

Racial capitalism, tenant power, and social housing

Racial capitalism. Social housing. These terms are widely used, but thinly understood. They are easily abstracted and readily made fodder for theoretical discussion detached from lived realities. This issue brings together organizers and academics to consider the relevance and meaning of racial capitalism and social housing from a perspective grounded in struggle, experience, and attentiveness to the dynamics of the U.S. political economy. The authors offer insights on the material stakes of racial capitalism, the reasons it necessitates building movements for tenant power, and the policy pathways that impede or facilitate efforts to treat housing as a social good rather than a profit generating commodity.

— Jamila Michener, guest editor

Racial Capitalism in the City of Brotherly Love

Prentiss Dantzler and
Akira Drake Rodriguez

*Nobody lives in the old house now,
but a man comes each winter out of the North
and collects his high rents.*

(Du Bois, 1903: p. 95)

Introduction

It's a peculiar feeling to study something so close to you that you can't seem to get away from it. The harder you try to understand it, the more it becomes elusive as some problems seem to be insurmountable. We take pride in little victories - those that seem to have at least changed some things for the better. Yet, at other times, social forces such as racism, poverty, and housing inequality seem to structure the everyday lives of people in urban, suburban, and rural communities alike. The boundaries between what was, what is, and what could be seem blurry these days. Modern issues related to the role of housing in (re)producing social inequality are major issues for us all. And while it seems progressive policies could get us closer to seeing housing as a human right, it is important to remember that our fight for a place to call home rests upon a different way of living.

In this essay, we explore the realm of possibilities as urban denizens fight to reclaim places and spaces they have called home even in the face of years of disinvestment and uneven development. We discuss the role of housing as not

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The Case for the Tenant Union

Tara Raghuveer and John Washington

Housing as the Infrastructure of Racial Capitalism

Today's housing market is a catastrophic failure, shaped by the relentless prioritization of those who profit from our basic need for a home. Millions of tenants are forced to make the choice between paying the rent and feeding their kids. Two years of a pandemic and economic turmoil have inflicted more pain as tenants accrued rental debts, struggled to access inadequate federal assistance, and were evicted from their homes. Rents were up 17.5 percent over the course of 2021, squeezing Black and brown tenants the most.

If it is our goal to solve this crisis, then we have to understand the system that creates it: racial capitalism. Under this system, wealthy people, who are overwhelmingly white, gain profit and power from the exploitation and oppression of working-class and poor people of all colors. Our housing system was designed around an accumulation of capital that depends on severe inequality and, more specifically, on the subjugation of Black tenants.

Housing is the infrastructure of American racial capitalism. America, as we know it today, was built through land theft and chattel slavery. Every level of government was, to some degree, established by white land-owning men for whom the protection of private property was the priority. Property laws, written to favor those who wrote them, maximized their wealth, often at a direct cost to Native com-

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only a critical site of urban inequality, but an object of exploitative capitalistic development. To further illustrate this point, we draw our attention to the City of Philadelphia – a place we’ve both called home for years. We focus our discussion on the current battle over University City Townhomes, a federally subsidized, privately owned rental property built in the early 1980s. Constructed as an affordable housing development as compensation for the destruction of the Black Bottom, and historically known as a predominantly Black working-class neighborhood, this complex has been transformed into “University City.” However, recently, the owners have decided not to renew their contract with the U.S. Department of Housing and Urban Development (HUD), putting approximately 70 families at risk of displacement. These families have not been silent even with the pending threat of dislocation. Once viewed as a haven in the face of racialized uneven development, the non-renewal of this affordable housing development and the subsequent actions taken by the property owners, policymakers, and longstanding residents elucidate how affordable housing serves as a threat to the spectre of dispossession hovering over urban denizens. We end the essay with a continued call for situating housing as a human right to disrupt the logics of private property dynamics and capital accumulation.

Housing and Racialized Uneven Development

Homes mean something to everyone. However, the global urban housing affordability crisis continues to invoke a spectre of dispossession among urban denizens. The finan-

cialization of housing has exacerbated the disconnect between wages and the cost of living resulting in higher rates of household turnover and neighborhood change. Recently, urban scholars and activists have drawn attention to the role of racial capitalism in producing uneven development through the racialization of both people and places (Dantzler, 2021). Many historic communities of color, particularly Black neighborhoods around the United States, once stigmatized as ghettos and pockets of cultural immorality have engaged in redevelopment efforts as the vestiges of the past are rebranded in order to draw in younger, high-skilled, higher income populations. Attracting human capital has been a salient economic development strategy resulting in many related contemporary forms of redevelopment resonant of the legacy of urban renewal. As newer concerns over housing attainment and residential stability have focused on the role of housing finance (e.g., Fields and Raymond, 2021), landlord-tenant dynamics (e.g., Crowell, 2022), the enduring legacy of redlining (e.g., Imbroscio, 2021), unsafe rentals (e.g. Korver-Glenn et al., 2023) and segregation (e.g., Trounstein, 2018), many of these current processes can be understood as modern day manifestations of racial capitalism.

While the concept of racial capitalism emerged in the 1970s to explain South African apartheid, scholars and activists have employed it to understand the racialized nature of capitalism, especially within the U.S. context (e.g., Dantzler, 2021; Rucks-Ahidiana, 2021; Dantzler et al., 2022). As a concept, it underscores the mutually constitutive nature between racism and capitalism through forms of exploitation and expropriation (Dantzler, 2021). Other scholars have used it as a theoretical framework to explain

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Law, Political Economy, and Racialized Rent Gaps

John Whitlow

One of the central insights of the analytic frame of racial capitalism is that processes of capital accumulation generate – and, in fact, depend on – racial differentiation. Put differently, racism is an essential element of value creation within capitalism. And as modalities of accumulation and growth shift – as profit-seeking strategies become increasingly extractive and rapacious – private and public power combine to articulate profitability and race in ways that are at once historically-rooted and innovative. This essay will explore the dynamic process of racially inflected value creation in the context of market-based, state-facilitated gentrification in New York City, where landlords and developers have engaged in a mix of legal and extralegal tactics to raise rents and displace working class tenants, in the process altering the racial composition of urban space. More specifically, the essay will explore this process through the example of rent stabilized building owners’ navigation of the City’s rent laws – particularly vis-à-vis apartment vacancies – to close racialized rent gaps. The essay will also touch on tenant resistance and organizing against these practices.

In an effort to understand the articulation between race and economic structures, Stuart Hall famously observed that “race is the modality through which class is lived, the medium through which class relations are experienced, the form in which it is appropriated and fought through” (*Essential Essays Vol. 1: Foundations of Cultural Studies*, 2018). At the level of people’s every day, lived experiences, Hall’s framing is a nod to the ways class relations are filtered through race – i.e. are racialized – via the social realities of residential segregation, labor market segmentation, differential access to public benefits, and the like. On a more theoretical plane, the importance of Hall’s intervention is to show that within a capitalist political-economic and social order, the reproduction of class relations is structured by race, in uneven, fluid, and often contradictory ways (Bhandar, 2018). Race and racism, in this framework, are never outside of ‘the economy’; rather, they inflect class relations and play a key role in how capital accumulates.

Hall’s formulation of the interrelationship of race and class is useful in understanding the engineering of racially

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The Right to a Tenant Union and the Fight for Rent Control in New York State

Cea Weaver

New York is in a housing crisis by nearly every metric. Rent is unaffordable. Evictions are rising to pre-pandemic levels. Over 100,000 students in the New York City public school system are homeless. Housing precarity brings with it a host of other social and economic problems: poor educational outcomes, weakened job security, worsened health, and an overall decline in public safety (Weaver, 2023).

This crisis, like all crises of capital, falls hardest on Black and low-income New Yorkers – especially Black women. Over two-thirds of Black New Yorkers rent their homes (Cornell ILR Eviction Filings Dashboard). According to the Community Service Society, Black renters are the most vulnerable to eviction and the most likely to

experience housing discrimination, including discriminatory evictions (Mironova, Stein, & Baiocchi, 2022).

Conventional solutions to the housing crisis generally point in two directions: rental assistance for low-income families and subsidized homeownership for everyone else. Neither of these solutions is working to meet the scale of the crisis today. Paradoxically, rental vouchers are both dramatically underfunded and regularly unused in the marketplace due to high-rents, landlord discrimination against those who pay their rent with public assistance, and more (Office of the New York State Comptroller, 2023). Homeownership is increasingly too costly for middle-class earners while these same earners are also largely left out of renter-based subsidies.

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Most critically both of these solutions – not coincidentally interventions that are by and large welcomed by the private homebuilding industry – overlook the importance of tenant-power organizations to creating and sustaining housing stability in the United States. Tenants represent a potent political class – making up the majority of the population in many US cities – and often experience unsafe housing conditions (rent hikes, no heat in a multi-family building, et cetera) collectively. But both rental assistance vouchers and private homeownership individualize and isolate the question of housing affordability to the single household.

By building organizations, tenants can work collectively to win safer living conditions in their homes; neighbors can develop stronger social ties that lead to deeper civic participation and healthier overall neighborhoods. And finally, tenants can create a political constituency and leverage their organization to pick (and win) political fights.

As rental housing prices skyrocket nationwide, progressive organizers must pursue policy interventions – expansion of rent control and recognition of the right to form a tenant union – that first stabilize renters as a class of people and second encourage political organization of renters as a group.

Rental assistance vouchers isolate individual tenants who struggle to find a landlord who will accept their voucher. If housed, voucher-holders cannot complain about neglected repairs (lest they risk losing rental assistance) and if their neighbors form a tenant association and go on a rent strike, they are unable to choose to stop payment. They are aggressively means-tested. Securing and staying on a voucher requires immense intrusion – from your landlord and the government – into one’s personal life.

Inversely: by limiting rent increases and offering tenants the right to renew their leases, rent control encourages housing affordability, limits the speculative value of land, and enables tenants to organize for better living conditions free from the fear of retaliatory eviction. Rent control, unlike vouchers, is a universal public policy that does not require

regular (and often intrusive) individual income certification. It typically covers buildings, not people.

People experience both the might of the real estate industry and the benefits of rent control collectively and politically: New York tenants often say that real estate is like oil in Texas – a politically potent industry that donates prolifically to advance its agenda. In 1997, New York State Tenants and Neighbors Coalition launched their “I’m a Tenant and I Vote” campaign for rent control: a clear message to Albany politicians about the power renters could wield or organize to impact their political future (Drier and Pitkoff, 1997). This message is still true today as New York State considers “Good Cause Eviction” to expand basic rent regulatory measures to 4 million tenants (Tomao, 2023).

No other public policy for renters offers these same characteristics – simultaneously encouraging organizing at the building or neighborhood level, creating political institutions led by tenants, and allowing tenants to threaten electoral power.

Local fights for rent control are alleviating the housing crisis while simultaneously creating and strengthening political constituencies and developing tenant-led organizations in real time across New York State. When waged successfully, legislative advocacy campaigns should build organization just as much as they win policies to create it. We can look at Kingston, NY and Albany, NY for two recent examples.

In June 2019, New York State overturned decades of landlord-friendly public policy and passed the Housing Stability and Tenant Protection Act. In addition to strengthening New York’s version of rent control, known as Emergency Tenant Protection Act (ETPA), the bill gave each city, town, and municipality in New York State the power to opt-in to the system. Previously this right was limited to New York City and its surrounding three counties.

Between June 2019 and December 2019 eviction rates across the state dropped by 18% (Legal Aid Society, 2020). Organizers at the time noted the potential for local political campaigns (Lewis, 2019). It took a little longer for the impact on local organizing to come to fruition. In October 2022 Kingston became the first city in New York State to opt-in to rent control since the state legislature granted them the authority in 2019.

This decision immediately paused rent hikes and lawful evictions for 1,200 homes in the city. Just a month later the newly appointed “Rent Guidelines Board” (RGB) voted to reduce rents by 15% (a decision currently tied up in courts). Along the way, the Stony Run Tenants Union was born.

New York State rent stabilization law covers buildings with 6 or more apartments built before 1974. Municipalities that opt-in to rent control are directed to create a board – appointed by local government – that is charged with adjusting rents annually for apartments eligible for rent stabilization. Stony Run, with 266 apartments, is the largest building in Kingston that is eligible for rent stabilization. In the face

In memoriam

This issue of *Poverty & Race* is dedicated to the life and memory of Mel King, a Boston-based community organizer, progressive planner, and civil rights leader. For ten years, Mel King represented Boston’s South End in the Massachusetts Legislature, and in 1983 organized a broad multi-racial coalition in an historic mayoral race against Raymond Flynn, in the wake of the Boston school desegregation orders. King also taught for over 25 years in MIT’s Department of Urban Studies and Planning, where I was privileged to be his student.

— Phil Tegeler, PRRAC Executive Director

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Los Angeles' Housing Revolution

By Peter Dreier

The recent upsurges of both labor organizing and tenant activism came together in Los Angeles last year in a dramatic victory at the polls (Dougherty, 2022; Greenhouse, 2022). In November, 58% of Los Angeles voters embraced a ballot measure (see: <https://tinyurl.com/3wssydj4>) to raise taxes on the sale of all properties valued at over \$5 million. The revenue raised by the real estate transfer tax, expected to be between \$600 million and \$1.1 billion annually, will be used to fund new and rehabilitated affordable housing, housing assistance for vulnerable tenants, legal aid for low-income tenants (to implement a “right to counsel”), and tenant outreach and education.

The measure will create the largest municipal housing program – on a per-person basis – in the country. It was made possible by an unprecedented coalition of labor unions, tenants’ rights and community organizing groups, nonprofit housing developers, providers of programs for the homeless, and faith-based groups. In addition to its sophisticated grassroots voter turnout efforts, the campaign was aided by endorsements by the *Los Angeles Times* and the United Way, which lent the effort credibility among some skeptical voters.

The victory took place on the same day that LA voters elected a new mayor – progressive Congresswoman Karen Bass – whose administration is now working with the activists to implement the new law. She defeated billionaire real estate developer Rick Caruso despite being outspent by more than 10 to one. Voters also elected two new progressive pro-union and pro-renter City Council members – union organizer Hugo Soto-Martinez and community organizer Eunisses Hernandez.

Despite these hopeful political trends, United to House LA (the name of the coalition that waged the campaign for Measure ULA) was hardly a slam dunk. The real estate and business industries spent almost \$8 million to defeat the ballot measure, more than twice as much as the labor-community coalition spent.

LA's Housing and Poverty Crises

Los Angeles is both a city of renters and a city of workers. Most renters are workers, and most workers are renters. This double burden – exploitation by landlords and employers – has deepened in the past decade. At the same

time, however, LA renters have forged a more militant movement. Community groups organized tenants around building conditions, rent hikes, the conversion of rooming houses and other low-rent buildings to luxury apartments, and, after 2020, a moratorium on evictions during the COVID-19 pandemic. Tenants organized rent strikes and engaged in civil disobedience. But until recently, they didn't translate their activism into electing pro-tenant candidates to the City Council or state legislature.

On a parallel track, LA's labor movement began its comeback in the 1990s, helping elect liberal and pro-labor candidates to the City Council, County Board of Supervisors, state legislature, and Congress. Unions began forging alliances with community, environmental justice, and faith-based groups.

LA was among the first cities to adopt a “living wage” law (for workers whose employers received city subsidies) and, later, a citywide minimum wage law. LA was ground zero for the nationwide “justice for janitors” campaign, sponsored by the Service Employees International Union with broad community support. In 1999 SEIU won a union election for 75,000 low-wage home care workers in the Los

Angeles area, most of them immigrant women. This was the nation's largest single union victory since the 1930s.

UNITE HERE expanded its reach in the tourism industry and got several cities, including LA, to pass laws to reduce housekeepers' workload and protect them from sexual harassment.

Even so, LA remains a bastion of low-wage work and poverty, which is made worse by escalating rents. About 17% of LA's four million residents fall below the official federal poverty line, but many more have incomes only slightly above that threshold. LA's economy is highly unequal with many low-wage jobs in the manufacturing, retail, service, and informal sectors. Blacks, Latinx, and Asians disproportionately occupy those low-wage jobs.

Sixty-three percent of LA's population rent their homes. The proportion is higher for Black (76%) and Latinx (70%) residents. Skyrocketing rents and home prices have made it almost impossible for most renters to save any money to buy a house or even a condominium. This has been exacerbated by banks' redlining of Black and Latino

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derived property values, or – as K-Sue Park puts it – the long history of leveraging racism to produce financial value in land (Park, 2020). In the context of New York City’s ongoing crisis of gentrification and displacement, this history can be traced to the raft of state-backed discriminatory housing practices (redlining, urban renewal, suburbanization) in the last century that produced a highly segregated urban landscape. The latter formed the geographical seedbed of targeted disinvestment and austerity in the mid-1970s, when the City faced a massive budget shortfall and a capital strike by bondholders. In response to this crisis, through a series of moves that one city official notoriously characterized as “planned shrinkage,” municipal and state officials slashed funding and services to the neighborhoods and institutions of the City’s Black and Brown working class. At the same time, legislative authority over many of these same institutions was rescaled from the local to the state level.

The resolution of the City’s fiscal crisis amounted to a kind of organized abandonment – structured along racialized class lines – that devalued certain areas of urban space, rendering the people who lived there expendable and setting in motion intensifying waves of gentrification. Key to understanding this view of gentrification is the concept of the rent gap, which refers to the incentive for real estate developers to invest in a particular location when they identify a gap between the rents currently offered by land and the potential future rents when some action is taken – e.g., evicting long-term tenants or demolishing and reconstructing buildings (Stein, 2019). Rent gaps can operate at multiple scales simultaneously – from disinvested neighborhoods to neglected buildings; at the broadest conceptual level, they are a manifestation of capitalism’s tendency to resolve crises of accumulation through a “spatial fix” – i.e., a way to profit from previous disasters and to find new places for investors to turn money into more money (Stein, 2019). The fact that the creation of rent gaps is derived in significant part from racially inflected modes of property, investment, and policymaking resonates with Hall’s view of the centrality of race in the accumulation of capital and in the reproduction of class relations.

As New York City has undergone successive phases of gentrification in recent decades, the City’s unique system of rent regulation has been a key site of struggle between landlords and tenants over the closure of rent gaps. The development of rent regulation through these phases – particularly its diminution in the 1990s and 2000s – illuminates the role of law in facilitating racialized value creation

in property. Rent stabilization, the predominant form of regulation, is a remnant of the federal government’s World War II price control regime. It was expanded by the New York City Council in 1969 and then taken over by the State Legislature in 1971 after fierce lobbying from the real estate industry. The significance of rent stabilization for tenants is twofold: it confers security of tenure in the form of a statutory right to a renewal lease and it places strict limits on rent increases. In theory, this means that rent stabilized tenants are buffered from the market forces associated with gentrification, as they can remain in their apartments, at relatively low rents, even when local property values are escalating. In practice, however, the decades long weakening of key aspects of the rent laws at the behest of the real estate lobby allowed landlords to instrumentalize legal loopholes to price out and/or evict longtime tenants.

Legal loopholes that relate to apartment vacancies are particularly instructive in understanding how law has been deployed to help close racialized rent gaps. Beginning in 1997, rent stabilized landlords were permitted to increase rents substantially above allowable annual increase amounts (up to 20%) upon a vacancy; and when the monthly rent of a vacant apartment reached a certain threshold (\$2,000 per month in 2004, when I began working as a tenant attorney; \$2,774 per month most recently), that apartment could be removed from rent regulation altogether, i.e. it could be rented at a “market rate” with new tenants afforded no statutory protections. These vacancy provisions functioned as a magnet for financialized real estate investment, which flowed into rent stabilized properties with the aim of vacating low rent apartments and obtaining a quick, high rate of return.

The combination of legal maneuvers to hollow out the rent laws and the influx of financialized real estate capital had a profound impact on New York City’s residential real estate landscape. According to the Community Service Society, between 2000 and 2007, New York City lost over 345,000 rent stabilized apartments primarily because of vacancy decontrol and excessive rent increases (Jones, 2011). Many of these lost affordable units were located in working class Black and Brown neighborhoods – the same places that had been subjected to austerity and disinvestment in the 1970s and early 1980s. In other words, the racialized devaluation of the spaces of the working poor in one historical moment laid the groundwork for future

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The Alliance for Housing Justice - supporting the movement for social housing



The Alliance for Housing Justice (AHJ) was formed to address the nation's affordable housing and

displacement crises, advance the rights of tenants, respond to harmful policy actions, challenge systemic racism, and shift the narrative from housing as a commodity to a human right. Our primary strategy to achieve these goals is helping to build and support the infrastructure needed for a powerful, grassroots-led housing justice movement.

It's through these grassroots partnerships that we've realized that in order to truly make real the human right to housing, we have to also work towards a new system of how people, especially the most vulnerable, find and keep housing that is racially equitable, safe, affordable and accessible – and move away from a system that prioritizes profit and speculation.

Together with our grassroots members and partners, we made the decision to add an intentional focus to our work on supporting the creation of this kind of a housing system, often called social housing, and supporting the grassroots led groups around the country who are trying to bring it to scale.

AHJ and our partners have identified five key components that housing must have to be considered social housing for our advocacy. This list is not exhaustive, but is a bedrock to build on.

- Permanently off the speculative, profit-driven market
- Permanently affordable for all - preferencing those at the lowest income levels, but available to those of low and moderate incomes.
- Actively anti-racist and anti-discriminatory
- Housing that gives residents a real say in how their homes are operated and managed.
- Housing that is climate resilient and energy efficient
- Safe, well-maintained and adequate to the needs of residents

including those with disabilities, families with children, seniors and others.

All across the country, grassroots and renter-led groups are working to implement social housing and social housing principles into their work to acquire, preserve and create housing. AHJ and our partners have identified four key strategies for how we can best support and provide tools to groups working on the ground. First is identifying current federal programs and funding that can support social housing. Second is by advocating for shifting existing funding streams to more actively preference social housing. Third is by advocating for major federal investment of new resources specifically towards social housing. Fourth is engaging in work to educate the public and policy makers about social housing and to shift the narrative in this country away from housing an investment commodity.

Our first and second strategies are related. First, we are working to identify, and help local groups access, current federal funding for social housing uses. The federal government currently spends billions of dollars every year to support the creation and maintenance of "affordable housing," but the vast majority of those dollars are going to maintain a system that leaves too many out and that props up a for-profit system. For example, income requirements that do not meet those most in need where they are, or tax credits that expire and return land and housing to the private market perpetuate a cycle that leaves the most vulnerable continuously at a disadvantage. Current law and regulations for some of these funds would allow their use for social housing but those opportunities need to be identified and tools given to local groups to be able to effectively advocate for them. But many funds are locked, by code and regulation, into uses that perpetuate the current, broken system. Despite the common refrain around public/private partnerships, the reality is that our shared resources can

go a lot further *for a lot longer* when they are directed towards permanent affordability. Deep investments in social housing can stop the merry-go-round of constantly losing affordable housing to the private market and to disinvestment.

Our third strategy is advocating for federal investment in a permanently affordable housing system that is equal to the need. Even if we can shift the current level of federal investment that currently flows to support affordable housing and anti-homelessness that amount is woefully inadequate. Public housing, for example, could and must be a part of a thriving social housing system, but a coordinated and concerted racist effort to discredit and demonize public housing has led to a \$70 billion backlog in repairs just to bring it to habitability. Ending homelessness, making sure every single person has safe, affordable and suitable housing is a moral and economic imperative for our nation and it requires real, deep investment from our federal, state and local governments to become a reality.

Finally, we have to spread the word that another world for housing ourselves and our neighbors is possible. We know what works from smaller scale social housing in this country - like tenant cooperative, community land-trusts and well maintained public housing - and from across the globe where cities and countries have built thriving social housing systems. But it will take time to educate the public and policy-makers that there is a much better way if we start putting people before corporate profit.

The Alliance for Housing Justice (AHJ) is a partnership between Public Advocates, PolicyLink, the Lawyers Committee for Civil Rights Under Law, the Poverty & Race Research Action Council, and the Right to the City Alliance. In the coming months we will be expanding, adding long time allies and partners in the work to expand our capacity.

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neighborhoods, depriving even many middle-class families of the ability to buy a home. As a result, tenants have their backs to the walls, which has triggered a new wave of activism around rents, evictions, and building conditions.

Almost all the housing built in LA during the past decade has targeted the affluent. Despite claims by developers and politicians that the construction of market-rate housing “filters down” to working class people, the reality is that it “filters up,” as nearby landlords raise rents closer to the rents in newer buildings.

The scarcity of affordable rental housing has meant that most tenants have been at the mercy of the private housing market, where rents are growing at a far faster rate than wages. About half of LA’s rental housing is regulated by LA’s rent control law, which, thanks to the landlord-friendly state Costa-Hawkins Act, is limited to ‘vacancy decontrol,’ which incentivizes landlords to harass and evict tenants so they can raise rents.

To make matters worse, the supply of rental housing remains scarce due not only to under-production, but also demolition and conversion. The supply of older, more affordable rental housing has diminished over time, due in part to the state’s Ellis Act, which allows landlords of rent-regulated apartments to remove their properties from the rental market.

The most serious consequence of high housing costs is homelessness. In 2020, there were 66,436 people experiencing homelessness in Los Angeles County. 41,290 were in the city of Los Angeles, representing a 60% increase since 2015. More than 70% of homeless people were unsheltered, living outdoors (including tents and encampments) or in a vehicle. The total number of unhoused people in LA County increased by 7,500 from 2019 to 2020. About five homeless people died each day in Los Angeles County.

As things got worse, polls repeatedly showed that LA residents ranked housing and homelessness as the city’s most serious problems. For years, advocacy groups, elected officials, and candidates for public office have proposed ways to address these problems, such as changing zoning laws and streamlining bureaucratic approvals of new housing construction, and increasing tenant protections, but the crisis persisted.

The Origins of the Coalition

The campaign for Measure ULA was in response to these twin crises of housing and poverty.

The effort that led to the campaign had a long gestation period. In 2018, a few veteran housing activists began talk-

ing about identifying ways to raise taxes on LA’s booming real estate economy to help address the city’s deepening housing and homeless crisis. The informal discussions were initiated by Denny Zane, executive director of Move LA, a non-profit group with an enviable track record of working closely with organized labor, especially the building trades, to run successful countywide ballot measure campaigns to raise taxes to fund public transportation, environmental, and other essential services. Zane was also a long-time tenants right activist, a founder of Santa Monica’s Renters Rights, and a former Santa Monica mayor.

In November 2019, Zane organized a meeting of about 40 labor, housing, and community activists, held at the office of UNITE HERE, to discuss the idea of a ballot measure campaign that could be a serious game-changer. Most of the people at that meeting agreed that such an effort was needed but were reluctant to commit the organizations’ time or resources.

But as LA’s housing crisis got worse, and polls showed that most voters identified homelessness as the city’s most important problem, the idea kept percolating among activists.

It was clear from the beginning that no campaign could succeed without a combination of the community and tenants’ groups intimate knowledge and experience with the housing crisis and the labor movement’s political influence, financial resources, and large membership. Many union members are tenants whose pay raises get wiped out by even larger rent increases.

Activists from different organizations don’t build coalitions simply because they agree about a problem and a solution. It also requires trust – an elusive quality that develops over time. Fortunately, over many years, LA had a large network of organizers and activists who worked for unions, community groups, and progressive public officials who had provided mutual support on a wide range of issue campaigns and electoral fights.

The trust, respect, and personal ties that emerged from those campaigns was a key ingredient as Zane and a few others sought to recruit activists and organizations to discuss and launch a bold housing campaign that became Measure ULA. After more than a year of one-on-one conversations with leaders of the labor and housing justice groups, they had enough support to initiate regular meetings to move the idea forward. Getting the LA-Orange County Building Trades Council to join the conversation was a major turning point that made it possible to envision a winning campaign. Laura Raymond (executive director of ACT-LA) and April

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Activists from different organizations don’t build coalitions simply because they agree about a problem and a solution. It also requires trust – an elusive quality that develops over time.

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profitability, with politically orchestrated shifts in the City's rent laws facilitating the process by providing the legal mechanisms for the closure of rent gaps.

In recent years, amid an intensifying crisis of affordable housing that has transformed much of the City into what the musician David Byrne called a "pleasure dome for the rich," an invigorated housing justice movement has mobilized to win major legislative victories. Chief among them was the Housing Stability and Tenant Protection Act (HSTPA) of 2019, which closed the legal loopholes – including those related to apartment vacancies – carved out in previous decades. Following the passage of the HSTPA, owners of rent stabilized properties are no longer permitted to increase rent significantly when a tenant moves out; perhaps more importantly, there is no longer a threshold beyond which a regulated apartment can be removed from the system of rent regulation. The significance of these changes is that the rent gaps created during prior urban crises cannot be closed as readily as they could before, or at least not by the same means.

With rent stabilized landlords no longer able to use apartment vacancies as they once did to generate value, new tactics and strategies are emerging. An internal memo from New York State's housing agency recently revealed that the number of rent-stabilized apartments reported vacant on annual registrations doubled between 2020 and 2021. While that number may have been an outlier due to the pandemic, there is concern among tenant advocates that landlords are essentially warehousing vacant rent stabilized apartments, keeping them off the market as part of a concerted effort to undo the gains of the HSTPA. Tenant groups, including the Coalition to End Apartment Warehousing, are escalating calls for landlords to fill empty apartments, given the intensity of the City's affordable housing crisis, and its homelessness crisis in particular (the average number of people sleeping each night in the City's main shelter system recently hit an all-time high of 65,633). As of the writing of this essay, it remains unclear how the issue of the warehousing of rent stabilized apartments will be settled. Given the salience of vacancy rent increases in closing rent gaps in recent decades, this will likely remain a terrain of contestation in struggles over the future of urban space.

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The advent of a truly humane housing program requires that housing's value as home be placed above its value as real estate.

The claim that kicked off this essay – that capital accumulation depends on racial differentiation – extends to the realm of racially derived value creation in property. It follows that what is needed to put an end to the destructive feedback loop of racialized rent gap creation/closure –

which manifests as the selective destruction of the spaces and possibilities of human life, followed by joint public and private efforts to generate profit from this destruction – is to move toward the decommodification of urban property. That is to say that the advent of a truly humane

housing program requires that housing's value as home be placed above its value as real estate. In a recent post on the *Law and Political Economy Blog*, Celeste Hornbach, Oksana Mironova, Samuel Stein, and Jacob Udell take up this mantle, arguing that we need to fight for a range of policies that transfer land and housing to social ownership, make extractive and predatory housing models less viable, and strengthen tenant organizing. These policies include support for community land trusts, social housing, tenant opportunities to buy back their buildings, rent control and good cause eviction, and tenant unions and collective bargaining. Taken together, all of this will dislodge the political-economic power of the real estate industry and will bring us closer to challenging the fundamental logic of our current system of property relations, which, as we have seen, is constituted through law, and structured by racism. ■

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everything from the racialized nature of micro-level activities such as grocery shopping (Mayorga et al., 2022) to gentrification across neighborhoods (Rucks-Ahidiana, 2021) to the broader urban political economy (Hackworth, 2021). However, these dynamics have always been challenged by urban denizens' quest to find a free place for themselves, a place to call home. Under the auspices of racial capitalism, publicly subsidized housing has served as an iconography of class, race, and gender dynamics. Like other social welfare programs, subsidized housing has been seen to be antithetical to the free market. In a free market, supply and demand rule where government intervention is either non-existent, or structured in a way that promotes economic activity above the lives of many. Subsidized housing, including public housing in the United States, social housing in Canada, and affordable set-aside units within market-rate developments, has consistently received opposition since its inception. However, in the quest to live a full collective life, many lower income communities have viewed these same developments as a haven – an escape from the daily onslaught of everyday dispossession (Freeman, 2019). Subsidized housing wasn't, and still isn't, the problem. Its threat to the logics of capitalistic endeavors remains quintessential to the fight for the city.

University City Townhomes as a Threat to Uneven Development

In the city of Philadelphia, urban denizens continue to reclaim space for themselves, spaces that were not only abandoned and further marginalized by state actions, but also expropriated by private interests. University City Townhomes is located on a prime piece of real estate on the western edges of the University of Pennsylvania's main campus. The 70-unit development sits adjacent to a subway station and several bus routes, and is surrounded by neighborhood amenities such as grocery stores, retail outlets, and multiple options for childcare and healthcare. When it was first constructed in the 1980s in response to a lawsuit against the city of Philadelphia for siting low-income, subsidized housing in low-resource neighborhoods, the current owners of the development purchased the land for just one dollar. Over the last four decades, the neighborhood has developed from a site of subsidized housing and disinvested public goods and services to a site of market-rate residences and public-private parks, bus lines, and primary schools. Maintenance and renovation inside the townhomes, however, have not kept pace with the development surrounding the residences. The UC Townhomes is emblematic of Wyly and Hammel's (1999) concept of "islands of decay in seas of renewal."

In 2021, the owner of the UC Townhomes (Brett Altman, d/b/a IBID Associates), informed the Department of Housing and Urban Development that he would not extend the subsidy contract on the property that classified it

was a "project-based Section 8" property, and would opt to sell the development following the eviction (and rehousing) of all seventy households. Research from Lens and Reina (2016) demonstrates that properties with expiring subsidies are increasingly in high-opportunity neighborhoods, as evidenced by higher median rents and household incomes, thus creating an incentive for owners to opt-out of renewing their contracts. Unfortunately, tenants in these developments are unable to benefit from these improved neighborhood amenities, as landlords in the same neighborhood are less likely to accept the Housing Choice Voucher offered to those in lieu of the project-based subsidized unit.

Following this announcement, residents began organizing internally and externally to draw attention to the plight of low-income residents in the increasingly unaffordable city. For decades, Philadelphia has been one of the largest, poorest cities with one of the highest homeownership rates (Haider & Eichel, 2020). Although the city's median incomes and wealth stagnated below that of its peers, low-income Philadelphians managed to resist displacement due to a large (albeit aging) single-family housing stock, slow rate of population growth, and policies such as the homestead and senior tax exemptions that reduced property tax bills for those on fixed incomes. But for tenants, especially near the downtown core, market rates were becoming comparable to other large Northeastern cities, and many landlords were opting not to renew project-based Section 8 contracts and refusing to accept Housing Choice Vouchers. The seventy families that had made University City Townhomes their home and community had few options. Jamie Gauthier, the city councilperson representing the third district where the townhomes are located, immediately put forth legislation that would prohibit the demolition of the existing site, and changed the zoning to mandate any new apartments constructed to be rented at 20 percent of the area median income (City of Philadelphia, 2021). The owners immediately sued Gauthier and the city.

The tenants re-activated a long-dormant Residents Council and received organizational capacity and assistance from several domains, including: the Philadelphia chapter of Black Lives Matter (a national organization committed to organizing Black people around social and policy matters) students, staff, and faculty of the local universities (including the University of Pennsylvania and Drexel University), the Philadelphia Housing Alliance (a local group involved in several direct action occupations and encampments for those experiencing houselessness and the precariously housed), the Black Bottom Tribe (a group representing the adjacent community of Mantua that was targeted during the city's Urban Renewal programs), Moms4Housing (a housing justice group based out of Oakland, CA), Philadelphia Tenants Union, Up Against the Law (a legal observer and advisory group), Community Legal Services (a nonprofit Legal Aid provider), Food not Bombs (a pacifist group

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of staggering rent hikes, unlivable conditions, and against the backdrop of runaway gentrification, tenants at Stony Run led the fight to implement rent control in the Fall of 2022 (Roshan 2022).

When it came time for the Mayor of Kingston – Steve Noble, a progressive with ties to the Working Families Party – to appoint a local Rent Guidelines Board, Carolina Soto threw her name in the ring. Soto is a leader on the Stony Run Tenant Union organizing committee and is facing a 30% rent hike. With the support of her union and other local progressive organizations (for full disclosure, all affiliates of my organization, Housing Justice for All), Soto was appointed. In public hearing after public hearing, Soto was able to be a voice for renters in Kingston and successfully steered the board towards voting for a 15% rent roll back.

Though the rent-rollback decision is currently held up in court, the tenants of Stony Run are still effectively wielding their power as organized renters. Their landlord – Aker Management – is attempting to bring in new financing to their homes. The loan requires Kingston Common Council approval, and without a sign off from the TU, the landlord doubts their bid will be successful (For the Many, 2023).

About an hour up I-87, in the City of Albany, tenants at Bleeker Terrace are likewise experimenting with both the limits and the potential that rent control legislation poses for tenant organizing. While the tenant movement successfully expanded the ETPA in 2019, it did not win a bill called “Good Cause Eviction” – a critical piece of legislation that would have expanded the benefits of rent regulation to buildings excluded from the program. As a result, 4 million renters who live in small buildings or in cities that have not opted in to the ETPA remain vulnerable to retaliatory evictions and rent hikes.

In response, tenants in Albany, NY launched a campaign at the Albany Common Council to win Good Cause locally. They enlisted a local landlord and Common Council Member – Alfredo Balarin – as their lead sponsor and were successful at winning the law. Good cause is not rent control and does not create the same participatory “rent guidelines board” processes rent control does – no local board is forced to set rents. However, tenants are afforded the right to renew their lease and rent increases over an “unreasonable” amount (defined by law as more than 5%) are determined tantamount to an eviction. After the Albany Common Council passed this law, 4 other cities in New York followed suit.

In the summer of 2021, in the height of the pandemic, a New Jersey company known as M3 Management bought Bleeker Terrace – an apartment complex in Albany, NY. They immediately moved to hike the rents, but tenants organized a union. The incident that truly sparked their energy was not the rent hikes, but the decision by the landlord to break up an annual tenant barbeque and family day with armed guards bearing AR-15 rifles (Hughes 2022). The right to renew your lease is not only about housing costs and living conditions – it is also about who gets to make decisions about how we live. The dignity to make decisions about your day to day life – to acquire a pet or paint your bedroom walls or have a picnic with your neighbors – is something half of New York’s families are often denied on the basis of their property ownership status.

But using Albany’s local Good Cause law as a shield, the Bleeker Tenants Union members were able to collectively negotiate for much needed repairs and win an agreement for just 5% annual rent increases (see: <https://housingjusticeforall.org/tenants-at-major-albany-housing-complex-claim-victory-against-corporate-landlord-owner/>).

The incident with AR-15s alone should demonstrate the threat that organized tenants pose to the real estate industry. But literal threats of violence are not the only tool of the real estate elite: they also have a seemingly endless reserve of lawyers willing to do their bidding. The industry sued the City of Albany over its local Good Cause laws and was successful. In the weeks preceding the decision from the New York State Court of Appeals (the State’s highest court) Bleeker Terrace Tenants were once again served with 27% rent hikes. The judges of the State of Appeals were nearly all appointed by Democratic Party Governors in the pocket of real estate, eager to oppose tenants’ rights.

This time, however, the tenants were not alone: the leaders of the State Senate and State Assembly Housing Committees showed up to support the Bleeker Terrace Tenant Union the day of the decision, vowing to the press pass state legislation that would make the local decision moot. This is a dramatic change of fortune from a legislative body that had just three years ago refused to entertain the very same policy at the state level. (Lucas, 2023).

The stories of the Tenant Unions at Stony Run and Bleeker Terrace also reveal the weakness of the tenant movement. In neither instance were the tenant unions able to sustain the permanent bureaucratic power required to maintain legislative victories. In Albany, local efforts were

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***the path to social housing doesn't
run through technocratic public
policy changes alone – it requires
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and wield political power.***

(*Racial Capitalism in the City of Brotherly Love*, Continued from page 10)

against hunger), and several other unaffiliated individuals and groups. With the support of these groups, under the Resident's Council leadership, residents engaged in protests, marches, rallies, occupations, and legislative testimonies over the course of 18 months. From disrupting private fundraisers to holding a thirty-day encampment on the property site, the residents have effectively managed to delay the eviction date six times in the last year.

The residents are firmly against moving and opposed to the sale of one of the last affordable housing developments in University City. Many have searched for replacement housing in vain, as age and disability make many homes that accept HCVs untenable. Others have decried the lack of assistance from the Philadelphia Housing Authority, the dismissiveness of their needs and wants in a neighborhood, and the lack of adequate schools in the receiving neighborhoods.

Many of the residents live in multi-generational households, and the organizers center the needs of themselves (predominantly single Black women and men, aged 25-75) in their struggle against the wave of unfettered development in the city. They have allied with other groups in the city (including the environmentalist group PhillyThrive, who are organizing against the redevelopment of an exploded gas refinery and the No Arena in Chinatown Solidarity Group, who are organizing against a new stadium in Chinatown) to suggest this is not an isolated incident, but a systemic way of doing business that privileges developers at the expense of Black and Brown communities via the erasure of affordable housing, publicly-funded goods and services, and pro-tenant legislators.

Conclusion

The fight for housing is a fight for one's ability to claim space. The case of UC Townhomes is a familiar reality for many urban denizens across the world. Waves of dispossession and displacement are creating new urban realities causing many of us to question whether there's a place for us to live, to work, to create and raise families, to grow old.

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Housing is being used as leverage for capital accumulation at a rate and intensity that supports unfettered capitalism at its core. In order to disrupt the market-oriented dynamics of urbanity, we argue for situating housing as a human right. We understand that this does not cease housing's role, in addition to the financialization of property and land, in supporting racial capitalism. However, similar to calls made before us (e.g., Dantzler and Reynolds, 2020; Fields and

Raymond, 2021; Bledsoe et al., 2022; Rucks-Ahidianna, 2022), we argue for a more intentional focus on how capitalism involves processes of racialization and valuation. As Issar (2021) argues, we have to move beyond the class-versus-identity approach of understanding marginalization. As Rodriguez (2021) notes, urban denizens will continue to create their own geographies of resistance. Even while trying to escape the

spectre of dispossession, urban denizens have, and continue to, dream of just futures for themselves. It is our job as academics, researchers, advocates, or whatever other status we hold, to use our positions to make these dreams into reality. It is up to us all to make these threats to uneven development into promises for a better future. ■

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munities and Black laborers. This violent legacy shapes our conditions today.

In more recent history, the practice of housing segregation has been a central feature of racial capitalism. For example, an early version of the Federal Housing Administration's *Underwriting Manual* determined that the presence of "inharmonious racial groups" should be considered an "adverse influence" on the total mortgage score, limiting the flow of capital to non-white communities.

Among many other racist lending practices, this type of policy, bureaucratic but pernicious, meant that FHA would not insure mortgages in Black neighborhoods.

From redlining to block-busting to exclusionary zoning, housing policies and lending practices have created and maintained racialized hierarchies. The modern housing market, marrying public and private supports to secure mortgages, protects a pathway to wealth-building for those who have been able to access it. As a result, Black incomes are 60 percent of white incomes, but Black families hold just 10 percent as much wealth as white families. Almost every innovation in our housing market has followed principles that deepen this racial wealth gap, disenfranchising one side and enriching the other.

In the past forty years, and especially in the decade since the last financial crisis, profiteers have focused on privatization and deregulation, further intensifying the trappings of

racial capitalism that are intrinsic to the American housing system. Institutional investors, many aided by government-backed financing and abetted by a web of state and local subsidies, have bought up the market, inventing financial tools to treat our homes like speculative commodities. In so doing, they have manufactured an economy of precarity for tenants.

On a community-level, this precarity takes shape as gentrification, the process of economic and cultural change in a neighborhood, often the direct result of policies and

Our housing system was designed around an accumulation of capital that depends on severe inequality and, more specifically, on the subjugation of Black tenants.

practices that benefit white, wealthy individuals and communities. The impacts of gentrification tend to include the displacement of long-time residents, which can lead to the erasure of cultural and social networks, as well as the loss of housing and access to essential resources like health-care and education. When a

new coffee shop and a luxury housing development replace the old corner store and a few three-flats, neighbors know what's coming: rent hikes, evictions, a community replaced. There goes the neighborhood.

Displacement and exploitation have become rampant expressions of racial capitalism, often driven by the interests of developers and investors, and at a disproportionate cost to Black and brown communities. Displacement takes many forms: formal evictions through the court system, informal evictions (like when landlords remove doors or turn off

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overturned within 18 months by state law. In Kingston, after a spirited public debate the council voted – over the Tenant Unions’ objections – to approve a state loan to the landlord.

Both of these cases demonstrate the vast power executive governance at the state level has over local and city-based policy interventions – to create courts, for example. But the answer is not local control (why should a tenant in Cohoes have fewer rights than a tenant in Albany?) – it is a statewide policy. And tenants must be able to organize into a cohesive organization at the state level in order to match the power that the real estate industry can wield in Albany.

As the United States struggles with a housing crisis – every day more pronounced – many are emphasizing the need for a social housing system, built on human needs rather than profit. This worthy goal is also out-of-reach while real estate capital continues to control our executive office. The call for social housing is really a call for a new type of government: one that doesn’t want to advance loans to price gouging companies or give a carte-blanche to landlords who threaten tenants with retaliation. This is to say: the path to social housing doesn’t run through technocratic public policy changes alone – it requires tenant organization to build, win, and wield political power.

Changing the housing politics in the United States requires mass action. Rent control campaigns are the path. By reducing the speculative power of real estate – on tenants and buildings as a class – we can change the profit and power dynamic between tenants and landlords. By

encouraging tenant-led political organization, rent control campaigns contribute to creating the government infrastructure required to make social-housing interventions durable and successful. Renters have the opportunity – through building tenant unions and through campaigning for rent control – to create a path to social housing. The future is for the (organized) tenants. ■

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appliances or allow conditions to deteriorate in order to force tenants out), rent increases, and lease non-renewals.

Exploitation can look like predatory lending practices, unfair rental agreements, tenant rights violations, poor housing conditions, and intimidation. These practices create cycles of debt and desperation for tenants, who are more likely to be non-white, and these outcomes are not incidental to the property owner's business models, but rather central to them.

In today's society, public resources are routinely leveraged to protect private capital, often in direct conflict with the public interest. Eviction normalizes the idea that a person should lose their home because they can't afford it, and a state-sponsored tangle of courts, clerks, judges, and sheriffs reinforce it, protecting private property by putting poor people out. We accept these conditions as normal, and even cast aspersions on tenants who "fail" to meet their legal obligation to pay the rent. Homelessness persists, and cities criminalize unhoused people through laws against panhandling, loitering, and camping. Elected leaders deploy public resources to sweep encampments, moving the homeless out of sight, often at the encouragement of nearby property owners.

On an individual level, the economy of precarity is particularly acute. Today, housing costs are Americans' biggest monthly expense. The majority of poor tenant households spend at least half their income on housing. Our rent therefore becomes the most significant determinant of our families' economic security, and the stability of our communities. Whether we can keep our jobs, sustain our connections to our neighbors, send our kids to school consistently— all of this becomes a question of whether we can pay our rent.

Housing is the infrastructure of racial capitalism, and the landlord-tenant contradiction is where we must locate our efforts to combat it. When we say "landlord-tenant contradiction," we are referring to the inherent conflict of interests between tenants and the individuals or institutions that own their homes. The tenant's primary interest is for a safe and secure home, a roof over their head; the landlord's primary interest is their bottom line. In the contemporary economy, these interests are misaligned more often than not. The landlord-tenant contradiction is not about the *goodness* or *badness* of the parties involved, but rather about a system that allows one of our most fundamental needs to become an investment vehicle. And, ultimately, it is about power.

The Promise of the Tenant Union

The tenant union is the necessary intervention in the landlord-tenant contradiction. The basic premise of the union is that there are more of us than there are of them. "Us" represents the tenants, and "them" represents our landlords. But the tenant union cannot be reduced to a simplistic power-in-numbers analysis or practice; the tenant union lives and dies by its ability, not just to build power, but to *wield* power.

The tenant union is not a new concept. In fact, the union is one of the most intuitive arrangements. Knowing our neighbors, sharing resources with them— this has been a means of survival, across cultures and through time. A tenant union is not quite as basic as knocking on the neighbor's door for a few eggs, or saying hello to one another from the stoop, but it's not too much more complicated. The difference is in recognizing our connections to one another, simple as they may be, as the locus of a latent power, the best chance we've got to exist in the world on our own terms.

Tenants primarily organize building-level unions, perhaps the most common form, to address material conditions in their homes or on their property. Say the landlord has neglected the common areas, units are infested with bugs, the front door won't lock, or the property manager refuses to answer the phone— these are issues that tenants might organize to address through a building-level union. This level of organizing also lends itself to the most powerful expression of the union: the rent strike. Should the landlord ignore the tenants' demands, or should they respond in an unsatisfactory way, the tenants can escalate pressure, eventually deciding together to withhold their rent payments, disrupting the flow of money to the landlord.

The necessary fights can't always be fought building-by-building; tenants organize neighborhood-level and city-wide unions to contest against the bigger forces of capital that shape the places where we live. For example, in Kansas City, leaders in KC Tenants, the citywide tenant union, formed a neighborhood chapter, the Midtown Tenant Union, in 2021. This union meets every Tuesday evening in a church basement, centrally located in the neighborhood. Members of the union—including elders and youth, long-time residents and new Midtowners—carpool together, facilitate the meeting agendas, and watch each other's kids. Mac Properties, a Chicago-based developer, is their neighborhood's most notorious gentrifier, charging high rents for shoddy units, marketing to a yuppie crowd through pool parties and hashtags. In early 2022, the Midtown Tenant Union fought a Mac Properties incentive deal for a luxury apartment building, ultimately snatching \$10.5 million from the developer and reallocating it to the City's Housing Trust Fund. The developer tried to sneak by with a different kind of public subsidy for the same project in 2023. Midtown Tenant Union threw down, organizing testimony at public hearings and toxifying the proposal among decision makers, eventually defeating the proposal once more. Between these campaigns, the union has held public teach-ins on development and tax abatements, flyeried the neighborhood with critical news, showed solidarity on the strike line with local workers, and conducted internal trainings on organizing skills, like how to have a "one on one," a conversation to learn about someone's values, vision, life, and motivations.

Some tenant unions raise money and hire staff. Others function autonomously and without paid organizers. The

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Verrett (president of SEIU Local 2015) served as the campaign's co-chairs.

Just as it looked like the burgeoning effort was making headway, the COVID pandemic crashed the party in early 2020. Every group involved in the discussion had to deal with the catastrophic impact of the pandemic on their members and communities. For example, UNITE HERE Local 11 lost almost two thirds of its members as the city's hotels and restaurants shuttered, and the union scrambled to find ways to provide these low-income workers with food, rent money, and health insurance. As layoffs in many industries escalated, tenants couldn't pay the rent and landlords began a wave of evictions. The already large number of people without homes were joined by a swelling number of renters evicted for non-payment. Under pressure from unions, housing groups, and social agencies, LA city officials adopted a moratorium on evictions, backed up by a statewide eviction ban, and funds allocated by Congress for rent relief. COVID both exacerbated the housing crisis and increased the recognition that even after the pandemic eased, a bold policy was needed to forge a working alliance among housing, labor, and social service groups.

By mid-2020, between 15 and 25 labor, housing, religious, and social action groups, began meeting every two weeks, and then once a week, to formulate a campaign that could win support from a majority of voters. The goal was to place a measure on the ballot in November 2022.

Two key changes in the legal environment made it possible, if not inevitable, to wage a successful campaign.

First, as a result of a change to the city charter in 2015, Los Angeles voters moved mayoral, council district and school board races to even-numbered years to consolidate with federal and state elections. As a result, LA's mayoral elections would, for the first time in 2022, take place in a June primary and a November run-off, the same day as elections for Congress, statewide officials, and the state legislature. LA Mayor Eric Garcetti would not be running for re-election because of term limits, so the race for the city's highest office would be highly contested. That, along with several very competitive races for City Council, city attorney, and city controller, guaranteed that the November 2022 municipal elections would have a high turnout, which meant that more Democrats, liberals, and renters would go to the polls or vote by mail. Of course, it would still require a massive grassroots effort to get renters to the polls and persuade them, as well as a significant number of homeowners, to vote "yes" on Measure ULA.

Second, a state Appellate Court decision in 2018 modified a provision of Proposition 13 – the notorious anti-tax measure approved by California voters in 1978 — that required two-thirds voter approval for any new local tax. The court ruled that ballot measures to raise taxes that were initiated by voters (rather than the city council) only had to be approved by a simple majority vote. That opened

the window for LA's housing and labor activists to initiate the Measure ULA campaign.

Nuts-and-Bolts of the Campaign

The core group of the ULA coalition had three major tasks: draft the ballot measure, recruit more groups to participate in the campaign and endorse the measure, and develop a campaign strategy, which included raising money, crafting a winning message, and mobilizing voters.

Drafting the ballot measure

The drafting committee of the coalition's initial core group – including representatives of tenant and community groups, unions, nonprofit housing developers, the United Way, and a few academics — met for more than a year, on Zoom, to write the ballot measure. The group agreed that the revenues raised by ULA would be used to build more affordable housing, provide emergency rent relief to tenants, pay for legal services to tenants facing eviction (the "right to counsel"), and pay for nonprofit groups to educate renters about their rights and responsibilities.

Every group represented in these conversations had a reason to join the coalition. UNITE HERE and other unions of low-wage workers wanted to help their members cope with their serious housing problems. So did community organizing groups, whose low-wage members faced the persistent threat of rising rents and evictions. The United Way understood that the Measure ULA provisions would help address the poverty and homelessness crises that the influential philanthropic agency had been working on for years.

What could have been a divisive matter was quickly resolved. Over many years, nonprofit housing developers had opposed efforts to pass a state law, pushed by the building trades unions, requiring union labor on low-income housing developments, arguing that the thin margins on such projects made it difficult to absorb such costs. But both groups realized that they had a stake in passing Measure ULA. The nonprofit developers wanted considerable and consistent funding to significantly expand their ability to construct affordable housing. The building trades unions wanted their members to build the new housing. Chris Hannan (the newly elected head of the Los Angeles and Orange Countries Building Trades Council) and Alan Greenlee (the executive director of the Southern California Association of Nonprofit Housing, the umbrella group for the region's affordable housing developers) quickly found common ground on language regarding union labor, codified through project labor agreements.

The Measure ULA coalition conducted extensive research to help decide the appropriate thresholds for the tax. They wanted the tax to both generate a lot of money but only tax the richest property owners and sales. The steering

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specific structure of the union matters less than whether it is determined by its members. Preciousness about process can preclude power; tenant organizers must remain diligent about creating structures that allow for democratic decision-making, while also nimble enough to assess, rearrange, discard when something isn't quite right, or it's getting in the way of the union exercising power.

The activities of a tenant union should meet the needs of its members. This means that the work of the union is not always about picking a fight at all. Sometimes the union serves its members by creating spaces for the community to gather, to celebrate, to mourn. Tenant unions can provide mutual aid—no-strings-attached material support—to its members. Regular tenant meetings create space for strategy and coherence across the union; they also become venues for forging relationships among members, building skills among the membership, and establishing agreements for how the union will function. No matter the project at hand, the work of the union should be collectively decided and held; no one person calls the shots, no small cohort carries the union on their backs.

Tenants' ability to wield power as a union is rooted in relationships, to each other and to the places where we live. This introduces one of the biggest challenges of ten-

ant organizing today: capital keeps us moving. Our instability is engineered by institutions that profit from it. When the system traps tenants in survival mode, demanding the majority of their incomes for rents they cannot afford, in housing conditions they cannot endure, organizing seems like a luxury. Who has time to know their neighbors, to attend meetings? Why care about a place when you expect your existence there to be temporary? Poor and working class people are conditioned to put their heads down, keep to themselves. Subverting that conditioning can feel impossible, but it is non-negotiable if tenants stand a chance in the face of their landlords' power.

The tenant union can combat that alienation, uniting people who were previously strangers around common cause. Take the Louisville Tenant Union in Kentucky. LTU organizes tenants, trailer park dwellers, public housing residents, and Black homeowners. The union creates complex relationships among its members, inviting debate, accountability, appreciation, and joy. Some members are from Louisville and others have arrived more recently, displaced from places like Appalachia, Brooklyn, and Palestine. No matter if they are lifelong residents or newcomers, members share an experience of estrangement from the places where they grew up, places they can't return, places that don't

exist anymore, at least not as they once did. For some, building relationships with other union members has forged a meaningful connection to Louisville itself. They know a better Louisville is possible, if they are willing to fight for it, and they are willing to fight for it because the union brought them together. A Jay Rock song plays, and the people chant: "You either with me or against me, h*e... Win. Win, win, win, win. F*ck everything else, just win, win, win, win."

A second major challenge in organizing a tenant union is that, initially, people have no idea what you're asking them to do: first of all, what is a tenant? And, second, what is the point of a union? People don't tend to be politicized around their identity as tenants, nor around their biggest bill: the rent. Consider the other ways people relate to each other and to their own political identities—as parents, workers—these identities are usually a source of pride,

or at least a primary way of understanding oneself in the world. On the other hand, some people are ashamed to be tenants rather than owners, the product of internalized racial capitalism, and others just don't think of themselves in terms of where they live and how they live there. When knocking doors to recruit people into a union, an organizer must ask tenants to consider their tenancy—how it has configured their life,

what they love about it, what about it makes them angry, what power they have, and what power they could have if they united with their neighbors.

The next project is inviting someone into the tenant union. Very few tenants have experienced collective power, through a union or otherwise. Poor and working class people have been burned by political campaigns and non-profits, whose approaches tend to be opportunistic, seasonal, transactional, powerless, or all of the above. While some sectors have seen a boom of worker unionization in recent years, these days just 10 percent of Americans are members of a labor union, the lowest rates on record, largely a reflection of concerted attacks against union power through Right to Work laws and more. And those who have been labor union members don't always view the experience favorably; some workers perceive those structures to be overly bureaucratic, and others see union organizers as more aligned with the bosses than the rank and file. So tenant organizers have some explaining to do.

Or, more compelling than explanation, action; in taking action with the union, people learn the potential of the collective to engage in political struggle, and to improve their material conditions. Imagine losing heat in your home

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There are actually more of us than there are of them. But that only matters if we are connected to one another, if we break convention to forge deep relationships across the lines that capital uses to divide us, if we contest for democratic control of our homes and the economy.

(*The Case for the Tenant Union*, Continued from page 17)

during a freezing weekend. Now imagine that neighbors come by, door-to-door, to distribute warming supplies and collect signatures on a list of demands. Together you escalate on the landlord through public calls-to-action, your citywide union drives hundreds of calls to the landlord's office line, local media picks up the story, and then the landlord is forced to fix the issue. Tenants feel the power of union in their warm homes. It's not just a win, it's a win together, impossible alone. The tenants' conditions feel within their control, maybe for the first time ever. There is no more compelling case for the tenant union than that.

Today's tenant struggle is more fraught than ever before, and tenants are up against more potent forces. The level of real estate capital flowing through investment trusts and across oceans has reached a historic scale. The landlord-tenant contradiction is high-pitched and painful. These days, most tenants don't know their landlords, nameless and faceless, shielded by LLCs and registered agents, only engaging with their tenants through property management companies or, sometimes, just a web portal. The government is in business with our slumlords. When we consider it all together, when we think about what it would take to contend against all this, it's difficult to avoid despair.

There are *actually* more of us than there are of them. But that only matters if we are connected to one another, if we break convention to forge deep relationships across the lines that capital uses to divide us, if we contest for democratic

control of our homes and the economy. Tenant unions in today's context must operate with a clear-eyed discipline, committed to a complicated practice of experimentation and refinement. To take on organized capital, the moment calls on us to take big and small actions, and to build durable infrastructure to sustain this struggle through time.

The union invites critical intervention into the landlord-tenant contradiction, a key feature of American racial capitalism. The promise of the union is profound: cross-race, cross-class, collective power. As Olúfemi Táíwò offers in a recent essay on racial capitalism: "If it is true that racism and capitalism are in a mutually supporting relationship, then we should expect that any potentially effective anti-racist and anti-capitalist struggles will also be mutually supporting." It is not a given that the people will prevail against today's odds, but if we have a chance, the chance lives in the tenant union. ■

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PRRAC Poverty & Race POVERTY & RACE RESEARCH ACTION COUNCIL

In the next *Poverty & Race*

On the heels of the 50th anniversary of the *San Antonio ISD v. Rodriguez* school funding case and looking ahead to next year's 50th anniversary of the *Milliken v. Bradley* school desegregation case, the next special issue of *Poverty & Race* will focus on the connection between school finance and segregation. Guest edited by Derek Black, professor of law and director of the Constitutional Law Center at the University of South Carolina School of Law, the articles will explore issues related to property tax-based revenue, boundary lines and attendance zones, and colorblind/race-neutral policies.

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committee was guided in these efforts by a poll it paid for that gauged the willingness of voters to support a tax on different kinds of properties, including single family homes, apartment buildings, and commercial office buildings and shopping malls. The crafters also had to consider the propaganda arguments that the potential opposition in the real estate industry would use to try to defeat it. They anticipated that the opponents' fearmongering would argue that ULA would increase residential and commercial rents and stifle new construction of apartments and other buildings.

The advocates agreed on a formula that balanced the various goals. Under the ULA measure, sales of residential and commercial real property valued at over \$5 million but less than \$10 million would be subject to an additional tax at the rate of 4%, while sales of properties valued at \$10 million or more would be subject to an additional tax at the rate of 5.5%. The new tax would apply to the entirety of the sale value. The thresholds would be adjusted each year based on inflation. The tax would apply to property sales occurring on or after April 1, 2023. LA's previous transfer tax was set at 0.56%, so the new rate is a significant increase. The measure excluded sales made to nonprofit organizations with assets under \$1 billion.

A report coauthored by several local academics, based on property sales in fiscal year 2021-22, estimated that Measure ULA would affect less than 3% of single-family home and condominium unit sales (Dreier et al., 2022). During that period, only 727 houses and condos sold for more than \$5 million, which was only 2.6% of the 28,378 homes sold in the city. The tax would also apply to apartment complexes, office buildings, shopping malls, and other properties selling for more than \$5 million. The ballot measure included a provision to create an oversight commission to make sure that the funds are used the way the measure requires.

Building the Coalition

After a year of drafting the measure, the next step was to gather over 60,000 signatures needed to place it on the ballot. In the end, they collected over 98,000 signatures.

Once city officials certified the signatures, the next phase of the campaign involved grassroots organizing, door-knocking, phone-banking, expanding the list of endorsing organizations, spreading the word via paid and free media, and fundraising. The core group assigned subcommittees to deal with each of these tasks. Union members and tenant activists were deeply involved in all these activities.

Thanks to the outreach effort by the steering committee hundreds of organizations endorsed the ULA campaign (see: <https://unitedtohousela.com/coalition/>). This groundswell of support, the United Way endorsement, and a report by local academics explaining the necessity and feasibility of the measure, persuaded the *Los Angeles Times* editorial board to

endorse Measure ULA on October 4, more than a month before Election Day (see: <https://www.latimes.com/opinion/story/2022-10-04/endorsement-yes-on-proposition-ula>). That validation was enormously important. The campaign used the *Times*' backing to broaden its support among on-the-fence voters.

The key grassroots work took place between July and November. It involved an intense amount of door-knocking, phone-banking, and community meetings to make people aware of the measure and to explain how it would address the homeless crisis, help families facing eviction, and create jobs by building more affordable housing, estimated at 26,000 units over a decade.

This work was guided by polls that revealed which demographic groups and neighborhoods strongly supported the measure (the goal there was to get them to vote) and which were leaning toward support but still not committed (the goal being to persuade them to support it and then vote). The poll, conducted in mid-July, found that 62% of registered voters supported the measure. Among liberals and progressives, 82% were in favor, compared with 50% of moderates and 25% of conservatives. In an overwhelmingly Democrat city, 74% of Democrats, 58% of independents, and 20% of Republicans said they would vote "yes." The racial breakdown was somewhat surprising, with 65% of Latinos, 64% of whites, 60% of Blacks, and 57% of Asians expressing support. The poll showed that renters overwhelmingly (68%) embraced the measure, but a significant majority of homeowners (57%) did, too.

Overall, the poll showed strength among almost all groups of voters. But the poll was conducted before the opponents began their onslaught of anti-ULA propaganda. The question facing the coalition was whether it could raise enough money and mobilize enough grassroots activists to win the battle for hearts and minds after opponents spent millions of dollars to derail the ULA campaign.

The campaign made sure that the voices of low-income tenants and workers played an important role in the messaging in its mailers and social media. They also recruited homeowners to express their support, knowing that a decisive victory would depend on at least half of homeowners to vote "yes."

The coalition activists also realized that the ULA campaign was taking place amidst a busy election season, with campaigns for mayor, city attorney, city controller, City Council, the state legislature, and Congress grabbing most of the headlines and liberal campaign donations. Early on, the coalition leaders decided to remain out of the fray in the mayoral and city council race, even though many of the groups involved in the ULA campaign had endorsed candidates. The ULA coalition emphasized that the measure was drafted by activists and service providers, not politicians. In fact, the campaign did not seek endorsements from candidates or elected officials.

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The anti-ULA effort raised close to \$8 million. Many of California's largest landlords, developers and property managers – as well as lobby groups like the California Business Roundtable, the National Association of Realtors, and the Apartment Association of Greater Los Angeles – contributed to the anti-ULA campaign.

The two overlapping opposition committees waging the anti-ULA campaign – Angelenos for Affordability and Angelenos Against Higher Property Taxes – used the money on television and radio advertisements, separate mailers to tenants (falsely claiming that ULA would increase their rents) and homeowners, and paid canvassers, primarily in white and Latino homeowner neighborhoods.

The ULA campaign had to raise at least a few million dollars to have any chance of success.

The ULA campaign raised \$3.6 million in cash in addition to in-kind contributions. Most of the funds came from the unions. Community organizing and social justice groups also helped fill the campaign coffers with about \$500,000. The United Way contributed \$50,000. This being LA, a handful of Hollywood celebrities weighed in, including actress Kate Capshaw, director Steven Spielberg, and director Timothy Disney, who each donated \$5,000.

The Victory

November 8 was a good day for LA's progressives. More than 45% of LA's eligible voters cast votes – most of them by mail. That was significantly higher than in any municipal election in decades, a result of both the hotly contested races and the new rules making it easier to vote by mail and scheduling the city elections to coincide with state and federal contests. Measure ULA won with 58% of the vote. Karen Bass was elected as LA's first woman and second Black mayor with 55% of the vote despite being outspent by more than 10 to 1 by her deep-pocketed rival. In eight of the 15 City Council districts, the pro-ULA margin equaled or exceeded the citywide tally of 58%. The Council districts with the highest pro-ULA vote also had the highest proportion of renters.

The opposition effort, bankrolled by business and real estate interests, apparently had little impact. The ULA poll in July, before the opponents launched their onslaught of anti-ULA ads and mailers, showed that 62% of likely voters supported the measure. In November, 58% of voters said "yes" to ULA.

Sore Losers with Big Money

But soon after the activists celebrated their victory, the corporate and real estate lobby groups announced that they weren't going to give up. They were determined to create an insurrection against what voters had supported. In February, the California Business Roundtable (CBR) and the real estate industry announced that they had gathered enough signatures – more than one million overall – to put a measure on the statewide ballot in 2024 to invalidate Measure ULA. It would do so retroactively, which many legal experts say is probably illegal.

So, while ULA coalition members are working with the Bass administration to implement their new law, they know they can't let their guard down. They must also be

planning to mount a statewide campaign to defend their victory by defeating the statewide CBR effort to overturn ULA.

In addition, in March, the Apartment Association of Greater Los Angeles, and the Howard Jarvis Taxpayers Association, filed a lawsuit against the city and Measure ULA, arguing that the state Constitution, despite the court

decisions of 2018 to the contrary, doesn't allow ballot measure to raise taxes dedicated to a special need (such as housing) instead of the city's general fund. Immediately, the ULA coalition joined the fight to defend the measure in court.

Meanwhile, some of LA's wealthiest property owners and their real estate agents began scheming about how to disobey, or at least circumvent, the new law (Fleming, 2022).

Lessons: Strengthening the Labor-Housing Coalition

The time is ripe to forge a new coalition of labor unions and housing justice activists at the national, state, and local levels as has been done in Los Angeles.

Over the past century, federal investment in affordable housing was strongest when progressive housing activists were part of a broad movement for social reform that linked housing to other issues. In particular, they joined forces with the labor movement. Their bold demands were matched by political skills. Not only did they think big, they also organized well. They built movements and coalitions. In particular, "housers" hitched their ideas to the one vehicle that could effectively mobilize the political power needed to enact progressive housing legislation: organized labor.

Despite a significant decline in union membership since the 1970s – from about 25% of all workers to about 10%

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today – organized labor remains the largest and most influential part of the nation's progressive movement. But as unions lost membership and clout, the labor movement put its "social" agenda (such as housing) on the back burner, trying simply to maintain membership and political influence. Part of organized labor's recent renewal has been a growing recognition that unions tend to do better in gaining support and winning workplace elections – and do better at election pro-worker political candidates – when they address the social and community concerns of their potential members (such as healthcare, childcare, and housing) as well as their workplace problems.

In the past decade – particularly in the past few years – there's been a resurgence of labor organizing. A new cohort of labor activists at both the national and local levels is now seeking to rekindle the "movement" spirit of activist unionism, in part by focusing on the low-wage service and manufacturing sectors, which are comprised disproportionately of women, people of color, and immigrants.

More recent union drives at Starbucks, Amazon, REI, and other visible corporations, and successful strikes at John Deere and Kellogg, among other companies, have made headlines. A recent Gallup Poll found that 71% of Americans now support unions – the highest since 1965.

Widening inequality accounts for much of this new-found activism, but so does a new attitude about work – exacerbated by the COVID pandemic – among younger workers, particularly workers of color. In fact, workers of color now account for 38% of the nation's 13 million union members. Black workers are the most likely to be represented by unions: 13.6% are covered by a collective bargaining agreement, compared with 12.3% of white workers, 11.0% of Hispanic workers, and 10.3% of AAPI workers.

Labor unions have increasingly embraced issues of environmental justice, LGBTQ equality, and women's rights.

Today, housing policy for working class Americans lacks a coherent and well-organized political constituency. Federal housing policy today ignores most of the poor and offers little for the near-poor and the fragile lower-middle class. In fact, the federal government spends more to help well-off homeowners than low-income renters. The biggest federal housing subsidy today is the mortgage interest deduction, a tax break that goes disproportionately to homeowners with incomes over \$200,000. In addition, when homeowners sell their homes, the capital gains on the sales are excluded from federal taxes. This costs the federal government another \$40 billion a year, which disproportionately benefit the wealthiest homeowners.

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Organized labor clearly has a stake in progressive national housing policy. Working families need help paying the rent or buying a home. Likewise, housing and community activists have a stake in a stronger labor movement. They have many overlapping members. Renters benefit when workers have better pay, benefits, and job security. A labor-tenant political coalition could have major consequences for both groups. Tenants could be the sleeping giant in American politics, particularly in cities and in suburbs with many apartments, and where rents are rising faster than wages.

Investing resources in organizing renters can have significant payoffs for advancing social justice and electing progressive candidates. Historically, tenants vote at much lower rates than homeowners, but that gap has been shrinking (Salviati and Warnock 2022). Increasing turnout among renters could play a decisive role in "swing" elections for mayor, state legislature, governor, Congress and even president. According to an analysis by a real estate research group, "if voter turnout among renters had matched that of homeowners in the 2016 elections, Hilary Clinton would have beat former President Trump handily, and Democrats would have likely won additional seats in both the House and Senate" (Salviati, 2018).

Catherine Bauer, a leader of the Labor Housing Conference, wrote in 1933, "there would never be a real housing movement until workers and consumers organized an effective demand: that housing is a major political issue or it is nothing."

As last year's victory in Los Angeles demonstrates, the same is true today.

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