

http://www.tenement.org/Encyclopedia/housing_tenements.htm

Tenements

The word "tenement" (from the Latin root tenere, "to hold") has had different meanings at different times, but today we use it to refer to housing built specifically for multiple, working-class families from the mid-nineteenth century until the Multiple Dwelling Law of 1929. Early tenements, such as 97 Orchard Street (built in 1863), represented some of the worst housing ever built in this country.

While both tenements and apartment buildings refer to multiple family dwellings, the origins of the word tenement and its association with overcrowding, poverty, and working-class life date to the early 19th century when large-scale residential tenancy began to develop in New York City. Apartments, on the other hand, did not become fashionable residences for the middle and upper classes until the 1870s. However, the term apartment does have French origins in making a class distinction between multiple-family dwellings for working-class/poor and for the middle/upper classes.

New York's first wave of tenement construction came in the 1850s as landlords realized that sizable profits could be made from building cheap housing for the poor. The high cost of Manhattan real estate encouraged landowners to house as many low-wage renters as possible on a single building lot. Until 1867, there were no federal, state, city laws requiring developers to provide their tenants with amenities like running water, gas, or adequate light and ventilation, so early tenements rarely possessed them. Unfortunately, New York had a severe shortage of cheap housing and the immigrants who flooded New York in successive waves beginning in the late 1840s had few alternatives to tenements.

Why was there such a shortage of cheap housing? Manhattan landowners wanted to increase the value of their land and the best way to do this was to construct valuable buildings on the land. Consequently, landowners discouraged the construction of cheap buildings on their property. While upper class neighborhoods were constructed on the northern edge of the city and new commercial buildings rose downtown near the port, the city's lower classes huddled into the old housing stock left behind by their wealthier neighbors. Only with the massive immigration beginning in the late 1840s was a substantial amount of new housing constructed for the working class.

Considerable debate surrounds the construction of the first purpose-built tenement in New York City. Some sources cite a tenement on Cherry Street built in 1838, while others point to an earlier example, dating from the 1820s—a seven-story tenement at 65 Mott Street. By mid-century, however, New York had begun to be transformed into a burgeoning industrial metropolis attracting hundreds of thousands of working-class immigrants and migrants. For the first time in the city's history, the provision of working-class housing became a profitable proposition. The construction of 97 Orchard Street was part of a mid-century boom in which

landlords and speculators put up thousands of such houses. By 1865 a total of 15,309 tenements existed in New York.

Why were there so few amenities? Builders sought to maximize their rents, so the tenements constructed in the mid-nineteenth century sometimes occupied as much as 90 percent of their lots and were five or six stories tall. When a number of such tenements were built next to each other, only the rooms facing the street and rear yard had satisfactory light and ventilation (usually one room in each apartment). The small rear yards where the privies were located, however, quickly became unsanitary pits of human waste.

Another way for builders to cut costs was not to install plumbing and/or gas. While most middle- and upper-class row houses at the time had these amenities, tenements generally did not. Ninety-seven Orchard Street remained without gas and running water long after gas and water pipes were laid in the neighborhood.

How could developers get away with building such deplorable housing? Until 1867 there were no laws regulating what a developer could build, except some municipal restrictions on the materials used. Vast numbers of tenements were built in the mid-nineteenth century demonstrating their profitability in the absence of government regulation. By 1864, approximately 500,000 of New York's 800,000 residents (more than 62 percent) lived in 15,500 city tenements. New York State's Tenement House Act of 1867 was the country's first comprehensive housing reform law. (See Appendix D for the requirements of various tenement reforms.) Among the more significant things the law required were fire escapes and at least one outhouse for every twenty inhabitants, connected to the city sewers if possible. Unfortunately, there were few provisions made for enforcement of the new law and so it had little effect.

The Tenement House Act of 1879, which followed the 1867 law, outlawed the construction of buildings like 97 Orchard Street that had interior rooms without windows. All rooms now had to open onto the street, the rear yard, or an air shaft. This led to the development of the "dumb-bell" tenement plan (see Appendix D for some common tenement plans), so called because the air shafts on the side of each building made the building's "footprint" look like a dumbbell. There are fewer dumbbell tenements on the Lower East Side than in some other parts of the city because so many tenements like 97 Orchard Street had already been built in the neighborhood by 1879.

The Tenement House Act of 1901 outlawed dumbbell tenements. Known as the "new law," it set minimum size requirements for the spaces (such as courtyards) onto which windows opened and mandated that one bathroom be installed inside the building for every two families. This finally brought plumbing into working-class housing. Most importantly, the 1901 law set up the Tenement House Department to inspect these buildings and enforce the new regulations. While enforcement was still difficult due to the small size of the department, it was a step in the right direction. Tenements built after 1901 are called "new law" tenements while those

built between 1879 and 1901 are called "old law." Since 97 Orchard Street was built before any housing reforms, it is known as a "pre-old law" tenement.

The 1901 Tenement House Act not only set new standards for what constituted acceptable housing, but also created the Tenement House Department as a mechanism for insuring the implementation of the law. Prior to the 1901 law, housing legislation was enforced by the Board of Health and the Department for Survey and Inspection of Buildings. An inspector with the Tenement House Department named Charles Bretzfelder surveyed 97 Orchard Street on July 10, 1902. He reported the presence of interior windows in each apartment, but also noted some problems, the worst of which was a lack of flush toilets and a continued reliance on school sinks in the rear yard.

All alterations required by the 1901 Tenement House Act were to be made within one year. However, most landlords did not undertake the changes required for toilet facilities and in 1903 the Tenement House Department brought legal action against Kate Moeschen, owner of a tenement at 332 East 39th Street, for failure to comply with the requirements of the 1901 Act. After a succession of appeals, in 1906 the United States Supreme Court upheld the 1901 Act.

Elizabeth Blackmar, *Manhattan for Rent, 1785-1850* (Ithaca, 1989); James Ford, *Slums and Housing* (Cambridge 1936); Richard Plunz, *A History of Housing in New York City* (New York 1990); Andrew Dolkart, "97 Orchard Street: The Tenement Museum and Tenement House Reform," unpublished article, 2001