



# Stomp Out Slumlords

Metro DC DSA's tenants' rights project

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We are just beginning to feel the economic impact of coronavirus in the US. Millions will be unable to pay April rent and while some cities (including D.C.) have placed a moratorium on evictions, most have not. This crisis has inspired sudden talk of mass strikes and rent strikes. We're thrilled at all this new interest in housing organizing—specifically a nationwide rent strike—but "organizing" for that in these times looks nothing like the kind of organizing we've done before. We've got some ideas about how to respond now, how we might prepare for local consequences down the line, and if you're totally new to housing organizing, how you might start given that meeting face-to-face is largely off the table.

## *Rent Strike 2020?*

We tend to see rent strikes as a means to an end. They're an effective way to get particular landlords to concede to particular demands. In D.C., we have used rent strikes to force landlords to make repairs or sell the building. Withholding what they want (money) encourages them to meet our demands. It also helps tenants come together in struggle as a class. That happens because of organizing collectively, not because of a spontaneous decision to stop paying rent.

Rent strikes intuitively make sense to tenants: why pay for bad conditions and neglectful management? Conditions now are a little different, though: people are saying they shouldn't pay rent because they can't pay rent. That looks a little less like rent strikes in 2020 and more like rent


strikes in 1920, when a housing shortage led landlords to jack up rents every month. (Conditions were also bad, but rich kids on the Upper West Side didn't join forces with immigrants in tenement housing to fix the plumbing: they wanted rent control.) Using a rent-strike to demand rent control is still different from the amorphous calls for a nationwide rent strike we've seen on the internet. The goal of #RentStrike2020 seems to be a rent jubilee for the duration of the crisis, or to trigger a collapse of the whole housing finance system to get a big government relief package. Whether that takes the form of back-rent forgiveness or state seizure of housing, that's a very different prospect from striking for particular laws or to get concessions from a single landlord. In D.C., back rent is sometimes forgiven because of housing code violations; sometimes all or most of the rent is paid in the end. Regardless, **tenants' leverage comes from their ability to pay—something millions of people might not have by the end of this.**

We don't have a plan for organizing around something like a rent jubilee both because it's extremely risky and because the traditional channels of organizing are closed to us now. Yes, people who can't pay their rent right now are facing homelessness regardless of whether they join a call for a "nationwide rent strike" or whether they simply don't have enough money. But what about the people who join in solidarity, who have no defenses against eviction later? Maybe if enough people did it, it'd trigger a whole-sale collapse of housing finance and the government would be forced to intervene. Or maybe a whole lot more people end up homeless. We don't know. Regardless, if it does happen, it's unlikely that the writings of a few leftwing organizers on the internet are going to matter much. It's going to happen spontaneously, and we're ready to support it if it does. But a bunch of online signatures do not a rent strike make, so we thought we'd offer some thoughts on what we expect to see locally, and how we plan to respond.

## *What we're expecting*

We don't expect large numbers of tenants to deliberately withhold rent in the coming months, but it is obvious that millions of people will simply be unable to pay. This is a politically significant development and

we need to prepare for it. A mass rent default would in fact mean many landlords could not pay their mortgages, which could trigger a major shock to the financial system. If this happens, some kind of state action to resolve the crisis seems inevitable. This could take the form of rent suspensions and jubilees, but it could also mean a one-sided bailout for Wall Street mixed with repressive measures to squeeze every cent of back rent out of tenants. Mass bankruptcy of small landlords could be a major business opportunity for well-capitalized developers and financial institutions seeking to consolidate their hold over the rental market. State and local control over tenants' rights means the reaction to a mass default would be uneven across the country. But there is nowhere in the United States where tenants are powerful enough politically to count on a helping hand from the state.



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We think that the best way to organize in response to the present emergency is to prepare for the consequences of a mass default. Currently, D.C.'s landlord-tenant court is closed, but it won't be forever. When it reopens, everyone who has been unable to pay their rent can expect a summons to court, and we want to be ready to influence what they do next. In the last major economic crisis in this country, millions of people reacted to predatory foreclosures and evictions with resignation and quiescence. This time we hope to show that a different course is possible. **We want to encourage tenants to defend themselves in court as much as they can, while also organizing to bargain collectively with landlords over the repayment of back rent and to make demands of the state.** People are about to stop paying whether they want to or not—but when they start paying again and how much they pay could be up for negotiation. This matches the general direction of our organizing up to this point: using eviction proceedings as a way to provide immediately help to tenants (by providing free lawyers or connecting them with

a tenant organizing drive) and get them on board in a larger political project.

We do not expect our response to look very much like the rent strikes to negotiate over housing conditions that we have been a part of. Our anti-eviction efforts are probably a more applicable model for what we need to do. But all of this organizing experience has one thing in common: it requires a lot of face-to-face contact with a lot of people. For now, our organizing is limited to what we can do without leaving the house.

## *What we're doing right now*

Over the past three years, we've developed a number of relationships with tenant leaders and activists—under these conditions, just maintaining those is a big challenge. But it's an essential one if we want to retain the capacity of collective action once quarantine measures are lifted. One thing we do have going into this is a massive contact list. We're calling our contacts, trying to help tenants in the buildings we've organized to keep their community connected (and alive), but we're limited to what we can do at a distance. We're helping out with mutual aid campaigns, and reaching out to tenants we've contacted to see if they need anything or know anyone who does. We're going to make sure that tenant leaders know about the emergency tenant protections we fought for and expanded eligibility for unemployment and other benefits, and we're going to encourage them to tell friends and neighbors to keep their networks together.

One of the reasons we adopted our organizing model is that we think it's an efficient, direct way to influence decisionmakers. Under normal circumstances, we don't think public, city-wide petitions are very effective in that regard, but currently they're one of the only things we can do. (To be clear, we're very fond of petitions within a building for a variety of reasons). And for the moment, public petitions and calls are having some effect. Last week, we joined the DC Tenants Union in flooding councilmembers' and the mayor's phone lines with calls not only for an eviction moratorium, but to close the courts (which they don't have direct control over but can definitely pressure). To our surprise, the Council and

the Court quickly agreed. Once we won that, we immediately proposed an escalation of demands within the DCTU, who decided to adopt it—a freeze on rent increases for two years and doubling the funds in our emergency rental assistance program. We didn't get that in the emergency legislation passed last week, but a bunch of other organizations signed on, and people are still calling in with our call script and clogging up inboxes.

What we're doing now is working with the DCTU to fine-tune a bigger package of demands that are both ambitious and winnable. Once it's finalized, we'll create a public petition to collect signatures both on the internet and through phonebanking. We'll try to keep tenant networks alive by seeing who's able to call within their own buildings. We'll run off enormous quantities of flyers with legal info, government aid info, mutual aid hotlines, and our demands and drop them off across the city. And we'll hope like hell.

We don't know yet how things will shake out with evictions in D.C.. Right now, as long as the state of emergency is in effect, no tenants can be evicted and no tenants will see existing eviction cases advance. But landlords can still file for eviction (in D.C., filing a complaint in court required; this is not true for all states) so we're monitoring the court records to see which landlords we can publicly shame.

## *So what should WE try to do about evictions?*

Find out how tenants can defend themselves where you live. Even buying some time by delaying court proceedings or evictions is valuable.

Tenants' rights vary wildly between states and even cities. Unfortunately in none of them is "I don't have money" a defense against eviction. But even if that's the real reason someone can't pay, some tenants' laws can give people time before the locks are changed. In D.C., for instance, you can buy weeks of extra time by requesting a jury trial and arguing that your landlord isn't meeting the housing code. In neighboring Virginia, you can't delay evictions with court proceedings at all. Regardless, anyone who has any excess money should be saving in with the expectation

of being sued for back rent eventually—and if the government declares a back-rent holiday, hey, you've got savings.

So before doing literally anything else, research your local laws to find out what rights tenants currently have, and what defenses against eviction are available. To evict a tenant in D.C., landlords typically need to give them a 30-day notice, and then file a complaint in Landlord-Tenant Court. In other states, the notice period is shorter or nonexistent. Tenants may not have the right to defend themselves in court at all. You are not limited to acting within the confines of the law, but you cannot organize without assessing the risks first. Knowing the law will help you shape your tactics and demands.

We're loath to admit that sometimes landlords and tenants can have shared interests, but pandemics can create strange bedfellows. See if there are ways you can push with (or at least, not against) landlords to get concessions from the state. One example is emergency rental assistance funds—landlords love them because it's money in their pocket, and they're good for tenants because they can cover large sums of back rent.

Many local governments have declared a state of emergency and passed temporary protections for tenants and landlords. Look to see what protections have been added—is housing court still open? Are evictions halted? Can landlords pay their mortgages late? Are utilities not being cut off? This website is a good place to start, as is your local news and representatives' websites. This will let you figure out how much time you've bought before evictions start rolling.

### *Wouldn't it be nice if ...*

In D.C., landlords can only use a handful of reasons ("just causes") to evict tenants; the flip side is that if landlords aren't maintaining the housing code, tenants can claim they don't owe full rent. If your city or state doesn't have just-case eviction laws ... now might be a good time to ask for those. The kinds of rent strikes we've organized can be extraordinarily risky for tenants if there are no just-cause eviction laws, or if there's no

implied warranty of habitability, because a landlord can evict a tenant simply by changing the locks.

Will cities or states or the federal government pass anything permanent right now? Who knows. But it's worth thinking about what protections would have made this crisis better for tenants in your city right now, and what you can do to get them. How? As you can see from our action plan above, right now it means getting a bunch of signatures on an online petition and asking people to flood councilmembers' phonelines and inboxes asking for the things we want.

The sky is honestly the limit here. The line between a radical demand and whatever's going to keep the country on life support is looking very thin these days.

### ***A Few Ideas for Desirable Tenant Protections:***

- *Just-cause eviction laws*
- *A guarantee of habitability, implied or not*
- *Free legal representation for all tenants, sued for eviction or otherwise*
- *Permanent rent control*
- *A five-year freeze on rent increases (a rent strike ≠ rent freeze)*

## ***How do you organize from six feet away?***

None of us should be within six feet of anyone these days. So how do you reach tenants when you can't just knock on their doors? Find a way to get their phone numbers and email addresses. We're in contact with a lot of people already because we've been at this for three years, so we're going to focus on maintaining contact with them or rekindling it.

If there's a mass organization like a tenants union in your city and you

respect the work they're doing, try to join it. If you need help finding your local tenant organizing group, shoot us a DM or an email and we'll see if we have a contact. If there isn't a tenant organizing group in your city, now is a hard time to start one, but getting a list of tenants together who could mobilize after quarantine measures lift would be crucial. Existing tenant groups or nonprofits may have phone lists they're willing to share. Churches, neighborhood listservs, or school carpools may have contacts as well. Volunteer to help these groups reach tenants in need and connect them with resources—having something to offer people when you call makes it a lot more welcome.

Conditions are scary right now. People are dying, and more will be laid off, evicted, or otherwise devastated by this pandemic. It's very clear to leftists that we need to act to protect the working class, but the way to doing that right now is not immediately clear. Organizing requires you to build relationships with people, listen to their concerns and ideas, and convince a group to work collectively. Can you do that long-distance, over the phone, without existing relationships? Who knows. Get offline and try.