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Complaints inspire pickets

Developer says group
uninformed

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Editor

Owners of condominium units that cost anywhere from \$365,000 to \$625,000 aren't the most likely candidates to hoist protest signs and take to the streets. But a faction of residents from one Prairie District building did exactly that on Saturday.

About a dozen residents of Museum Park Place, 1841 S. Calumet, gathered in front the Enterprise Development Company sales trailer near 13th and Indiana, carrying signs that said "Buyer Beware" and "Fix our building." The residents claim Enterprise failed to include promised amenities in their building and left it with nagging construction defects they're afraid will cost them later.

Ron Shipka Jr., a principal at the firm, said most items on the punch list for individual units had been addressed. He said the firm provided advertised amenities. The picketers were "just not informed," he said, and unrepresentative of all the building's unit owners.

"We are working through all the construction issues in the building. We've been working diligently for quite a bit of time with the association in place," he said. "I think if you speak to the association, you'll get a completely different story."

The president of the condo board, Phyllis Leon, did not return calls and e-mail asking for comment. Other board members could not be reached.



Photos by JOSH HAWKINS/Staff Photographer



Tim Dempsey and Ankush Mahindra picket in front of a Museum Park sales sign near Indiana and Roosevelt.

Disputes between condo unit owners and developers about alleged construction issues and turnover problems is an issue state lawmakers might address in a rewrite of the legislation that governs associations and developers. In the meantime, boards, residents and developers negotiate and sometimes fight it out in court.

In some South Loop buildings, special assessments meant to deal with construction issues have hit residents hard. At 1717 S. Prairie, the condo board voted this summer to levy a \$6.5 million special assessment to address improperly installed windows. A suit brought by the condo board against the building's developers, William Warman and Warren Barr, continues.

At Museum Park Lofts I, 125 E. 13th, another Enterprise development, the condominium association sued the firm on Oct. 14. The suit claims the building is experiencing defects in its common areas and that Enterprise has failed to respond to them. Lou Berthiaume, the board president, said the main issues were rusting balconies and cracks in the garage.

Residents at Museum Park Place also claim Enterprise doesn't respond in a timely manner. According to Ankush Mandindra, owner of a three-bedroom condo in the building, "You've got to call them 15 times before they make a move. It's not been a pleasant experience."

But the issues outstanding at Museum Park Place do not appear to reach the level of gravity other buildings are experiencing. Picketers were angry that installation of the pool was delayed. (Shipka said there were delays with the state agency that permits them, and that the pool is now open).

Some were exercised about the building's lobby. A brochure advertising the building lists a "professionally appointed lobby with custom designer interior" as part of the package.

The lobby currently has light yellow walls and a gray carpet over gray tiled floor. Two light fixtures made of linked-glass chains dangle from the ceiling.

Mandindra said the lobby didn't reach the level of luxury he was expecting.

"You paid for it," he said about the lobby. "You might as well get it."

Shipka said Enterprise delivered what it promised for the lobby.

Other issues were brought up in a transition and reserve study completed in January by an engineering firm for the building's condo board. The firm conducted a survey of building tenants, receiving 104 responses, a little more than half of units in the building.

Forty-three percent of those who responded said drywall cracks in their units were an issue. Forty-three percent also said that "the appearance of the first floor lobby and hallways are unacceptable, poorly finished, and of a less quality than promoted during sales."

Thirty-eight percent of tenants noted leaks in the building's garage, while 29 percent of respondents had complaints about "elevator response time." About a quarter noted water pooling in the garage, floor cracks and even "garage temperature" as issues. Twenty-three percent said their balconies had a variety of defects. Lesser numbers had window leaks.

Shipka said the issues brought up by the survey are being dealt with.

"Anything sitting there in the survey is being addressed by company," he said.

On Saturday, South Loop residents, curious to see a rare public display of protest, frequently stopped by the picketers to chat and ask about their building. They stopped their cars and strolled over with dogs. At one point, a sergeant from the 1st District visited with Enterprise employees

inside the trailer and then walked out, calling the picketers together. He told them to stay on the public sidewalk and not to block any intersections.

Even the sergeant was curious about the protest.

"I want to know what's going on," he said. "What's the deal? Windows leaking?"

"Yeah," said Tim Dempsey, an organizer of the protest and resident of the building.

"Same at Prairie Pointe," the sergeant said.

"That's what we're afraid of," Dempsey responded.

Later, Nick Ahrens, a resident of a townhouse on the 1400 block of S. Prairie, parked his car so he could get out and talk with the picketers. Ahrens said he and his wife were considering buying into Museum Tower 2, another Enterprise project. But the protestors might have convinced him otherwise.

"As attractive of a location as that may be," he said, referring to the nearby skyscraper, "this does give me pause to know that a developer is not living up to its commitments."

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