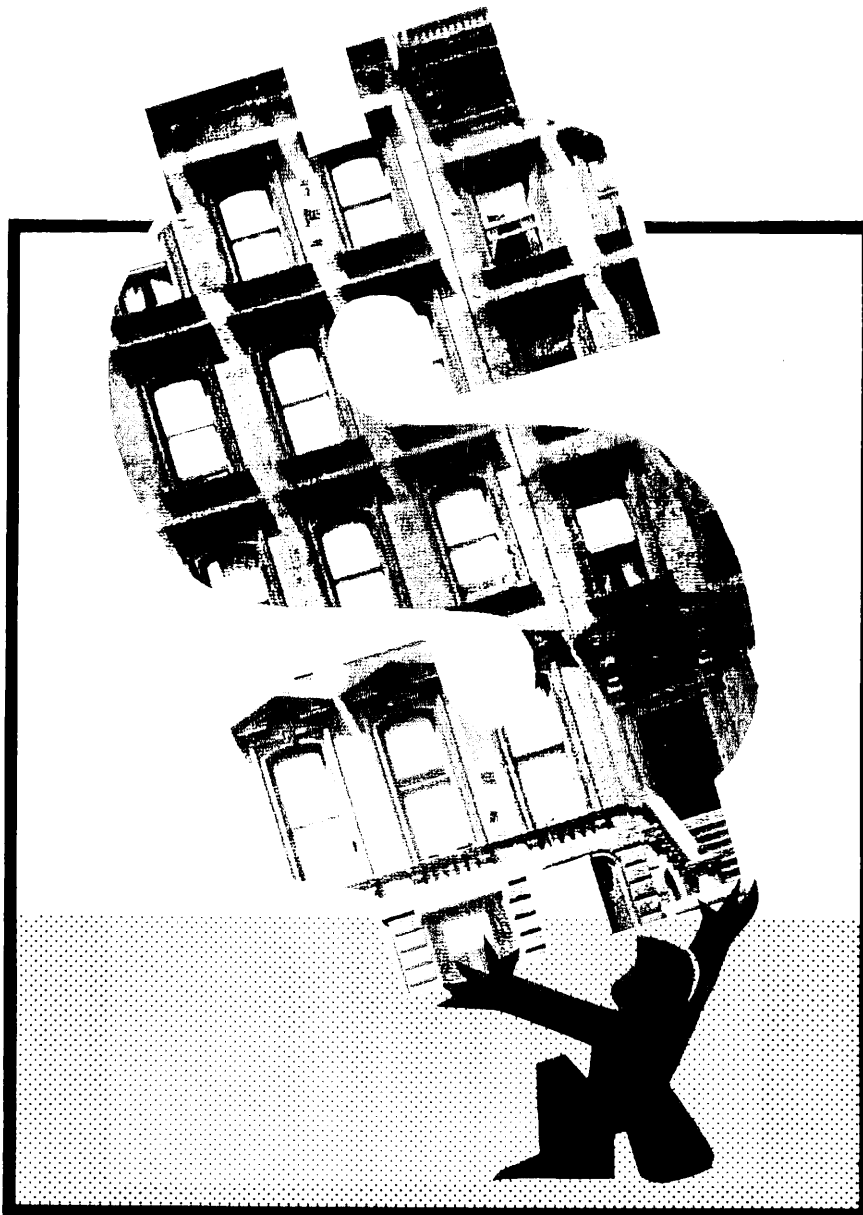


The Housing Crisis



Frank Marshall

and the Tenants' Revolt

by John Atlas and Peter Dreier

As we enter the 1980s, we may be seeing the beginnings of a nationwide movement among tenants. Tenants are the sleeping giant in American politics. Angry and frustrated, the giant is slowly beginning to awaken. Conditions appear to be ripe for the building of powerful large-scale permanent organizations around tenants' rights.¹ But the road is paved with obstacles. If tenants' rights are to become part of the progressive agenda for the next decade, observers and activists must be aware of both the potentials and the pitfalls of tenant organizing. This article is intended as a road map, with markings for blind spots, sharp turns, and well-lit roads for those willing to start the journey.*

Tenant organizations have historically been difficult to sustain because of the transient nature of tenancy or because tenants viewed themselves as being on a way station toward homeownership. In addition, postwar government reforms that have responded to the housing crises have tended to focus on incentives for homeownership. These reforms disperse people as well as play into the notion that even moderate-income workers are potential "property owners" with a stake in the status quo.²

But times have changed. A number of conditions make the emergence of "tenant consciousness" and tenant organizing more likely. One is the nature of tenancy and the housing market. The second is the shifting role of housing in the political economy, particularly the conflict between housing and the other sectors of the business class. The third is the increasing willingness of Americans to protest around issues of consumption and the fabric of everyday life. We shall discuss each briefly.

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JOHN ATLAS is an editor of Shelterforce and vice-president of the New Jersey Tenants Organization. PETER DREIER is an assistant professor of sociology at Tufts University and works with Massachusetts Fair Share.

The proportion of tenants in the population fell from a high of 57 percent in 1940 to 35 percent in the early 1970s. The steady and rapid increase in homeownership following World War II—fueled by FHA and Veterans Administration mortgage policies and by government support for highway construction from cities to suburbs—indicated that tenancy might soon be a thing of the past.

But the trend has come to a screeching halt. The present economic crisis of inflation and unemployment is likely to squeeze many tenants permanently out of the home-buying market. While rents have risen in the period, the cost of buying and owning a home have risen even more dramatically. The median price of a single-family house has increased from \$23,400 in 1970 to \$64,000 in 1979. According to a recent study by the Harvard-MIT Joint Center for Urban Studies, less than one-quarter of U.S. households can now afford to buy a home, compared to two-thirds in the 1950s. With the supply of mortgage money dwindling, mortgage interest rates climbing, and new bank regulations threatening to push interest rates even higher, home builders as well as apartment builders are bracing for tough times. In the past, government responded to the housing crisis with increased subsidies. However, with corporate power on the offensive calling for reduced government spending, less subsidized housing will be built.³ As the price of owning a new or used home skyrockets, more and more American households will be shut out of the American dream of a house of their own. Many of those who have failed to acquire a home already can expect to spend the rest of their lives as tenants.⁴

The poor urban minorities and the elderly are familiar with the plight of being permanent renters. What is new is the postwar baby boom of middle-income renters who grew up expecting that the home-in-the-suburbs would be theirs for the asking. It is not, and their life as tenants is becoming increasingly unpleasant. Many who were raised by homeownership parents are troubled by the sense of powerlessness and insecurity that comes with renting.

There is a widening shortage of housing, as the formation of households increasingly outpaces the number of annual housing starts. The decline of suburban homebuilding, coupled with the escalating cost of commuting due to gas price increases, has made city living more attractive. This increases the demand for existing housing in older urban neighborhoods. Gentrification, condominium conversion, and abandonment exacerbate the problem by removing rental housing from the market, driving up rents in the remaining apartments, and uprooting tenants from their communities. The national rental market—4.8 percent vacancy rate in late 1979—has never been tighter.⁵ In many cities it is even worse.

Housing is the single largest item in the household budget. While the Department of Housing and Urban Development recommends that no more than 25 percent of family income go toward housing, according to the 1977 Annual Housing Survey by the Bureau of the Census (the latest figures available), more than two-fifths (42 percent) of the nation's households which rent pay greater than that amount; 28 percent of that group pay over 35 percent. Tenants, on the average, have an income of 60 percent of that of homeowners. More than half the nation's tenants have household incomes of less than \$8,000 per year. About 57 percent of minority households, compared with 32 percent of white households, rent.

With vacancy rates so low, tenants are more reluctant to move from their current apartments, since there are few alternatives available. As a result, they have more of a stake in improving conditions in their current units.

In the 1980s, unless current trends change, the characteristic tenant population will change in several ways: the percentage of permanent renter households ("lifers") will climb, more middle-income Americans will join the ranks of tenants, and the ratio of rent-to-income will continue to increase.

THE CONTRADICTIONS OF HOUSING

Capitalism is based on production of goods for profit. Corporations make the most profit by keeping wages as

low as possible. In other words, the job market tends to depress wages. On the other hand, capitalists in the housing market (mortgage lenders, real estate developers, homebuilders, and landlords) set their prices at the highest possible level the market will bear. In other words, the housing market demands high mortgage payments, land and construction prices, and rents. The result is a conflict between the labor and the housing markets.⁶

In the past several years, this conflict has become more acute, though there is some opening for reform. Housing (like health care) is part of the "social wage"—the cost of keeping the labor force able to produce and reproduce itself that employers require to maintain accumulation and profits. Large corporate employers do not want to pay higher wages so that their workers can simply put a roof over their heads. As the cost of housing skyrockets, politicians will be pushed into making demands for "cost containment," as they already have in health care. In some areas of the country, employers are alarmed because rising housing costs are driving away, or making it difficult to attract, a skilled and managerial labor force.

Of course, the two sectors—large employers and the housing industry—are not entirely separate; there is considerable overlap, especially in the role of finance capital. The housing industry is not an enclave within the economy. But it seems clear that among the forces within the housing industry, landlords and land-owning and managing interests are the most economically distinct and politically vulnerable. This group includes individual landlords, larger commercial landlords, residential property owners, and institutional investors such as insurance companies and syndicates of wealthy professionals. This group is not responsible for inflated housing costs, but they are taking advantage of it. It is this group whose interests have been subordinated when the larger needs of business production, during the two world wars, were at stake. National rent controls were adopted both times. (Other capitalist countries have adopted much stricter controls on housing costs; land, in particular, has

been the target of various forms of control, from outright public ownership to taxes on speculation.)⁷

The real estate sectors will, like the health providers, increasingly find themselves under reluctant pressure from politicians (under pressure from business and citizens' groups) to "do something." Business and political figures will resist direct government ownership and production of housing, as they have resisted excluding the private sector from participation in any national health care legislation. But the contradictions evident in the spiraling cost of housing will no doubt push in that direction. Much as the decades-long struggle for Medicare and Medicaid set the stage for the current round of debate over the structure of health care institutions and the "right" to health care, we can expect a protracted debate and struggle over housing, with private real estate interests increasingly on the defensive.

Without an active tenants' movement, however, the terms of that debate, and the solutions adopted, will continue to favor the private market. Crises such as this set the stage for progressive social reform, but they do not guarantee a favorable outcome. This depends on the ability of tenants to mobilize effectively, and to join coalitions for common goals.

These conditions, however, do not make a strong, permanent tenants' movement inevitable. Organizing around any issue dealing with housing presents serious difficulties. Housing is a private matter—to most people, a refuge for the individual and family from the ravages of the work world. The workplace is a source of drudgery and/or competition, a continual test of one's worth and self-esteem. Physically as well as psychologically, one returns home to relax, to retreat, to get away from the pressures of work. After work, people resist coming home to fight their landlords or mortgage lenders or even to attend a city council hearing.

In addition, housing, unlike work, is rarely seen as a collective, or social, activity. The relations of consumption—food, clothing, shelter—are more fragmented than the relations of production. As Weinbaum and

Bridges note, the consumer, unlike the wage laborer, "has no singular and obvious antagonist, but many antagonists: the state, the supermarket, the landlord, etc."⁸ Even if one socializes with one's neighbors and fellow tenants, improvements in housing are considered individual matters. In housing, there is a strong "do-it-yourself" ideology. One either improves one's own housing or moves out to bigger, better accommodations.

On the other hand, since people trade dullness, repetition, isolation, competition, and subordination at the workplace for creativity, engagement, and experience at home, anything that infringes on everyday home life is potentially explosive.⁹ In the words of activist and author Harry Boyle:

The experiences through which people replenish and sustain themselves resemble more and more a kind of "social factory" where they are dominated and exploited as taxpayers and consumers, like they are exploited in the workplace . . . ¹⁰

Also, as Roger Starr has noted, "Locked into a long-term relationship with someone whom he usually never sees, the tenant cannot truly understand why he should be asked to pay again and again for something that the landlord already made."¹¹ Unlike many other consumer items, little psychological satisfaction comes with the "purchase" of another month's rent. If anything, the tenant is spending new money for an item that can only get older, more deteriorated, and less attractive.

Tenant organizations, which deal with a basic necessity within which so much of everyday life goes on, draw a potential strength from this reality—far greater, in some respects, than what can be drawn from the typical exploitation of most consumer-seller relationships.

Through the late 1960s, "community organizing" around issues of consumption was confined primarily to the low-income strata of the population. Polls showed that most working-class and middle-class Americans were hostile to the tactics of confrontation and direct-action protest. Of course, many saw the issues of that

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period—Vietnam and ghetto conditions—as remote.

But two kinds of experiences—the objective decline of real living standards and the subjective decline in confidence in established institutions, leaders, and solutions—have made some more "middle Americans" willing to engage in protests over concerns that disrupt and assault the routines of everyday life.¹² When these assaults on daily routines take place among large numbers of people, they recognize that they are not to blame for their plight. For example, the inability to get a mortgage is no longer seen as the result of an individual being a "credit risk," but as the product of systematic redlining by banks. When California landlords failed to pass on their Proposition 13 savings to the tenants, a "renters' revolt" exploded. As more women enter the labor force, they increasingly view child care as a responsibility of society, rather than as an individual one—and thus the growing demand for day care facilities.**

Among tenants, these assaults include large rent increases, declines in maintenance and repairs, the lack of heat or hot water in winter, eviction notices for condominium conversion, costly assessments for parking "privileges," and similar problems.

As these problems get vocalized,

** Not all expressions of grassroots anger are necessarily progressive. Movements and sentiments against busing, abortion, and property taxes come out of many of the same frustrations. The issue is whether the left can find a way to channel this frustration in a more progressive direction, or whether the "new right" will gain the advantage.

people first call on elected or appointed officials for redress, working through established channels. Politicians seize on these concerns as "issues" to garner votes and followers, and in doing so give these grievances more credibility, media attention, and wider circulation. This creates a climate in which direct-action protest—as well as issue-oriented election campaigns—against utilities, landlords, and mortgage lenders can take place. As this process continues, willingness to engage in collective activity to redress perceived injustices increases, and persons in positions of authority are often forced to make concessions.¹³

Women, in disproportionate numbers, have emerged as leaders of various citizens' action organizations.¹⁴ Gail Cincotta of National People's Action, Carolyn Lucas of Massachusetts Fair Share, and Phyllis Salow-Kay of the New Jersey Tenants Organization are among the most prominent.

THE TENANTS' REVOLT

Modern tenant militancy, which began in the 1930s and was revitalized in the early 1960s in the slums of Harlem, has spread across the country and is no longer confined to the ranks of the poor.¹⁵ Tenants' organizations are being organized in most cities and urban areas. While their day-to-day activities do not often make headlines, they are part of a phenomena (unprecedented since the Depression) touching millions of Americans who are organizing to solve their housing problems through collective action. Within their buildings, neighborhoods, cities, and states, tenants are engaging in rent strikes, court suits, lobbying, mass rallies, picketing, and sit-ins to force landlords, banks, and the government to act on grievances. The issues involved include: rent increases, inadequate building, maintenance and security, one-sided leases that favor landlords, displacement, the lack of tenant voice in management policies, and racial and financing discrimination.

The objectives of the tenant groups vary. In many cases, especially among middle-income groups, the objectives of organized tenant action are confined

to seeking lower rent increases, better maintenance and security, and fairer leases. More radical demands include collective bargaining agreements and control over management. In a few cases, particularly among low-income, working-class, and campus area tenant groups, the ultimate aim is the replacement of the landlords with tenant-controlled housing, a strategy which poses many problems but which opens just as many progressive possibilities.

Some of these activities are legacies of the '60s and early '70s. Some evolved out of student activities. Others, like the Cleveland Tenants Organization, got their start in the public-housing drives of the War on Poverty in the late '60s and linked up with the National Tenants Organization. The Topeka Housing Complaint Center started eight years ago as a VISTA project. The citywide Housing Coalition in Washington, D.C., began in 1974 through the initiative of the Grey Panthers. The driving force behind the New Jersey Tenants Organization was a middle-class business person and a neighborhood legal services attorney.

In approximately 22 states, including Alaska, Arizona, California, Delaware, Massachusetts, Florida, Hawaii, Iowa, Kansas, Kentucky, Nebraska, New York, New Jersey, New Mexico, North Carolina, Oklahoma, Ohio, Oregon, Tennessee, Texas, Virginia, and Washington, coalitions of tenants have forced politicians to enact legislation ensuring fairer treatment for tenants. The laws deal with unconscionability in leases, terms of rental agreements, security deposits, warranty of habitability, reasonableness of landlord rules and regulations, repair and deduct clauses in leases, utility shutoffs, evictions due to condominium conversion, and rent abatements. At least 12 other states have bills pending before their legislatures.

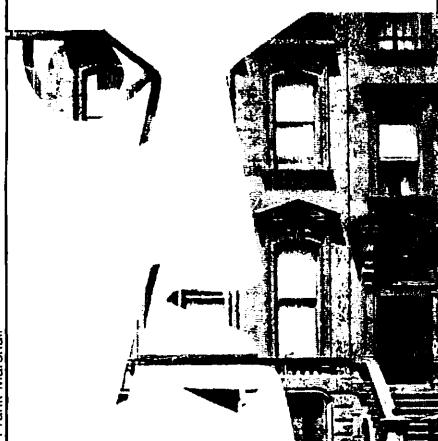
Tenant groups who have won reforms are fighting to keep them enforced. Most of the organizations rely on a number of funding sources, including membership dues, door-to-door canvassing, private and federal funds. Some groups pool their money from outside jobs to support the orga-

nizations. Many groups publish a newsletter which brings in some money and provides publicity and a means of communication. Budgets range from nickels and dimes to over \$100,000 a year for some groups. Despite wide variations in membership, origins, philosophy, and tactics, one issue seems to be the centerpiece of the latest round of tenant organizing: rent control.¹⁶ It is proving to be the glue for more permanent forms of organization and a politically potent issue capable of electing radical and progressive candidates.

The momentum for rent control throughout the country is building at a near fever pace. Over 110 New Jersey communities have enacted rent control laws. Cities in New York, Massachusetts, Maine, Connecticut, Virginia, Florida, Maryland, Alaska, and the District of Columbia have as well. Rent control bills have been introduced or are pending at the state or local level in Alabama, California, Colorado, Hawaii, Idaho, Illinois, Michigan, Minnesota, Nevada, New Mexico, Ohio, Oregon, Pennsylvania, Vermont, Washington, and Wisconsin.

In these areas, rent control has brought many tenants into political activity for the first time and developed new leaders and new pressure groups. Organized tenant support has been instrumental in electing tenant advocates to a wide range of offices, including Santa Monica City Councilperson Ruth Yantta, Essex County (N.J.) executive Peter Shapiro, Massachusetts State Representative John Businger, Cambridge (Mass.) City Councilperson David Sullivan, and the mayor, auditor, and three city councilpeople in Berkeley, California.

The support of the 50,000-member New Jersey Tenants Organization (NJTO) and the California Housing and Information Network (CHAIN) are valued and much sought after commodities in those two states. NJTO's endorsement helped elect the present governor to two terms and numerous local officials across the state. CHAIN plays an important lobbying role in Sacramento and is expected to be a major source of support for Tom Hayden's next bid for elected office.



Frank Marshall

Rent control has two advantages which make it an attractive organizing issue, and a stepping-stone toward a larger tenants' strategy: it provides immediate results and it helps create a "tenant consciousness."

Not only is rent control a bread-and-butter issue providing substantial benefits, but of the many reforms tenants could push for, rent control is the easiest to organize around and the most likely issue to generate mass involvement. Direct action via rent strikes, blocking evictions, and "squatting" involve high personal risks; historically, these tactics have failed to build permanent organizations. Rent control, which usually includes eviction control, provides a stop-gap measure that protects the poor, moderate-income families, minorities, the elderly, and people on fixed incomes from the brutality of the housing market. This is particularly true in cities and neighborhoods where there are few vacancies and landlords can push rents up astronomically.

Alternative strategies such as campaigns for increased public subsidies are too remote in their targets, too long-term in their potential results, and too indirect and diffuse in their impact. In short, they are not based on what is

politically feasible to generate mass involvement.

Rent control has the potential for avoiding both these weaknesses because it is directed at local government action, does not jeopardize the individual's home, and will directly and immediately affect the tenants' monthly rent. The issues are comprehensible in the short run to everyone. It is local and direct.¹⁷

Moreover, rent control is winnable, as the increasing number of victories throughout the country demonstrate. Since rent control laws are passed locally, tenants can be a powerful voting bloc. In most large cities, tenants make up from 50 percent to 75 percent of the population. Tenants, however, tend to vote less frequently (28 percent, compared with 59 percent for homeowners in November 1978 elections)¹⁸ unless mobilized around specific issues. Politicians can easily be identified as either "pro" or "anti" tenant.

For purposes of organization-building, rent control has the advantage of being an issue that cuts across race, income, sex, age, and ethnic lines. Particularly important is its potential to ally the non-working poor with the working poor. Scapegoating the first for the votes of the second has often been used by conservative politicians.

Whether organized within "single issue" tenant organizations like the New Jersey Tenants Organization or through coalitions as in San Francisco and Baltimore, low- and middle-income tenants have a common interest in bringing rent down at least to a "fair profit" level and can comfortably exist in one organization. In other words, coalitions around rent control are of true common interest. Homeowners, concerned about neighborhood stability and tax increases due to speculation, have a stake in rent control as well.

This potential, however, depends on whether renters identify themselves as "tenants." In California, for example, rent control measures lost in Santa Barbara and Santa Monica in June 1978 because many tenants, voting for Proposition 13, expected that tax roll-backs for landlords would be passed on to tenants. When this failed to materi-

alize, an explosion of "tenant consciousness" developed across the state. In California, as elsewhere, once rent control became an issue, it contributed to basic changes in peoples' attitudes about what's right and wrong, what's possible and not possible regarding property rights.

The underlying assumption of rent control is that landlords do not have a right to make as much profit or charge as much rent as they want. No longer is the apartment viewed by the tenants as the landlord's castle. "What the market will bear" is no longer a fair measure of what is right.

In those areas where people have fought for rent control, it is always attacked as anti-free enterprise and anti-business. After a victory, the debate shifts to what level of profit the landlord deserves: for example, six years ago, most New Jersey tenants believed landlords could charge as much as they wanted, just like any business. ("That's the way it *has* been, that's the way it is.") Now many believe that a landlord's need for profit must be balanced against the tenants' needs for an affordable and decent place to live. These are important changes in people's consciousness.

Furthermore, the fight for rent control educates people as to how landlords profit from housing. Tenants begin to understand that profits are made not only through rents but also through speculation, tax shelters, appreciation, and equity buildup. Tenants learn that federal tax laws, the court system, and local building departments are biased in favor of landlords. But it also teaches people that effective tenant organization can neutralize and even offset this bias.

SOME OBSTACLES AND LIMITATIONS

Rent control advocates cannot expect smooth sailing. Experience reveals a number of obstacles.

The first problem is the strength and resources of the opposition. Apartment-owner and real estate interests are organized on the local, state, and national levels. (Ironically, Solem Associates, which orchestrated the landlords' San Francisco victory, is the same outfit that orchestrated the land-

lords' losing battle in Baltimore on the same day.) Groups with such names as "Santa Monica Residents and Taxpayers Committee," "San Franciscans for Sensible Housing Policy," and "Concerned Cambridge Citizens" are set up to support anti-rent control candidates and bankroll slick public relations campaigns to oppose rent control initiatives. While most tenant groups are locally based, local real estate groups (primarily apartment owners, realtors, and mortgage bankers) can rely on a great deal of outside support. The California Housing Council (a statewide organization of the state's 200 largest landlords) and the National Rental Housing Council, an umbrella group of national real estate interests, have pumped in money, research, legal assistance, and campaign advice to fight rent control across the country. The real estate interests can call on the experience of a number of campaign management firms, such as Solem and Associates of San Francisco, who have engineered successful anti-rent control efforts in several cities.

Real estate lobbying in state legislatures can also preempt or limit a municipality's ability to enact rent control. At the local level, landlord and business pressure has weakened existing rent control laws by enacting "vacancy decontrol" (which permanently removes an apartment from controls whenever a tenant moves out), by hampering the enforcement of rent control laws, and (in three instances) by getting rent control laws repealed altogether.

Rent control advocates also face legal barriers. Landlord groups and their high-priced lawyers have won a number of court cases, particularly in California and Washington, D.C., restricting rent control formulae. On the other hand, tenant groups in New Jersey, New York City, and Massachusetts have won several legal battles on the same turf.

Tenant groups are also hampered by federal laws. All public housing is exempt from rent control laws. And a 1976 Department of Housing and Urban Development regulation allows HUD to exempt from local controls any building with an FHA-insured mortgage. This regulation, a product

of heavy real estate lobbying, effectively eliminates a significant portion of tenants (varying from city to city) from the potential base of support for rent control. So too does the exemption of small landlords (three units or below) from most local rent control ordinances. Designed by tenant groups to avoid the strong opposition of "Mom and Pop" landlords during rent control campaigns, it also gives tenants in those units little incentive to join the battle for rent control. Further, the outlooks of low-income and more affluent tenants may not always coincide. Renters in the luxury apartment districts of Santa Monica, for example, were divided over that city's recent rent control initiative, while the other tenants joined the rent control bandwagon with more consistency.

While the interests of the real estate bloc, and the disunity among tenants, pose potential tactical dangers, they are not insurmountable, as experience has shown. More problematic, perhaps, are what some observers view as rent control's strategic limitations. Some will argue that it raises false hopes and is easily co-opted, and that it can simply smooth out the edges of the present housing market by controlling rent "gougers" and eliminating the small and "inefficient" landlords.¹⁹ Indeed, while rent control promotes the debate of private profit versus human need, it *can* be administered in a bureaucratic fashion and turn people against government regulation, feeding the idea that while the private market is bad, "big government" is even worse. The first problem in addressing the dangers of centralized, bureaucratic, and unaccountable administration raises the serious need for participation by tenants in the decision making, perhaps through elected boards subject to recall with decentralized neighborhood administration. Santa Monica's elected rent board, the first in the nation, is an important development in this respect.

Meanwhile, there is no evidence that rent control leads "inefficient" landlords (big or small) to abandon their buildings because of insufficient profits. Cities without rent control (and buildings exempt from control within rent-controlled cities) have as

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much, often more, housing abandonment.²⁰ Abandonment, on the other hand, as it does occur (for a variety of reasons unrelated to rent control), may afford the opportunity for tenants to take more direct control over their housing. (The criticism that rent control, by allowing automatic rent increases in many instances, allows landlords to increase rents higher than they might otherwise may be valid in some instances.)

All reforms short of insurrection pose the danger of buttressing the system. The value of rent control lies in its potential to delegitimize established authorities and values, to create opportunities for new cooperative social relationships among tenants, and to provide a basis for building a movement and a source of power among tenants. The power of ideas is well-understood by real estate and banking interests, who routinely oppose reforms that undercut the legitimacy of private property such as rent control.

Furthermore, effective long-term rent controls would exacerbate a basic economic contradiction in a capitalist economy, dramatizing the need for a more democratic economic system to deal with the high cost of housing. In the short term, rent control provides tenants some immediate benefits and protection against unjust evictions and leverage for further organizing. It provides evidence that "you *can* fight City Hall," that alternative forms of housing exist, and that tenants can become a potent political force.

ORGANIZING TENANTS

The following sketch attempts to briefly assess the possibilities and pitfalls of organizing tenants at the building, city, state, and national levels.

The Building Level. When there is

no rent control, the first stage of any tenant strategy begins with organizing around immediate grievances (conditions, rents, security, a bad superintendent, or landlord harassment).

The biggest danger (for the organizer) is to fail to tap the discontent that spontaneously emerges and instead exhort tenants to do something that fits the organizer's preconception but is not "where the tenants are really at." Tenants should be encouraged to exert steady pressure on landlords, elected officials, government bureaucrats, mortgage holders, and the courts, using a variety of tactics, in an effort to improve immediate apartment conditions, renegotiate the lease (where one exists at all), or keep rents in line (lowering increases or, if landlords fail to keep buildings up to code, reducing absolute rent levels). The dramatization of their struggle to the news media is also critical.

Under certain circumstances well-organized tenant struggles of low- and moderate-income families may force the landlord to abandon or cheaply sell their property to the tenants, or force the city to become the landlord, resulting in some form of tenant control.²¹

This strategy, however, requires sustained militant action—rent strikes, and blocking evictions—the kind of risks tenants are often unwilling to take. Ordinarily, organizers should aim for the formation of a tenant union that forces the landlord to a bargaining table and into a collective bargaining or management agreement to stabilize the tenant position and give them some control.

The size, militancy, and transient nature of the tenants, the rapport between leaders and other tenants, and the ability of the landlord to make concessions will largely determine the group's success. Each building victory sets a precedent for the next one. Building inspectors are held more accountable as tenants learn how to recognize lists and prove code violations. Housing judges become used to tenants parading before them. Tenant organizers and legal aid attorneys "get the hang" of the required paperwork and bureaucracies.²²

History has shown, however, that tenant groups in the past, attempting to

apply the principles of labor organizations to housing and to "unionize" tenants in individual buildings, have failed to build permanent organizations.

Tenant organizing turns naturally against a landlord. With some exceptions, the real estate market, unlike the monopolized structure of basic industry, is very fragmented. Very few landlords own more than one to four buildings, not always in geographic proximity to one another. Thus, while it is possible for tenants in separate buildings to join together against a common landlord, it is a rare occurrence. One problem is that landlords can hide behind legal fictions (separate realty firms) or hand over day-to-day management to management firms. Also, many tenants live in rented premises containing only three families or less, limiting unionizing as a strategy to large buildings.²³ In addition, many landlords are not anonymous creatures. They often have personal, paternalistic relationships with their tenants, making them difficult ongoing targets. Accordingly, tenant union organizing tends to atomize people by the nature of their targets, making it hard to build large groups and hard to gain a common spirit.

Rapid turnover of building ownership is another impediment to tenant union organizing. New owners may promise that "things will change," knocking the wind out of a tenant group's sails for a while, until time proves otherwise. Agreements over leases, maintenance, or rents made with one owner may be ignored when a new owner takes over.

When the struggle in an individual building moves into the courthouse, landlords' political connections and financial resources are often able to win prolonged battles. This is especially true because housing construction is a particularly *local* industry.

Finally, many landlords do not have the financial resources to make financial concessions. Slum properties are not economically viable even when the owner receives nothing for his investment.

In any case, at the current time, an ongoing movement cannot rely on organizing at the building level. It is

In those areas where people have fought for rent control it is always attacked as anti-free enterprise and anti-business. After a victory, the debate shifts to what level of profit the landlord deserves.

generally fragile and short lived. Success removes the immediate problem while failure becomes demoralizing and a political cul-de-sac. While organizing single buildings may be a first step, it is best to move quickly to wider turf.

Citywide or Statewide Tenant Organization. As more and more tenants organize around tenant issues, organizers should move to build (or strengthen) citywide and statewide tenant organizations, particularly around the rent control issues.

All that is needed at first is a small group of organizers, a large auditorium, a well-known speaker (politician, clergy, consumer advocate, etc.) willing to give the issue visibility, lawyers to help answer questions, and lots of publicity in the media as well as self-generated posters, leaflets, and newsletters.

While rent control need not be the only issue on the citywide or statewide organization's legislative agenda, it should be the cornerstone of the organization's lobbying efforts.

What other kinds of reforms fit into a rent control-centered strategy?

Short of rent control, an arbitration (or mediation) board is a possible compromise. These laws establish a procedure to set fair rents where tenants protest a rent increase. (Of course, the burden is on the tenants.) Arbitration laws would compel landlords to submit to an arbitrator's final decision. Mediation schemes should be avoided if possible, however, since landlords cannot be compelled to use mediation, nor would they be bound by the board's decisions. Cases of mediation



Frank Marshall

tend to involve eviction and return of security deposits rather than the level of rents. If, however, mediation is the only reform that can be won, it should be looked upon as a stepping-stone toward rent control.

Citywide and state organizations can target as their opponents all (but, particularly, large) landlords, mortgage lenders, and government officials. A citywide organization allows tenants to move from building to building, neighborhood to neighborhood, and remain within the tenant organization and continue to have a stake in the same purpose.

Landlords will mobilize their resources, as they already have, to use the courts to defeat or minimize rent control. But experience shows that defending an existing rent control law in court is much less devastating to a tenant organization than defending tenants threatened with evictions. (Also, most rent control laws exempt small landlords, attempting to neutralize them, at best, from siding with large owners and banks.) Evictions entail much more time and numerous court appearances, filling out forms, preparing each tenant for trial, and overcoming the intimidation of being the next one evicted. Rent control, on the other hand, usually includes "just cause" eviction controls, giving tenants much more security. Rent control

boards provide new forums to contest rent increases and the reduction in services without the threat of being forced into the street with no place to go.

As the tenant organization becomes stronger as a result of its willingness to effectively engage in political action, other legislative reforms can be won that will, in turn, strengthen tenant organizations at the base. The most critical reforms are those that protect organizing and rent strikes (much like the Wagner Act protects labor organizing) and that publicize renters' rights. A "tenants' bill of rights" should include laws protecting tenants against retaliatory and arbitrary evictions. New Jersey has two unique and valuable reforms. One requires the landlord to inform each tenant in writing who their owner, superintendent, and mortgage holder are. This helps tenants find their targets for organizing efforts. The second is the "Truth in Lending" Act. This law requires landlords to inform their tenants of all tenants' rights existing under state law. It also prohibits landlords from using leases which contain provisions violating state law.

In Madison, Wisconsin, a new rental regulation board requires landlords to negotiate with tenants when a majority have organized a tenants' union. Similar legislation has been introduced in New Jersey, New York, and elsewhere in order to protect organized tenant unions, providing in effect a Landlord-Tenant Relations Act similar to the National Labor Relations Act to adjust disputes between landlords and tenants. The most recent frenzy of tenant-focused legislation is occurring around the conversion of rental units to high-priced condominiums, an effort *The New York Times* (October 21, 1979) called in a front-page story the "right to rent" movement.

According to Senator Harrison Williams of New Jersey, whose Subcommittee on Housing and Urban Affairs held hearings on the issue last June, between 130,000 and 250,000 rental units will be converted to condominiums in 1979 alone, furthering the rental housing squeeze and forcing out many low- and moderate-income tenants in favor of more affluent condo-

minium owners. In the Washington, D.C., area, for example, between 10 and 12 percent of the rental stock have been converted to condominiums in the past five years. There, as well as in Seattle, New York, Philadelphia, Boston, Cambridge, Brookline, New Jersey, and elsewhere, tenant groups have pushed through moratoria or other restrictions on these conversions.²⁴

Statewide groups as part of larger coalitions can develop a legislative strategy that helps tenants but goes beyond tenant concerns. These include the following:

- (a) Opposition to lifting of mortgage interest-rates ceilings (usury laws). Tenants and homeowner groups can coalesce to oppose lobbying efforts across the country by mortgage bankers and savings institutions to lift state ceilings on mortgage rates.
- (b) Link deposit programs. State and local governments can establish an investment program that provides for the deposit of government funds in banks that make low-interest loans to service community needs. Government deposits have been used in Massachusetts, Illinois, Colorado, and Washington, D.C., to foster social goals. For example, banks that have the highest percent of urban home-improvement loans or loans for nonprofit low-income housing would receive government deposits.
- (c) State banks. A state-owned cooperative bank can provide loans for socially useful purposes such as housing. Progressive legislators in a number of states have used the Bank of North Dakota, the nation's only state-owned bank, as a model for similar proposals.
- (d) Anti-speculation laws. The buying and selling of property for speculative investments is a major cause of the rapid increase in housing costs. Speculation prompts the frequent resale of homes and contributes to higher sales prices and assessed valuation of nearby property

and higher rents resulting from rising property taxes and high refinancing costs. Enacting a stiff capital gains tax on short-term purchase and sale of homes would reduce the excess profits that encourage speculative investment.

The National Level. As city and statewide tenants' organizations proliferate, a national organization becomes necessary.

Tenants in public housing have already formed the National Tenants Organization (NTO), an organization that has not been able to build a stable financial base to staff and fund a national headquarters and of late has suffered from low visibility. Over the years, many local public housing tenant groups affiliated with NTO have been successful in obtaining funding from local housing authorities, providing NTO with its base. The Newark Tenants Council, for example, has 11,000 members and a budget of nearly \$2 million, mostly for its social service programs. NTO's weakness has stemmed from its isolation from other tenant groups and the dilemmas of tenant-management councils in public housing during periods of fiscal austerity.

Another organization, the National Low Income Housing Coalition, headed by Cushing Dolbeare and former Senator Edward Brooke of Massachusetts, serves as a vocal poor people's advocate in the halls of Congress, but lacks the grassroots support among local tenant groups that makes lobbying effective.

As local tenant groups have mushroomed during the past year, tenant leaders increasingly recognized the importance of having a national presence, parallel to that of real estate interests. With the initiative of *Shelterforce*, a group based in East Orange, N.J., a national conference of tenant organizations was held in Newark, N.J., in November 1979. More than 100 participants from 50 tenant organizations in 17 states met to share experiences and map out a strategy for a national tenants' rights campaign. The conference participants discussed ways that a national organization could supply support and assistance for local

All reforms short of insurrection pose the danger of buttressing the system. The value of rent control lies in its potential to delegitimize established authorities and values, to create opportunities for new cooperative social relationships among tenants, and to provide a basis for building a movement and a source of power among tenants.

and state organizations by providing a center for exchanging information and training organizers. They also discussed a plan to monitor rent controls in case national price controls are enacted. Beyond that, discussion focused on a legislative agenda for tenants at the national level.²⁵

While no concrete decisions were made, the following reforms might be included in such a proposal:

- a) National protection against condominium and cooperative conversions.
- b) Repeal of HUD Regulation 403 which exempts certain categories of FHA-subsidized housing from local rent controls.
- c) Federal income tax deductions for tenants for mortgage interest and property tax payments.
- d) Channeling of HUD Section 8 and other government funds through citywide tenant organizations and neighborhood associations.
- e) Increased funding for public housing and subsidized housing to alleviate the housing shortage.
- f) Using the Federal Home Loan Bank Board to lower private mortgage rates for necessity housing and to raise mortgage rates for luxury housing.
- g) Creation of an assistant secretary

for tenant affairs at HUD who would act as a tenant advocate and represent tenants by developing pro-tenant programs, helping tenants cut through red tape, and making sure that the tenants' voice was heard prior to the promulgation of federal rules and regulations.

- h) National legislation that precludes evictions from rental housing, except for just cause.
- i) Vigorous enforcement of HUD regulations that require that private insurance premiums in low-income neighborhoods to be no higher than comparable insurance coverage in the voluntary private market.
- j) A National Landlord-Tenant Relations Act to protect tenant organizing.

In addition, the national network would lobby for pro-tenant HUD appointments and oppose appointments of people close to the banking and real estate industries. The network would also publicize the voting records of members of Congress, and encourage and assist local housing groups to "help our friends and punish our enemies."

The political clout of a tenant movement on the national level, however, is limited by certain present realities. Politics has shifted from divvying up the fruits of economic prosperity to grabbing a larger piece of the static pie for big business and the rich. Presently, no political movement is capable of challenging corporate prerogatives. The tenant movement at some point must be prepared to help build that larger anti-corporate movement.

A COALITION STRATEGY

While tenants need to form their own independent city, state, and national organizations, they will also have to enter into coalitions with other groups to win many of their demands. Issues will have to be designed that will bring public-housing tenants, federally subsidized tenants, moderate-income private tenants, and moderate-income homeowners together.

In San Francisco, for example, the citywide tenant organization helped to forge a coalition of renters and home-

owners called San Franciscans for Affordable Housing, made up of 35 groups, including labor, seniors, civil rights, women's gay, church, and other progressive groups. The coalition put forth a model comprehensive plan on last November's ballot (Proposition R) that included a tenants' bill of rights; assistance for low- and moderate-income homeowners to construct, purchase, and rehabilitate homes; control over speculation; restrictions on condominium conversions; and strict controls on rent increases. Although Proposition R was defeated, organizers believe that the coalition and the plan itself can win in the not-too-distant future. A similarly broad coalition in Baltimore won a rent control referendum the same day. Multi-issue groups such as Massachusetts Fair Share, the Campaign for Economic Democracy, ACORN, and the Nader-inspired Public Interest Research Groups have joined with tenant groups on rent control and other issues. The New Jersey Tenants Organization joined with the state chapter of the National Organization for Women (NOW) to lobby for statewide legislation to protect women tenants against harassment and provide shelter for battered women. The Democratic Agenda and the Conference on Alternative State and Local Public Policy have organized workshops on tenant and housing issues. Consumers Opposed to Inflation in the Necessities (COIN) advocates rent control as part of its anti-inflation program.

The tenants' movement comes out of the same stirrings as the self-help, neighborhood, citizen action, and poor people's movements. Old dividing lines are being erased. Racial, ethnic, age, and income barriers are beginning to break down. Veteran civil rights, anti-poverty, and anti-war activists have begun to join forces around a common "anti-corporate" agenda. Common strands of activity and analysis are being developed. Some important new developments include the recognition that middle-income working people must be part of the same movement as the poor; that the labor movement and churches play an important role in the process of social change; that short-term victories are

necessary and not always co-optive; and that community organizations must develop national networks and build toward a permanent national political presence.

The new code word is a "majoritarian" approach to organizing that unites the "bottom 80 percent" around an agenda of reforms focusing on corporate power and its allies in government. This strategy is still in its infancy, coalitions (such as the Citizen/Labor Energy Coalition) are extremely fragile, and differences of "turf" and "organizing models" still plague the movement.

Beyond supporting more governmental intervention in the housing market, the unifying theme for all reforms should not be to *reduce* government but to *democratize* it. A major obstacle for the tenants' movement, as well as for its allies, is popular cynicism regarding "big government." But as Starr and Esping-Anderson note, "The problem is not so much excessive government interference in the private sector as excessive private interference in government policy."²⁶

It is crucial to point out that government bureaucracy arose to meet the problems caused by the growing power of large corporations that exploited consumers, workers, and the environment and that now control government regulators.

A political program for the 1980s must center on programmatic alternatives that decentralize and democratize both public and private institutions on the national, state, and local levels.

This brings us to another area where the demand for reform seems promising in the light of the growth of anti-government and pro-democracy sentiment. It is the demand for tenant control over housing as the logical extension of the rent control movement. As rent control puts the squeeze on speculative profits, more landlords will either abandon or attempt condominium and cooperative conversions. How should the tenant movement respond? The response will be in part controlled by the circumstances under which condominium and cooperative conversion arise.

In those areas where conversions can be stopped and that is what people

want, moratoria should be called for. However, in the long run and where appropriate circumstances allow, tenant organizations must be prepared to take advantage of abandonment and conversions by advocating housing programs that turn over ownership and/or control to the future residents at prices the residents can afford.²⁷

The tenants' movement will soon face a political debate that has divided the left throughout history. Shall wealth and property be divided or shared? Should housing activists emphasize private ownership through cooperatives, community development corporations, sweat equity, and homesteading? Or should activists emphasize public ownership and municipalization of rental housing?

For many tenants, nonprofit and cooperative associations, sweat equity or homesteading may be the only short-term options, even though they run the risk of leading to a greater financial burden. These options can provide valuable political lessons. When cooperative housing is a result of a political struggle—a squatters' action, a rent strike which drives the landlord out of business—those involved begin to develop self-confidence in common struggle. The process of cooperative ownership and self-management itself helps people overcome their cynicism and powerlessness. Moreover, tenant ownership and management is an important short-term means of ameliorating the most authoritarian aspects of bureaucratic and private landlord control.

Still, is this to be presented as an alternative to public ownership?

Perhaps the biggest limitation of this approach is the danger of gaining ownership without control. Most major expense items of existing apartment buildings are not subject to much control by the owners. In many buildings, mortgage payments take about 40 percent or more of the rents. Property taxes take about another 15 to 20 percent, utility bills ten to 15 percent, management staff five percent, and insurance two to three percent of the rents. At least three-quarters of the rent goes for costs that are beyond the tenants' control. The remaining costs, which the tenant-owners control, have

to cover maintenance and repairs. Many buildings have higher repair and maintenance costs, since the landlords have milked the building without spending for needed upkeep. Eventually the tenant-owners may reach the point where they must choose among raising rents to cover increased costs, letting the building go into default and possible foreclosure, or seeking outside investment. In short, changing ownership patterns in housing will not put all decision-making power in the hands of the tenants.

Indeed, when tenant managers are forced to act as midwives to austerity, the exalted purposes of tenant participation are sacrificed for the sake of cost-cutting and efficiency. Tenants relate to the new managers in the same way they relate to typical private landlords or government agencies. So that it is not only the *content* of tenant demands which are important but also the circumstances in which they are made which are critical.

As Lawrence Goodwyn has written about the populist movement in America:

In their institutions of self-help, populists developed and acted upon a crucial democratic insight. To be encouraged to surmount rigid cultural inheritances and to act with autonomy and self-confidence, individual people need the psychological support of other people. The people need to "see themselves" experimenting in new democratic forms.²⁸

A legislative strategy around rent control is an important first step in building a tenants' movement for democratic control of housing. But it must go further to include reforms that will encourage self-confidence, initiative, and cooperation. Tenant organizing must include reforms that allow tenants to develop the true capacity to control their own institutions. In turn, these new forms of ownership and control provide a political base that will widen the terrain on which further campaigns are waged. Just as housing is not an enclave in the capitalist economy, tenants cannot isolate themselves from the broader struggle for social change.

The tenant movement also needs a broad perspective and allies in the wider citizens' and labor movements to demand more public control over land, utilities, and finance capital—the major costs of shelter-ownership—or else the tenant movement will be forced into a cul-de-sac.

New forms of housing, like condominiums and cooperatives, should be made affordable for tenants, since they provide institutional settings for a stronger housing movement and bring people together for collective action. But the tenant movement also needs a broad perspective and allies in the wider citizens' and labor movements to demand more public control over land, utilities, and finance capital—the major costs of shelter-ownership—or it will be forced into a cul-de-sac.

Many of the experiences of tenant groups across the country as they confront the realities of political power remain to be seen, but the stirrings of tenant activism during the past few years are the seeds of a potentially explosive movement. ■

NOTES

¹ Some 26 million households are renters. In central cities, tenants made up 50.5 percent of the population in 1976 according to the U.S. Bureau of the Census. In cities like Los Angeles (61.7 percent), San Francisco (63 percent), and Boston (71 percent), the percentage of rental units is much greater. In the states of New York and Hawaii, tenants are in the majority. In California, the third most populous tenant state, the percentage of tenants in the population grew from 37.1 percent in 1960 to 45 percent in 1970.

² David Harvey, "Land, Labor, and Class Struggle Around the Built Environment in Advanced Capitalist Countries," *Politics and Society*, Vol. 6, No. 3 (1976).

³ This year the federal government will provide funds for less than 270,000 units of publicly assisted housing, which is a substantial cut from the 326,000 units in 1979

and 42 percent cut from the 517,000 unit level achieved in 1976. Only 50,000 new or rehabilitated low-income units will be built, down 21 percent from 1978.

⁴ From June 1978 to May 1979 the median price of a new one-family house jumped 13 percent to \$62,900 and the National Association of Realtors expects roughly the same rise this year. Prices of old houses are moving up just as fast. The Department of Housing and Urban Development estimates that in 1970, 50 percent of the people in the United States could afford to buy a \$23,400 house applying the normal credit rule that they spend no more than 25 percent of their pretax income on mortgage payments. Today, by the same standard, only 13 percent can afford new home ownership and 38 percent of all buyers ignore that prudent rule. In recent years the price of new housing has gone up much faster than personal income or inflation, and prices are expected to continue to rise faster than salaries and wages.

⁵ "Rental Housing: A National Problem that Needs Immediate Attention," (Washington, D.C.: General Accounting Office, November 8, 1979). The 4.8 vacancy rate is the lowest in decades. In many urban areas it ranges from one percent to three percent; five percent is widely considered the minimum to allow for mobility.

⁶ Michael Stone, "The Housing Crisis, Mortgage Lending and Class Struggle," *Antipodes* (September 1975).

⁷ Charles Abrams, "The Uses of Land in Cities," *Scientific American* (September 1965).

⁸ Batya Weinbaum and Amy Bridges, "The Other Side of the Paycheck," *Monthly Review* (July-August 1976), p. 93.

⁹ Richard Flacks, "Making History vs. Making Life," *Working Papers*, Vol. 2, No. 2 (1974).

¹⁰ Harry Boyte, "A Democratic Awakening," *Social Policy* (September/October 1979), p. 9.

¹¹ Roger Starr, "An End to Rental Housing?" *The Public Interest* (Fall 1979), p. 31.

¹² Polls show dramatic declines in the confidence people place in big corporations, the government, labor unions, the news media, and other institutions. "Landlords" are not included in pollster's lists of institutions.

¹³ This model is outlined in Frances Fox Piven and Richard Cloward, *Poor People's Movement* (New York: Vintage Press, 1979).

¹⁴ Kathleen McCourt, *Working Class Women and Grass Roots Politics* (Bloomington: Indiana University Press, 1977); and Weinbaum and Bridges, *op. cit.*

¹⁵ Michael Lipsky, *Protest in City Politics* (Chicago: Rand McNally, 1970).

¹⁶ John Atlas and Adam Glick, "Rent Control Roundup," *Shelterforce*, Vol. 4, No. 3 (1979); Peter Dreier, "The Politics of Rent Control," *Working Papers* (March-April 1979); and Peter Dreier, John Gilderbloom, and Richard Appelbaum, "Rent Control and Urban Reform," in Pierre Cleavel and William Goldsmith (eds.), *Urban and Regional Planning in a Age of Austerity* (New York: Pergamon Press, 1980). Nearly every large and medium-size city has a citywide group organizing around housing issues, and most of these groups are either fighting for rent control or plan to.

¹⁷ Peter Marcuse, "The Political Econo-

my of Rent Control" (Unpublished paper, 1978). The push to control rents below the "fair profit" level may cause some divisions within the coalitions. This is a serious possibility; for example, in New Jersey, the goals of the coalition may end up submerging the interest of low-income tenants to the more sophisticated and politically active middle-income tenants.

¹⁸ "Voting and Registration in the Election of November, 1978," U.S. Department of Commerce, Bureau of Census (September 1979), Table 9.

¹⁹ We consider it dangerous to argue that something that makes life more livable for working people is "co-optation." As the experience of Western Europe demonstrates, landlords may be regulated and controlled, or virtually eliminated, by nonprofit housing, and yet the entire capitalist system with its corporate priorities can prosper. But by eliminating a basic insecurity around housing needs, these nations have provided people with a psychological security, and a political weapon, that the United States has, despite its wealth, failed to provide. For a well-balanced critique of rent control, see Marcuse, *op. cit.*

²⁰ For an analysis of the economic impact of rent control, see John Gilderbloom, "The

Impact of Moderate Rent Control in the United States," (Sacramento: California Department of Housing and Community Development, 1978); Peter Marcuse, "Rental Housing in the City of New York" (New York: Department of Housing Preservation and Development, 1979).

²¹ Frances Piven and Richard Cloward, "Rent Strikes: Disrupting the System," *New Republic* (December 2, 1967).

²² There are a number of resources to help organizers form tenant unions. See Stephen Burghardt (ed.), *Tenants and the Urban Housing Crisis* (Deyter, Michigan: The New Press, 1972) and Michael Stone, *People Before Property* (Available from the Midwest Academy in Chicago.) In addition, *Shelterforce* (380 Main St., East Orange, N.J. 07018) has a regular column of "how to do it" tips on organizing.

²³ George Sternlieb and Robert W. Burchnell, "Multifamily Housing Demand: 1975-2000," A study for the Joint Economic Committee Subcommittee on Priorities and Economy in Government (November 14, 1978).

²⁴ "Condominium Housing Issues," Hearings Before the Subcommittee on Housing and Urban Affairs, Committee on Banking, Housing, and Urban Affairs, U.S.

Senate (June 28, 1979). Ben A. Franklin, "Tenants Are Fighting Rise in Conversions to Condominium Use," *New York Times* (October 21, 1979), p. 1.

²⁵ Peter Dreier, "A National Tenants Movement is Shaping Up," *In These Times* (December 19, 1979).

²⁶ Paul Starr and Gosta Esping-Anderson, "Passive Intervention," *Working Papers* (July-August 1979), p. 25.

²⁷ For the limitations and pitfalls of this strategy, especially for the poor, see John Atlas, "Tenant Organizing in the 70s," *Moving On* (December 1977) and the Housing and Community Research Group, "Community Housing Development Corporations: The Empty Promise," (Cambridge, Mass.: Urban Planning Aid, 1973). Also see Steven Barton, "The Urban Housing Problem: Marxist Theory and Community Organizing," *Review of Radical Political Economics*, Vol. 9, No. 4 (1977). He argues that many Marxist criticisms of self-help and cooperative housing problems neglect their importance in developing the social and moral basis for a movement for social change.

²⁸ Lawrence Goodwyn, *The Democratic Promise* (New York: Oxford University Press, 1978).

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