

Exploring and Supporting Tenant Activism in Upstate New York

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## **Abstract**

The aim of this project is to explore tenant activism in Upstate New York in order to contextualize the creation of a booklet for the Syracuse Tenants Union. I first discuss the current crisis tenants are facing during COVID-19, examine the larger housing crisis, provide a brief history of tenant activism in the United States up to present day and overview tenant activist groups in Upstate New York, including the founding of Syracuse Tenants Union.

To further explore Upstate New York's tenant activist landscape, I discuss the findings of six interviews with tenant activists, five from Syracuse and one from Rochester. These interviews highlight the largest struggles Upstate New York tenants face, the actions they are taking, whether landlords are being held accountable, the barriers that renters face, and their visions for the future. I then argue that these interviews demonstrate the need for a booklet to help STU both recruit and educate tenants, a draft of which is included. Lastly, I argue that the provided evidence demonstrates the harsh impacts of housing commodification and review the possibilities and limits of potential solutions.

## Executive Summary

This thesis works to both support and explore tenant activism in Upstate New York through the creation of a tenant booklet for Syracuse Tenants Union, which is contextualized within the current moment through interviews with tenant activists.

I first discuss how COVID-19 is making the precarity of our housing system even more evident, but that this housing crisis existed before the pandemic. There is a shortage of affordable homes nationwide, housing instability and eviction is widespread, and many families live in poor conditions. These negative outcomes are especially concentrated in Syracuse, where the majority of households are renters and many live below the poverty line. The consequences of high rent, housing instability, and poor conditions can have devastating physical and mental health effects on families, the impact of which is immeasurable in Syracuse. An increase in tenant activism nationwide has arisen from these conditions, including in Upstate New York.

Although the history of major tenant movements is not well known, tenant-landlord conflicts have existed since colonization. Important moments of tenant activism are overviewed, including during the Industrial Revolution, the Great Depression, and the Civil Rights movement. I especially focus on the activism that arose as a result of the 2008 financial crisis, as millions of people nationwide lost their homes due to the collapse of the housing market. Despite this, the housing-finance system largely remains unchanged today and the overall commodification of housing continues to hurt families.

Tenant issues have historically been viewed as a New York City problem, but the activism of tenant-focused organizations in the Rust Belt cities of Rochester, Buffalo, and Syracuse demonstrate that tenants statewide face a myriad of struggles. Special attention is paid to the founding of Syracuse Tenants Union, my community partner for this Action Plan.

Legislators across the state are finally taking notice of tenant struggles thanks to the activism of these groups united under the Upstate Downstate Housing Alliance, as demonstrated at a Lobby Day in Albany.

The findings of six interviews with Upstate tenant activists and advocates are then explored. Many tenant activists became involved because they were shocked at poor conditions, while others have acted due to necessity and direct threat of losing their homes. Interviewees highlight poor conditions, landlord negligence, lead poisoning in children, insufficient tenant protections, a need for tenant education and a shortage of affordable housing as the largest struggles for Upstate tenants. Unfortunately, many tenants find little recourse for these problems due to an unresponsive Codes Department. Interviewees suggest that politicians have taken inadequate action to hold landlords and Code Enforcement accountable because these groups may make large campaign donations. Interviewees express frustration at the double standards that tenants are held to, such as the reasoning that tenants and landlords need to build relationships while landlords exploit tenants.

Upstate tenant activists have taken various direct and indirect actions to improve tenant situations. One interviewee went on a rent strike with her apartment building, which resulted in extensive renovations. Other tenants have held rallies, formed organizations, and advocated legislatively. Interviewees emphasize that many barriers exist to more extensive activism, as many tenants live in fear of landlord retaliation. Other activists state that many tenants are trying to make ends meet and may not have the time or resources to participate in more widespread activism. Tenant activists see potential in housing that goes beyond the rental-homeownership binary, such as co-ops and community land trusts. Interviewees are largely guided by the belief that housing is a human right.

After providing this context, the conception and execution of a tenant booklet for the Syracuse Tenants Union is introduced as my Action Plan for the Citizenship & Civic Engagement major. This project was developed with STU to both recruit and educate tenants. A draft is included.

This thesis concludes by arguing that the outlined conditions demonstrate the harmful and unsustainable impacts of commodification of housing, which are especially prevalent in Upstate New York. The potential and limits of solutions to the housing crisis are discussed. Although the construction of affordable housing provides direct relief to tenants, it does not change the landlord-tenant relationship, leaves the housing finance system relatively unchallenged, and alone does not lead to the de-commodification of housing. Tenant unions across the country are already pushing for radical change, and we must follow their lead in this time of crisis.

## Table of Contents

<b>Abstract</b> .....	<b>ii</b>
<b>Executive Summary</b> .....	<b>iii</b>
<b>Acknowledgements</b> .....	<b>vii</b>
<b>Glossary of Relevant Organizations</b> .....	<b>ix</b>
<b>Chapter 1: Introduction</b> .....	<b>1</b>
A Time of Crisis .....	1
Crisis Before COVID-19 .....	3
A New Wave of Tenant Activism .....	6
<b>Chapter 2: A Brief History of Tenant Activism in United States</b> .....	<b>8</b>
The Roots of the United States Tenancy .....	8
Emergence of Modern Tenant Organizing .....	8
The Civil Rights Era to the Rise of Conservatism .....	9
Post-2008 Financial Crisis to Present .....	11
<b>Chapter 3: Tenant Activism in Upstate New York</b> .....	<b>15</b>
Expanding Upstate .....	15
Tenant Activism in Syracuse .....	17
Albany Lobby Day .....	22
<b>Chapter 4: Interviews with Upstate New York Tenant Activists</b> .....	<b>28</b>
Tenant Struggles .....	29
Lead Poisoning in Syracuse .....	36
Holding Landlords Accountable .....	38
Taking Action .....	41
Barriers .....	45
Visions for the Future .....	48
Housing as a Human Right .....	50
<b>Chapter 5: Action Plan</b> .....	<b>52</b>
Execution .....	52
Expansion .....	53
Booklet Draft .....	54
<b>Chapter 6: Conclusion</b> .....	<b>64</b>
<b>Works Cited</b> .....	<b>70</b>

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## **Glossary of Relevant Organizations**

**Syracuse Tenants Union** – Founded in 2019 by Palmer Harvey and Mary Traynor, abbreviated STU. Focuses on tenant education and legislative advocacy for all Syracuse tenants; is my Community Partner for the Action Plan portion of this project.

**The Greater Syracuse Tenants Network** – Syracuse non-profit founded and headed by Sharon Sherman that mainly organizes and supports tenants in HUD-assisted housing.

**Upstate-Downstate Housing Coalition** – Statewide coalition of tenants, homeless people and advocates, leads Housing Justice for All campaign.

**Homes For All** – National campaign for expanded renters rights and affordable housing that is uniting tenant groups nationwide.

**The City-Wide Tenants Union of Rochester** – Emerged from Take Back the Land Rochester, has received extensive media attention for its success and direct action techniques.

**PUSH Buffalo** – Community organization that works to strengthen and stabilize neighborhoods in part through tenant advocacy; also serves as a community developer.

**Syracuse Tenants United** – Tenant collective organized in 2018 by Syracuse University graduate students to fight against poor conditions in homes owned by Syracuse Quality Living.

## **Chapter 1**

### **Introduction**

#### **A Time of Crisis**

As this Honors thesis is being submitted, we are living through an unprecedented crisis – the COVID-19 pandemic. The crisis has made the precarity of our economic and social systems even more evident, with the flaws of a market-based housing system expanding from deep cracks to full breaks. As renters lose jobs and are unable to pay rent, landlords will eventually be unable to pay mortgages and lenders will be unable to pay their investors, which could have vast and broader impacts on the economy, similar to the 2008 financial crisis (Kirby, 2020). Although shelter is a human necessity, most homes are ultimately at the mercy of the markets.

The direct impact of COVID-19 on tenants is already apparent. Amongst calls to “stay home” to stop the spread, millions are now at high risk of losing their homes. As of April 16<sup>th</sup>, 22 million Americans had filed for unemployment during the last month (Luhby, 2020). A third of U.S. renters did not pay their rent on April 1<sup>st</sup>, and there is concern that even fewer renters will be able to pay May’s rent as savings run low (Andrew & Bahney, 2020). Despite a national 120-day moratorium on evictions in federally assisted homes and a 90-day eviction moratorium in various states, including New York, there have been no statewide rent suspensions, despite mortgage payment freezes for landlords (NHLP, 2020). Tenants across the nation worry an eviction suspension will create massive debt, as they will have to pay thousands of dollars in back rent when the moratorium is over, money they likely will still not have. Housing advocates worry this will potentially power a new wave of displacement and homelessness, as well as intensify the public health emergency as people either live on the streets or move into the homes

of family and friends, increasing close contact (Woocher, 2020 & Kirby, 2020). Julian Smith-Newman, member of the L.A. Tenants Union has been quoted saying that “eviction equals death.” (Kirby, 2020). Further, ProPublica has found that without an enforcement mechanism, many landlords have continued filing eviction cases without consequence (Ernsthausen, Simani & Elliott, 2020). This data also does not include informal evictions, when a landlord evicts a tenant by telling them to move or changing the locks instead of taking them to court, which are likely rising as well.

Despite social distancing regulations, tenants have found ways to resist and organize for more protections. There has been a sharp rise in rent strikes to pressure landlords to make concessions and push the government for direct, individual rent relief. San Francisco’s Antieviction Mapping Project has mapped reported rent strikes, with a high concentration in San Francisco, Los Angeles, and New York, as well as other cities and towns across the nation (Antieviction Mapping Project, 2020). Organizers in New York and Philadelphia are pushing for mass rent strikes on May Day to push their respective state governors to cancel rent and mortgage payments (Kromrei, 2020). New York State’s Housing Justice for All has called for the rehousing of all homeless people in vacant properties; a rent, mortgage, and utility payment suspension; and has provided toolkits on how to organize rent strikes. In Los Angeles, 12 homeless and housing-insecure families, a group called “Reclaiming Our Homes,” permanently seized publicly owned vacant homes to provide adequate shelter during the pandemic (Dillon, 2020). As savings dry up, it is expected that the nation will continue to see extensive, radical tenant activism in the coming months.

### **Crisis Before COVID-19**

COVID-19 did not create this housing crisis, but only expand it. Renters across the nation have already felt the failures of a market-based housing system, the effects of which are especially evident in Syracuse. The commodification of housing has not only resulted in mass foreclosures and displacement with market downturns but created housing instability as the new norm. Tenants are already more likely to face negative outcomes than homeowners, which are made more acute by problems such as high rents, poor conditions, predatory landlord behavior and eviction. Landlords may enter the business to make huge profits and either not realize or ignore their responsibility to tenants (Dreier, as cited in Capek and Gilderbloom, 1982). There are few non-market options for tenants, such as public or subsidized housing, as the United States is more reliant on the private market to provide housing than any other affluent nation in the world (Dreier, 2018). As cities continue to rapidly urbanize, there has been an increase in displacement, migration, and “the precarization of livelihoods” (Cociña et al., 2019). These symptoms of housing insecurity have recently generated more public and scholarly attention and generated a new wave of tenant activism.

Renters face more negative consequences and housing problems compared to homeowners (Lee & Van Zandt, 2018). Housing has been the largest cost for the average American family since the 1960s, and renters pay a higher percentage of income on housing than landowners (Pattillo, 2013). There is a lack of affordable homes across the nation, and not due to undersupply of homes, as the market would theoretically suggest (Pattillo, 2013). In 2018, there were an estimated 17 million vacant housing units in the United States and 13,640 vacant units in Syracuse (U.S. Census Bureau, 2019a). Meanwhile, renters face a housing affordability crisis nationwide, with only 37 available and affordable rental homes existing for every 100 extremely

low-income renter households in 2018 (NLIHC, 2019a). Of the nation's 11 million low-income renters, only 7.4 million rental homes are affordable to them, a shortage of 3.6 million homes (NLIHC, 2019a). This means that renters may become cost-burdened in paying rent, taking money away from food, school supplies, medicine, and other needs.

Rental housing is also more likely to be older and in poor condition. Renters lack the power to make home improvements because they do not have property ownership, nor do they have the right to prevent rebuilding or redevelopment of their homes (Lee & Van Zandt, 2018). Although property owners are responsible for keeping units habitable, laws have favored landlords' rights to profits over tenants' rights to decent shelter (Dreier, as cited in Capek and Gilderbloom, 1982). This means that tenants pay a larger percent of their income for housing that is generally worse than owner-occupied housing (Dreier, as cited in Capek and Gilderbloom, 1982). Renters are also more vulnerable to natural disasters, and their homes are less likely to recover and stay affordable (Lee & Van Zandt, 2018 & Peacock et al., 2014). In addition, homeowners are more likely to vote, meaning their interests are more apt to be protected politically, and the state also has a financial incentive to support the real estate industry (Dreier, as cited in Capek and Gilderbloom, 1982). Lastly, Black and Hispanic households are disproportionately more likely to be renters, putting these populations at higher risk (U.S. Census Bureau, 2019b).

These challenges are especially acute in Syracuse, where 61.7% of housing units are occupied by renters, compared to an average of 36.2% nationwide (U.S. Census Bureau, 2018a). Of Syracuse renters earning less than \$35,000 a year, 80.4% are cost-burdened, meaning they spend more than 30% of their income on rent, demonstrating the lack of affordable housing for low-income families (U.S. Census Bureau, 2019b). Although there is no public data available on

eviction, Syracuse.com reported in 2018 that 11,000 residents were formally evicted from their homes (Folts, 2019). This means that an estimated 7% of residents in Syracuse are forced from their homes yearly, well over the national average. This data does not include informal evictions, which are now illegal in New York State and difficult to measure. Some research suggests that informal evictions may occur even more frequently than court-ordered evictions (Desmond et al., 2015).

One of the largest problems faced by Syracuse renters is poor conditions. Forty-seven percent of the housing stock was constructed before 1939, increasing the risk that homes contain contaminants or code violations such as heating problems (CNY Vitals, N.D.). It is estimated that 24% of 56,500 households in the City of Syracuse suffer from at least one severe housing problem such as lack of a complete kitchen or plumbing, a percentage that is likely higher for renter households (CNY Vitals, N.D.). In 2018, 10.4% of Syracuse children tested had dangerously elevated lead levels, as many homes were built before lead paint was banned in 1978 (CNY Vitals, 2019). However, despite the increased financialization of housing, it is important to note that many of these problems are not new to housing in Syracuse. A 1982 Post-Standard cover story's headline reads "Profit-Driven Landlords Scar the City, Its Distressed Poor," describing terrible conditions and tenant stories that sound eerily similar almost 40 years later (Shelly, 1982).

The negative impacts of poor housing conditions have been well studied and accepted by scholars. Features of substandard housing such as lack of safe drinking water, absence of hot water for washing, ineffective waste disposal, insects and rats, and inadequate food storage contribute to the spread of infectious diseases (Krieger & Higgins, 2002). Damp, cold, and moldy housing is associated with asthma, allergies, and poor health (Krieger & Higgins, 2002).

The relation between lead and neurological development is clearly established, and asbestos and other toxic building materials can cause cancer and other serious illnesses and are dangerous for childhood development (Krieger & Higgins, 2002). Due to the clear links between housing and health, many housing advocacy organizations have argued that safe, healthy homes are a form of healthcare (Opportunity Starts at Home, 2019). High healthcare costs as a result of poor housing means that low-income families may spend less on necessities. Poor conditions and landlord misconduct can also prevent renters from feeling safe in their homes, contributing to poor mental health.

Housing instability can also affect a family's physical and emotional health. Young children who live in unstable housing are 20% more likely to be hospitalized than children who are not subject to frequent moves (Opportunity Starts at Home, 2019). Childhood housing instability has also been linked to poorer functioning in young adulthood and higher likelihood of arrest (Fowler et. al, 2015). High neighborhood instability can also lead to less cohesive neighborhoods, as tenants are less likely to care about their neighbors if they are apt to move again. As Syracuse tenants struggle with many of these housing problems, the varying negative impacts are incalculably immense.

### **A New Wave of Tenant Activism**

The United States is currently witnessing a new wave of tenant activism as renters organize to fight for control of their homes and "ownership of the country's housing market" (Tobias, 2018). Although tenant movements are often omitted from common historical narratives, tenant unions have historically won and are currently winning successes to improve the lives of renters across the nation (Dreier, as cited in Capek and Gilderbloom, 1982).

However, tenants' movements face many large challenges, including mobilization, education, access to adequate resources, and strong counterorganizing due to the real estate industry's power (Dreier, as cited in Capek and Gilderbloom, 1982). Further, tenant movements challenge largely accepted power relations and ideas of private property, thus coming up against structural limitations to change (Dreier, as cited in Capek and Gilderbloom, 1982). Most tenant movements are localized, which has also prevented a large, united national movement (Dreier, as cited in Capek and Gilderbloom, 1982). However, strong city-wide tenant unions across the nation are growing in size and becoming more connected, creating the potential for widespread change. As homeownership declines, with 90% of metropolitan areas experiencing a decrease between 2000 and 2015, the need for tenant activism will only continue to become more relevant, especially during our current crisis (Kasakove, 2019a).

The Syracuse Tenants Union is a product of this new wave of tenant activism as it fights for tenant rights and safe, affordable housing in a city that desperately needs it. This thesis aims to support Syracuse Tenants Union's advocacy through the creation of a tenants' rights booklet that will be distributed for recruitment and educational purposes. This booklet was created as an Action Plan for the Citizenship & Civic Engagement major requirements. The views expressed in this thesis do not represent those of Syracuse Tenants Union. This booklet will be contextualized through an overview of tenant activism across the United States and Upstate New York and a discussion of interviews with tenant activists to demonstrate the very real detriments of commodified housing.



## **Chapter 2**

### **A Brief History of Tenant Activism in the United States**

#### **The Roots of the United States Tenancy**

Although tenant activism in the United States has been episodic, tenant-landlord conflicts have persisted since colonization and tenant activists have made substantial gains to improve conditions (Dreier, 1984). The history of tenant struggles in the United States dates back to the colonial era, as the history of land ownership ties directly to the nation's creation (Carswell, 2012). Many colonizers came to the United States to leave oppressive landlords, escape feudalism, and own land (Carswell, 2012). However, many low-income settlers started their residency as tenants, beginning a landlord-tenant system in which wealthy settlers controlled the housing of the lower classes (Carswell, 2012). The early traces of landlord-tenant conflict is recognized by James Madison in Federalist Paper Number 10, in which he writes that “those who hold and those who are without property have ever formed distinct interests in society” and predicted animosity between the two groups (Carswell, 2012). Land ownership remained a voting requirement after the Revolutionary War, and landless tenants could not vote in local elections until the mid-1800s. New York tenants secured the right to vote without land ownership in 1821 (Carswell, 2012).

#### **Emergence of Modern Tenant Organizing**

Modern tenant organizing emerged in the United States in the late 1800s during the Industrial Revolution to fight poor conditions (Dreier, 1984). Tenant organizers pushed for rent and eviction controls as well as higher-quality housing, leading New York to pass the first

housing standard bills in 1865 (Carswell, 2012). However, many of these measures were inadequate, and tenant organizing continued until the Red Scare after the Russian Revolution of 1917, after which many Americans became weary of union and tenant activists (Carswell, 2012). However, tenants successfully advocated for the passage of New York's Emergency Rent Control Law of 1920, which was poorly enforced, ignored by landlords and eventually repealed in 1930 (Carswell, 2012).

The 1930s saw an uptick of tenant activism and rent strikes due to unemployment and mass evictions brought on by the Great Depression, as well as the strength of labor unions and the Communist Party (Carswell, 2012). Rural and urban organizations such as the Southern Tenant Farmers Union and the Harlem Tenants League led rent strikes to push for lower rents, better conditions, and an end to evictions – issues that are still present for tenants today (Carswell, 2012). These efforts ultimately resulted in more government involvement in the housing market during the New Deal era (Carswell, 2012).

### **The Civil Rights Era to the Rise of Conservatism**

In the 1960s, tenant activism became part of the larger civil rights, poor peoples' and student movements (Dreier, 1984). During this period, tenant groups pressured institutions to fight housing discrimination, rent increases, and bias against tenants in landlord-tenant law (Dreier, 1984). Their influence can be seen in expanded support for low-income housing in President Johnson's War on Poverty (Carswell, 2012). The famed Harlem Rent Strike of 1963 – 1964 expanded code enforcement in New York State (Carswell, 2012). As housing discrimination, red-lining, and deliberate property disinvestment have limited Black families'

access to wealth, the effects of which still exist today, housing justice was a key component of the civil rights movement.

Local tenant activism continued well into the 1970s and 80s, especially in large California cities (Capek & Gilderbloom, 1992, Lin & Stepan-Norris, 2011 & Ceraso, 1999). By 1980, almost every state had a “warrant of habitability,” requiring that landlords keep apartments fit for living (Carswell, 2012). The tenant movements of the 1970s and 80s ultimately resulted in the creation of the National Tenants Union in 1980, which advocated for a “clearinghouse for information, the development of model programs, and the creation of a presence on Capitol Hill” (Ceraso, 1999). Although the formation of the NTU led to an uptick in tenant organizing nationwide for around three years, it ultimately failed due to lack of adequate funding and the struggles of uniting community-oriented groups into a nationwide coalition (Ceraso, 1999). Activists and scholars point to the political climate, professionalization of activists, and the difficulties of getting people involved in increasingly poor neighborhoods as reasons for the decline of tenant activism (Ceraso, 1999 & Carswell, 2012).

Tenants also faced challenges with the rise of conservatism in the United States. President Nixon’s administration banned the construction of new public housing units and did not enforce desegregation mandated in the Fair Housing Act, while President Reagan cut funding to support low-income housing, tenant legal services, and tenant organizing through the VISTA program (Carswell, 2012 & Hannah-Jones, 2015). Because of this, tenant activism of the late 1980s, 90s and early 2000s was largely concentrated in public housing, as communities felt the effects of slashed funding and razed units and HUD transitioned to prioritizing privately-owned subsidized housing programs (Carswell, 2012). It is also more difficult to galvanize tenants in the private market (Ceraso, 1999 & Sharon Sherman, personal communication, 3/11/2020).

However, only 5% of renters are HUD tenants, so the majority of renters were not a large part of this activism (Carswell, 2012).

### **Post-2008 Financial Crisis to Present**

The 2008 financial crisis brought housing justice to the forefront, as millions of homes across the nation foreclosed and unemployment left many tenants unable to pay rent, leading to mass displacement (Pattillo, 2013). The Federal Reserve Bank of St. Louis estimates that as many as 10 million mortgage borrowers lost their homes (Emmons, 2016). Although most U.S. housing has existed in the private market, the 2008 collapse of the “housing bubble” increased scholarly, activist, and media attention on the increased financialization of housing. As home-building companies grew in size, in part through government incentives, there was an oversupply of single-family homes across the country (Andrews, 2018). Mortgage lenders had a financial incentive to sell these houses, as they made money by selling mortgages back to government-sponsored enterprises, such as Fannie Mae and Freddie Mac (Andrews, 2018). Homes were then predatorily sold to unqualified buyers through subprime mortgages, which would often include provisions such as ballooning interest rates after two years (Andrews, 2018). These mortgages were then packaged into “mortgage-backed securities,” created in the 1960s and popularized in the 1990s, that entitle the bondholder to a part of the monthly mortgage payments and are traded by different financial institutions, (Fligstein & Goldstein, 2012). When the market dipped and these unqualified buyers eventually defaulted on their predatory mortgages, the entire financial system crashed. Banks stopped lending to each other, leading the government to bail them out and spurring a global recession. This crisis severely impacted low-and middle-class households, with increases in unemployment, foreclosures, depression, and homelessness (Faber, 2019 &

Cagney et al., 2014). As the 2008 crisis shows, the increased commodification of housing results in the fates of families being tied to the markets (Aalbers, 2009).

In response to the Great Recession, Occupy Wall Street organized in 2011 to “fight back against the corrosive power of major banks and multinational corporations over the democratic process” (Occupy Wall Street, 2011). In their Declaration of the Occupation of New York City, they state that “they [corporations] have taken our houses through an illegal foreclosure process,” noting the lack of control people had over their homes (Occupy Wall Street, 2011). This lack of control is still present today and is reflected in the L.A. Tenants Union’s political decision to define a tenant as “anyone who does not own or control their housing” (Rosenthal, 2019). Despite the activism arising from the 2008 crisis, the financialization of housing has not been significantly curtailed. Banks were bailed out and the housing finance system was largely left intact, although mortgage backed securitization and mortgage underwriting became better regulated. Further, many landlords and out-of-state investors used the Great Recession as an “opportunity” to buy foreclosed properties at low prices, which they then “flip” to extract large profits out of renters, despite often being poorly cared for.

Gentrification has also driven recent tenant activism, from the tech boom in the early- and mid-2000s in San Francisco to rising numbers of young people moving to major cities nationwide. Although a long-standing problem in the United States, especially for communities of color, the rate at which cities are gentrifying has increased. According to Governing, nearly 20% of low-income neighborhoods in the nation’s 50 largest cities have experienced gentrification since 2000, compared to 9% in the 1990s (Maciag, 2015). Gentrification often results in rent increases and evictions, as landlords want new tenants who can pay higher rents. Groups such as L.A. Tenants Union and San Francisco’s Anti-Eviction Mapping Project have

organized to save their communities and have developed sophisticated tenant-organizing epistemologies in the process (Rosenthal, 2019). Although many tenant issues in major cities translate to other urban areas as well, tenants in smaller cities may instead be facing “slumification,” or the increased concentration of poverty and disinvestment (Park, 2020).

Tenant activism has moved beyond major cities such as Los Angeles and San Francisco to Upstate New York. Although historically localized, the tenants’ movement is becoming more connected through a national campaign called Homes for All, which “aims to protect, defend, and expand housing that is truly affordable and dignified for low-income and very low-income communities” and “speak to issues affecting public housing residents, homeless families, and the growing number of renters in American cities” (Tobias, 2018 & Homes for All, 2020). Tenant activism is also spreading to rural areas, as tenants also face landlord negligence and unresponsive Codes Departments and are left with few options for recourse (Kasakove, 2019a). Eviction rates and the share of rent-burdened tenants in rural areas can surpass cities as well, as many rural tenants still experience economic hardship and struggle to afford rent (Kasakove, 2019a). Despite differences in location and needs, tenant organizers emphasize that the movement is less about a few policies, but a larger vision of who has control over the country’s housing market (Tobias, 2018).

The need to address the housing crisis is evident on a national political level, as seen in the number of housing plans released by over 15 Democratic presidential candidates (NLIHC, 2019c & NLIHC, 2020b). Senator Sanders’ housing plan goes far beyond most candidates’ proposals for the construction of affordable housing. It attempts to make changes in how the housing market operates, proposing a national rent control standard and taxes on land speculation and house flipping (Badger, 2019).

Smaller tenant victories are gaining national attention as well. In New York State, a coalition of Upstate and Downstate tenants helped pass the “Housing Stability and Tenant Protection Act of 2019,” which was signed into law in June 2019 and drastically changed landlord-tenant relations (Senate Bill S6458, 2019; Eisenstadt, 2019; Folts, 2019; NLIHC, 2019b). In November 2019 in Oakland, a group of “homeless and marginally housed mothers” called Moms 4 Housing has received national media attention after moving into a vacant home and declaring that “housing is a human right” (Moms 4 Housing, 2020 & Kim, 2020). They were forcibly evicted from the house in January 2020, but after public outrage and pressure from the governor, the absentee property owner eventually sold the home to the Oakland Community Land Trust, who will lease it to the moms (Kim, 2020). This spurred the drafting of a Tenant Opportunity to Purchase (TOPA) bill in Oakland, modeled after a growing number of TOPA legislation proposed across the nation. Although tenant unions face a variety of challenges, including lack of resources, fewer legal rights, and the power of the real estate lobby, tenant activists have raised public awareness for the plights of tenants, developed effective organizing strategies, spurred change in communities, and helped families fight for their right to a home.

## **Chapter 3**

### **Tenant Activism in Upstate New York**

This new wave of tenant organizing has gained momentum in Upstate New York. For the purposes of this project, I will be focusing on organizations in the Rust Belt cities of Syracuse, Buffalo, and Rochester. Although tenant activism has existed in these cities for long periods of time, tenant advocates have recently received increased media attention, reached new victories, and created new organizations. It is important to note that the discussion will not be limited solely to tenant organizing groups (which organize tenants to resist against their individual landlords), but also include tenant advocacy groups that focus on legislative change for tenants – a distinction that Sharon Sherman of the Greater Syracuse Tenant Network emphasizes (Sherman, personal communication, 3/11/20). Some tenant unions may do both.

#### **Expanding Upstate**

Tenant struggles such as high rent and poor conditions have traditionally been perceived as a New York City problem, with many tenant protections only existing Downstate. However, Upstate New York's Rust Belt cities are among many of the poorest in the nation, facing high poverty rates after deindustrialization that disproportionately affect Black and Hispanic populations. Tenants across such cities as Buffalo, Rochester, and Syracuse struggle to pay rent and face high rates of housing instability. Real estate investors have taken advantage of vacancy and blight to buy inexpensive properties and charge high rent with inhabitable conditions. Further, many landlords across Upstate have managed to avoid renovating older properties and have kept them in poor condition for years (McDermott & Andreatta, 2018). Community



organizations across these cities have long known the struggles in finding and the importance of safe, affordable, and accessible housing. Co-founder of Syracuse Tenants Union, Palmer Harvey, stated that she had a difficult time getting people to believe that Syracuse tenants face many struggles too, and didn't realize until she attended a conference organized by the Upstate Downstate Housing Alliance how bad conditions also are in Rochester, Albany, and Binghamton.

The Upstate Downstate Housing Alliance is “a coalition of over 70 organizations that represents tenants, homeless New Yorkers, and public housing residents from Brooklyn to Buffalo” and was founded at a meeting of grassroots organizations in Albany in 2017 (Upstate Downstate Housing Alliance, N.D.). Their mission statement reads that “we are united in our belief that housing is a human right; that no person should live in fear of an eviction; and that we can end the homelessness crisis in our State.” Upstate Downstate Housing Alliance plays an especially important role statewide, as tenants lack strength compared to the large real estate lobby, which contributed over \$23.5 million to candidates in 2018, compared to just \$52,000 by the Tenants PAC (Kasakove, 2019a). The Upstate Downstate Housing Alliance has also created infrastructure for new tenant unions to be organized in local communities, such as the Syracuse Tenants Union. The Alliance helped mobilize and advocated for passage of the “Housing Stability and Tenant Protection Act of 2019,” which drastically changed tenant rights across the entire state, providing protections to millions of renters who previously had very few. The Act:

- Expands the “Emergency Tenant Protection Act of 1974” (ETPA) across New York State, allowing localities outside of New York City to opt-in to rent stabilization;

- Repeals statutes that allow rent-regulated units to be deregulated with a certain level of vacancy;
- Establishes stronger tenant protections statewide, such as protection from landlord retaliation from good-faith complaints to about conditions;
- Limits the amount of security deposits;
- And makes changes to the eviction process, as well as much more (NLIHC, 2019).

However, some tenant advocates believe that Upstate and Downstate needs are different. Sharon Sherman of the Greater Syracuse Tenant Network finds that some statewide organizations have not made enough effort to actually talk to Upstate tenants about what they need, but instead spend money on salaries, large meetings and transportation. She is wary that small Upstate groups are used for lobbying support for protections that are more important to Downstate New Yorkers. For example, Sherman believes that rent regulation should not be a high priority in Syracuse, and “is not interested in wasting time and money on the less relevant rent control effort” while issues such as poor conditions exist.

### **Tenant Activism in Syracuse**

A variety of community, neighborhood, and legal organizations have historically advocated for tenant rights and interests in the City of Syracuse. In this project, I will focus on tenant organizations only, although many other community organizations provide much needed supportive and legal services to tenants.

An example of the long-withstanding need for tenant protection in Syracuse is the organization of the Greater Syracuse Tenants Network. In the early 1980s, Sharon Sherman, the

Network's founder and executive director, was working for the Northeast Hawley Development Association (NEHDA), a neighborhood group in the Northside (Sherman, personal communication, 3/11/20). As the Northeast Hawley neighborhood was facing gentrification, NEHDA decided that Sherman should organize the tenants against the landlord using grant money (Sherman, personal communication, 3/11/20). She had some success but afterwards left NEHDA to work on a political campaign. However, tenants around Syracuse continued coming to her because they "heard there was a tenant person," demonstrating the need for an organizer. Sherman then decided to return to NEHDA, which re-applied for a grant to create the Greater Syracuse Tenants Network. The organization moved into a separate office in 1995 and applied for 501c3 status after grant funding ended.

The Greater Syracuse Tenants Network's mission is "to organize, inform, and empower primarily low-income tenants to improve the quality of life in their communities and preserve affordable housing" (Greater Syracuse Tenants Network, N.D.). When beginning to organize on the Northside, Sherman quickly noticed the difficulties in organizing tenants in privately-owned units, even if they had the same landlord. The Network now mainly organizes tenants in "assisted housing," or subsidized housing that is owned and operated by private for-profit and non-for-profit owners, unlike public housing. The Network largely provides individual advice, support to tenants who want to unionize, and works with building tenant associations. Sherman states that tenants must empower themselves, "which may mean getting organized and then hiring in a sense a tenant organizer," which is the role of the Greater Syracuse Tenant Network. However, it is important to note that this empowerment is difficult when many tenants are extremely poor and lack key resources. The organization also runs a variety of trainings for landlords, which Sherman believes is essential to keep small landlords in business because "we

don't need any more of these slumlords to buy more property.” However, many slumlords in Syracuse are small landlords.

Sherman remains the only employee, although part-time organizers have been hired over the years. She states that funding is always problematic and unpredictable, and that she has had to periodically work at other agencies when funding is insufficient. The Network is fully reliant on small grants and the City of Syracuse's Community Development Block Grant (CDBG) funding, which can fluctuate as funds are tied to population size. However, Sherman strongly believes in having paid, professional workers, as it better ensures that organizers are accountable for their work. The Greater Syracuse Tenants Network is the only area-wide staffed coalition, in addition to United Tenants of Albany and United Tenants of Mount Vernon. The Greater Syracuse Tenant Network's Board of Directors is composed entirely of Syracuse tenants, “as you can't advocate for the people if the people are not directing you,” and follows the model of the National Alliance of HUD Tenants (NAHT), which assists and organizes tenant associations across the country in assisted housing (Sherman, personal communication, 3/11/20). This structure is vastly different than a tenant union, as most are not 501c3 organizations.

An example of recent local tenant resistance is the Syracuse Tenants United's rent strike in 2018, organized by Syracuse University graduate students living in off-campus housing owned by Syracuse Quality Living (SQL) to fight against poor conditions and landlord unresponsiveness. This tenant collective “organizes for better living conditions, is committed to anti-US imperialism, and prioritizes direct action tactics” (Syracuse Tenants United, N.D.). According to the Daily Orange, tenants encountered rodent infestations, broken appliances, ceiling leaks, and no heat during winter months, in addition to other open code violations (Darnell, 2018a). Tenants said that maintenance issues were only fixed temporarily or not at all.

The tenant collective, with over 20 members, responded with protests and eventually 10 tenants went on a rent strike from May to July 2018 (Darnell, 2018b & Michael Kelly, personal communication, 4/25/20). The rent strikes did spur some change, as the landlord admitted that conditions were not habitable and restructured his maintenance system as a result (Willis, 2019a). However, organizer Michael Kelly is quoted by WAER that "we remain skeptical of any kind of massive turnaround... Last I checked, there are still 18 open code violations... so I think there are still issues with the properties" (Willis, 2019a).

Kelly emphasizes that there is an inherent power dynamic between those who own properties and their renters. Although not an official statement from Syracuse Tenants United, he states that the collective "engages in direct actions to level that power imbalance and win concrete demands" and does not "pursue lobbying efforts or endorse electoral candidates" (Kelly, personal communication, 4/25/20). Syracuse Tenants United has not led any actions against SQL since this rent strike, but their membership and core organizers remain active in local organizing efforts, as they "try to conceive of local struggles over housing, rent, or unsafe living conditions in terms of broader fights against global capitalism and US imperialism – in which profit outranks human need" (Kelly, personal communication, 4/25/20).

Syracuse Tenants Union (STU), not to be confused with Syracuse Tenants United, organized in January 2019 to focus on the plights of all tenants in the private market, where the majority of renters exist. Co-founders Palmer Harvey, local activist and real estate agent, and Mary Traynor, a lawyer at Legal Services of Central New York, met while volunteering at a community organization, the Southside's Tomorrow's Neighborhoods of Today (TNT) Housing Task Force. Harvey states that they started out planning events on lead awareness in Syracuse, and as they learned more about tenant conditions and problems in the neighborhood, decided to

do a series on collective housing opportunities. After attending a conference in Rochester organized by the Upstate Downstate Housing Coalition, Harvey said she was shocked that Syracuse did not have a city-wide tenants union despite years of problems. She then decided “you know what, I'm just gonna create one.”

The Syracuse Tenants Union has thus far focused on advocacy and tenant education. Harvey emphasizes the need for tenants to have a voice legislatively, especially on a local and state level. This is in contrast to the Greater Syracuse Tenants Network, which focuses on organizing in individual buildings and advocacy on the federal level, as it serves many HUD tenants. Harvey said there is a disconnect because tenants do not know all of their rights and few legislators have a strong understanding of tenant issues. She characterizes her tenant activist role as “I have to give my employees [politicians] what their job duties are going forward from now on as far as tenants are concerned,” highlighting STU’s focus on legislative advocacy. Harvey says STU’s biggest victory thus far is the passage of the Housing Stability and Tenant Protection Act in June 2019, which STU advocated for both locally and in Albany. STU hosts monthly tenant teach-ins, has completed door-to-door campaigns and does outreach on Facebook. Efforts are now concentrated on base-building efforts, as local membership remains low, despite not be a dues-paying organization. Harvey states that their biggest goal right now is recruiting more tenant activists and “getting people to realize how landlords may be taking advantage of them,” even if they are not living in poor conditions; they may have month-to-month leases, experience rent hikes, or have other rights violated. Harvey states that STU’s tactics are constantly evolving through rallies, phone banks, tenant meetings, teach-ins, and showing tenants how to organize in their areas. The organization does not receive funding and relies on volunteer projects, although they have begun applying for a few grants.

### **Albany Lobby Day**

On Feb. 25<sup>th</sup>, 2019, I attended a Lobby Day in Albany with Syracuse Tenants Union to advocate for Upstate Downstate Housing Alliance’s #NYHomesGuarantee platform. The experience provided insight into the statewide tenant activism ecosystem and other Upstate tenant organizations.

The #NYHomesGuarantee is a three-part platform that focuses on universal rent control, investment in social housing, and taxing the rich to fund the #NYHomesGuarantee. Specific policy proposals include:

- Creation of good cause eviction protections, which would give every renter the right to renew their lease and prevent landlords from evicting tenants without cause;
- Elimination of Major Capital Improvements (MCIs), which allow landlords to push the costs of renovations onto renters;
- Adequate funding for enforcement of the 2019 Tenant Protection Act;
- Investment in 20,000 units of supportive housing;
- Passage of Home Stability Support (HSS), a statewide rent subsidy to address housing instability;
- Investment of \$3 billion in Public Housing across New York State; and
- Tenant Opportunity to Purchase (TOPA), which would allow tenants the first right to “intervene in the sale, demolition or foreclosure of their building” (Upstate Downstate Housing Alliance, 2020).

This expensive platform would be funded through the elimination of tax incentives 421a and 485a, which give corporate developers tax breaks and cost New York State over \$2 billion

yearly, and progressive tax policies including a wealth tax. Many aspects of this platform are currently individual bills in the State Legislature.

Busing for Lobby Day was coordinated by PUSH Buffalo (People United for Sustainable Housing), which also had the largest number of members in attendance. PUSH Buffalo was founded in 2005 “to mobilize residents to create strong neighborhoods with quality, affordable housing; to expand local hiring opportunities; and to advance economic and environmental justice in Buffalo” (PUSH, 2020 & Dreier, 2012) Although not specifically a tenant organization, much of its work focuses on tenant issues and it has taken direct actions against absentee landlords (Dreier, 2012). Uniquely, PUSH is a community organization but also a developer that aims to “make sure that the state funding wouldn’t be misused by speculators or incompetent developers with no roots in the community” (Dreier, 2012). PUSH actively strives for the decommodification of housing not only through tenant advocacy, but through actual development and property management.

The City-Wide Tenant Union (CWTU) of Rochester was also in attendance, which has received significant media attention for its direct-action tactics and successes. According to their mission, they are a “a grassroots housing justice movement to elevate housing to a human right and secure community control over land and housing by building tenant power and expanding the rights of all tenants” (City-Wide Tenant Union of Rochester, 2018). The Tenant Union was founded in January 2018 and emerged from Take Back the Land Rochester, a previously existing grassroots organization that formed with chapters across the nation in response to the 2008 housing crisis (Moule, 2018 & Rivera, personal communication). Take Back the Land Rochester led eviction blockades and aimed “to take bank-controlled land and return it to the community in the form of community land trusts,” and were successful in doing so in conjunction with the City



Roots Community Land Trust, established in 2016 (Nonko, 2018 & City Roots Community Land Trust, N.D.). Take Back the Land Rochester is no longer active despite its successes, although many of its members and organizers work with CWTU of Rochester.

The City-Wide Tenant Union of Rochester both helps organize unions across buildings or landlords and expand tenant rights (City-Wide Tenant Union of Rochester, 2018). Their leadership team includes representations of different base units, such as tenant unions, tenant associations and resident councils across the city (City-Wide Tenant Union of Rochester, 2018). They have gained substantial media attention for successfully advocating for a city housing court, similar to those in New York City and Buffalo, where tenants whose homes are in poor conditions can sue landlords if Code Enforcement fails them (Sharp, 2020). The organization has also received coverage for its rent strike at Thurston Apartments, as will be discussed later, and various rallies. CWTU of Rochester is now pushing for a local platform called “Stabilize Rochester,” which will expand rent regulation and eviction protections, as well as Upstate-Downstate Housing Coalition’s #NYHomesGuarantee platform (City-Wide Tenant Union of Rochester, 2018).

In Albany, tenants received a quick briefing on this platform. I then attended a meeting with Syracuse Senator Rachel May’s legislative assistant with tenant advocates from both Rochester and Syracuse. Despite the complexities of landlord-tenant law and the technicalities of these bills, both tenant union members and the legislative assistant were well-informed and had a productive meeting. Advocates discussed strategies for getting this legislation passed and whether Governor Cuomo would support the good cause eviction bill. Although certainly not true of all state legislators, this meeting demonstrated that many offices have realized the importance of tenant issues.

After the meeting, tenants gathered on “The Million Dollar Staircase” for a rally where they told their stories. Syracuse Assemblywoman Pam Hunter also spoke in favor of a good cause eviction bill with other legislators, a few of whom joined in cheers and chants led by many Downstate Groups. Tenants then broke off into smaller groups to “take over” the offices of legislators who would not support good cause eviction. Photos of the rally and meeting with Senator’s May office are below.



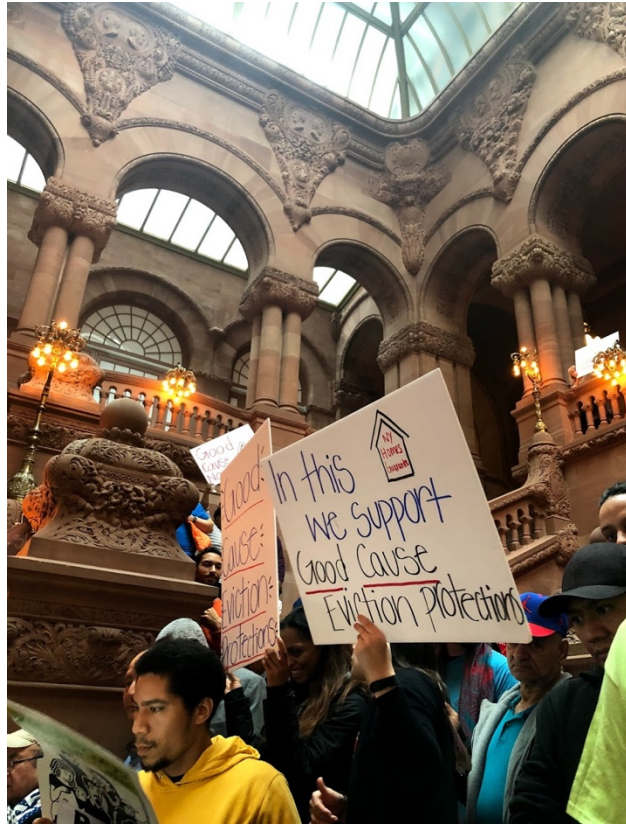
Rally sign reading “Flip Pancakes Not Houses.”



Sign from Brooklyn tenant group that translates to “preserve to stay” and “Los Sures fight!”.



Rally on the Million Dollar Staircase.



Rally sign reading “In this house we support good cause eviction protections.”



Meeting with NYS Syracuse Senator Rachel May’s Legislative Assistant with tenants from City-Wide Tenant Union of Rochester and Syracuse Tenants Union.

## Chapter 4

### Interviews with Upstate New York Tenant Activists

To explore the landscape of tenant activism and tenant issues in Upstate New York, I completed six interviews with regional tenant organizers and advocates. Four of these interviewees, Palmer Harvey, Eric Harvey, Jaime Howley, and Darlene Medley, are affiliated with Syracuse Tenants Union; one, Barbara Rivera, with Rochester City-Wide Tenant Union; and one, Sharon Sherman, with the Greater Syracuse Tenants Network.

All interviewees from STU or Rochester are tenants themselves, with the exception of Jaime Howley, who is a homeowner and co-chair of the previously mentioned TNT Southside Housing Task Force with Palmer Harvey, STU co-founder. Although not a tenant herself, Jaime became involved with STU because she was “was absolutely devastated to see the number of houses...that people live in [that] are deteriorating” and “the amount of peeling lead paint on the outside of the houses,” although she has reduced her involvement with STU and focuses on her work with the Housing Task Force. Similarly, three other interviewees became involved with tenant activism and advocacy after witnessing terrible conditions and the challenges that other tenants face. As discussed, Sharon Sherman began her work in tenant organizing after a Northside neighborhood faced gentrification in the late 1980s and tenants continued seeking her advice. Palmer had a “preemptive strike to being a tenants’ rights activist” when dealing with a landlord who would not respect her privacy in Chicago, but co-founded STU after witnessing terrible conditions partially through her involvement with the Southside TNT Housing Taskforce. Eric Harvey, who is Palmer’s brother, observed that his family and friends faced poor conditions. He also struggles with his current landlord and was inspired by Palmer’s activism.

“Some of the ideas I heard her talk about, they moved me” (Eric Harvey, personal communication, 2/27/20).

Darlene and Barbara’s tenant activism were sparked by personal crises. Although Darlene has always been involved in the Syracuse community, she became an activist after her two young twin sons were diagnosed with lead poisoning and she struggled to get her landlord to take the appropriate remedial steps. Barbara entered the world of tenant activism after moving into an apartment building with terrible conditions and playing a crucial role in organizing a rent strike. Both Darlene and Barbara have experienced the injustices that many tenants face firsthand, and now work to prevent other families from experiencing what they went through.

### **Tenant Struggles**

When asked about the biggest problems that tenants face across Upstate New York, all interviewees agreed that poor conditions are an inescapable reality across Syracuse and Rochester and many shared their own stories. When Barbara moved into Thurston Apartments, the complex that eventually went on rent strike, she was pregnant and started noticing infestations of mice and roaches. Other tenants encountered problems such as black mold and sewage backups. Barbara’s bathroom ceiling caved in twice, the second time while she was giving her young daughter a bath, and water would leak into the hallway and fuse box. The stove and refrigerator that were in the apartment when she toured it were not there when she moved in and were not replaced. Similarly, Darlene has struggled with getting open code violations addressed. She has dealt with mice, a broken thermostat that costs her over \$300 in heating bills a month, and a kitchen ceiling that is about to fall in. She is frustrated that she’s using her own money for maintenance to “keep going and buying paint and stuff for [her landlord’s] property,

and [he's] poisoning my kids." Palmer has seen conditions so poor that some tenants may pay rent but sleep in their cars because of bedbugs and roaches.

Although many people believe that poor conditions are exceptional cases in individual apartments, these conditions are widespread and renters have few affordable and safe options. Palmer says that "the one thing I hate the most is when [they say], 'if you don't like it just move.' But if that landlord is a predatory landlord, and it's a whole bunch of corporations, buying up whole blocks, Syracuse is not that big. So, four to five homes on a block of the Southside or Westside, and they don't fix them up, they just suck the money out of the property. And they let it deteriorate over time. They're creating whole slums." Barbara of Rochester says that "everyone in this city deals with what we went through other there [Thurston]," showing that her experience is common in other Rust Belt cities. When Darlene's old apartment was deemed unfit for human habitation, she was placed into her current apartment with an "excellent landlord" through Catholic Charities, a local non-profit. However, its condition proved not to be much better and the soil and paint tested positive for lead. This demonstrates the role that non-profits have in funneling low-income residents into substandard housing because there are so few better options as well.

Interviewees largely find that slumlords and the systems that allow them to operate are responsible for these conditions. Many point to a pattern of landlords buying homes, not making necessary repairs, and then renting out the property. Sharon Sherman states that slumlords buy homes cheap for cash, and it "doesn't matter if they have transient tenants. They're just taking money out. Paying the taxes usually, but they don't have a mortgage." She points to research by Matthew Desmond, author of the Pulitzer Prize winning book "Evicted," which finds that the profit margin for slumlords is higher than that of developers of luxury buildings, as less money

goes into the property (Desmond, 2016). Jaime emphasizes this problem is especially acute in Syracuse, as the city has thousands of vacant or abandoned properties, many of which are owned by the Land Bank and are auctioned off for as little as \$150 apiece. She says that “the landlords buy the properties dirt-cheap and don’t invest any money in them” and “just care about pulling the money out of the building” and not about the tenants.

Tenant interviewees lament the lack of empathy by landlords, whose negligence has real, devastating impacts on families. After Darlene learned her children had lead poisoning, “never once did this man [her landlord] ever come knock on my door and say, ‘Hey, you know what? I apologize. I didn’t know it was there. Let’s work together to try to remediate—’ or whatever. I’ve got none of that. Instead I got him driving up behind me acting like he was gonna run me over,” referring to an incident when Darlene talked to a reporter about her experience and her landlord immediately threatened her. Barbara finds that out-of-town landlords don’t care about property conditions, but “expect rent every month and then if you call them about certain things, they either don’t come or, you know, they... just don’t fix it. When they send someone to fix it instead of fixing it the right way by code, they are putting a Band-Aid over it.” When Eric first moved into his apartment, he was shocked by his landlord’s lack of flexibility. When he is just days late on his rent, his landlord starts the eviction process. Although Eric then stops the process by paying the rent, he is responsible for both late fees and court fees and wishes that his landlord was more open to communicating with him. He plans on moving out, as he would like a landlord who is more interested in building a relationship with tenants “so they [the landlord] know that they can trust that you [the tenant] will pay because you enjoy where you live.”

Interviewees tied poor conditions and this behavior to the increase in corporate landlords. Palmer says that “in the last four years, I’ve seen a big uptake in the LLCs” and that there aren’t



as many “mom-and-pop” landlords as people think, which she defines as “the person who lives downstairs and has a tenant who rents the upstairs.” About 15% of rental properties in the U.S. are owned by limited liability companies (LLCs), which has significantly increased from 1991 to 2015 (Travis, 2019). Many landlords may use the LLC structure to maintain anonymity and avoid personal liability, and some landlords may even use multiple LLCs to make it more difficult to link them to their properties (Otts, 2019). One study finds that housing disinvestment increases when properties are transferred from individual to LLC ownership, and properties owned by a LLC are more likely to have code violations (Travis, 2019). Eric says that he has friends in Syracuse who have moved “and it seems like they’re moving in with a different landlord, and then it’s not really a different landlord, it’s kinda the same,” reflecting the similarity of business practices that have developed.

Sharon Sherman and Palmer have also found that many landlords enter the business because they see it as guaranteed income and not a real job with responsibilities, to the detriment of their tenants. The Greater Syracuse Tenants Network holds landlord trainings to encourage better landlord practices in the region, especially as many landlord attendees are “clueless” (Sherman, personal communication, 3/11/20). Sharon Sherman states that many landlords will call her and ask “Why don’t you have [the training] on Saturday? I have a real job,” demonstrating that many landlords may view property ownership only as an investment. Palmer stresses that tenants are often saddled with the burden of holding their landlord accountable, as she knows “for a fact that a lot of landlords don’t take it seriously or they’re just uneducated about what it means to be a landlord... And I shouldn’t be the one as the tenant saying, ‘here’s the [tenant rights] booklet.’” Although landlords usually have more resources and are legally responsible for keeping their properties habitable, tenants often must advocate for their homes.

Landlords may also be unprepared for crises that jeopardize their income. Palmer finds many landlords do not think ahead about “how long can I hold this property if my tenant doesn’t pay rent for three months,” but instead buy other properties to maximize potential profits. Many tenants may have precarious finances, but when they cannot pay rent due to emergency situations they often face the logic that should be more prepared and fiscally responsible. Eric points out this is a double standard, as this argument is rarely applied to landlords. This reasoning has been especially present during the coronavirus crisis, as tenants who cannot pay rent have faced backlash for not having more savings, despite often living paycheck to paycheck. Eric also expressed frustration at common landlord excuses that they don’t have enough money to keep up their properties. He stated “what I’ve heard from a lot of landlords is that...they’re always talking about money to keep up the property and they don’t have the money to do this. And you usually hear this from people who have more than 10 properties. First of all, don’t give them more houses than [they] can afford. That’s the first thing somebody is taught when they go buy a home.” Darlene’s landlord, MRT Properties, owns over 250 properties yet will not invest in necessary repairs to her apartment. She is quoted in a WAER article also discussing the different standards that landlords and tenants are held to, stating “they [Code Enforcement] allowed this landlord to fail lead inspections 3 and 4 different times. But if I fail to pay my rent just one time, and he can prove it properly, guess what? I get a 72-hour [eviction] notice on my door. But he can fail a lead inspection, which is a health violation for children?” (Willis, 2019b). This is an example of how enforcement tends to favor landlords over tenants, despite wealth disparities.

Interviews suggest that slumlords may take advantage of tenants who are likely to be in emergency situations and will overlook problems with the property (Palmer, personal communication, 3/2/20). This occurred to Barbara with Thurston Apartments, as she found a

listing on Craigslist and was interested because only a \$100 security deposit and the first month's rent was needed to move in. As a single mother, she saw this as an excellent deal, but soon realized the poor conditions after she moved in. Similarly, although Eric is not a student, he lives in student housing and believes that the landlord operates differently because of this. He says that "I don't believe that a student is actually gonna be paying that close attention to what their landlord's passing on," referring to late fees and court fees. Landlords may take advantage of students because they may be less likely to resist due to limited resources and usually live in the property for shorter amounts of time.

Most interviewees believe that good landlords do exist. However, there is an understanding that this is not a common experience (Barbara, personal communication, 3/11/20). When asked about how good landlords might behave, interviewees expressed that landlords should have a connection to the home. Eric will be moving out when his lease is up because "I need someone who's a little bit more attached to the property," and believes "a good landlord would live on the property because they have a connection to the property." Barbara says there are a series of questions she asks to see if someone has a good landlord, including whether they are happy, if things get fixed, and whether there is open communication without the fear of retaliation. Unfortunately, positive answers to these questions are not the norm.

Interviewees also identified the lack of tenant protections as a large problem across Upstate New York, although Sharon Sherman noted that tenants are now in a new arena with the passage of the 2019 New York State tenants' rights. She and Palmer both identified the need for good cause eviction, which would give tenants the opportunity to renew leases and prevent rent increases, a bill for which is currently in New York State Legislature. Palmer also discusses how during eviction proceedings or when tenants are trying to get a security deposit returned "they

have to go to small claims court... And guess what? There's a fee for that type of stuff." Many tenants may not have the time for court, the money for a lawyer or fees, or an understanding of this process, especially when they are worrying about finding new lodging. Eric emphasizes that "you can't negotiate when you're at someone's mercy." Although he does not explicitly say so, this appears to be a recognition that rent is not only an economic relation, but a social relation, as landlords have "authority" and power over tenants (Cociña et al., 2019)

Interviews also indicated a need for tenant education. Palmer finds that "a lot of people just don't understand their rights, and know exactly what they are, what they can and cannot do," a gap that she is working to fill through Syracuse Tenants Union's teach-ins. The tenant pamphlet created with this project will hopefully assist in tenant education as well. Similarly, Barbara thinks that a lot of tenants are in bad situations because "they're not educated about their rights and to speak up and say, 'Hey, that's not how I should be living.'" Tenant rights are complex and complicated, and Palmer and Jaime stated that they developed their knowledge through extensive research. Barbara, Darlene and Eric developed their knowledge on tenants' rights through their local tenant unions, as well as independent research. This demonstrates the importance of tenant advocacy organizations in educating tenants.

Housing discrimination is an overlooked problem that tenants continue to face when looking for homes. Darlene was "baffled" when she encountered racial and source of income discrimination in Syracuse. Source of income discrimination occurs when landlords deny tenants because they pay rent with Section 8 or other assistance programs and was recently made illegal with the passage of the 2019 Tenants Rights Act. However, Darlene has noticed that landlords have found a new, legal way to discriminate against poor tenants by asking for their credit score.

Lastly, Barbara believes the biggest issue facing tenants in Rochester is the lack of affordable housing, as rent prices have increased and minimum wage remains low. Although Rochester is facing a higher rate of gentrification, Eric also states that it is hard to find an affordable apartment in good condition in Syracuse, as most apartments are either luxury units or affordable but in poor condition. As discussed, these tenant interviews suggest that poor conditions, lack of tenant rights, the need for tenant education, and affordability are among the largest problems facing Upstate New York renters.

### **Lead Poisoning in Syracuse**

As discussed earlier, many tenants in Syracuse have lead paint in their homes, which Darlene and Jaime stress is a local crisis that should receive more attention and be addressed with more urgency. Sharon Sherman and Jaime both state that Syracuse's lead problem has been known for over 20 years and almost nothing has been done. According to Darlene, this "what these landlords are leaving us with. People made such a big deal about Flint. 'Oh, it's in the water...'. But if you look at Syracuse we have more kids that are poisoned than Flint." In 2018, over 26% of tested children living on the Southside and 10.4% of Syracuse children had elevated blood lead levels, a number that is expected to rise as the national standard changes, compared to 11.8% of children in Flint in 2006 and 3.2% in 2016 (Plante, 2019, Mulder, 2019; CNY Vitals, 2019 & Gomez et al., 2018). In 2012, it was found that 30% of children in Onondaga County had high lead levels (Mulder, 2019). It is important to note that there is no "safe" amount of lead in blood (Mulder, 2019). Jaime makes the same comparison to Flint as Darlene, stating that "Syracuse is gonna have the same problems that Flint is now having, which is they don't have

enough speech pathologists and special teachers to work with the kids and the kids have to be worked with.”

Despite the resources available in Onondaga County to address lead paint and severity of its impacts, Darlene’s landlord did not take advantage of them. Darlene states that a certified person is supposed to deal with the areas that test lead positive, but her landlord did not send someone, and maintenance did not take all of the appropriate steps to wipe off surfaces and prevent the paint from flaking in the future. According to public records, Darlene’s apartment failed a lead inspection on Nov. 20, 2018, Onondaga County Health Department (OCHD) identified lead hazards on painted surfaces in 17 areas throughout the interior of the home and one exterior area again on Dec. 17, and finally posted a summons addressed to MRT Properties for failure to comply with orders to remediate the lead on Feb. 19, 2019 (Otts, 2019). This means Darlene’s children were continuously exposed to lead that was poisoning them during this three-month period. Darlene scrubbed her house with soapy water to reduce lead dust, and MRT maintenance eventually came to paint over the areas with lead paint, a process that only took three hours after months of inaction (Otts, 2019). This demonstrates that landlords may take the threat of lead paint less seriously than residents, as they are not living in the property and directly affected. Darlene thinks there is still lead in her home but says “I’m so over everybody coming in and out of my house. I just want it over and done with.” As her landlord and code enforcement mechanisms have repeatedly failed her family, Darlene has lost privacy as more people must come into her home and she must publicize her story in order to effect change.

The physical and emotional toll of poor conditions and lead poisoning on families are evident in Darlene’s story. Both of her twins have been diagnosed with developmental disabilities, receive early intervention services, and have mental health counselors. She has seen

a change in them, especially with one son, who used to be very talkative but has now developed a stutter and talks less. The twins have had a decrease in appetite and would not eat nutritious foods, symptoms consistent with lead poisoning (Otts, 2019). Darlene worries that she's always going to wonder "could they have been more than what they are?" and if there's more she could've done. Learning that her sons had lead poisoning severely impacted her mental well-being, and she had to take time off from work. This is true of generally poor conditions as well – Palmer states that "people don't understand how much that effects people's self-esteem to see blight or come home and you can't even lay your head." Jaime stresses that "for people who are struggling to keep a roof over their head, having a child who's lead poisoned or a child who has asthma puts an incredible burden on the whole family."

### **Holding Landlords Accountable**

Unfortunately, tenants often find that mechanisms designed to keep slumlords accountable rarely do. Darlene's story especially exemplifies the disconnect between the different entities that are supposed to be responsible for poor conditions. After her twins were diagnosed with lead poisoning, she was put on Section 8, a federal housing voucher that covers the remainder of rent above 30% of her income at apartments with a fair market rent price. Darlene thought that getting Section 8 would "make everything better. But it's still a whole bunch of long-term suffering that you've got to watch and you got to go through." Because the government is partially paying the rent to landlords, apartments must pass code inspections before voucher holders move in. Darlene was thankful to receive the voucher at first, as she thought her landlord would finally have to fix the property. However, when the Section 8 inspector came to look at the apartment, she was told that was Code Enforcement's job but that

the property would not pass because there were open code violations. However, a few days later Darlene learned that her apartment somehow passed inspection, although the code violations were not fixed. Darlene was caught in a Catch-22 situation – Section 8 inspectors would tell her the violations were Code Enforcement’s responsibility, while Code Enforcement would say the opposite. Darlene was unable to move from the property due to Section 8’s stipulation that would put her voucher at risk if she broke the lease, leaving her stuck in an unsafe apartment. The same Section 8 inspector eventually returned and was baffled that her apartment had passed in that condition. However, after this visit, the landlord was finally told by Code Enforcement the day of this interview that the drooping ceiling had to be fixed, or her lease would be broken. Darlene does not expect that the repairs will be made and that the lease will be broken but is excited for the opportunity to move. In similar situations when Section 8 residents may want to stay in their homes, this would amount to an eviction at no fault of the resident. Darlene’s frustration with enforcement is shared among tenant activists – Palmer is so discouraged that she says she doesn’t know why Code Enforcement exists, as they have never visited her apartment each time she has called.

Although code inspectors may view their work as just a job and are done after 5 o’clock, tenants do not get to escape the realities of their living situation. When discussing Code Enforcement, Palmer states that “there’s this total disconnect in terms of people valuing people’s lives.” Darlene echoed this sentiment, stating that “if all you’re [code inspectors] doing at the end of the day is really just jumping in your car...because your shift is over and driving home,” they should find another job because they should be questioning why so many families are living in poor conditions. Darlene notes that directors of Code Enforcement are much more likely to be homeowners, meaning those who are directly impacted by these problems are often not the ones



addressing them. She suggests that to solve the shortage of lead inspectors, the City should train “some of the families that have to deal with the lead stuff” because “they’re gonna make sure that another person does not have to go through that.” She believes that this community-based solution would create more responsible inspectors.

Interviewees state that politicians rarely hold Code Enforcement responsible as well, leading to little recourse. Darlene says “It’s a big circle. Everybody works together, because the landlord fills the politician’s pockets by funding their campaigns. The politicians, therefore, also are getting funding by who – a lot of homeowners... [who] are directors of Section 8, people that are directors of Code Enforcement.” Eric recognizes that politicians may side with landlords for financial support as well, stating that “The city needs to make a decision, are you caring about your citizens, are you caring about... the people who supposedly fund the city but they’re not funding the city?” Both locally and statewide, the landlord lobby is much stronger than that of tenants. Palmer says that “you get away with so much here [Syracuse], in terms of conditions of the houses, what they don’t have to pay for. I mean the list goes on and on, and what landlords are able to do and what the city allows them to do.” Darlene finds that “it’s a really easy solution for me. How hard can it be? If everybody would just stop thinking about their pocket getting fatter.”

Palmer and Eric also expressed frustration at the rhetoric often used by politicians that tenants must build relationships with their landlords to remedy these problems. Palmer asserts that it demonstrates the ignorance of politicians, because “look out your window in your district and you tell me how that relationship is working for you. I’d hate to say this but you’re in an abusive relationship and you don’t know it.” Eric states that “It’s like the city is looking left and right when it comes to this issue. They know that...someone’s obviously preying on people who

are already at a disadvantage yet they still wanna build a relationship with these same people. I'm not sure that you can do both. You need to make a clear stance that.... Your city's not a commodity, or you just let them run the houses down into the ground. Because a lot of them have." Many politicians also claim that they didn't know that these problems existed. But Barbara wonders how that can be if they "have an inspector, like a neighborhood inspector, that goes and checks these buildings out and houses and they don't cite the landlords for damages or anything." Although many interviewees recognized that not all tenants are responsible tenants, they find that tenants are often blamed for all problems even though landlords are responsible for keeping their properties habitable.

### **Taking Action**

The tenants interviewed have taken a variety of direct and indirect actions to change the situations of renters in Upstate New York. Barbara's introduction to tenant activism was through one of the most high-risks tactics – a rent strike. She and her fellow residents of Thurston withheld almost a year's rent from their landlord because of poor conditions. In response, Barbara says that their landlord attempted to scare them through fake eviction notices and some tenants did move out, but the rent strike eventually got the attention of both the media and the City of Rochester. However, after the landlord took the tenants to court, the judge ruled in the landlord's favor, supporting their eviction. In response, the tenants protested outside of the home of property investor Brendan Kyle. They delivered him a letter of demands and spoke to his neighbors, telling them that they "live next door to a guy that has over 48 units and tenants living in the worst conditions possible" (Taddeo, 2019). Barbara remembers that Kyle was very nervous and tried to make it appear like he didn't know about the building's conditions, but that

also reflected poorly on him because “you’re investing into a building you’ve never stepped foot into? Like, you’ve never even spoken to the tenants yourself just to see like, you know, what’s going on,” especially during a rent strike. The tenants told Kyle that they would return if he didn’t do anything in 24 hours. Their rally succeeded – Kyle halted all evictions and said he would give the tenants what they wanted, as long as they did not return to his home. The building was then sold to the family-owned development company Home Leasing, which took over property management, relocated the tenants and began renovations (Taddeo, 2019).

After a year, Barbara finally moved back to her apartment only a week before I interviewed her in March 2020. She said that she has “been emotional throughout the whole process because I just seen it go through the worst conditions I’ve ever seen an apartment building be in and then for us to like look brand new... It’s like building your own Marriott.” The complex now has on-site laundry, doorbells, security cameras, and new appliances. Although rent strikes are a very high-risk, direct method requiring strong tenant solidarity, their actions certainly paid off and the tenants are now living in excellent conditions. Barbara did not expect that moving into Thurston would change her life, and “ever since then I’ve been rocking with the Tenant Union. I’ve been advocating for Rochester going on two years now.” She is now a tenant organizer and said the other tactics that have proven effective are the use of social media, criticizing bad landlords publicly, and holding large rallies at buildings. Below are photos of the Thurston Apartments before and after renovations.



Images of the same bathroom before and after renovations. Photos retrieved from City Wide Tenant Union of Rochester's Instagram (@roctenantunion).



Images of renovated conditions from @roctenantunion.

Darlene has also used direct methods to resist against her landlord. After her children were diagnosed with lead poisoning, she organized other community members to picket outside of her landlord's job, "holding hands, letting him know, 'Hey, lead poisoning is over.'" She eventually organized her fellow protestors into the coalition Families for Lead Freedom Now to "provide each other mutual support, fight for environmental justice (especially smarter decisions by policy makers about our community's health), and demand healthy housing to prevent childhood lead poisoning" (Families for Lead Freedom Now, 2020). The organization now has over 75 members and Darlene is the branch leader for Westside. She says they have just involved the refugee community and met with the mayor and are setting up meetings with all of the Common Councilors. Darlene has also testified about her experience and the dangers of lead poisoning before the Onondaga County Legislature (Otts, 2019).

The main actions that Syracuse Tenants Union has taken thus far are hosting tenant teach-ins, participating in Lobby Days in Albany organized by Upstate Downstate Housing Coalition, and proposing local legislation. This reflects the advocacy aspect of the organization, while other groups, such as Greater Syracuse Tenants Network, focus on more direct organizing tactics in specific buildings. Other interviewees emphasize the importance of voting, especially locally. Darlene says "we need to get real people who actually care about the people," and praises Syracuse State Senator Rachel May and Assemblywoman Pam Hunter for their work.

### **Barriers**

Interviewees acknowledge that many barriers exist to tenant activism in Upstate New York. As mentioned before, it is more difficult to organize the majority of tenants as they live in private housing, have different landlords, and live in scattered sites. There is also weaker Code

Enforcement for private housing, as tenants in assisted housing have the advantage of HUD protections (Sherman, personal communication, 3/11/20). Activism also takes a significant amount of time, which many tenants may not have. Palmer laments that founding a tenant union is “unfortunately like starting a goddamned company.” This statement is reflected in Sharon Sherman’s observation that many of her tenant leaders in buildings are elderly or disabled people because they have more time to dedicate to organizing. She says they have a problem “because we can’t get young moms to our meetings,” as they are busy and face childcare and transportation issues. Due to the strain of activism, Sharon Sherman says that tenants must be able to find their own self-interest to stay involved with organizing, showing the “real, immediate materiality” of housing organizing work (Huron & Gray, 2019). Tenants may not see the value of being in an organization, as they often just want someone to help them with their individual problems (Sherman, personal communication, 3/11/20). Because of these problems, the Greater Syracuse Tenants Networks has adjusted its tactics, using new modes of organizing such as social media, phone banks and letter writing.

Sharon Sherman believes that tenant organizing and advocacy must be professionalized. “Clearly it would be better if more communities had a funded agency with a staff person because, you know, just doing it as volunteers, I think is just impossible” (Sherman, personal communication, 3/11/20). She states that many volunteer organizations may unknowingly give poor advice or drop the ball on important projects as it is not their job and they have limited time and resources. However, as demonstrated with Greater Syracuse Tenant Network’s funding difficulties, this is often not feasible for many organizations. Further, becoming a registered non-profit may limit actions that tenant unions are able to take, such as lobbying, and many may not have the capacity to keep up with the bureaucratic certification requirements.

Fear of retaliation also is a barrier, as many tenants are afraid to speak up against their landlords due to the threat of eviction and harassment (Barbara Rivera, personal communication, 3/11/20). Palmer states that “one of the hardest things is trying to get people in the room that have issues, because they’re terrified, terrified of getting kicked out of their apartment.” These concerns are not unfounded. For example, after Darlene spoke to reporters about the lead poisoning in her home, MRT Properties’ co-owner Tom Voumard came to her home and drove up right behind her so close that she “could feel his headlights on the back of my leg.” He also wouldn’t stop calling Darlene and told her that “I heard you were down there telling lies on me” and that he “could have me and my family put out in a matter of 1.5 seconds” (Otts, 2019). Voumard denied harassing Darlene and told a reporter that he came to “serve her nonpayment of rent.” Department of Social Service records show that Darlene’s rent had been paid, and even if it was not, it is illegal for him to serve court papers (Otts, 2019). When contacted about this information, Voumard said he was actually at Darlene’s residence for a different reason and that he “remained 60 feet away” during the encounter (Otts, 2019).

Although retaliatory eviction for reporting conditions is now illegal, landlords may still try to retaliatorily evict tenants. Darlene’s landlord has taken her to court and lost three times. The last time Darlene said there were “25 people from different sides of town, different walks of life. We all had one thing in common – Tom Voumard was our landlord trying to put all of us out within 72 hours... Everybody kept saying the same exact thing. They won’t come fix nothing. They’ll tell you they’re coming to get rent but won’t show up for weeks. If you’re a single parent, you have kids, somebody needs something for school, guess what? When I had the money, you didn’t show up. What do you want me to do?” Court documents show that in 2018, Voumard filed to evict 68 times on 37 different properties, an extremely high rate (Otts, 2019).



Lastly, activists point to the difficulties in getting tenants to feel confident speaking up. Darlene speaks notes stigma surrounding renters in Syracuse and says “I think it’s hard for the renters because we are looked at as just the poor. So, our worth really doesn’t count. So, it does, but they just don’t know that yet.” She states the community needs to come together and realize that politicians should be working for them. Further, many tenants may feel that their efforts are futile because they have endured poor conditions their entire lives and see little room for change. Barbara also believes that empowering tenants to speak up may be difficult due to attitudes that struggle is a part of life and suffering should be kept to oneself. She says “it’s like, you know, just how we were raised. Like mind your business, you keep your head down, you take care of yourself.” Despite these barriers, interviews also show that as tenants build coalitions with other organizations and their neighbors, there is strength in numbers.

### **Visions for the Future**

For many interviewees, tenant advocacy has changed the course of their lives. It became Sharon Sherman’s career. Palmer Harvey is now one of the leading tenant activists in Syracuse. Darlene Medley was awarded the Syracuse University School of Social Work’s Social Justice Award for her activism surrounding lead poisoning, and she hopes to pursue a degree in social work there. Barbara says that before the Thurston rent strike, she was “laying low” and didn’t know her neighbors very well but has now found community and become a tenant organizer. Although the position carries much responsibility, Barbara loves reaching out and empowering other tenants, especially to help them organize in their own buildings. “My mom came from Puerto Rico. She got here in the ‘70s, so all we’ve known is bad housing. I was homeless a lot as a kid. I switched schools a lot. So, this has been my entire life. So now that I can actually as an

adult make a difference, I'm really okay with that. Like, this is what I want to be when I grow up. You know? And then, I have two little kids. So, when my time is up, I want them to continue this work and keep pushing for their human rights and their civil rights and all this other stuff, you know? Like, my family, they're not into this type of work. I'm probably the first and only one in politics right now. So, like I want my kids to view that as a good thing. And, if I can make a change in my generation's lives and the generation before me, then I can totally look forward to the generation after it." Similar to many other tenant activists, Barbara wants a future where others will avoid the pain and stress that she's experienced.

Many Upstate tenant activists are radically revisioning our current property relations "that goes beyond the traditional market and its limits" for a more just future through housing co-ops, collective housing, and land trusts (Tobias, 2008). As co-chairs of the Southside TNT Housing Taskforce, Palmer and Jaime did a series on collective housing and extensively researched living arrangements beyond landlords and tenants. Palmer says "one way to counteract the poor housing conditions thing, is do shared living. Where everybody was responsible for the upkeep of the property and things like that so you're not so much dealing with a landlord anymore." Jaime says that when I-81 in Syracuse is torn down and the land beneath it opens up, "it sounds like they want to put up one-family houses that will not be affordable to the people that they're going to be displacing... And, if the City could see its way to giving some of the land to a land trust, I view that as something that would be reparations to the African American community." She believes that co-ops are a way for residents to develop business skills as well. Eric expressed interest living in a co-op because everyone "all has sort of a stake in the property." Barbara states that she would love for Rochester to have more

alternative housing options, and that the Rochester Tenants Union is currently working on Tenant Opportunity to Purchase (TOPA) legislation.

### **Housing as a Human Right**

Finally, the activism of these tenants is overwhelmingly guided by the belief that housing is a human right, which has also become a slogan for tenant rights activists across the world. This right has long been recognized, as in the 1948 UN Declaration of Human Rights, but social movements are needed to make it a reality (Pattillo, 2013). However, “housing is a human right” may mean different things to different people. The call may be a radical theoretical proclamation rooted in Marxism, or a more moderate call for tenant advocacy and regulation in a capitalist system (Pattillo, 2013). However, all calls for intervention in the housing market may be challenges to its status as a commodity (Pattillo, 2013).

Tenant activists recognize that all people deserve a home. Darlene says that “Everybody regardless of their age, race, religion, how much they get paid an hour, or anything... everybody deserves good, quality housing. Everybody deserves a safe home and for the world [to be] lifted off their shoulders when they walk in the door... Because when I walk into my house, the first thing I look up, is the ceiling going to fall today? It’s not like ‘Oh, yeah. I’m home.’” For Darlene and most tenant advocates, the right to housing means more than just shelter, but a safe, comfortable home. Palmer identifies this, saying that “Well to me, yeah definitely housing is a human right, but I think people deserve to live in safe, clean, living environment, habitable living environment... it’s unfortunate that we have a lot of people that are money over people, that’s basically what it is. And they don’t believe housing is a human right. They believe their bank account should be a human right. A lot of people’s bank account is more important than people.”

Jaime shares a similar sentiment, saying that “Everyone deserves a decent place to live. Everyone deserves to eat. Everyone deserves medical care. Those are just basic human needs and in a country this rich, for us not to look to those needs and instead turn poverty into a for-profit business, which is what I think the landlords are doing. It’s not right.”

Barbara makes the distinction that some animals have more rights than humans, stating that “Well, humans are not animals. We need to be housed. Even our dogs live better than we do. We put them in the houses. We take care of them. That applies for humans. Especially our homeless people.” Lastly, Eric ties the power imbalance between landlords and tenants to the concept of housing as a human right, commenting that “the last thing I have to say is that housing really is a human right, and no one should be at someone’s mercy because they’re your landlord.” As the homes of marginalized populations become more precarious as this crisis continues, it is likely this slogan will continue to guide activists not only in the creation of homes, but the right to stay in their homes (Pattillo, 2013).

As discussed, tenants face various disadvantages. But the interviewed tenant activists provide hope, especially for Upstate New York. These interviewees are aware of their rights, the systems at play, and are challenging accepted power structures to ensure that all have a decent place to live. Their work has the potential to continue shifting public opinion, legislation, and the real conditions of renters across Upstate New York, especially at a time when it is needed most.

## **Chapter 5**

### **Action Plan**

The Action Plan portion of my thesis is the production of a tenant booklet for Syracuse Tenants Union (STU) to support local housing justice efforts. This booklet will have two main objectives – to recruit tenants to join STU and to educate tenants about their rights.

As Syracuse Tenants Union’s main priority is building membership, we decided to attract more members by developing a booklet that demonstrates the benefits of joining a tenants union. This booklet is inspired by L.A. Tenants Union’s handbook, which contains similar content and goals but is more extensive (L.A. Tenants Union, 2018). A tenants’ rights handbook is already produced by the City of Syracuse in conjunction with the Greater Syracuse Tenant Network, so we decided that it would be redundant to publish a comprehensive handbook and that it would be more effective to highlight some important information in this booklet. We hope that this publication will strengthen the capacity of Syracuse Tenants Union, but also provide information to tenants who do not have the resources to join.

### **Execution**

A draft Table of Contents was first developed with STU co-founders Mary Traynor and Palmer Harvey. Booklet content was then drafted using resources from Legal Services of Central New York and STU Facebook posts. Content will be continually revised and updated by Palmer Harvey and Mary Traynor of STU and Legal Services of Central New York to reflect legal changes. After content is finalized, a full draft was sent to a designer, hired using Syracuse University Honors thesis funding. Design will be compatible with overall website design

currently being completed by Code for Syracuse. After design is finalized, the booklet will be printed using SU Honors thesis funding and will be uploaded to STU's website. The booklet's design also allows for it to be printed in black and white so it will be inexpensive to print after the first publication. The booklet will be published online and distributed at STU events and when base-building door-to-door.

Publication was pushed after this project's deadline due to the coronavirus. A draft of the booklet is attached. This is not a final document and is subject to change.

### **Expansion**

This project could also be expanded to reach more people in the Syracuse community. It would be useful for the booklet to be translated into other languages such as Spanish and Somali, as Syracuse has a large New American population that would benefit from reading this material in their native language. In order to initiate this expansion, a volunteer would need to translate this material and the changes would need to be reformatted in Canva. As STU expands, I hope that this will be feasible to ensure that all Syracuse renters are informed of their rights.

Booklet Draft



**SYRACUSE**  
**TENANTS UNION**  
**HANDBOOK**



# CONTENTS

## WHAT'S INSIDE?

**ABOUT US** ..... **3**

**OUR PLATFORM** ..... **4**

**TENANTS BILL OF RIGHTS** ..... **5 - 6**

**TIPS FOR RENTERS** ..... **7 - 9**

**----** ..... **10**





## WHAT WE BELIEVE

### **HOUSING IS A HUMAN RIGHT.**

Syracuse Tenant Union is a grass roots organization in which our goals is to play a supportive role to tenants in their need of knowledge about Tenant Rights, Code enforcement, preventative steps they can do to avoid eviction, and much more. We also play a pivotal roll in fighting for change in tenants rights legislation locally and statewide.

Furthermore, S.T.U. believes that Housing is a Human Right! Clean, safe, decent housing is right that should be given to all tenants. Tenants are the majority in the city of Syracuse and we deserve respect!

## WHAT DO WE DO?

We hold Tenant Teach-Ins every month to educate and organize tenants. We knock door-to-door to meet tenants and find our tenant leaders and activists. We meet tenants in Syracuse Housing Court and follow up with them after eviction. We travel to Albany and City Hall and speak out for tenants. We mobilize tenants and support leaders who support tenants rights and to replace leaders who support slumlords. We also can direct members towards local resources, protest and organize to bring public attention to tenant issues, continue building strong communities and much more.

## HOW YOU CAN JOIN!

Email [syrtenantsunion@gmail.com](mailto:syrtenantsunion@gmail.com) and follow Syracuse Tenant Union on Facebook to learn more and join!



# OUR PLATFORM

**Good Cause Eviction Protection** must be the law across New York State. Tenants who pay their rent and comply with the terms of their lease must, in return, be able to count on having a stable home that forms the foundation of their life. Tenants must be able to ask their landlord to make repairs without the very real fear of being evicted.

## **ETPA Opt-in.**

Every municipality in New York can now “opt in” to the Emergency Tenant Protection Act of 1974 (ETPA). This law covers buildings built before 1974 that contain 6 or more apartments. Rent levels are set by a county-wide board; tenants must have one to two-year leases. Issues with leases, rent levels, poor housing conditions and maintenance issues are handled by the state Department of Housing and Community Renewal (DHCR).

We estimate the ETPA will cover around 7,700 units in Syracuse. The ETPA will ensure that there will be affordable housing for Syracuse residents. The ETPA is the best way to balance displacement caused by gentrification and, in neighborhoods with high poverty, exorbitant rent increases not tied to investment.

A municipality must have a “housing emergency” for the ETPA to be available. A “housing emergency” is defined as a vacancy rate of 5% or less in the covered buildings. The Common Council must take the first step and commission a vacancy study (\$30,000 to \$50,000). Vacancy studies have recently been commissioned by Rochester, Albany, and Kingston, and are pending in Newburgh and several other Upstate cities.

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# WE DEMAND OUR TENANTS BILL OF RIGHTS

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- 1** Landlords must provide 24 hours notice prior to entry into a tenant's apartment absent an imminent emergency; must include time of entry and identify who will enter.
  - 2** Landlords must disclose to potential renters the past two years of code enforcement and department of health violations for the rental unit and/or building.
  - 3** Landlords must provide potential renters the past two years of utility costs for the rental unit.
  - 4** Affirm the right of all tenants in the City of Syracuse to organize and form tenant associations and unions to protect and promote tenant rights.
  - 5** In all non-owner occupied buildings, tenants must have access to all areas of the premises, including water shut off valves, breaker or fuse boxes, furnaces, and water heaters. Denying tenants access to these essential mechanical components is a public hazard and shall result in suspension of the unit's Rent Registry registration and a fine of \$500.00.
-

# WE DEMAND...

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A “**Tenant Support Unit**” will be established within the Mayor’s Office responsible for coordinating emergency services to tenants displaced by fire, unfit housing vacate orders, and evictions. The unit will coordinate and provide other services including:

1. manage an escrow account for tenants to deposit rent withheld for repairs;
  2. manage an emergency fund for moving, temporary housing, stolen security deposits, and other displacement-related expenses for tenants;
  3. coordinate with the Syracuse City School District to provide services to students displaced by unfit housing vacate orders and eviction;
  4. collect data on eviction, rent levels, displacement rates and causes; noncompliance with code violation and other housing conditions issues;
  5. collect data on the ownership of Syracuse rental housing stock – local, New York, out of state and foreign individuals, corporations, LLCs, etc.; and
  6. advocate for tenants rights at the county, state and federal level.
- 

**The Rent Registry** must be reformed and strengthened to rationalize the business of residential rentals in the city.

1. A rental unit must be registered in order to collect rent for that unit.
  2. The registration fee will be \$150.00 payable every year and upon each re-rental.
  3. By registering, property owners consent to interior inspections.
  4. Each registration shall include a physical address for the owner within Onondaga County and by registering, owners consent to receive service of judicial process by certified mail at this address.
-

# Quick

## TIPS FOR RENTERS

**Reminder:** These tips are designed to help tenants educate themselves but are not a substitute for legal assistance. Please contact 211 or STU for community referrals. For a comprehensive guide, please read the Tenants' Rights Handbook for Syracuse Tenants prepared by the Coalition for Effective Code Enforcement (August 2019 version), available online or in print at \_\_\_\_.

### Leases & Rent

- **Always** get a written lease.
- **Avoid** month-to-month leases if possible. Rent cannot be raised during the lease, and this gives landlords the possibility of raising rent monthly.
- Before moving in to an apartment, you are entitled to do a walkthrough with your landlord to document the conditions. This list must be signed by both the tenant and landlord and is important in getting your security deposit back. Be sure to take photos, and please let STU know if you want support with this walkthrough.
- Security deposits are **limited to first month's rent**. You still have to pay the first month's rent and a security deposit, but it does not have to be security deposit, first month and last month. After paying, make sure to get a receipt for proof that you paid.
- Try to pay for rent online, but if paying with cash, **always** request a receipt.
- Landlords are legally required to keep your apartment habitable whether or not it is explicitly written in the lease.

#### You have the right to live in healthy conditions!

- Landlords can **only** enter your apartment with reasonable prior notice, except in the case of an emergency.

## MORE TIPS FOR RENTERS

### What do you do when you need a repair?

- Make sure to give your landlord **written** notice of the conditions, like over --email. You may also want to take photos of the conditions. Don't be afraid --to contact your landlord multiple times!

### If your landlord doesn't respond you can

#### o Call code enforcement

- If you are nervous that calling an inspector will lead to retaliation by your landlord, remember that it is **illegal** for a landlord to **retaliatorily** evict you or harass if you complain about conditions.
- If the inspector condemns your apartment because conditions are so poor, call a lawyer **immediately!**

#### o Withhold rent

- This may put pressure on landlords to make repairs. However, you may want to talk to a lawyer first, as landlords may try to evict you for non-payment. When withholding rent, make sure to put the money aside and **do not spend it**. If you receive public assistance, talk to a lawyer and the Department of Social Services to discuss your case.

#### o Make necessary repairs yourself and deduct the costs from rent.

- This also may be risky and should only be done after giving landlord written notice and reasonable time to make the repairs. Always make sure to keep a receipt.

## Facing eviction?

- **Reminder:** You can only be evicted if it is court-ordered. It is illegal for a landlord to evict a tenant without a court order and unlawful eviction is now a crime. However, if you do not show up to court, it is an automatic eviction. If you receive eviction papers, contact a legal services provider for assistance.
- If you are evicted for nonpayment, the landlord must sign a written demand and give you fourteen days before taking court action. If you are evicted for nonpayment and pay the full amount due, you may stay in your unit. Make sure to bring a rent receipt to court to prove rent was paid.
- You have 14 days to leave the unit after being evicted.
- If you are evicted, the landlord **does not** have a right to your belongings.







## Conclusion

Amidst the COVID-19 crisis, there have been calls for a return to normal. However, as this thesis hopefully demonstrates, “normal” has failed to provide one of the most basic human needs to millions of housing insecure people across the United States, including cities in Upstate New York. Although this thesis is not a comprehensive analysis of the housing market, its flaws, and how it should be changed, it explores the real conditions and effects the financialization of housing has had on renters across Upstate New York. This precarious and unsustainable system not only puts millions at risk of displacement and homelessness during times of economic “stability,” but the overall commodification of housing also shows how investors treat their properties as products and not as a human necessity.

Hopefully a full-blown financial crisis and collapse of the housing market will not have to occur again to spur radical change. However, the weaknesses and overall fragility of the housing market are once again showing. Although it is less likely that the United States housing market will fall like in 2008, there is fear that if the crisis is prolonged, the government would then have to pump hundreds of billions of dollars into the mortgage market to prevent its collapse (Childs & Goldstein, 2020). However, tenants are already facing great stress, pain, and uncertainty. No matter what happens in the mortgage market, we are already in an opportune moment to build a large, nationwide coalition to fight for changes that will give tenants more control over their homes both now and in the future.

Many have called for a larger government role in creating affordable housing and the expansion of existing HUD programs, such as more housing vouchers and tax credit programs such as Section 8 and Low-Income Housing Tax Credits (LIHTC), as a solution to the already

existing housing crisis. However, as important and essential as these programs are, the “satisfaction of human needs” would still leave a flawed housing market prone to crashing and threatening human security, especially for the majority of renters on the private market (Huron & Gray, 2019). Many tax credit programs, such as LIHTC, also expire and carry the risk of eventually being put on the market. Further, focusing only on new affordable development largely ignores the problems of renters in their already existing homes (Kasakove, 2019b). Although programs such as vouchers provide direct support to renters and recognize the failures of the housing market, they do not change existing property and power relations and the tenant-landlord imbalance will still remain (Mironova, 2019). This is evident in the case of Darlene, who expected Section 8 to fix most of her housing problems, but still struggled to get her landlord to make necessary repairs and with layers of ineffective bureaucracy. However, some suggest that immediate expansions to Section 8 would be especially effective in addressing housing insecurity during the COVID-19 crisis, as it would provide direct rent relief and allow most families to stay in the homes they already have (Kirby, 2020).

Public housing provides a non-market-based option to currently 2.1 million people across the United States, but construction is banned with the Faircloth Amendment (Dreier, 2018). Public housing is often viewed as a “failure” due to negative stereotypes, but its problems are largely due to the chronic underfunding of public housing and lack of upkeep, also known as “de facto demolition” (Huron & Gray, 2019). Public Housing Authorities (PHAs) continue to be unable to properly maintain units, and many are being pushed to raze public housing and instead transition to vouchers and privately-owned subsidized housing. Increased access to adequately funded public housing is an option that provides housing uncontrolled by the private market to Americans, although expansion is politically unlikely in the United States. There are also

questions about whether public housing is just reinstating state capitalism, and the limits that communities may have over controlling their homes (Huron & Gray, 2019). PHAs may also be the leading evictors in some cities, as strict federal guidelines may leave little flexibility surrounding nonpayment. Lastly, there are concerns about whether a government that historically mismanaged public housing, often for discriminatory reasons, would be able to properly do so even with adequate funding.

The possibility of a larger reliance on social housing – non-market-based housing owned by co-ops, non-profit, government ownership, or a combination – can be seen elsewhere across the world. In Vienna, 60% of residents live in government-subsidized apartment buildings, and residents are not forced to move if their income increases, as in the United States (Dreier, 2018). In Western Europe, direct government subsidies cover 15-40% of housing, compared to less than 4% in the United States (Dreier, 2018). Complete social ownership of housing would eliminate profit and put housing within everyone's reach (Pattillo, 2013). However, even in this scenario, there are questions whether housing could be completely de-commodified in a capitalist system, as most non-profits do not have the resources to produce housing, maintaining the need for and existence of a housing finance system (Pattillo, 2013). This raises larger, more complex questions – how possible and extensive can community control be if housing is still a commodity? Would a larger reliance on social housing, but the continued existence of a housing finance system, still leave millions at risk of leaving their homes in times of crisis? Could de-commodified housing even exist in a capitalist system?

If the housing market were to theoretically crash due to COVID-19, it would likely impact already marginalized people the most. It is also almost certain that the government would not de-commodify housing but continue to bail out the mortgage market and leave the housing-

finance system intact. Although COVID-19 is an external threat, unlike the 2008 financial crisis, it demonstrates that there is always uncertainty, even with “low-risk” mortgages, that has large consequences for everyday people. Although most mortgages are federally-backed to enable Americans to get cheap mortgages, they are still continually bundled and sold on Wall Street to make profits, thus linking people’s homes to the entire economy. When a mass amount of people are unable to pay their mortgages, not only are their homes at risk, but the ripples are then felt through their everyday lives. How long will it take before the system crashes again?

Before COVID-19, tenant activists have already been calling for the government to take steps to decommodify housing in more radical ways beyond affordable housing construction. Supporting the development of other non-traditional housing arrangements that give control to communities and challenge the rental-ownership binary, such as co-ops and community land trusts, are seen as a possible long-term solution to the de-commodification housing. Some theorists argue that a “truly radical practice” must seize space and fully transfer it to community self-management, such as through co-ops or community land trusts (Gottdiener, as cited in Capek and Gilderbloom, 1992). Although it is unlikely that most private housing will soon be converted to co-ops or land trust ownership and questions remain about how much control a community can really have in a pervasive market-based economy, these are steps towards removing homes from market volatility that have real, positive impacts on households.

Since there are already more than enough vacant homes to house everyone in the United States, some tenant activists have called for the government to reappropriate these properties to house the homeless, especially during the COVID-19 crisis (Kirby, 2020). After vacant homes are seized, tenant activists push the government to transfer the properties to co-ops or community land trusts for management. As discussed, some tenant groups such as Moms 4 Housing are

starting to take over vacant homes themselves. Many call for rent control to make and keep already existing housing within reach to low-income populations. Tenant mobilizations demonstrate that rent control already exists everywhere, it is just a matter who controls it – landlords or the government (Capek & Gilderbloom 1992). This directly challenges the traditional capitalist housing market by moving beyond the overproduction of housing to provide affordable homes.

These alternate visions for a new future are already present in Upstate New York. City Wide Tenant Union of Rochester is proposing Tenant Opportunity to Purchase legislation and working with Home Leasing to put more apartments into community control. Co-founder Ryan Acuff states in *The Nation* that he defines social housing as “permanent affordability and resident control” and that a truly democratic social-housing system would involve cooperatives, community land trusts, and other community-controlled housing (Tobias, 2018). PUSH Buffalo both acquires and stabilizes vacant housing and works to eliminate the need for housing finance through its own non-profit development of community-based housing. Syracuse Tenants Union members Palmer and Jaime have studied collective housing and see them as promising options.

The possibility to expand these visions is growing everyday as this crisis is already spurring more radical analyses of the systems around us, especially of rent. As there are calls for rent suspension, many tenant groups, sometimes even in the form of memes, have suggested that the struggle should not only be for “rent justice” or rent suspensions, but against rent itself (LA Tenants Union, 2020 & Cociña et al., 2019). This may bring new perspectives of rent into the public sphere, reconceptualizing it as something that all “those who do not have control of their housing must face” (Cociña et al., 2019). There has already been a vast change in public opinion, as one new poll by Data for Progress shows that the majority of Americas across political

spectrums support the cancellation of rent and suspension of mortgage payments during the coronavirus pandemic, something that would've been unimaginable even just two months ago (Corbett, 2020).

Tenant activists will continue to lead and push for change in this time of crisis, and we should consider their visions for the future. As this project demonstrates, despite lacking many resources, tenants have a strong consciousness and recognize that the market is incapable of providing adequate housing and that they must organize to intervene (Heskin, 1983). Their activism is not only a challenge to poor material conditions and outcomes, but the cultural rules on who has power and what is possible (Capek and Gilderbloom, 1992). As recent changes in public opinion shows, tenant advocates should not be measured by their accomplishments alone, but on the diffusion of their ideas across society (Capek and Gilderbloom, 1992). Hopefully change is possible to make their vision of housing as a human right a reality, especially in this scary and uncertain moment. Everyone deserves a safe, affordable home, especially when we are ordered to stay home. I hope the information produced in this project will help influence and draw attention to the work of tenant groups in Upstate New York, and that this booklet will support Syracuse Tenants Union in helping all tenants fight for their homes.

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