 violations, she could be expected to raise the rent from \$750 to \$898 by next year. If she fixed none, the rent would be \$774, based on the average increase for that tract. Thus, complying violations has a significant effect on rents; going after landlords prompts rent increases.

Table 5. Descriptive statistics for rent models

Variables	count	mean	sd	Min	max
% rent change between rents	13290	127.51	91.78	0.32	2100
all violations on building’s record	13290	2.39	5.25	0	30
open violations by second rent	13290	1.80	4.36	0	30
complied violations by second rent	13290	0.62	2.19	0	30

<sup>72</sup> I used the coefficient for complied violations in Model 3 and the following calculation to get this figure:  $100 * (\exp(.00512 * 10) - 1) = 5.25$

<sup>73</sup> I get similar results when include properties with over 30 violations, however the coefficients are slightly smaller in magnitude and less significant.

Table 6. Results from OLS regressions of rent change (log ratio) on violations

	(1) All violations	(2) Open violations	(3) Complied violations
violations at first rent	-0.000618 (-0.66)	-0.000361 (-0.38)	-0.000472 (-0.53)
all violations on building's record	0.00196* (2.34)		
difference in rooms between rents	0.155** (46.50)	0.155** (46.52)	0.155** (46.35)
difference in years between rents	0.0142** (2.62)	0.0144** (2.65)	0.0142** (2.61)
average rent change in tract (ln)	0.00512 (0.09)	0.00647 (0.11)	0.00759 (0.13)
open violations at time of second rent		0.00143 (1.40)	
complied violations between rents			0.00512* (2.42)
Constant	4.606** (17.11)	4.600** (17.16)	4.595** (17.27)
Observations	13290	13290	13290

Robust standard errors clustered at the tract level

$t$  statistics in parentheses;  $^+ p < 0.10$ ,  $^* p < 0.05$ ,  $^{**} p < 0.0$

*How violations affect property price*

To test for the effects of violations on property price, I follow the same procedure as in the rent models. I use a unique dataset of building violation data matched by address to the CoreLogic database of property transactions in Chicago, 2010-2015.<sup>74</sup> From the CoreLogic database of property transactions, I extracted data on properties that sold twice between 2010 and 2015 to calculate the difference in sale price for the same property.<sup>75</sup> My dependent variable in these models is percent change in property value from the base year logged, calculated as:  $\ln((\text{price2}/\text{price1}) * 100)$ . As in the rental models, I only included properties with less than 30 violations.<sup>76</sup> My sample size is thus 7157 housing units. I used robust standard errors clustered at the tract level to account for correlation of observations within tracts, and control for differences

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<sup>74</sup> The CoreLogic database is a record of all property transactions across the country. I selected data on sales in Chicago. To ensure I compared the same unit across time, I only included condo transactions for which the data specified the unit number.

<sup>75</sup> To test the representativeness of my transactions data (i.e. whether repeat sales in this period are representative of all sales), I calculated the median sale price for all property transactions between 2010 and 2015 and the median sale price for the first and second sales in my dataset of repeat sales. The median of both the first and second sales fall within one standard deviation of the median of whole sample. Thus, my dataset is reasonably representative of general sales.

<sup>76</sup> In both the rental and property price models, exclude buildings that were listed as vacant as these are qualitatively different cases with separate sections of the building code, their own set of inspectors, and different court processes.

in number of rooms between the first and second sale, the difference in years between sales, and number of open violations at the first rent. I ran three OLS models with different main independent variables: all violations, open violations, and complied violations. Importantly, the number of open violations and complied violations could be referencing violations that inspectors recorded before the first sale. Table 7 shows descriptive statistics for variables in my models (n.b. the variable *% change in price between sales* is unlogged in this table).

The regression results for the property price models (Table 8) also show support for my hypotheses: a property with open building violations is associated with a significant decrease in value relative to a property without open violations (either because they have been complied or because they were no violations recorded to begin with), controlling for the average price change in the area, difference in rooms, the number of violations at the first sale, and the difference in the number of years between sales.<sup>77</sup> Additionally, the effects of all violations and complied violations are not statistically significant. This suggests that building violations only affect property price if they are not addressed. Specifically, a 10% increase in open violations corresponds to a 3.4% drop in price increase on average.<sup>78</sup>

To clarify this in more palpable terms, recall the example in Chapter Two of Nick not insisting a homeowner complied violations on her property because it was for sale and he did not

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<sup>77</sup> I get similar results when include properties with over 30 violations, however the coefficients are slightly smaller in magnitude and less significant.

<sup>78</sup> I used the coefficient for open violations in Model 2 and the following calculation to get this figure:  $100 * (\exp(-0.00344 * 10) - 1) = -3.38$

want to “add to her headache.” So, Nick recorded the 26 violations he found – ranging from broken windows, a dangerous porch and collapsing siding – but did not insist the owner fixed them. These violations, however, appear online for the real estate listing for this property. The results from my property price models suggest that if the owner manages to sell her building this year, she can be expected to get \$625,014 instead of the \$683,490 she could have received if her building had no open violations. Those 26 open violations correspond to approximately a 9% drop in price.<sup>79</sup>

Furthermore, the effects are stronger and more statistically significant if I only include properties that have at least one violation between the first and second sale (see Table 8). In this case, the effect of open violations is larger and more statistically significant, corresponding to a 16% lower price per 10% more open violations. Thus, property prices are more susceptible to the effects of more recent violations.<sup>80</sup> As inspectors profess to go easy on low and moderate-income homeowners, I also ran models that only include properties sold for less than \$200,000 at their first sale (see Table 9). The effects are consistent with the other property price models. Thus,

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<sup>79</sup> To be sure, the costs of fixing these 26 violations may exceed the decrease in property value.

As I discuss below, insisting on compliance may not necessarily benefit property owners either.

<sup>80</sup> I also ran models for rental units that only included units with at least one violation recorded between the two rents. While the effects are similar as those with violations at any point in time, the coefficients are smaller in magnitude and less statistically significant ( $p = 0.055$ ). This suggests that, unlike for property price, the effects of complying violations on rent are not shaped by when the initial violations occurred. Property transactions are more sensitive to the recentness of violations.

although my models suggest that open violations lower values of all homes, they have a greater effect on less expensive properties, which are likely owned by the lowest income homeowners.<sup>81</sup> Also noteworthy is that, across models, fixing violations does not – contrary to what we might expect – increase home prices. Instead, not making repairs – which may be a result of inspectors’ leniency and resolve to go easy on moderate and low-income homeowners – ultimately costs property owners. The property price models also support my hypothesis because the effects are opposite to those of the rent models. While existing literature tends to focus on the effects of building codes, I show differences in their effects depending on enforcement; complied violations affect rent, open violations affect property price. In sum, the results from both sets of models offer evidence that my hypotheses were correct and that the effects of building violations hold in general throughout the city’s housing market, regardless of neighborhood, property value, or the number or type of violations. Inspectors’ efforts to go easy on moderate and low-income homeowners have negative financial effects in the long run, and their punishment of landlords prompts rent increases. These results have additional implications, and uneven ramifications, however, which I address in the following section.

Table 7. Descriptive statistics for property price models

Variables	Count	mean	sd	Min	Max
% change in price between sales	7157	4.49	1.07	.049	9.29
all violations on building’s record	7157	1.04	3.72	1	30
open violations by second sale	7157	.73	2.48	0	30
complied violations by second sale	7157	.32	1.63	0	30

<sup>81</sup> This is not the case for rental properties; coefficients lose statistical significance when I only include rental units under \$1000 or \$1500, for example.



Table 8. Results from OLS regressions of property price change (log ratio) on violations

	(1) All violations	(2) Open violations	(3) Complied violations
violations at first sale	-0.00684** (-2.73)	-0.00644** (-2.61)	-0.00783** (-3.26)
all violations on building's record	-0.00143 (-0.85)		
difference in rooms between sales	0.323** (6.95)	0.326** (7.02)	0.323** (6.90)
difference in years between sales	-0.597** (-78.65)	-0.596** (-78.28)	-0.598** (-78.76)
average property price change in tract (ln)	0.166* (2.51)	0.166* (2.51)	0.166* (2.51)
open violations at time of second sale		-0.00344+ (-1.66)	
complied violations between sales			0.00398 (0.99)
Constant	4.961** (16.28)	4.963** (16.29)	4.964** (16.32)
Observations	7157	7157	7157

Robust standard errors clustered at the tract level

$t$  statistics in parentheses; +  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$

Table 9. Results from OLS regressions of property price range (log ratio) on recent violations (recorded between sales)

	(1) All violations	(2) Open violations	(3) Complied violations
violations at first sale	-0.0148** (-3.40)	-0.0148** (-3.45)	-0.0179** (-4.25)
all violations	-0.0110** (-3.16)		
difference in rooms between sales	0.261** (3.82)	0.272** (4.07)	0.270** (3.93)
difference in years between sales	-0.578** (-37.56)	-0.579** (-36.38)	-0.589** (-35.88)
average property price change in tract (ln)	0.483** (2.80)	0.475** (2.78)	0.483** (2.78)
open violations at time of second sale		-0.0151** (-4.10)	
complied violations between sales			-0.00161 (-0.33)
Constant	3.610** (4.49)	3.645** (4.57)	3.590** (4.43)
Observations	1323	1323	1323

Robust standard errors clustered at the tract level

 $t$  statistics in parentheses; +  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$

Table 10. Results from OLS regressions of property price change (log ratio) on violations, for properties under \$200,000 at first sale

	(1) All violations	(2) Open violations	(3) Complied violations
violations at first sale	-0.00604 <sup>+</sup> (-1.96)	-0.00576 <sup>+</sup> (-1.93)	-0.00852 <sup>**</sup> (-2.88)
all violations on building's record	-0.00602* (-2.26)		
difference in rooms between sales	0.122* (2.29)	0.124* (2.35)	0.119* (2.23)
difference in years between sales	-0.643 <sup>**</sup> (-69.45)	-0.643 <sup>**</sup> (-69.35)	-0.647 <sup>**</sup> (-71.31)
average property price change in tract (ln)	0.127 <sup>**</sup> (2.67)	0.126 <sup>**</sup> (2.66)	0.128 <sup>**</sup> (2.69)
open violations at time of second sale		-0.00927 <sup>**</sup> (-3.12)	
complied violations between sales			-0.000271 (-0.05)
Constant	5.480 <sup>**</sup> (24.78)	5.485 <sup>**</sup> (24.86)	5.479 <sup>**</sup> (24.80)
Observations	2806	2806	2806

Robust standard errors clustered at the tract level

*t* statistics in parentheses; <sup>+</sup>  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$

**Do inspectors realize the effects of their inspections?**

Inspectors' cognizance and concern for the effects of their actions varied. While they often expressed awareness of how their actions might affect homeowners, they were generally less concerned about the potential implications of their actions for tenants. In what follows, I provide examples of each, highlighting the role of *inevitable* consequences in addition to unintended consequences.

As I demonstrated in Chapter Two, inspectors sometimes explicitly considered how their actions would affect homeowners of the buildings they inspect. Early one spring morning, for example, Nick and I arrived at a three-story brick building in a largely White, affluent, low-density neighborhood on Chicago's North Side. Walking around the back of the building, I was struck by a very flimsy looking porch and an addition to the first floor that resembled little more than a wooden shack. Nick explained that the building's owner – who he had previously met in court – lived in this part of the building, which was built without permits. As we surveyed the rest of the building, Nick commented that the owner would have no choice but to fix the porch and take care of some tuck-pointing. Technically, Nick should also have insisted that the owner either remove the addition or apply for retroactive permits for its construction, which would entail paying the City fees and hiring an architect. Nick spent a long time staring in silence at the building, before confessing he was having a hard time deciding if he should insist that the owner address the issues with the illegal addition. “After the tuck-pointing and porch work, do I want to hurt him more?” he asked. I was unsure whether he was talking to me or himself as he continued: “I’m out to help people, not hurt people.” Nick decided not to require the owner to get permits. Despite the affluence in the area, Nick deigned that the owner of this building, who had medical issues, could

not afford the extra costs. Yet, documentation of this illegal addition will remain on record for the building, and Nick knew it. He told me that, in cases like this, which were not dangerous, he opts to insist owners do only minimal work. “Why would I force people to do the work?” he asked, “he’ll either have to go through the expensive process of getting permits later or risk the decrease in value to his property.” The illegal conversion violation would “remain in the system,” Nick explained, so the owner might apply for the permit if he wanted to sell, refinance, or get a loan on the property in the future. “Banks will require it,” he added, because as things stood the building’s “title is clouded.” Nick was explicit in his decision-making in this instance, but inspectors followed this logic often. They realize the implications of their actions, in terms of costs to homeowners and clouding titles, but they opt to leave the ball in the homeowners’ court. Inspectors see this as a way of empowering homeowners to make their own decisions about whether and when to comply violations.

By contrast, inspectors do not always care how their actions affect tenants. Although inspectors find out about negligent landlords by responding to tenants’ complaints, landlords and their exploitative and unscrupulous actions become the objects of inspectors’ disdain and tenants are often forgotten. Inspectors’ resolve to go after bad landlords is not the same thing as protecting tenants. Since inspectors are motivated by their perceptions of social justice and going easy on the little guy, their ambivalence towards tenants may seem surprising. I explain this seeming contradictory stance below. I observed many incidents when inspectors – though responding to complaints from tenants – decided on courses of action irrespective of a tenant’s wishes and uninterested in what may be in their best interest. There is a distinction, however, between 1) situations in which inspectors are aware of negative impacts on tenants but opt to prioritize

addressing dangerous building conditions; and 2) inspectors' lack of knowledge or awareness about how their actions effect tenants and homeowners. I discuss both in the following examples.

After knocking on the door of a white frame single-family house in a low-income and majority African-American neighborhood, a Black woman in a nightgown answered the door. We were responding to a 311 complaint about rats, but the woman – who was a tenant – told us she knew nothing about it. She also did not want to let us inspect the interior of the building to check out the complaint. Seemingly nervous about her landlord's reaction, she told us she'd rather call him before letting us in. Eddie told her she should call her landlord anyway to tell him he needed to fix the front porch, wiggling a hand rail and bouncing up and down on the porch a few times to demonstrate its creaks and unsteadiness. The woman told us her landlord was already working on it; she seemed determined to paint a good picture of him. "This is going to be a [a court case];" Eddie said to me, under his breath, I can't walk away from this." As we walked back to the car he seemed to want to justify his decision "you'd be surprised at how many people try to protect the landlord. Over the years [they're] conditioned and beat down." He told me that tenants are often willing to risk their safety because the landlord is keeping the rent low. Thus, Eddie was aware of the potential implications for the tenant and increase in rent. In this instance, however, the severity of the porch's condition meant that he felt he had no other option; he opted to prioritize addressing the issue by taking the owner to court and risk the negative effects on the tenant.

Other inspectors made similar decisions. During one inspection, a woman in her 70s, told Malcolm and me about her health problems caused by the lack of ventilation in her basement apartment. The woman – who told us she was Italian – lived in the small, cramped and musty basement with her adult son, who she pointed to in family photographs atop a doily-covered side

table. Malcolm had to lower his head to avoid hitting the ceiling as he made his way throughout the apartment. He was quick to decide it was an illegal conversion and that the building owner would have to go to court. However, although Malcolm was acting to punish the landlord for his negligent treatment of these tenants, he did not do much to put the tenants' concerns at ease. The woman implored Malcolm to "show mercy," explaining that they just wanted to move out as soon as possible and feared retaliation, presumably concerned that the landlord would find a way to keep a security deposit or write a bad reference or make their lives more uncomfortable before they could move out. In response to her pleas, Malcolm rather impatiently told her that she would probably have moved out by the court date anyway.<sup>82</sup> Unlike Eddie, Malcolm did not seem to care about the impact of his actions on the tenant, perhaps because he believed – as other inspectors do (see Valverde 2012) – that tenants could and should move if they were unhappy with their housing.

Sometimes inspectors did express a decided concern for tenants. For example, during an interview, Danny recalled trying to help an African-American woman whose building was close to being recommended for demolition. He told me that the woman was the single mother of seven children and had been holding down numerous jobs until a car breakdown caused her to lose them.

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<sup>82</sup> Inspectors are instructed to always send illegal conversions to court, so perhaps there was little he could have done in this situation to "show mercy" to these tenants. Yet, his failure to express sympathy or compassion towards the woman and her son was notable, however, considering he has gone to extra lengths to punish the landlord.

“And now she's shit out of luck,” he exclaimed angrily, “she has no Section 8 voucher; she's paying market rate for a shit hole.” He paused for a moment before continuing:

what I'm running into is people that are stuck in between. They're trying to make it in a market sense. They're trying to work, buy food with link card assistance, they have no Section 8 voucher to assist with the rent, no utility assistance and they're trying to make it. And essentially the numbers and percentages of people who are trying to do that are vastly higher than what the general public believes. They all think they're all on welfare and it's just not the case.

Danny opted not to recommend this woman's building for demolition. Danny's sympathy for this woman may stem from his belief that she is deserving. The working-class men in Lamont's (2000) study revered those who hold down multiple jobs as particularly admirable. But inspectors do not always couch their concern for tenants in this way. Bill, for example, went to lengths to explain his view towards men's cubicle hotels, a living arrangement like SROs, but with smaller rooms that are separated by divider walls topped with wire-fencing. “There are some folks that when they first come across men's cubicle hotels, they're horrified, they think that no human being should live like that,” he began,

My view is that it's better than living on the street and these guys do have a little space that they can call their own and it's what's affordable to them. They can't afford an SRO, they don't want to be on the street. So it's not an ideal living situation, but there are some authors that have said you know that our idea today of that's acceptable housing is considerably different from what it was at the turn of the last century. You think about how people lived in 1900 or whatever, it was pretty dismal! Really bad, you know. A men's cubicle, you might even call it luxurious compared to that!

The level of Danny and Bill's compassion towards these people who are “stuck in between” was not the norm among inspectors, however. More commonly, inspectors would tell me that tenants often just “make stuff up” and use inspections as “a tool” to get back at landlords. One inspector, who is Latino with over 15 years' experience on the job, told me how he reacts when he knows tenants make complaints to get their landlords in trouble. He explained that tenants even sabotage



their apartment buildings by removing smoke and carbon monoxide detectors and then calling 311 to complain about their landlord's lack of safety provisions. Inspectors can tell when tenants remove "smokes and carbons," Javier told me, "because you can see the paint spot...[or] sometimes they're sitting on top of cabinets" in plain sight. Along with some of his colleagues, Javier was suspicious of tenants and did little to sympathize with their position. As the above examples demonstrate, inspectors are ambivalent about tenants; some professed to care about them, others were explicit in articulating their disdain.

While municipal building inspections are putatively carried out on tenants' behalf, inspectors' actions are primarily motivated by their adversity to bad landlords. This adversity outdoes both the disdain that some inspectors profess and the dedication that others articulate to helping tenants. This seemingly contradictory finding – considering inspectors' resolve to help struggling residents in other contexts – aligns with existing literature. As I explain in Chapter Two, by and large, inspectors grew up and still live in residential environments that are majority owner-occupied homes. They likely do not identify with tenants as they do with struggling homeowners, and their focus on penalizing exploitative and undeserved profit matches other accounts of the morals and attitudes of White working-class American men (see Lamont 2000).<sup>83</sup>

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<sup>83</sup> Inspectors' disdain for tenants is also largely consistent with findings in existing literature about the pervasive disregard for renters. Studies show how neighborhood associations, elected officials, and homeowners assume tenants are not invested in the neighborhoods in which they live, do not contribute to collective efficacy, and thus link renters to increases in crime and

In sum, inspectors' attitudes to tenants seem less surprising considering their socio-structural location.

Interestingly, the ability for landlords to pass off the financial burden to their tenants is part of inspectors' logic when they are deciding between leniency and punishment. Nick explained to me that the revenue on any building should mean that the owner has funds to maintain the property: "when you hit the landlord of a six-unit can, he can afford [maintenance]," he told me "or the bank's more inclined to give him a loan because [he has] an income generating property. To me it's about equity." Thus, landlords' ability to transfer their economic burden is a justification for inspectors' punitive actions, not a red flag. There is a subtle distinction, however, because it is inspectors' disdain for landlords that prompts their actions towards tenants, rather than a universal scorn for tenants. In this way, the consequences of inspectors' actions are still unintended. Though they may not care that landlords hike rents, they do not intend for their actions to prompt increases in rent.

### **Implications of inspectors' actions**

While the results from my quantitative analyses apply city-wide, regardless of building size, neighborhood, price, or demographics, other portions of my research suggest there are likely patterns in who bears the brunt of the effects of inspectors' actions. In this section, I triangulate findings from my statistical analyses with observational and interview data, coupled with existing literature, to explicate the uneven effects of inspectors' actions along lines of existing inequality

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disorder and decreases in property values (see Čapek and Gilderbloom 1992; Danielson 1976; Goetz and Sidney 1994; Krueckeberg 1999; McCabe 2016).

by race and socio-economic status. I show how the repercussions of lower property values and increased rents are likely to affect those with the least financial resources and in the most precarious positions. The strategic nature of inspectors' actions organizes the kinds of buildings on which they are most likely to go easy and go after.<sup>84</sup>

*The uneven effects of going easy on struggling homeowners*

Open violations do not only lower property value. They also jeopardize homeowners' abilities to afford to fix them. For example, HUD will not provide FHA loans on properties with serious code violations,<sup>85</sup> other lenders are less likely to furnish loans, and appraisers for lending institutions

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<sup>84</sup> To be sure, inspectors' assessments of who is a struggling homeowner and who is a professional landlord may not always be accurate. As Desmond (2016) shows, professional landlords rent out single-family homes, and smalltime landlords can certainly be negligent and rent buildings in poor condition. Although the quantitative analyses in chapter two suggests inspectors are accurate in their assessments, there may be additional unanticipated outcomes if they are not.

<sup>85</sup>U.S. Department of Housing and Urban Development. 2018. "Minimum Property Standards for Housing, 1994 Edition Handbook."

[https://www.hud.gov/program\\_offices/administration/hudclips/handbooks/hsg/4910.1](https://www.hud.gov/program_offices/administration/hudclips/handbooks/hsg/4910.1)

Accessed April 26 2018.

may be unwilling to take on a building with violations as it is not worth their time.<sup>86</sup> Overlooking violations thus risks furthering poor people's need for – yet unlikelihood to receive – loans and refinancing, preventing them from benefitting from homeownership (see McCabe 2016; Shay 1986). Overall, the determination to go easy on low-income homeowners threatens to entrench poor people's entanglements with debt and property from which they are unlikely to benefit. Yet there are also clear racial patterns in who is most likely to live in these building types.

As I recounted in the introduction, home values of minorities are, on average, lower than those of Whites. Legacies of discrimination have rendered minority homeowners more likely to be cost-burdened by their homes and live in substandard housing. Similarly, recent studies suggest that minority homeowners consistently spend less on home improvements than Whites, largely because of their lower average incomes and wealth (Joint Center for Housing Studies of Harvard University 2017). As such, minority homeowners may be hit the hardest by having open violations. Paradoxically, the position of Black homeowners' may mean both that inspectors may be more likely to go easy on them, but also that they are – as a result – more likely to lose value on their homes.<sup>87</sup> Some examples from my fieldwork illuminate this paradox.

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<sup>86</sup> Of course, prospective buyers may also be reluctant to buy a property with a long list of violations. Indeed, the property transactions dataset does not capture homes that are on the market but do not sell, or owners who are put off even trying to sell.

<sup>87</sup> I ran the models for violations and sales prices including block group level racial demographics. While the effect of open violations remains negatively correlated with price change, the coefficients for Black and Latino are positively correlated with price change and

As I recounted in Chapter Two, Steve, a White inspector in his 60s, told me that on the South and the West Sides “you’re always going to find the worst problems” due to “deferred maintenance” and a “lack of investment” because it is not “profitable to invest” in those communities. He went on to tell me then “today, it’s pretty much racial...the Black, the Hispanic communities are probably the most devastated...but you could go back 50, maybe 100 years and it was another ethnic group that was in that same situation.” Steve’s defiance that dilapidation in minority communities is the result of economic conditions was a common theme throughout my interviews and observations. I was initially surprised by such statements; indeed, the overall recognition of structural inequality, their lack of sympathy for landlords, and sentiments of empathy to poor people, Blacks, and Latinos and the neighborhoods in which they live are surprising given existing literature. Yet the correlation between race and class in Steve’s statement, and those of other inspectors, obscures the particular way minority communities are linked to dilapidation: through a history of discrimination, disinvestment, and wealth extraction in these neighborhoods. Steve’s opinion thus both contrasts with that we might expect given existing literature but is also colorblind (Bonilla-Silva 2010) because he does not recognize the racialization of economic inequality. The connection he draws between Black and Latino communities in the contemporary moment and ethnic Whites of previous generations ignores the history of racial discrimination in housing.

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statistically significant. This suggests that block groups with higher number of Black and Latino residents have larger increases in home values, on average. However, these effects remain when I remove my violation variables and thus are perhaps less to do with inspectors’ discretion.

Eddie articulated a similar colorblind correlation between race and socio-economic status as we sat in his silver Ford Explorer in a high-poverty African-American neighborhood one morning. He explained what he thought caused the prevalence of boarded-up buildings:

That generation of African American is dying off. Just like that generation of Americans are dying off...People my parents age, who would be in their mid-80s to mid-90s now, you know, they're dying. And what is left is all kinds of shit.

I asked him to elaborate on the problems he saw with the current generation:

A lack of education, the atomic bomb had been dropped on the family structure which caused the grandma to become head of the household to begin with, the daughters and sons of said grandmother producing innumerable children, when grandmother died it was a place of congregation and...when they lived with their grandmother in and out in and out times thousands of homes, she dies, there's no will, nobody has a plan. So, in many cases it becomes a party house, a drug house, again lack of education, lack of goals, lack of any ability to get or obtain a job, because there are no jobs in the local area.

So, property taxes go into arrears, it takes years before the county takes possession of any of these buildings from a tax point of view. In fact they just don't. They don't. What are they going to do? What tax investor is going to come in here and buy these buildings for taxes. Because the appraised value of the property is below the amount for the back taxes. That's one of the calculations they use. If it's \$10,000 on back taxes and it's going to cost me more to buy the place; or if there's \$30,000 in back taxes and I can only sell it for \$25,000. Forget about it!

In this quotation, Eddie mentions common assumptions about a culture of poverty among Black communities. But he also recognizes the role of structural factors, such as employment patterns due to disinvestment, education, and the property tax system. Importantly, his statement that a “generation of Americans is dying off” is suggestive that he perceives these demographic, economic, and cultural trends as extending beyond Black communities. Although Eddie draws on racial stereotypes about African-Americans, his pessimism encompasses all Americans, indeed even his own (White) family. As with others, Eddie expresses colorblind opinions that ignore particular ways that minority communities have been disadvantaged. Relatedly, some inspectors may be harsher – i.e. insist they comply – on White low-income homeowners as there is “no real

reason for a white guy to be a failure” (Lamont 1999:139; McDermott 2006). The irony here is that this would benefit the White homeowner; since open building violations devalue property, Black low-income homeowners are rendered the least likely to benefit from homeownership.

At the crux, then, these inspectors are cognizant of structural explanations for dilapidation in Black neighborhoods. But they also see these issues as possible to ameliorate through economic change. Such views, I argue, obscure the way race *is* related to dilapidation and substandard housing: through a history of disinvestment and wealth extraction in minority neighborhoods. While not all inspectors refrain from culture of poverty narratives, they still make connections between minorities, bad housing, and economic conditions. But they do not recognize the source of this correlation: the legacies of racial discrimination that have rendered minorities the most likely to be poor and live in worse housing.<sup>88</sup> This result is a double bind: without properly identifying the source of housing inequality, even well-intentioned attempts to penalize bad landlords who exploit minorities or be lenient on low-income minority homeowners are incomplete.

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<sup>88</sup> Inspectors’ cognizance of this history would not guarantee that they would change their actions, however. While Americans tend to underestimate racial disparities in economic inequality (Kraus et al. 2017), deeper or more accurate understandings of racism and inequality seem to prompt varying effects on people’s actions and their support for redistributive or anti-discrimination policies (Bobo and Kluegel 1997; McCall 2013; McCall et al. 2017).

*The uneven effects of going after landlords*

Inspectors' attempts to heavily penalize negligent and unscrupulous landlords also have consequences. As I have demonstrated, the resolve to go after landlords is primarily motivated by inspectors' contempt for unscrupulous behavior and underserved profit, not their concern for tenants. This can have numerous implications. As there is no cap on the amount by which a landlord can raise rent in Chicago, landlords are unchecked in their ability to raise rents and pass the burden of building violations onto their tenants.<sup>89</sup> In allowing landlords to immediately cover costs of repairs and fines, however, collecting and dictating rents also protects them from bearing the brunt of building violations. Repairs may be a handy excuse to disproportionately raise rents for some landlords. For others, however, rent increases may well be the only way to cover costs of repairs.

Although scholars have recently pointed to the increasingly precarity of affordable housing to middle-class residents (see Woldoff, Morrison and Glass 2016), their limited choices also further constrain those of their lower-income and more vulnerable counterparts. For example, people with limited options – with criminal records, or who have been evicted in the past – are most likely to move into a building with substandard conditions (Desmond et al. 2015).<sup>90</sup>

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<sup>89</sup> It should be noted that my data does not capture rents that are raised during a tenant's tenure.

<sup>90</sup> Chicago's Department of Buildings runs workshops for landlords, in which staff advise screening potential tenants. The effects of this kind of screening are stark. In Milwaukee, for example, Desmond et al (2015) found that renters whose previous move was involuntary were 25% more likely to experience long-term housing problems than similar renters.



Recipients of housing choice vouchers and public housing residents are not subject to inspectors' actions in the same way as renters in the purely private market. Yet, within the private rental market, renters who already have the least options, who are in the most precarious positions in terms of stable housing, and who are limited to living in the worst housing conditions, are the most likely to bear the brunt of rent increases.

Minorities are more likely than Whites to be renters and are more likely to be cost-burdened by their rental units. As such, the repercussions of increased rents are more likely to affect Black and Latino renters as they, on average, have the least financial resources and are in the most precarious positions.<sup>91</sup> Again, inspectors' disdain for landlords blinds them to a concern for tenants. An example from my fieldwork exemplifies this. Eddie and I had just finished an inspection of a six-flat rental building in a majority Black neighborhood. The building was in a bad state, there were no smoke alarms, the wooden porch was rotting, and we had spotted evidence of rats and cockroaches throughout the units. As Eddie vigorously rubbed hand sanitizer up to his elbows, I asked if he had an idea of the landlord's race. "There are a lot of Black landlords in this area," he told me. "Back in the day, the quintessential slumlord was a White guy with Black residents. and that's not so much the case anymore...it's not really about Black or White landlords, it's about landlord." Though he is aware of changes and patterns in race and building ownership in the area, for him, the key issue is exploitation in terms of class relations. Even though this occurs in a low-income and Black neighborhood, Eddie's anger is not rooted in the marginalization

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<sup>91</sup> Block-group level variables for race are not significant when I include them in my rent models.

of these tenants or the history of housing discrimination that likely contributed to their current situation, but rather in the power of the landlord.

To be sure, if Eddie and his colleagues acted on a cognizance of racial discrimination, they might be additionally punitive towards negligent landlords in majority minority neighborhoods, thus rendering minorities even further at risk of rent increases. Unpacking this double-edged sword should, I argue, shift our analytic focus from inspectors' colorblindness to the limitations of any efforts to mitigate housing inequality while racial disparities go mischaracterized, ignored, or exploited by other public and private forces. Inspectors' discretion and actions are important, but they are immobilized, for example, by banks and mortgage companies that extract value from communities of color, and states that sanction this. Certain consequences of inspections are partly unintended but also inevitable due to the organization of structural inequality and the contemporary housing market. I return to this point in the conclusion.

In sum, this chapter suggests that racial minorities are caught in a double bind when it comes to the uneven effects of inspector's actions. Inspectors' may be more likely go easy on minority homeowners, thereby rendering them most likely to suffer the unintended consequences of inspectors' actions. And, although there is not such a clear racial pattern in who inspectors perceive as bad landlords, inspectors' actions against landlords are more likely to affect Black and Latino renters since they are most likely to be renters and have fewer housing options. Furthermore, although inspectors do not explicitly consider racial injustice and discrimination, doing so would be something of a double-edged sword: if inspectors did recognize race, they might go extra easy on minorities or act extra punitively towards negligent landlords in majority minority neighborhoods, thus meaning minorities might suffer the most due to the unintended

consequences. Although aspects of this discussion are tentative and hypothetical, what we can learn from this murky ground and complexity of intentions and unintended consequences is that efforts to intervene in racial disparities in housing might be best placed not in increased inspections, less discretion, or more regulations, but in programs like rent control, government subsidies for repair work and further state investment in housing.

As such, this chapter also points to the need for more research into how municipalities should regulate housing conditions because landlords hike rents even without code compliance as justification, especially in a market with no rent controls – like Chicago. Thus, if inspectors cited landlords but were laxer in their enforcement of violations, tenants may have no choice but to live in properties that are dangerous or not up to code. Additionally, my analyses do not consider or measure what renters might gain from complied violations, such as safer or more pleasant living conditions. Future qualitative work could investigate what tenants think about fixing violations, and whether they are ever worth the potential cost in higher rent. Additional research might also investigate how inspectors could most effectively protect homeowners, because insisting that homeowners make repairs is likely to also harm them financially. As such, the findings in this chapter build on an existing concern among scholars that improvements to housing standards are usually coupled with increases in rents and housing costs. Adding the perspective of building maintenance to this conundrum, I bring attention to the issue of affordable ways for homeowners and renters to maintain decent and affordable housing.

## **Conclusion**

This chapter demonstrates the implications and parameters of building inspectors' decisions. I show that building inspectors' decisions matter: their resolve to go easy on low-

income property owners threatens the value of their homes; and going after bad landlords ends up hurting renters. The chapter also begins to unpack how racial minorities fall into inspectors' categories of deservingness. Unlike state actors in a wealth of other studies, inspectors do include minorities in categories of deservingness like struggling homeowner. Yet, they do so because of a contemporary struggle as homeowners that inspectors do not see as derived from a history of racial discrimination. Thus, while it is surprising that inspectors would claim correlations between poor housing conditions and race is a result of poverty, as a result, inspectors fail to recognize the source of housing inequality. And as such, even well-intentioned attempts to penalize bad landlords who exploit minorities or be lenient on low-income minority homeowners are unlikely to make a dent in raced patterns in housing inequality. Unpacking the parameters of inspectors' discretion and actions illuminates that the uneven effects of inspectors' actions as not just unintended, but also inevitable due to the organization of structural inequality and the contemporary housing market.

Importantly, we can only understand the links between inspectors' actions and housing inequality by tracing the processual chain of events between on-the-ground decisions, the contexts in which they occur, their immediate ramifications, their future implications, and their potential and parameters. The relationship between urban governance and inequality is a fluctuating process of interpretations, decisions, and outcomes, rather than a linear correlation. While sociologists commonly focus on the reproduction of inequality, we rarely connect the dots to show how it is reproduced, thereby missing moments in which the relationship might be altered, contested, or transformed.

## Chapter 6. Conclusion

Sociologists often refer to the reproduction of inequality. Yet, we rarely connect all of the dots and make visible the precise way that inequality is reproduced. In this dissertation, I have illuminated the processual nature of the relationship between on-the-ground interpretive decision-making and trends in housing inequality. In so doing, this dissertation advances how sociologists think about the relationship between urban governance and inequality. I provide a framework for understanding the potential and limitations of frontline actors and show that their social location – between state regulations, legal frameworks, the urban environment, and the public – is more of a shifting process of interpretations, decisions, and outcomes, than a discrete position. Conceptualizing intermediary actors in the way is an important step to building on the potential that these state actors have to interrupt and contest the connections between everyday decisions and inequality.

Within this broad framework of the processual nature of the reproduction of inequality, my investigation of building inspectors in Chicago also challenges conventional wisdom about the kinds of social characteristics – of people, buildings, and neighborhoods – state actors try to protect and discipline. I demonstrate how inspectors go easy on struggling homeowners, go after professional landlords and often diverge from the city's prioritization of economic growth and development. Second, I illuminate how inspectors interpret material features through a lens of effort and negligence rather than disorder. In so doing, I urge urban sociologists to move away from conceiving of disorder as the ubiquitous organizing schema for urban actors and towards a framework that attends to the social origins of material conditions. Finally, I trace the processes through which inspectors' decisions backfire. I demonstrate that going after landlords increases

rents for tenants and going easy on struggling homeowners lowers their property values. In revealing one overlooked way that state actors unwittingly perpetuate housing inequality, my dissertation sheds lights on the limits to state actors' potential to contest inequality, both in terms of their own biases and the structures in which they operate.

In this concluding chapter, I bring my contributions and findings together. I first discuss the entwined and processual nature of inspectors' motivations, interpretations, decisions, actions, and the ensuing ramifications. I then expand on how inspectors pick battles with buildings and how frontline actors categorize and govern the city. Next, I address what my dissertation can teach us about other contexts and broach questions that remain unanswered. Finally, I turn to a discussion of what sociologists, policy makers, and the public might learn from my research.

### **Potential, parameters, and processes of the reproduction of inequality**

My dissertation urges sociologists to consider the stances, affinities, and raced and classed social locations of all social actors, as well as how the material manifestation of structural inequality shapes action and the categories that actors wield. While existing accounts assume that urban regulatory actors act in concert to further urban economic development, I show that some city workers oppose relentless attempts to make land more profitable or to appease those who benefit from economic development. Moreover, while studies reveal efforts to mitigate inequality on part of minority agents of the state, much less is known about how White state workers might do something similar. Existing research rarely delves into the dispositions of agents of the state beyond those focused squarely on business models and profit-making strategies that align with the growth machine. Other kinds of motivations remain largely overlooked.

Indeed, in existing accounts of the growth machine, contestation is usually over who and where gets to profit, or how conflict or external pressures shape growth policies, not in the acceptance of the growth machine logic among state and economic actors. As such, these actors appear as kind of monoliths. But these generalized characters are, in fact, embodied actors, with histories, affinities, socio-structural locations, and logics. Studying motivations exposes hairline cracks in the operation of the growth machine. The fact that those logics challenge the growth machine – even if their actions ultimately reinforce it – means there are openings for interventions or maybe even social movements that challenge the dominance of the growth machine and the privileging of exchange value over use value.

Urban sociologists and legal geographers have long focused on identifying the *unevenness* of forces in the city: governance, policing, investment, and development. In this view, urban politics are uneven in intentions and effects. I suggest that we should also pay close attention to how some actors in the city are trying to redistribute justice and even out inequality, even through small, retaliatory, or retributory actions. Inspectors in Chicago pick battles by penalizing those they perceive to be wealthy and unscrupulous and showing leniency to those they deem less-wealthy and hardworking. The battles that building inspectors in Chicago pick stem from class antagonisms, their workplace culture, and their familiarity with patterns of housing landscapes in the city. But their categorizations of deservingness do not extend to all. Inspectors' common disdain for tenants, for example, limits their capacity to fully protect the little guy and renders their redistributive attempts partial. And inspectors' colorblind views may reproduce racial disparities in housing inequality. These parameters and contradictions are common in the attitudes, intentions, and actions of people in intermediary positions, but they demand our attention because

intermediary social locations are the places in which negotiations of inequality occur (Pattillo 2007).

The consequences of inspectors' actions also point to a reason why sociologists have until now overlooked the motivations of inspectors, and perhaps those of other state agents. The fact that inspectors' actions end up having the results sociologists expect blinds researchers to any reason to investigate their motivations in the first place. In short, the outcomes of inspections obscure the motivations and intentions of inspectors. There are at least two reasons, however, why this ought to compel sociologists to pay inspectors' motivations special attention. We might celebrate the unexpected sense of social justice that these social actors bring to their work and attempt to build on it. Or, we might choose to interrogate frontline agents' motivations further because, following Bourdieu, we believe we should pack intentions and resolves that are connected, but not entirely reducible to economic interest (see Bourdieu and Passeron 1977; Bourdieu and Wacquant 1992).<sup>92</sup> In this view, dismissing intentions of social actors because of the consequences of their actions obfuscates the power relations upon which these consequences rest and perpetuate. The pervasive effects of discretion obscure contrasting patterns in intentions, blinding our research to the ways that people see their world and how the categories they construct might differ from those sociologists use.

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<sup>92</sup> For Bourdieu and Passeron (1977), "every power which manages to impose meanings and to impose them as legitimate by concealing the power relations which are the basis of its force, adds its own specifically symbolic force to these power relations (p. 4).



Frontline workers are uniquely poised to be agents of change because they wield the clout of the state (see Lara-Millan 2017; Soss et al 2011). It is thus crucial to investigate the potential *and* parameters of social actors in this position. My dissertation pushes sociologists to find ways to better understand the logics that are salient for those making decisions. Without throwing out attention to existing trends in inequality, my findings push sociologists to find ways to better the categories of decision-makers, so we can comprehend and build on their potential for overcoming biases and cultural shifts in attitudes and stigmas (see Lamont and Aksartova 2002). Social actors on the ground will always fail in our eyes if we measure their perspectives and efforts against a sociological yardstick, yet this does not mean that categories and distinctions do not carry potential for social change. Thus, while other studies reveal connections between housing and inequality, my dissertation reveals the interpretive and processual mechanisms that perpetuate – sometimes unwittingly – these patterns.

Existing studies rarely trace the chain of events and processes that link state actors' motivations, interpretations, decisions, actions, and the ensuing implications. As such, we miss the intricate and sometimes contradictory relationship between on-the-ground decisions and inequality. Frontline agents do not just make decisions. They have dispositions, opinions, and motivations; their decision-making entails interpretative schemas, knowledge of the city, working with others, and projecting how their decisions will play out in courtrooms and conform to neighborhood change. Their decisions and day-to-day work also have parameters, both in terms of the structures and institutions in which they operate and their own biases and limitations. Each process, moment, or decision, in this chain of events has consequences for the next stage. Without

understanding the processual nature of the reproduction of inequality, we fail to understand how cities work and how they might be changed.

### **Picking battles with buildings**

The battles that inspectors pick matter. While not every resident has a landlord, or a mortgage, every building can be inspected, and – according to building inspectors – every building has code violations. A study of state agents with such purview is not only advantageous because it is encompassing, but because it affords a comparison of their dispositions towards different kinds of tenure and income groups that is not possible when studies only examine low-income rentals, for example. Studying how social actors pick battles across the city – concerning landlords *and* property owners, the wealthy *and* the poor – makes visible a broader way of understanding and categorizing the city that is contingent on comparisons and knowledge of city dynamics writ large. Much of my analysis would not have been possible without observing both sides of the coin and uncovering two kinds of battles: going easy and going after.

Inspectors wield categories of buildings and people from the very disparities that growth-oriented urban policies produce: exploitation, and the economic instability of low-income residents. Following Sewell's (1992) theory of structure and agency, I suggest that urban inequality acts as a resource from which social actors can draw. For Sewell, structures are resources, offering categories and social patterns that actors can employ. Structural inequality, like other structures, also produces categories and patterns that are both social and material. Housing and the built environment, for example, is a manifestation of structural inequality with forms and trends across building condition, tenure, and type. In showing how economic inequality in the city provides the people and buildings that furnish inspectors' categories of deservingness,

my dissertation pushes sociologists to examine other categories that social actors invoke. Against long histories of state-sanctioned discrimination, how do other contemporary state workers consider categorize people, buildings, places, or relationships, and enact discretion? To be sure, inspectors spend their days driving around, inspecting, and considering the uneven built environments in the city. But we all interpret buildings and make assumptions about the kind of people who live within. Built environments act as interpretive resources from which inspectors – and others – draw to construct categories and make decisions. Urban landscapes are bursting with other materializations of inequality that offer resources and limitations for interpretation and action in any such efforts. Racial, gender, and class inequality is also materialized through the quality and location of public transit routes and infrastructures (Purifoye 2014), other public amenities such as parks (Loughran 2014), and obvious disparities in school classrooms and facilities (Abu-Lughod 2007; Kozol 1991; Wilson 2006), as well as geographical patterns in school closures (Weber, Farmer and Donoghue 2016). Building inspectors pick battles with residential buildings, but there are many other buildings with which to pick battles.

### **Beyond building inspections**

My dissertation pushes us to think about the invisible labor that constructs, sustains, or impairs our built environments and our cities. We rarely think about building inspectors, yet we are surrounded by buildings and they affect us. Building inspectors and other workers and decision-makers create the built environments that produce the cities, stratification, and inequality that sociologists study. Future research could investigate other kinds of agents of the state, and the roles of individual actors and invisible labor in the reproduction of inequality and cities more broadly. To be sure, the ways that inspectors in Chicago see the city may differ from those of their

counterparts in other locales as well as other frontline agents of the state in Chicago. While segregation may be starker in Chicago than in many other cities, issues of racial and economic inequality coupled with the lack of affordable housing, aging housing stock, and rising costs of construction pervade US metropolitan areas. Chicago also shares the policy priorities and orientations of other neoliberal city governments (Bennett, Garner, and Hague 2016). As such, Chicago's building inspectors and their counterparts in other municipalities work within the same general trends and at the behest of governments with similar priorities. Chicago's building inspectors are also demographically representative of inspections in other US cities (International Code Council 2014), and studies from a variety of US locations suggest that there are common working-class values (e.g. Halle 1984; Lamont 2000). Yet, it remains an open question to what extent particular geographies of inequality and workplace cultures shape how inspectors or other frontline agents view wealth, poverty, and housing in other cities and settings.

Rather than insist that Chicago is a generalizable case, we might ask how different places shape the identities, experiences, attitudes, and battles of city workers like building inspectors (for a discussion of how place shapes identity, see Brown-Saracino 2017). Even if inspectors all possess similar working-class adjudications of deservingness, how might different patterns in segregation, or regional trends in building types shape who city officials see as deserving of punishment and leniency? How do different contexts and landscapes of housing matter for how other inspectors do their jobs? Do priorities, disdain, and compassion change after radical changes to the built environment? How might the impact of environmental disasters – both in terms of destruction but also the housing inequality that catastrophes often illuminate – matter to FEMA inspectors and others charged with decisions about where and what to rebuild or not? What about

the inspectors of housing choice voucher units? The federal government contracts out these employees, who have markedly different training programs and regulations to uphold than municipal inspectors in Chicago. Would researchers be able to identify patterns in their discretion since they only address rental housing occupied by low-income tenants? Or would such a study render more explicit patterns in the racialization of inspectors' adjudications of deservingness that are less visible in my dissertation. How might cities with much less affordable housing than Chicago, or with programs like rent control, shape inspectors' discretion? Would more widespread wealth prompt further disdain, or numb inspectors to differences between the good guy and the bad guy? In less affordable cities, like New York and Boston, renters are more likely to comprise of all age groups. Might this cause inspectors to identify with tenants and care more about the ramifications of inspections in ways they do not in Chicago? Future research could investigate how differences in context shape the same regulatory process, and how variations might prompt various kinds of opportunities for contesting inequality.

Future studies might also ask how other state actors understand and make sense of cities. We have, until now, overlooked the potential of building inspectors' motivations, and, as such we might have missed this potential elsewhere. Under what conditions might mortgage lenders make decisions that are not purely motivated by profit? When do teachers opt not to teach to the test? How do police officers go easy as well as go after? We are all very used to hearing – for good reason to be sure – about the police and their uneven use of punitive power and violence, but my research suggests that studying how and when officers opt for leniency as well as violence might help clarify their motivations, as well as how they might be changed. The recent investigation and action against Cook County Tax Assessor's Office illuminates another arm of urban governance

where there is a great deal of subjectivity and discretion in decisions about buildings and their value. Yet, unlike their counterparts in the Department of Buildings, property tax assessors allegedly consistently go easy on wealthy homeowners, excessively taxing homes in minority communities, and “shafting the little guy” through regressive valuations (Civic Consulting Alliance Board 2018; Hinz 2018). What might guide these attitudes and actions? Would the assessors themselves tell a different story about their motivations that the investigation – based on data analysis – does not capture?

The task ahead is to better understand the processes, potential, and parameters for each of these intermediaries, and how they are implicated in the processual nature of urban inequality. To do so, we must attempt to follow and observe these social actors and their action in a variety of settings and situations. If my dissertation had only drawn on fieldwork with inspectors, for example, I would not have understood how decisions are calculations of what occurs in courtrooms. If I had relied only on quantitative analyses of city data, I would not understand the potential for inspectors to contest housing inequality and the growth machine. And, I would be blind to the comparative logics inspectors use and the city-wide effects of their actions if I had only studied one neighborhood, or one type of housing. A broad analysis renders visible the complicated and sometimes contradictory relationships between individual decisions and macro-trends.

### **Impacting housing inequality**

“Everyone hates building inspectors.” I heard this from inspectors in Chicago often. And, the more I interviewed other people in the city – from landlords to housing court attorneys – the more I came to believe inspectors might be right. Landlords think inspectors are out to make

money for the city, tenants assume inspectors are in cahoots with developers and management companies, and homeowners think they are nitpicky and punitive. My dissertation contests each of these assumptions. Doing so may be a first step towards improving relationships between municipal governments, housing organizations, homeowners, and activists, and forging a path beyond the current impasse. My research also illuminates shortcomings in contemporary initiatives that involve building inspections.

During my fieldwork, activists held a Renters' Day of Action in downtown Chicago. Organizers of the event, which took place in over 45 cities nationwide, declared a "renters' state of emergency," and called for new proactive inspections which would remove the onus from tenants to complain. As such, the announcement concluded, tenants would no longer be "the bad guy[s]."<sup>93</sup> But my research suggests that inspectors consider landlords to be the bad guys more so than tenants. While inspectors can be unsympathetic to tenants, failing to accurately identify who inspectors are trying to penalize leaves little hope of securing their efforts to improve housing. By misconstruing inspectors' actions, housing organizations and activists cannot accurately capture how inspections work and are unlikely to be able to effect progressive change at the municipal level. Inspectors, and other frontline agents, will always exercise discretion. As such, perhaps housing organizations and activists would be remiss not to include them in efforts to change inspectional practices or building codes.

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<sup>93</sup> Lawyers' Committee for Better Housing. 2017. "Chicago Renters' Day of Action"

<http://lcbh.org/events/chicago-renters-day-action> Accessed 3 April 2018.

The inevitability of discretion also casts doubt on another proposal for utilizing building inspections. Two days before the Renters' Day of Action, a network of data, technology, and industry partners held a conference in Chicago, promising a "full-day premium event focused on the opportunities and realities of smart buildings."<sup>94</sup> Partnerships like this between data analysis firms, smart city initiatives and municipal governments are increasingly touting their ability to predict the behavior and requirements of infrastructure like buildings. There is huge financial backing for these projects nationwide, and their professed goals range from increasing property values, cracking down on code violations, discerning which buildings are more vulnerable to fire, to improving energy efficiency.<sup>95</sup> To do so, however, they use existing city data – collected and assembled by municipal code enforcement officers like building inspectors. My research suggests that it may be problematic to do so without understanding the subjectivity, motivations, and meanings that go into the creation of these datasets.

Though only two days and a few miles apart, the Renters Day of Action and the smart buildings conference appear disparate and antithetical. What unites these events, however, is a valorization of the potential of building inspection outcomes without understanding how these

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<sup>94</sup> BuiltWorlds. 2017. "Buildings 2.0 Conference"

<https://builtworldsbldingsconf.splashthat.com/> Accessed 4 April 2018. See also Meemoori

Research AB. 2018. "Big Data for Smart Buildings 2015 to 2020."

<https://www.memoori.com/portfolio/big-data-smart-buildings-2015-2020/> Accessed 4 April 2018.

<sup>95</sup> Built Worlds. 2017. <https://builtworldsbldingsconf.splashthat.com/> Accessed



outcomes are produced, or the intentions and interpretive decisions of the state actors who create the data. Misunderstanding what inspections and ensuing data points represent threatens to prompt additional unwieldy consequences and further bury the motivations and discretionary purview of inspectors beneath a mass of consequences with no attention to their processual production.

My dissertation also illuminates the inherent limitations of efforts to offset unfairness while organizations and state agencies overlook their role the creation and reproduction of inequality. Rather than focusing on the limitations of inspectors' categories of deservingness, I argue that we should place attention on the structures in which inspectors are embedded. I suggest that sociologists should attend to how some consequences are rendered unavoidable in addition to unintended; unanticipated outcomes will likely always exist unless we put systematic and historical state-sanctioned trends in inequality front and center of any policies or efforts to assist and regulate affordable and decent housing. Legacies of discrimination render minorities more likely to live in the built environments that inspectors categorize and wield: they are most likely to be struggling homeowners and renters. Although inspectors do not explicitly consider racial injustice and discrimination, doing so would be something of a double-edged sword: if inspectors did recognize racial discrimination, they might go extra easy on minorities or act extra punitively towards negligent landlords in majority minority neighborhoods, thus meaning minorities might suffer the most due to unintended consequences. The complexity of intentions and unintended and unavoidable consequences has ramifications for how we might intervene in housing inequality. I turn to this point below.

The contemporary moment is an important one to consider building inspections. Recent tragedies – such as those in London, Oakland, and New York – have revealed how little we know

about the innerworkings of building regulations and municipal housing policies and exposed the urgency with which we must find solutions to housing inequality. Yet, while there is a growing awareness of the role of state regulations and actors, we are yet to accurately identify how they perpetuate or ameliorate housing inequality. When buildings burn down and lives are lost, the media rehashes well-trodden narratives that shame landlords and the municipal inspections that are supposed to keep them in check. This is usually followed by calls for more safety inspections. But my dissertation shows that increasing inspections will further increase housing inequality, unless municipalities invest in housing itself.

Housing organizations have many ideas expanding state spending on housing, from programs like rent control and government subsidies for repair work, to increasing public ownership and management of housing. Rent control programs often appear to be the least controversial measure to increase the amount of affordable rental housing. To be sure, currently instituted policies in places like New York City have their problems and their critics (see Davidson 2013; Keating 1987) partly because rent stabilization is tied to apartment units rather than people. But a different manifestation of rent regulation could remove the opportunity for landlords to hike rents to cover repairs. Further research is needed into how such regulations might impoverish smalltime landlords and how they might be included in an expanded system of municipal or federal subsidies and grants for repairs to homeowners.

As in other US cities, the City of Chicago provides financial assistance to low-income homeowners for emergency repairs. The Roof, Porch and Emergency Heating Repair Programs, for example, are lotteries, in which “habitable,” owner-occupied properties “not at risk of foreclosure” that earn 80% or less of the area median income can apply to receive “a one-time

service for roof and porch repair/replacement” up to \$30,000. Any homeowner who sells or moves out of the property within one year of the grant must pay back the cost for any work done. In 2016, over 300 homes were selected, with 200 on the waiting list. In its present state, this kind of scheme leaves out those in the most precarious positions: homeowners whose homes are at risk of foreclosure and are not deemed habitable; as well as those who are, in effect, not poor enough to qualify. Expanding the program to include more people is one potential solution. Instituting or expanding state-led housing programs will also require on-the-ground decisions and discretion, of course, and future research could investigate the processes, parameters, and potential in these arenas. Yet there is more to do to make a dent in the racial disparities in housing inequality.

Along with other investigations of contemporary inequality, my dissertation suggests that racial disparities in housing inequality will only be further reproduced without explicit redistributive practices to compensate for the legacies of state-sanctioned discrimination and uneven accumulation and expropriation of wealth in Black and Latino communities (see Coates 2016; Satter 2009). Without a scheme of reparations that takes aim at housing inequality, building-code enforcement is likely to burden minority homeowners and hurt minority renters who cannot afford the higher rental prices charged by landlords who pass on the costs. While today’s political climate is hostile to wealth redistribution, housing might offer a vehicle for redistributive policies that is more palatable to society than other programs. One reason for this is the housing crash, or, more specifically, the anger that ensued after the crash, which was directed at exploitative and deceitful practices of big banks and corporations. Here, then, activists, homeowners, and a portion of US society coalesced around a common enemy: banks and mortgage companies. To be sure, this has not yet resulted in radical change. But, it may be a step in that direction that we fail to

notice without labeling and building on it as such. By illuminating a regard for social justice in a place we would least expect it, my dissertation prompts us to make such an investigation.

In sum, this dissertation reveals a concern with redistribution, equality, and social justice among a group of mostly White working-class men who grew up in White ethnic enclaves famous for restrictive covenants and who work for a city renown for corruption, racial profiling, and residential segregation. While their ideals are limited in scope and their visions of justice are not all-encompassing, this does not mean we should leave the stone unturned. On the contrary, I stress the importance of looking beyond common assumptions about street-level bureaucrats and how inequality persists. Doing so also sheds light on new ways we might study other largely invisible mediators of urban inequality – the many hands of the city – who tie together the urban environment, the rules that govern it, the people who live in it. It is only by following these intermediaries through their decision-making processes and actions that we see the potential and parameters of frontline actors, the relationship between structure and agency, and the opportunities for social change.

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