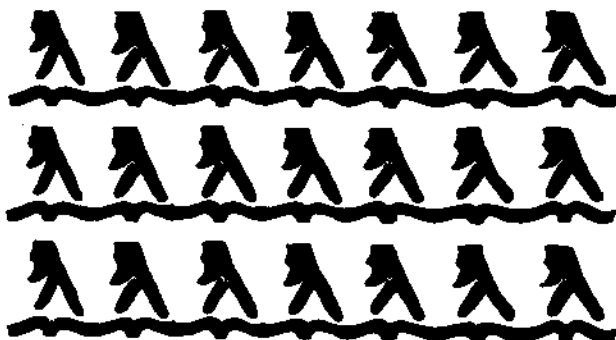


# How To Use

## Chapter 2: The Manual



Remember the phone book! It's surprising how many times this essential directory is overlooked in trying to research someone.

—Dan Noyes, *Raising Hell!*

### Introduction

A number of issues affect the use of this manual in the production of useful property research. In this chapter we discuss the problems of presenting research methods and interpreting public document files. We conclude with remarks on working City Hall and appreciating the obvious.

### Manual Structure

The manual devotes a chapter each to title, tax, and building court research techniques. These three techniques may be used singly, but we suggest that they be thought of together. For the intermittent user, we have developed an indexing system, "Key Property Research Questions" (following In Appendix III ), by subject and question type, which should allow quick accessing of special techniques and interpretations.

The chapters are similarly organized. Each begins with a historical background section. Users are encouraged to skip these sections if they are in a hurry or are already well versed in these subjects. Next we present the research techniques, proceeding from property identification to accessing data to interpretation, and to research techniques or resources outside the

bounds of title, tax, or building court research. Case materials are employed to explain why a particular technique was chosen, how it was used, and to demonstrate what was discovered. Finally, the manual includes diagrams and maps of city and county hall, (government departments, and the relationships between title, tax and court information.)

We are concerned about the continuing accuracy of the information presented in this manual. Even during writing, the locations of records have changed. For example, the remodeling of the Recorder of Deeds office is still going on and the Tract Books will change location one more time before the remodeling is finished. We recognize that we've probably missed some information as well. Please use the form at the beginning of the book to help keep the manual up-to-date and to suggest tips and corrections. Note any changes in the location of records, changes in the recording systems, mistakes, better ways of doing the research, or just general comments. We hope to update the manual periodically.

### Document Analysis

A question that we return to frequently concerns the accuracy and validity of public documents.<sup>2</sup> At the most basic level: Do public records accurately reflect title transactions, property tax payments, and building court orders? All we can say is, question everything and be vigilant. It is not uncommon to find title instruments listed in the wrong volume, and it is not unusual for title instruments to be mistakenly recorded for the wrong pieces of property—usually because of a faulty title search or typographical error. A case in point involved a neighborhood group which had rehabilitated an abandoned building bought from an estate executor. When the group applied for refinancing two years later, they discovered their deed was for another property; the lawyer had recorded the incorrect subdivision block. Handwriting problems in county title books also produce mistakes and headaches. (The clerks of 1900 at least had better script than those of today.) In addition to these

problems there is a lag time, variously estimated at from three to six months (much longer for Torrens), between the time an instrument is executed and recorded and the time it shows in the county books. Moreover, some records—believe it or not—never get recorded, or are considerably delayed. In short, be skeptical and ask questions. Never forget, though, that you make mistakes too, lots of them: the wrong address, the wrong subdivision, and the wrong instrument.

At a second level, however, even when the instruments and actions are properly recorded, of what quality are they? Will they hold up? In later chapters we discuss in detail how to examine the documents of record. Whether they are of "good" quality ultimately requires analysis by a lawyer or a real estate practitioner versed in abstracts and titles. Remember, the question of "good title" has produced an entire title insurance industry. Title companies spend their time quite differently than community researchers; they don't care what owner intentions are, only whether the proper documents are completed in the proper manner and whether the deal is insurable.

A third issue, and perhaps the most difficult one, involves making inferences based on the data collected. The researcher wants to go beyond the identity of the owner or the status of a legal title or building court action to say something about the financial well-being of the property, the intentions of the owner, or how the particular property reflects or diverges from the dominant real estate patterns in a housing submarket.

Determining whether a property is in good financial shape or not requires the researcher to understand housing finance and how owners make money in various neighborhoods. For example, a building may be tax delinquent and in court, but the property is rented and provides a "nice" profit. From what point of view does one judge its financial health? Community constituencies provide the researcher with a skeptical perspective on landlords; even so, conclusions about finance demand careful analysis. We also suggest that researchers take a look at *People Before Property* for a basic review of real estate finance in neighborhood contexts.<sup>3</sup>

Making sense of owner intentions is not always easy. In one case a community group tried to purchase an abandoned and deteriorated eleven unit property from a slumlord who had moved to California. The property was in building court. While inspecting the

court files, researchers discovered long letters from the slumlord to the judge denouncing the community group for unjustly persecuting him and spelling out in great detail how he planned to fix the building, where the funds would come from, and who would do the work. He included advertisements for building materials and appliances he intended to use in the renovation. If only the grass roots would get off his back! Not even the judge was taken in. Case files often contain "private documents" of this sort which clarify or obscure depending upon the ability of the researcher to link them to other information.

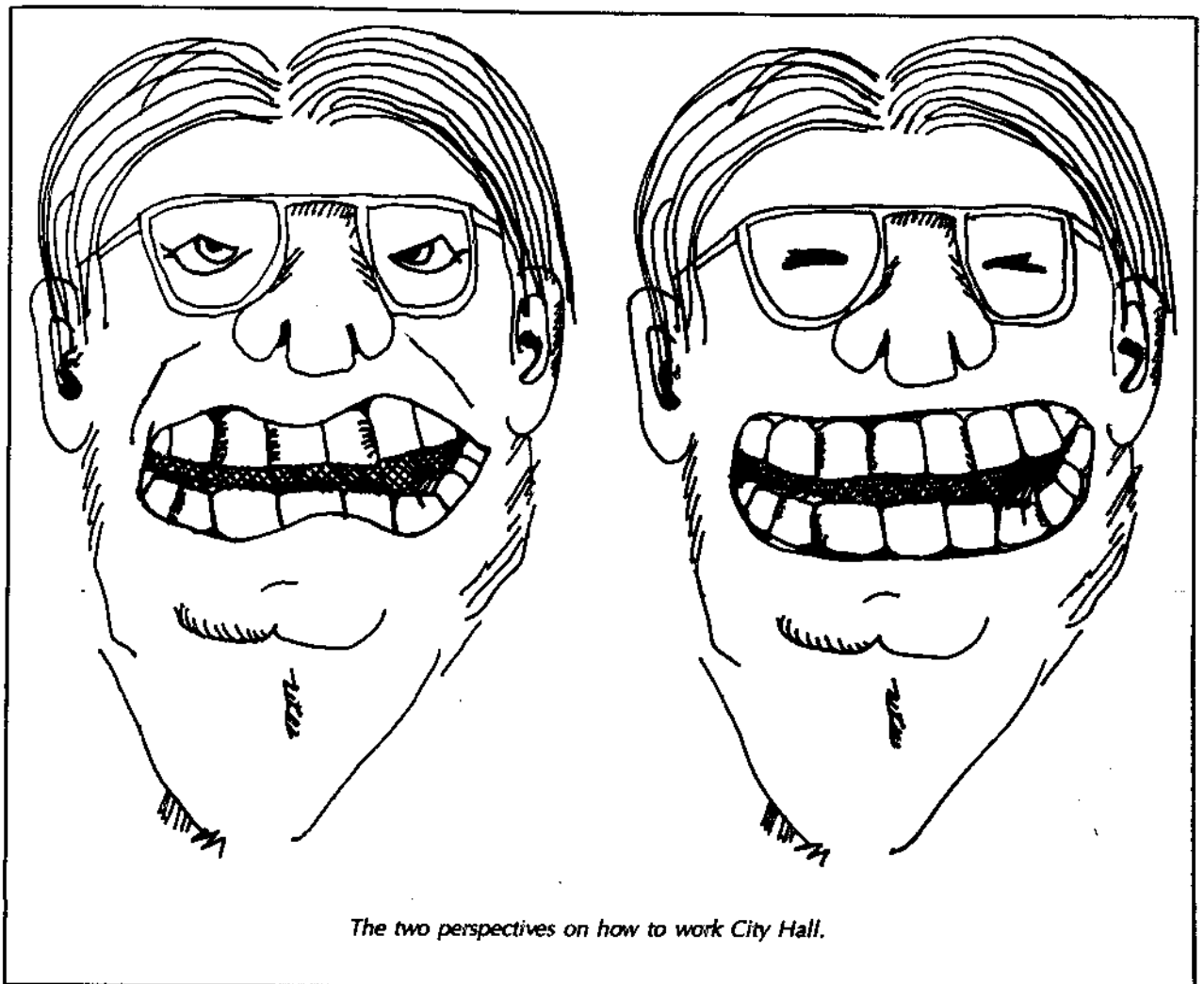
In a title search, the property researcher often draws inferences from legal instruments: a secret land trust, the back-and-forth exchanges of quit claim deeds, or trust deed financing. Sometimes these "code" indicators lead to the "rule of thumb" fallacy. Indicators should not produce hasty conclusions; they should stimulate questions and further research. Often the innocent is at work in wolf's clothing.

How does a building fit into the neighborhood housing pattern? In the last chapter we discussed the problems of generalizing from information gathered about a neighborhood from within and without. The question is a difficult one. The researcher comes with questions and hypotheses culled from individual cases and a tentative theory about neighborhood housing. The negative effects of particular housing abuses on people and the imperatives of organizing also influence how researchers look at property issues and make inferences. All we can suggest is that researchers shouldn't jump to conclusions too quickly without thorough research and reflection. Meaningless pronouncements diminish your credibility and the legitimacy of your organization. At the same time, one needs the "muckraking spirit" to motivate research and organizing.

## Working City Hall

Community organizers convey two perspectives on how to work City Hall. The first view somewhat angrily argues that city workers are on the "take," involved in covering their bosses' tracks, and that they obstruct the public's access to information. Chicago's political machine and history of community organizing reinforce these perceptions. In practical terms, following this analysis, researchers should be skeptical of all clerks and assertively demand information.

The other perspective counsels that a cooperative and friendly manner pays off in the long run. No one



*The two perspectives on how to work City Hall.*

likes to perceive him or herself as an enemy. City workers are human. In general, we suggest that the friendly approach is preferable until it doesn't work, the issue gets too big, or someone doesn't like you. Polarizing people at the outset rarely produces commensurate rewards—at least at City Hall. As Paul Williams suggests, "Always be kind to secretaries" is a rule so old that I cannot attribute it to anyone."<sup>4</sup>

### **General Tips**

Sometimes researchers become so adjusted to finding answers through public records that other obvious resources, such as the phone book or reverse directory, are ignored. Also symptomatic of too many title searches is when researchers stop talking to people: the lady across the street, the oldtimers, the shopkeepers, tenants, and children. One has to pinch oneself to remember the obvious.

Besides the obvious, is the problem of eternal repetition. With no files, and information carefully

recorded on scraps of paper that randomly appear and disappear, the researcher researches the same buildings again and again every time a new problem is discovered or the same problem is rediscovered. Be smart! Develop a filing system. It saves time and builds a future.

### **1852 N. Talman**

Throughout the manual we use one example to explain the details of doing property research. 1852 N. Talman is currently a 25' by 125' vacant lot, on Chicago's northwest side. The neighborhood it is located in has always been populated by low-to-moderate-income residents, and is now about 60% Latino.

The land in this area was first subdivided in the late 1880's. Since then, the ownership of the parcel now known as 1852 N. Talman has been transferred 25 times. The structure that most recently stood on the site was a two-story frame building built in the

1920's. Almost all the buildings surrounding the site are also frame. This is in sharp contrast to the blocks less than one-half mile south, which contain all brick buildings. The difference dates back to just after the Chicago fire, following which an ordinance was passed prohibiting any frame construction within the city limits. The area including 1852 N. Talman was then just outside the city's north and western boundaries, but close enough to the city for the workers to get to their jobs.

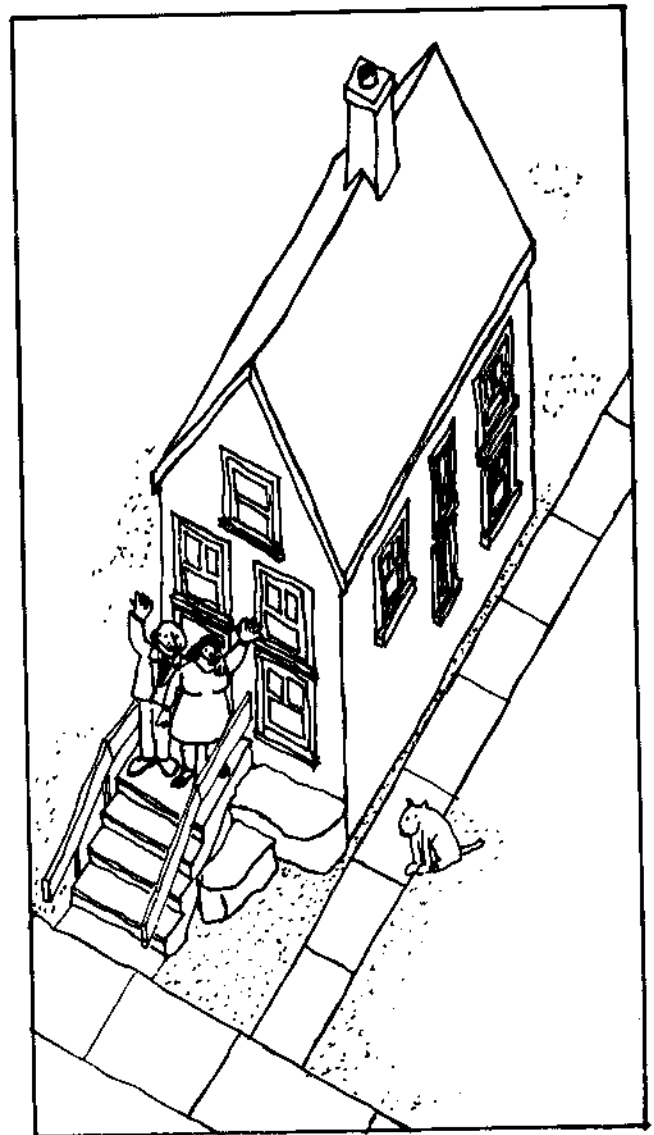
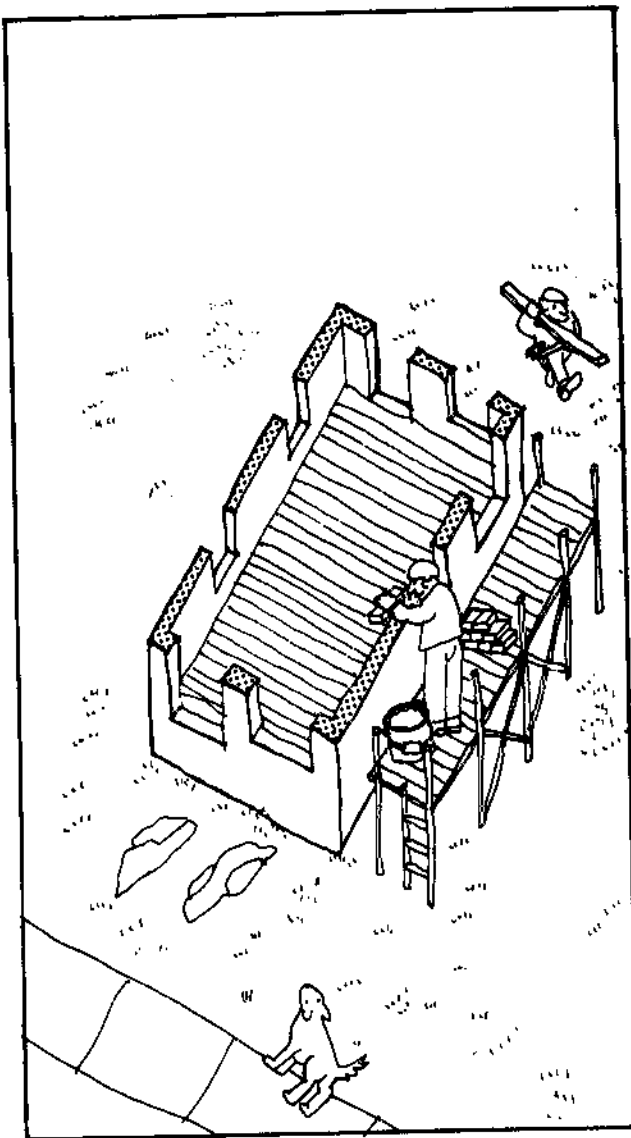
This bit of historical fact was recalled years later when a wave of arson hit the area. Because of the frame construction, rarely was only one building lost in the fires; most burning buildings dragged two or more others down with them. In fact, in 1975, the

1800 block of N. Talman lost seven buildings to arson.

The building at 1852 N. Talman was not one of the ones that burned. The events leading to its demise are a little less dramatic but no less common to the area. In the following section on how to do title, tax, and building court searches we try to bring to life the history and current situation of this property.

Our interest in the property originated when a neighborhood not-for-profit redevelopment corporation (NRC) asked for some research help. They are planning a new construction project for the area and 1852 N. Talman is a potential site. NRC would like to buy the lot and needs to know who the owner is and whether NRC can obtain a clear title to the property.

*Life and death of a building.*



In the following chapters we will illustrate the steps necessary to answer NRC's questions. As we complete each of these steps, the new information gained will be set off in a box indicated by the following illustration:

## 1852 N. TALMAN

The reader can review each step of the research process by following these boxes.

### Conclusions

Before we move on to the specifics of property research, we'd like to reiterate the message of these first two chapters. Once you begin the data collection

process it is easy to commit the cardinal sin—losing sight of the whole picture. Research should be fun, and to a certain extent, relaxing. The best research is produced when you are in a good mood and have relatively few time commitments. When you get to the tract room, for instance, take your coat off, put your briefcase or backpack down, and find a chair if you can. While you look for the specific information you need, glance through the records of nearby properties. You may notice a familiar name and suddenly have the beginnings of a great slumlord issue. Often 15 extra minutes of research done in the right frame of mind will pay off tenfold. Then again, they may produce nothing useful, but you've only lost 15 minutes and have gained a chance to reflect on where your strategy is leading you.

Now on to the specifics . . . .

