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SANTA CRUZ HOUSING COMPLEX: FROM THE BEGINNING TO THE PRESENT

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ABSTRACT

Santa Cruz Housing Complex was designed by engineer-architect Marcial Fleury de Oliveira and built by IAPB in Sao Paulo from 1947. Throughout this paper, we intend to reconstruct the trajectory of the Complex until present days, and through the study of this particular case, verify the changes in use, ownership and management of the Complex's space. This study is justified by considering it an example, amongst other dwelling complex implemented by the Retirement and Pension Institutes, concerning its conception, which follows the housing policy adopted by the Institutes, as well as the dismantlement of the managing agency, indicating the contradictions and implications to the Complex resulting from the disassembly of the IAPs' organizational structure. The text also brings a characterization of the Complex's spaces and the description of their peculiar implementation, whose environmental quality is due to the single-plot treatment given to the Complex and to the various possibilities of internal circulation presented to pedestrians. It also points to problems related to the maintenance of the open spaces and the need to create specific instruments to deal with an exception fragment within the land structure of the city of São Paulo.

KEYWORDS

Housing complex. Modern Housing in Sao Paulo. IAPs. Housing planning.

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CONJUNTO RESIDENCIAL SANTA CRUZ DESDE EL ORIGEN HASTA LA ACTUALIDAD

RESUMEN

El Conjunto Residencial Santa Cruz, obra del ingeniero-arquitecto Marcial Fleury de Oliveira, fue construido por IAPB en Sao Paulo en 1947. Con este trabajo, tenemos la intención de reconstruir la trayectoria del Conjunto hasta la actualidad, para la verificación de los cambios de uso y gestión del espacio y de dominio. Este estudio si justifica considerando el Conjunto un ejemplo entre los demás conjuntos implementados por los Institutos, en relación con el origen, que refleja la política de vivienda aprobada por institutos, como en relación con el desmantelamiento del órgano de gobierno, indicando las contradicciones y las implicaciones para el Conjunto que surgió de la desarticulación de la estructura organizativa del IAP. El texto hace una caracterización de todo el espacio y la descripción de su peculiar implantación, cuya calidad ambiental está vinculado al tratamiento de parcela única dada al Conjunto y las diversas posibilidades de circulación interna presentadas a los peatones. También apunta a los problemas relacionados con el mantenimiento de espacio libre y la necesidad de crear instrumentos específicos para hacer frente a un fragmento de excepción en la estructura urbana de la ciudad de São Paulo.

PALABRAS CLAVE

El desarrollo residencial. Vivienda moderna en Sao Paulo. IAPs. Planificación de vivienda.

CONJUNTO RESIDENCIAL SANTA CRUZ: DA ORIGEM AOS DIAS ATUAIS

RESUMO

O Conjunto Residencial Santa Cruz foi projetado pelo engenheiro-arquiteto Marcial Fleury de Oliveira e construído pelo IAPB em São Paulo a partir de 1947. Neste trabalho, pretende-se reconstituir a trajetória do Conjunto até os dias atuais e, a partir do estudo desse caso específico, verificar as alterações de uso, domínio e gestão do espaço do Conjunto. Justifica-se este estudo por considerar exemplar este, entre os demais conjuntos implementados pelos Institutos de Aposentadoria e Pensão, no que tange a sua concepção, que segue a política habitacional adotada pelos Institutos, e também pelo desmantelamento do órgão gestor, indicando as contradições e implicações para o Conjunto que decorreram do desmonte da estrutura organizacional dos IAPs. No texto, caracterizam-se os espaços do Conjunto e se descreve sua implantação peculiar, cuja qualidade ambiental é tributária do tratamento da gleba única dado ao Conjunto e às diversas possibilidades de circulação interna que se apresentam aos pedestres. Apontam-se ainda problemas relativos à manutenção do espaço livre e à necessidade da criação de instrumentos específicos para lidar com um fragmento de exceção dentro da estrutura fundiária da cidade de São Paulo.

PALAVRAS-CHAVE

Conjuntos habitacionais. Habitação moderna em São Paulo. Institutos de aposentadoria e pensão. Planejamento habitacional.

INTRODUCTION

The interest on the process of conception, approval and management and on the legal impasses that surround Santa Cruz Residential Complex throughout its almost 70 years is due to the importance of the complexes produced by the Institutos de Aposentadoria e Pensão (IAPs – Retirement and Pension Institutes) in the 1940s-50s, which integrate the modernizing project drawn for Brazil during the Vargas Era. It is also justified by its conception, aligned with the guidelines determined by the idealizers of such complexes. Santa Cruz Complex is exemplary both for the moment of its implementation, in the 1940s, and the process of dismantling of the IAPs, in the 1960s. Through it, it is possible to point out unusual unfoldings on a fragment's history that constitutes an exception on land conformation and managerial organization of a residential complex in the city of São Paulo.

Along with the Departamento de Habitação Popular (DHP – Social Housing Department), in Rio de Janeiro, the IAPs represent the first efficient structures created in Brazil to capture resources destined to the production of labor housing. It is an important moment, in which the Brazilian State outlines a housing policy within a labor aid action, reaching significant numbers for the time. The actions were supported by a program technically clear and oriented, producing complexes considered introductory of the modern proposals for housing in the country.

The housing complexes of the period constitute an architectonic patrimony duly identified by researchers and by Brazilian architecture historiography,¹ through which countless modernizing experiences were materialized in the social, urbanistic and typologic fields. These experiences reverberate international discussions that took place in Europe since the 1920s revolving around labor housing, its grouping and resulting unfoldings to the neighborhood and to the city.

With the action situated in a transition moment between rural and urban Brazil, both groupings of single family houses and complexes of collective housing characterize the architectonic production of the IAPs. In many cases, it includes complete processes of glebe urbanization, with subsidy of infrastructure and services. In the complexes conception, the figure of engineer-architect Rubens Porto stands out, active spreader of new ways of thinking housing and technical advisor for the Conselho Nacional do Trabalho (National Labor Council), linked to the Ministry of Labor, to which the IAPs were bound.

Amongst Rubens Porto's ideas, discussed by Paulo Bruna in the book *Os primeiros arquitetos modernos: social housing in Brazil 1930-1950*² (BRUNA, 2010, p.146-147), the following are consolidated in Santa Cruz Residential Complex:

- the grouped apartment buildings, for servicing serial construction;
- the four-level maximum, when devoid of elevator;
- the arrangement of the building groups according to Walter Gropius' schemes (diagrams presented in 1930, that articulate height, spacing of the grouped housing buildings and solar orientation);

¹ Apart from well-grounded texts by authors such as Bonduki (2004) and Bruna (2010), there are recent researches involving the subject, such as Ferrari (2013), who used the Santa Cruz Complex as one of the case studies.

² Bruna references Rubens Porto's book, *O problema das casas operárias e os Institutos e Caixas de Aposentadoria e Pensões*, of 1938.

- the density between 200 and 250 habitants per hectare. Santa Cruz housing has a gross density³ of 240 hab/ha, with an estimate of five people per apartment, at the time of its construction;
- the complexes as autonomous units provided with services, with emphasis on basic and nursery school. The services indicated by Porto are: consumption cooperative, cinema (adapted for auditorium), club, playground and administration, with emergency medical care;
- the little importance bestowed to parking lots.

In the dissertation *A arquitetura moderna brasileira e o projeto de habitação popular – 1940-1950*, Carlos Antunes (1997) enumerated characteristics that align a project with the principles of the Modern Movement:

[...] collective and grouped housing, sufficient dwelling nucleus (complex) through the incorporation of other functions, laminal buildings, reformulation of traditional tracing trough pilotis and parks, rationalization, typifying, [...] intention of altering social conditions though the educational effect, collectivization of some activities and services aggregation. [...] The matter of industrialization remains an impasse due to the abundance of labor, having been applied traditional construction methods. (ANTUNES, 1997, p.47)

³ For the calculation of gross density, the total number of inhabitants for the entire glebe area was estimated, including streets, sidewalks, and passageways.

⁴ For its expressive number of members and its good collection, the Bank Workers' Retirement and Pension Institute had an important action in supplying housing, contemplating a good percentage of associates (BONDUKI, 2011a, p. 97).

⁵ The designation as rural zone may be found on the Receipt-License Permit No. 95,425, of 1948.

I ON THE BANK WORKERS' COMPLEX ON SANTA CRUZ STREET

The Residential Complex on Santa Cruz Street was approved by the São Paulo City Hall through Process No. 95,425/1948, a requirement by its owner, the Bank Workers' Retirement and Pension Institute (IAPB).⁴ It was designed in 1947 by Marcial Fleury de Oliveira, engineer-architect graduated at Escola Politécnica in 1926, who maintained an office in São Paulo, with regular design and construction activities, as per his son's account, architect and former FAUUSP professor, José Luiz Fleury de Oliveira.

The Complex was composed of 49 buildings, 47 of which were housing buildings, with a total of 282 apartments, a club and a building with shops, medical ambulatory, administration and janitor dwellings, occupying a 61,933.00 m² glebe on Santa Cruz Street, between Ipiranga creek (now Ricardo Jafet Avenue), Ana Couto creek (now Embuaçu Street) and land owned by the widow and children of Maurício F. Klabin, in Vila Afonso Celso.

The project was implemented on non-urbanized area (rural zone).⁵ Because it was a glebe with no improvements, the Complex construction included, besides the residential buildings and two other supporting buildings to the housing, access roads (Designed Streets A and B, Passageways A, B, C, D, E, F and G), sidewalks and gardens. Water system, sewage treatment and external lighting were also installed, executed by IAPB and kept by it while owner and administrator of the Complex.

The project, approval and construction of Santa Cruz Complex were made in a single glebe, described in title deed. The buildings were accessed through *private road* (street A), and *private passageways* gave access to the dwellings. Exclusive dwelling access passageways and the building of private roads were

due to the *Código de Obras Arthur Saboya* (Act No. 663, 1934 – Arthur Saboya Building Code), effective at the time. Despite not being donated to the municipality, but having remained in possession of IAPB, the executed passageways in the Complex partially comply with the *Code's* indications, possibly considered as a *parameter* in the designing of the project. The *Code* determines the building of passageways for the construction of social housing with reduced width and length⁶ and circulation restricted to vehicles of the dwellings, in articles 749 and 750.

“Art. 750 – § 4º – these passageways may not be used for the traffic of vehicles in general, but only for those whose purpose is to serve the dwellings located on them” (PMSP, 1934, p. 151).

In the Santa Cruz Complex, the buildings' front setbacks also reference the dimension reduction permitted for such passageways, as long as there no fencing or wall along the boundary, remaining the front garden visible and physically incorporated to the street, in reference to Art. 765 of the Code.

“Art. 756 – the setback reduction to three meters is facultative, when the buildings have no type of enclosure on the boundaries, becoming the gardens incorporated to the roads and squares [...], on the condition that the bordering buildings have the same setback” (PMSP, 1934, p. 153).

⁶ For exclusive dwelling access passageways, the *Arthur Saboya Code* defines minimum width of 4 m and maximum length of 200 m.

⁷ As Camila Ferrari (2012, p. 246-247) points out, in commentary on the VASP survey between 1952 and 1959, the area involved in the complex in the mentioned maps remains unoccupied, and the roads (Embuaçu and Ricardo Jafet) do not exist yet.

According to articles 746, 765, 766, and 769 of the *Building Code*, the building of official and municipal roads was conditioned to the following steps: approval of the road plan; drawing of the donation deeds for the areas correspondent to the roadbeds to the city; obtaining acceptance term from the City Council declaring the roads incorporated to the public administration; and requesting the mayor for the delivery of the roads to public transit. Registered in the Institute's title deeds in 1966, the Santa Cruz Complex roads were not donated to the municipality and remained in IAPB possession as private streets, along with the housing units, that were initially rented, and the remaining buildings: a club and a building with administration, cooperative, medical station and janitor, not to mention the land where the structures for the sewage treatment system were installed, perfectly characterizing the binomial ownership and management, effective at the time in the complexes implemented by the Retirement and Pension Institutes.

2 CHARACTERIZATION OF THE COMPLEX

2.1 Implementation and road scheme

The first aspect to notice on Santa Cruz Complex is the glebe configuration and the alienation of its tracing in relation to the surroundings [fig. 3]. Irregular, the glebe has boundaries along two perpendicular creeks and the curve of Santa Cruz Street. Being prior to the existence of the surrounding roads, with the exception of Santa Cruz Street⁷, the road system internal to the Complex was implemented considering only the solar orientation of the housing units (East-West), and the resulting tracing did not become orthogonal to any of the roads built in the adjacencies. From the best orientation for the dwellings, the disposition of the building groups in ranks absolutely equidistant was defined, and, in the open space between the ranks,

Fig. 1: View of the Complex from the other side of Ipiranga creek – photo from the time of inauguration. To the left, the club building and the sewage treatment system tanks are visible. The picture was taken prior to the construction of Ricardo Jafet Ave. It is possible to identify the original light posts.

Source: Architect José Luiz Fleury de Oliveira's collection.



Fig. 2: View of the Complex at the time of its inauguration, alongside what is now Embuaçu Street. It is possible to notice the lighting installed by IAPB.

Source: Architect José Luiz Fleury de Oliveira's collection.



Fig. 3 – Aerial image of the Complex

Source: Image obtained through Google Earth and treated by Maria Isabel Imbronito.



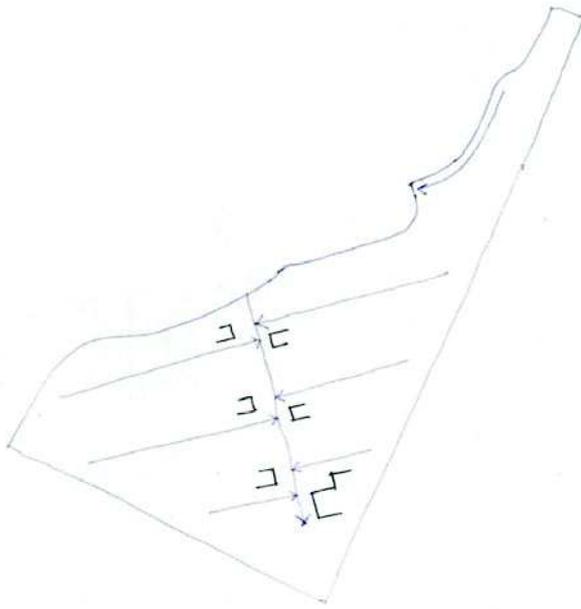


Fig. 4: Scheme of the accesses with indication of the main street and the vehicle passageways with mismatched alignments
Source: Maria Isabel Imbronito.

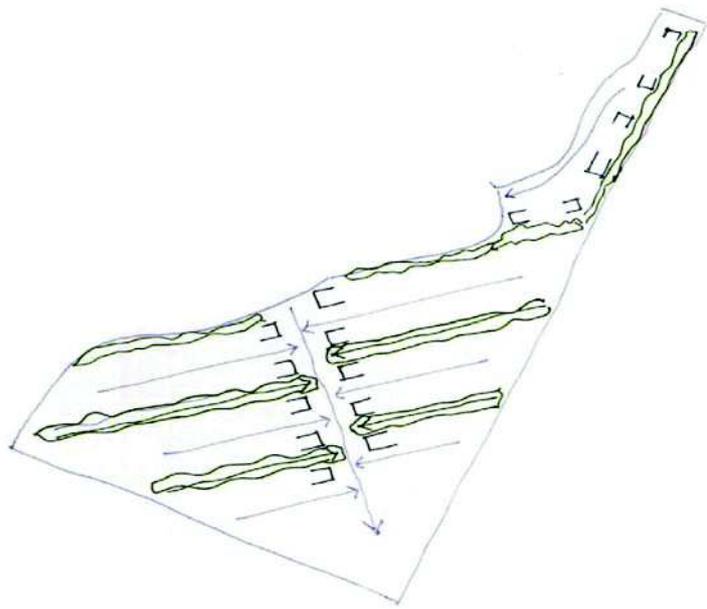


Fig. 5: Drawing of the pedestrian promenades amidst the vegetation, intercalated to the vehicle passageways
Source: Maria Isabel Imbronito.

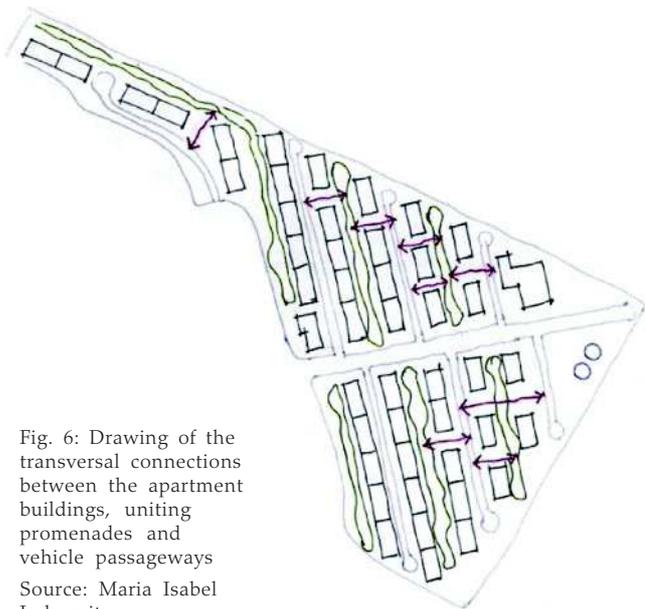


Fig. 6: Drawing of the transversal connections between the apartment buildings, uniting promenades and vehicle passageways
Source: Maria Isabel Imbronito.

the passageways of access to the dwellings and the garden areas were intercalated, perfectly identifiable in the aerial photo, when the alternate arrangement of vegetation masses and car streets is observable.

The implementation of the Bank Workers' Complex results in a unit between the parts that appears not only in the unique treatment dedicated to the buildings and common areas, but specially in the interdependence relationship between the road and pedestrian circulation systems, that run through the Complex's interior and complement each other.

This road and pedestrian circulation system was conceived as an integral and common part of the Complex, composing the described glebe area, in order to make the implementation of the buildings in a non-urbanized area viable. It is composed of *car passageways* for access to the units, intercalated with *pedestrian promenades* parallel to the car passageways, which run through the interior of the block. Uniting the car passageways and gardens to the pedestrian promenades, small *transversal paths* shorten the distances and increase the route possibilities.

The implemented urbanization model was not based on the public road system with the division of blocks into

lots. This characteristic distinguishes the Complex from the usual land structure in the city of São Paulo and allows for gardens and internal circulation to be treated in a fluid and continuous manner. The added open spaces, without subdivision into backyards or interruption by fencing, give the special quality of buildings arranged in parks or superblocks. It is possible to infer reference to modern urbanism, whose models revoked land parceling, which grants for integrated treatment of the open areas.

According to Bonduki and Koury (2014) in the Santa Cruz Complex, “the buildings are diluted within the vegetation, giving the place an environmental quality equivalent to that of an urban park”. Furthermore, according to the authors:

“[...] the regular implementation with standardized buildings amidst green areas and promenades refers to the Frankfurt Siedlungen experiences (1924-1929), which associated the constructive rationalization of the new German objectivity to the urbanistic principles of the garden-cities, creating a new model of space organization for the residential complexes” (BONDUKI; KOURY, 2014, p. 186).

The buildings are accessed through internal roads in the Complex, whose tracing obeys a fishbone-type scheme, composed of a main road (Street A) and perpendicular passageways on both sides of the road [fig. 4]. The main road is connected to Santa Cruz Street and defines the Complex’s entrance. The transversal passageways on each side of the main street do not adopt the same alignment, so that each passageway ends in front of the blind façade correspondent to the building group across from the main street. Arranged in a mismatched manner, the passageways avoid the conformation of long perspectives and the resultant mass impression of the Complex, guaranteeing privacy to each one of the roads.

Intercalated to the vehicle passageways for access to the dwellings, the pedestrian promenades are arranged amidst the gardens [fig. 5], which the units’ permanence spaces face. As well as the vehicle passageways, the pedestrian promenades end at the buildings’ blind façades across the main street, which means that there are no two aligned promenades. Too-long promenades and undesirable perspectives are equally avoided.

The route possibilities between the car passageways and promenades are multiplied by pedestrian connections between the groups of buildings, which exist in larger number in the Complex area closest to Ricardo Jafet Ave., where the apartments constitute isolated buildings. As well as the promenades and car passageways, these small transversal paths are mismatched and do not disrespect the street visuals [fig. 6].

Thus, that which at first could have been a monotonous and homogeneous fabric reveals itself as a place built from small visuals and various route possibilities. For those who go down through the main street from the Complex’s entrance, car roads and promenade with gardens occur, dynamically and alternately.

The promenades present today significant arboreal mass. Protected by PMSP (São Paulo City Hall) legislation, the trees are of interest to the preservation, for they integrate the Complex composed of buildings, circulation and gardens [figs. 7, 8 and 9].



Fig. 7: View of former passageway D
Source: Photo by Maria Isabel Imbronito.



Fig. 8: View of a pedestrian promenade
Source: Photo by Maria Isabel Imbronito.



Fig. 9: View of a transversal path
Source: Photo by Maria Isabel Imbronito.

2.2 Housing buildings

Accessed through the passageways, the housing buildings are implemented in parallel groups of buildings arranged on East-West direction, perfectly adequate to the solar orientation. The three-level buildings have total height of around 11 m and are removed approximately 16 m, guaranteeing sufficient insolation to all units on both sides of the apartments.

Each of the 47 buildings is independent, with a central staircase which gives access to two apartments per level, restricting each entrance and vertical circulation to six families [fig. 12]. The building groups are implemented in a way that the vertical circulation's openings, service areas, kitchen and only one of the bedrooms face the car roads, while the permanence areas, such as living room and the other two bedrooms face the gardens. The apartments receive insolation on both sides, and the buildings' transversal façade is blind, which allows for the groups of building to be arranged in line, with laminal volumetry, maintaining, however, the independence of accesses.



Fig. 10: Floor plan of 85 m² and 89 m² apartments

Source: Maria Isabel Imbronito.



Fig. 11: Building with larger apartments

Source: Photo by Maria Isabel Imbronito.



Fig. 12: Access to apartment building

Source: Photo by Maria Isabel Imbronito.

⁸The inventory published by Bonduki and Koury (2014) shows some complexes that present floor plan variations on the same type, with apartments that open to both sides of the building and central staircase. This unit arrangement apparently evolved to the grouping of two parallel buildings sharing the same central staircase, in the origin of the so-called H floor plan.

The type of apartment and the arrangement of the buildings are common in the period's complexes.⁸ Santa Cruz Complex has two kinds of apartment, both with three bedrooms and very close floor area [fig. 10]. It is possible to notice that the smaller units (85 m²) favor large families, for the bedrooms are bigger and the service areas, compact. The larger apartments (89 m²) have smaller bedrooms, bigger service area and pantry (maid bedroom).

As for the techniques and materials, the Complex uses traditional technology, with reinforced concrete, closings in clay bricks, gabled roof with clay tiles and wooden framework in the bedrooms and iron framework in the living room, bathroom and kitchen. The closing of the service terrace is made of concrete hollow element. The finishing materials were the most economic for the time: wood flooring (peroba) in the apartment, wet areas and common circulation with red ceramic flooring, white 15 x 15 cm tiles as wall finishing in the wet areas [fig. 11].

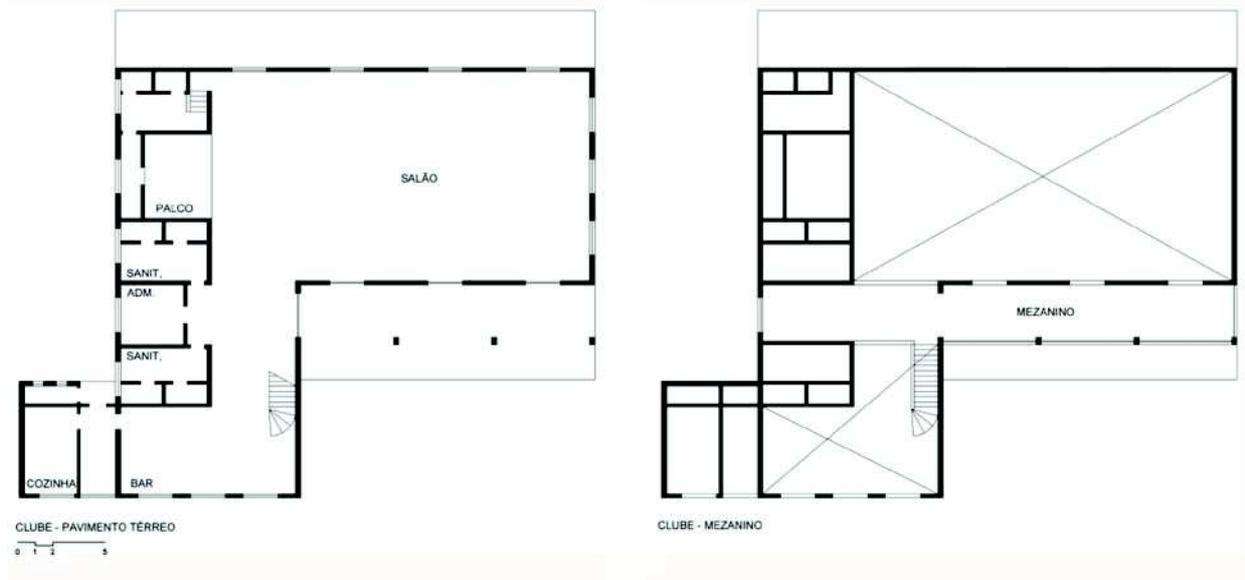


Fig. 13: Original floor plans of the club building
Source: Maria Isabel Imbronito.

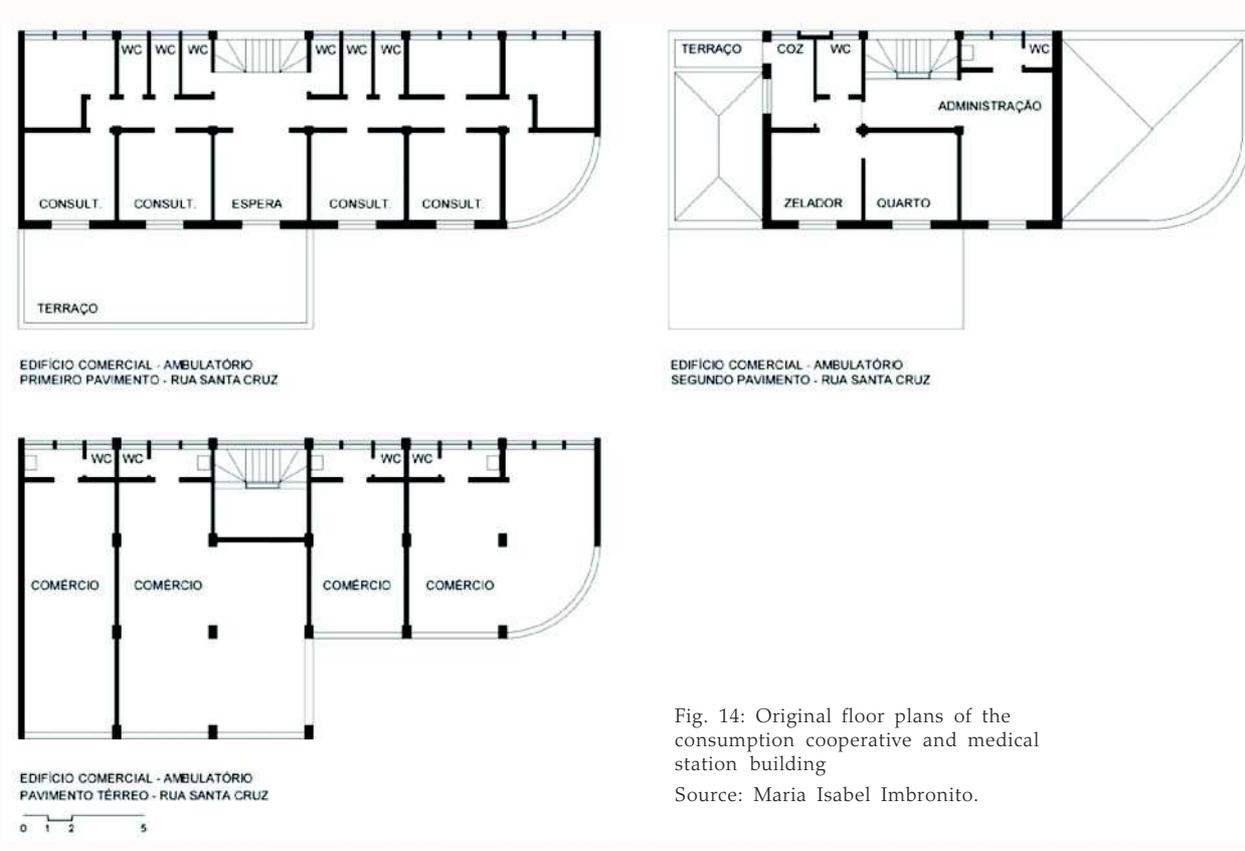


Fig. 14: Original floor plans of the consumption cooperative and medical station building
Source: Maria Isabel Imbronito.

2.3 Other buildings of the Complex

The other buildings in the Complex have the exact program suggested by Rubens Porto, as described by Bruna (2010):

- club, with cinema adapted for auditorium [fig. 13];
- building with consumption cooperative (shops), medical station (ambulatory), janitor and administration [fig. 14].

Located at the end of the main street, the club building's purpose was to serve an internal demand of the Complex itself, since its program, very reduced, was composed of a single hall served by a small stage, a bar and restrooms. Between the hall and the garden, a porch was conceived, above which there was a mezzanine to the hall. The space was meant for use and gathering of the residents, and the earlier ones report that films were exhibited and parties took place there.⁹

⁹ See reports and photos of the period (CONJUNTO [...]. 2010).

¹⁰ With the Decree-Law No. 72, of 1966, the Retirement and Pension Institutes were unified in the National Institute of Social Providence (INPS).

The commerce building is located alongside the Complex's access and had shops on the ground floor facing Santa Cruz Street. There are also reports about the cooperative's workings (CONJUNTO [...], 2010), which provided product supply according to the residents orders. For the remaining uses, the building was accessed from the Complex, through the staircase facing former passageway E (now street C), on a lower level (since it does not appear in the original plans, such access was not reproduced in fig. 14). On the first level, above the shops, there were rooms with offices and ambulatory and, on the top floor, the janitor dwellings and the Complex's general management.

Despite the type of proposed program, the materials employed on the construction of these two buildings are the same as those on the residential ones, so that, in scale and in treatment, both were well integrated with the rest of the Complex.

Currently, the club houses a Vila Mariana SUS (Unified Health System) and SUVIS (Health Surveillance Supervision) station, subordinate to the São Paulo City Hall. An EMEI (municipal preschool) occupies part of the club block, in a building constructed later. In the old commerce cooperative and medical station building, there is today a health center subordinate to the State Government. Thus, services of municipal and state governments occupy IAPB's remnant patrimony.

3 DISMANTLING OF THE MANAGING AGENCY AND CONSEQUENCES FOR THE SANTA CRUZ COMPLEX

After the civilian-military coup of 1964 and with the end of the Complex's owner and managing agency in 1966,¹⁰ changes that reverberated on domain and ownership, on use, on management and on the legal status of the Complex took place, affecting buildings and open spaces.

On February 7th, 1966, arrangements were made for the sale of the housing units: the Complex's 49 buildings, 10 blocks and 9 streets and passageways were registered on the IAPB's legal deeds, including a registration number for each item, separately. Based on the original approval project plans, buildings

and road were renamed: A Street (former designed street A), B Street (former designed street B), C Street (former passageway E), D Street (former passageway C), E Street (former passageway A), F Street (former passageway F) and I Street (former passageway G). The buildings formerly denominated A-1 to A-31 (smaller apartments) and B-1 to B-15 (larger apartments) on the Complex's approval plans were renamed in the appropriate numerical order for each street, separately.

In August, 1966, the condominium was instituted, in accordance to Law No. 5.481, of July 25th, 1928, with transcription marginal to the same deed and registration on November 9th, 1966. On this registration, the following are considered common, inalienable and indivisible areas: the land under the buildings, the gardens and cemented areas (pedestrian paths along the promenades), omitting private streets and passageways from the condominium regiment.

Thus, despite integrating the original deeds from which the condominium was divided, the streets were not added to its domain, remaining under the ownership of the extinct agency (IAPB) and, therefore, the Union, as per the previous registration of February, 1966. Designed for exclusive use and in joint ownership with the housing units, the passageways were then disentailed from the latter and, by misunderstanding of the Complex's approval history, fell into oblivion, in the power of an owner to whom its ownership and maintenance is not convenient.

The same happened to the club block, the sewage treatment station block and the commerce, ambulatory and janitor dwellings building, with the recently-instituted condominium lacking sewage treatment, leisure area or headquarters for administration and employee support.

The sale of the units to private parties with the respective registered deeds, from 1968 forth, had two important effects: (1) on maintenance and administration of the spaces and (2) on what concerns the domain and legality of the remnant spaces.

3.1 Management of the common spaces

With the end of the IAPs, the housing policy based on complete complexes with service and infrastructure intended for rental and with social support and control, established from the worker's link with the unions, was replaced by a policy based on the purchase of one's own home. With the new policy, the social duty of maintenance and management of the complexes was transferred to the owners.

Thus, from the sale of the units of Santa Cruz Complex, the maintenance of the common areas integrating the units' ideal fraction of land was assumed by the recently-instituted condominium, which ensured the single management of buildings and open areas, unlike other complexes from the period. However, the sewage and lighting systems, previously managed by the Institute, were dismantled.

The difficulties in maintenance reflect the particularities of a horizontal complex. Many complexes from the period made by the IAPs are arranged in great glebes and have low height and abundance of open spaces. Composed of three-level

buildings with no elevator, the Complex of Santa Cruz Street fits this category, extensive and low-density, amidst large gardens. This brings specific problems of condominium management, related to the horizontal occupancy.

For the 282 apartments, it is necessary to provide for the extensive glebe:

- maintenance of the fencing and external sidewalks;
- maintenance and cleaning of extensive areas of internal sidewalks and promenades;
- pruning and cleaning of the gardens, with area equivalent to 30,000 m²;
- maintenance and cleaning of the stone-paved roads, that need to be weeded, with area equivalent to 20,000 m²;
- lighting of the gardens and promenades;
- surveillance (cameras and night security).

For the buildings:

- maintenance of 47 roofs and respective gutters and gutter pipes;
- maintenance of 94 water tanks;
- maintenance of the building system of intercom in 47 buildings;
- maintenance and cleaning of all access halls of the buildings;
- mail delivery, centered on administration and distributed by condominium employees to all apartments.

Apart from that, the residents are in charge of:

- independent electric power entrances for each unit, located on the outside of the buildings;
- gas tank, adapted inside each unit;
- waste pickup centered on the main street (A Street), the only place garbage trucks have access to. (Each resident takes their trash to A Street.)

To perform some of these jobs, the condominium has employees for: cleaning the halls, keeping the gardens, general maintenance, security and administrative work. The roof and water tank maintenance is outsourced.

3.2 Domain and legality of the Complex

Having remained under federal domain after the sale of the units, the Complex's internal road system was object of:

- road officialization decrees by the city, in 1972 (No. 10.145/72);
- land parceling regularization process (No. 07.013.730/79);
- lawsuit against the condominium due to the closing of the streets filed by the city (053.01.001465-1);
- administrative proceeding requesting the roads be made unofficial, in 2002 (0.241.346-9).

The road municipalization by municipal decree had consequences, since, from this act, the Complex, with established ownership and approved single-*glebe* project, in accordance with municipal standards effective at the time of its approval in 1948, was considered *irregular land parceling*. According to argument found in the process, the possession of the land on which the EMEI was built, beside the old club, by the São Paulo City Hall itself, motivated such action. Upon noticing it did not own the land under the EMEI, the city filed such lawsuit in order to obtain the institutional areas due in cases of land parceling. Since there never was a land parceling process, the institutional areas due to the municipality were not transferred on the occasion, and the elapsed time made void the right to them.

The understanding that the Complex constitutes land parceling derived from the naming of the streets by Decree, which occurred in default of the deeds, the street domain and the Complex's approval in single *glebe*, deferred by the city in 1948. Despite the characteristic land structure of this city fragment not fitting the usual manners of land parceling, it was legitimate and recognized by the city in past date. However, the municipality's providences throughout the years go in the direction of fitting the Complex into the model of general land structure of the city, without observing the specificities that generated it and the environmental and space qualities of the model adopted for its urbanization, which linked the passageways to the housing units and avoided the *glebe's* fragmentation into streets, blocks and lots, guaranteeing unity to the Complex.

Confirming the mistake on the existence of land parceling, the attribution, by the PMSP, of the land areas to each taxpayer contradicts what is determined in the deeds. The IPTU (praedial and territorial urban tax) charge for the housing units, for instance, establishes a small lot area for each building, as if there were parceling of the blocks into lots separated by groups of buildings. As per the condominium bylaws transcribed in the deeds, the open areas of the entire Complex are considered *indivisible*. Besides being based on non-existent property data, the 1/6 fraction of an area of land attributed by the city which appears on the apartments' IPTU results from a simplistic calculation, which divides a determined area to each building into its six apartments. From that point on, the proposed urbanistic model sets precedent for the enclosing of the fractions of garden and pathways, which would annihilate in its essence the Complex's open space and internal circulation.

In 1996, the city filed a lawsuit against the Complex for the closing of the old private passageways. This process was concluded in favor of the Complex, with a report made by an exempt specialist demonstrating the private trait of the roads.¹¹

Besides the domain of internal roads, the possession of the rest of the Complex's spaces remains incomplete. The land across the old club, where the tanks of the Complex's original sewage treatment station are located, was at first in the hands of squatter and was later the object of legal dispute between the Complex and INSS (National Institute of Social Security), with no conclusive solution. The land remains enclosed and abandoned by the Government and houses, to this day, the remnant structures of the Complex's sewage system and children toys, which link the land to the housing units.

Since the institution of the condominium, its headquarters occupy an area beside the old club, sharing the block area with the EMEI and SUVIS, on a land whose

¹¹ As per ruling (TRIBUNAL [...]), the city's action was declared unfounded, under the argument that, in the Brazilian system, "property is transferred by expropriation, sale, trade, donation or other contract, the transfer of property through simple registration or decree naming it does not exist".

possession is not legalized to either party. It is worth remembering that the city filed the land parceling regularization lawsuit seeking to obtain possession of the land under the EMEI. We are unaware of the domain situation of the old commercial building, occupied by the health center, but, from the presented scenario, one notices that there are still pendencies related to the old facilities belonging to the extinct Bank Workers' Retirement and Pension Institute.

CONCLUSION

By the accounts of the proceedings regarding Santa Cruz Residential Complex, which constitutes a specific but significant case of Complex produced by the Retirement and Pension Institutes, it is possible to follow and to verify the consequences of the dismantling of the IAPs and its impact concerning these complexes' domain and management.

Since it is located on an area considered rural in 1947, void of improvements, and with the proposal of producing rental houses, IAPB (the Complex's original owner) became the legitimate owner and administrator of the housing units, as well as the Complex's internal streets, water and sewage system, club, and commerce cooperative. The agency's extinction and sale of the unit to the owners had various consequences: transferring of maintenance of the Complex and its systems – such as light and sewage – to the responsibility of the condominium and the residents, with the systems having been scraped and supply taken over by the respective companies; detachment of the common areas, important to the Complex's life – such as the club –, leaving the condominium without headquarters and support areas; several legal complications regarding domain and space occupation issues – such as land possession and legal and administrative proceedings –, remaining an impasse to this day.

Beside the disregard with which the property transfers were made, it is possible to notice the lack of proceedings that enable a more careful interpretation of the destination of the Complex's space, considering its original status, and the public administration's unconcern in creating compatible instruments that allow evaluating the consequences of the decisions of the proceedings in course. Today, the space remains thanks to an informal management action and to an amicable relationship between the instances that use the Complex's space. It remains enclosed along its perimeter, mas the gates are always open to various streets, which proved to be an efficient and conciliatory solution that enabled a balance between internal and external users. The condominium maintains the roads and gardens, extensive areas of unrestricted access, and the infrastructure companies provide services within the Complex, entering the "official streets". The rest of the uses that take place in the Complex take advantage of the pleasant environment, of the internal scale and security, guaranteeing a healthy movement of people external to the Complex with no history of disturbance. A great concern emerges as imprudent actions may mischaracterize the Complex's identity, given by the management unity of open and constructed space, by the articulation of the various circulation systems internal to the Complex, and also by the local scale, which establishes a counterpoint to the high-traffic streets that surround the glebe. The maintenance of the Complex's environmental quality from the integration of

open areas and the maintenance of the inhabitable condition, mainly represented by the glebe's enclosing (and not interdiction), are fundamental for the place's preservation, witness of a historical moment and of a housing model proposed for Brazilian modern cities.

Finally, it is necessary to consider the destination of the Mooca IAPI (Industry Workers' Retirement and Pension Institute), designed in 1946 between Trilhos and Cassandoca streets, whose housing buildings were originally amidst green and that included a central square. From the sale or assignment of possession of the units and Complex fragmentation into lots, separate condominiums were established, which ended the Complex's architectural unity and promoted the enclosing of the open areas belonging to each building. The need for protection put the cars inside the green areas of each condominium, annihilating great part of the gardens. The central square remained under ownership of the federal government and is today a fenced piece of land that carries the risk of being passed on to the real estate market and becoming a vertical enterprise in the green area remnant of the Complex's main square. In short, in the case of the Mooca IAPI, after the fragmentation resulting from a "factual" parceling, the original urbanization proposal is irremediably lost, with prejudice to the Complex's memory and its space and environmental quality.

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