The Small Property Owners Association and Question 9: How Rhetoric Changes Public Policy

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Undergraduate Thesis

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Intro

On November 8, 1994, it was quite cloudy in Boston. The day was cool and dry. It was election day, a consequential day for the entire country as the "Republican Revolution" was just about to take place. Armed with his "Contract with America", minority leader Newt Gingrich was about to bring Republicans in Congress the victory they had been longing for for decades (Garand, 2006). In Massachusetts (MA), a different battle was being fought. The ballot was exceptionally long, including five state office positions, 11 United States Congressional races, the entirety of the State Congress and several county positions (*Elections Results Archive*, n.d.). There were also nine ballot questions state-wide, with several counties and localities adding more. The ballot was so long that a special decision had to be made about how to print the ballot in municipalities where the length of the ballot exceeded two pages (Cantor, 1995).

Some elections were landslides. Several of the ballot questions reported over 70% of the vote in favor or against, and the Gubernatorial race with Republican William F. Weld won 71% of the votes, a historic victory (*Elections Results Archive*, n.d.). However, there were four ballot questions in which less than 90,000 votes determined the race: Question 2, Question 3, Question 4, and Question 9. The topics were varied. Question 3, a law about the handling of optional fees at state and community colleges, was the closest race; 46,603 votes determined the law would not pass. Question 9 (Q9) was the second closest, determined by 53,863 votes. To contextualize this number, that is approximately 8% of the population of Boston today (*Boston Populations*, n.d.). Q9 asked voters if they wished to approve a new state law with this summary:

> "This proposed law would prohibit rent control for most privately owned housing units in Massachusetts, and would nullify certain existing rent control laws, except that cities and towns would be authorized to adopt a restricted form of rent control for a six month

> period, after which compliance by property owners would be voluntary. The proposed law would prohibit any city or town from enacting, maintaining or enforcing any law that requires below-market rents for residential properties. It would also prohibit the regulation of occupancy, services, evictions, condominium conversion, or the removal of the unit from rent control, if such regulation was part of a system requiring below-market rents."

This question addresses the controversial issue of rent control. In MA, three municipalities had rent control, Boston, Brookline, and Cambridge. Q9 however, was voted on at the state level despite only affecting these three cities who had resoundingly demonstrated that they wished to keep rent control (S. Schloming and L. Schloming, 2010c; Cavellini, 2001). Q9 is the work of the Small Property Owners Association, a group of MA landlords united against rent control. Tenant groups challenged the constitutionality of the question, along with the validity of the signatures required to put the question on the ballot. Both of these ventures were unsuccessful (Cantor, 1995). The question made it to the polls after a fierce campaign between SPOA and different tenant organizations. The ballot initiative passed with 51.3% of the vote, effectively outlawing rent control in MA (*Election Results Archive,* n.d.).

Groups with a variety of perspectives on rent control have theorized on why SPOA succeeded. It is my intention to evaluate the rhetoric used by SPOA during and leading up to the Q9 campaign using the lens provided by Peter Dreier's The Status of Tenants in the United States to understand how bias against tenants was successfully used in this campaign. I begin with a literature review focussed on understanding the philosophy of anti-rent control advocates, the debate about housing as a right versus commodity, anti-tenant bias, and the hypothesized causes of SPOA's success. My research is divided into two parts, the characterization of tenants

and the characterization of landlords. In the first part I discuss the ways in which SPOA portrays tenants as undeserving and greedy oppressors. In the second part I focus on the landlords and property owners SPOA chooses to highlight, discussing themes of class and education.

State and local politics are often put aside in favor of studying federal and international politics. On the eve of another Trump presidency it is of utmost importance to pay attention to ways states operate when the federal government takes extreme stances. Massachusetts is considered a “blue state” and one of the most progressive. However, the history on the state level leans more conservative than the title of “blue state” would suggest. Conservatism operates differently here. It is often more subtle, relying on coded language to turn voters against vulnerable people. Repealing rent control is one of several regressive policies enacted in MA in the 90’s, and understanding how regressive policies pass is a step in preventing them.

Lit Review

At the core of the Q9 issue and propaganda from both sides is the question of who is deserving. Who deserves to live in a rent-controlled apartment, and does it being rent controlled affect/impede who deserves the apartment?. *The Status of Tenants in the United States* by sociologist Peter Dreier explains how tenants became a social class in the United States (US). Homeownership is a core American value in a uniquely American way. Dreier claims that tenants are devalued by neighbors, discriminated against in the law, and live in precarity. Tenants are discriminated against by design, of the through tenant suffrage, tax law, zoning regulation, and unequal landlord/tenant protection laws. Dreier describes this precarity as a result of social constructed groups for tenants and homeowners, drawing a dividing line between them. Tenants are the "lesser" group, subject to bias (Dreier, 1982). This bias includes being viewed as "less responsible", not being "family [or community] oriented", and failing to achieve life's milestones (Dreier, 1982).

In order to understand the oppositional arguments to rent control nationally, I examined the article "A Critique of the Legal and Philosophical Case For Rent Control" by Walter Block. Block argues that rent control is harmful to tenants and landlords alike. The argument relies heavily on a set of assumptions based in liberal economic theory. One assumption is that the housing provided by landlords is foremost an investment for the landlord which entitles them to the maximum profit that the market will allow. This is in direct counter to the argument to the tenants' right to remain placed where they are (Dreier, 1982). Another assumption is that the consumer willing to pay the most, values the commodity the most. This assumes that people in rent-controlled apartments who pay the lower rate do not value that apartment as much as

someone willing to pay the "market" value of the same apartment (Block, 2002). The landlord is deprived of the profits from the higher paying consumer, and the higher paying consumer is deprived of the housing they "value" more. The final assumption is the rule of supply and demand. Rent control cuts down on supply and doesn't incentivize new housing being built, forcing costs upwards. Without rent control, landlords and investors are incentivized to create more housing for different income levels as they answer demand, and as the supply expands, the costs trend downwards. This piece exemplifies the arguments and theory behind anti-rent control messaging. Housing is placed firmly as a commodity first and critiques the idea that someone could have the right to someone else's property.

However, in the sociological study "Housing: Commodity versus Right", Mary Pattillo makes the argument that housing, although it is treated as a commodity, does indeed have the characteristic of a right in the United States. She claims that for something to be a product of the market, otherwise known as a commodity, it must be value-free. This is not true of housing, as numerous examples are given of government involvement in housing markets that impose both positive and negative values on housing. Jim Crow and the practice of redlining enforce that there are values behind who can access housing. Also, the existence of programs like rent control, or voucher programs/any form of government subsidies in housing mean that the government has an interest in housing people. Our nation has decreed that when people aren't housed that it is bad for individuals, society, and our democracy, and crafted policy around this issue.

The UN Human Rights fact sheet on the Right to Adequate Housing comments on what the right to housing is. Referenced as early as the International Declaration of Human Rights, the right to housing has expanded to be the right to "adequate housing," defined below:

> "Under international law, to be *adequately* housed means having secure tenure—not having to worry about being evicted or having your home or lands taken away. It means living somewhere that is in keeping with your culture, and having access to appropriate services, schools, and employment."

This definition of housing indicates that not only do we as human beings have the right to housing, but to a home and a community. Housing is not a commodity but instead must be treated as a right. The understanding of housing as a right in practice and in theory is central to the debate of "deserving" brought up in Q9.

The article "Rent Control in the New Millennium" from Shelterforce magazine written by Dennis Keating talks of the current state of rent control nationally (in 2001 when the article was published). The city of Washington D.C. (DC) commissioned a special report on the effects of rent control while debating whether to maintain it. The study used a high rent ceiling which made rent control look redundant, leading the DC Coalition for Rent Control to question the intentions behind the report (Keating, 2001). While this does not mean every anti-rent control study is disingenuous, it is further proof that arguments against rent-control must be fully evaluated for assumptions, empirical information, and intentions in their crafting.

The impact of its removal in Cambridge is documented. Keating claims that rent in formerly controlled apartments rose up to 36% in the three-year period after rent control was abolished. Bill Cavelini described the fight to expand the Affordable Housing Trust in Cambridge, documenting the impact of losing rent control through rising rents. Attempts to expand affordable housing were then blocked at the state level, despite drawing from local sources and the clear benefit to those in the city of Cambridge. Demographics in Cambridge

changed, and those looking to form and expand tenant unions were stifled, particularly those of Haitian/Latino descent. The demographics of voters and the political tactics used by activists are important for housing issues.

Patricia Cantor theorizes that the Q9 battle was lost because of the unique tactics from SPOA. After over fifty failed attempts to rid Cambridge of rent control, Q9 was the first effort to succeed. . This particular election was unique because it successfully reversed rent control in an area that faced over fifty failed attempts to get rid of it. SPOA presented themselves as a sympathetic organization while receiving hefty donations used to fund their expansive canvassing campaign. The circumstances surrounding the campaign also contributed to the demise of rent control. Cantor claims the germane factors were the state-wide campaign (as opposed to municipal campaigns), anti-big government rhetoric, hefty funding, large canvassing campaign, and finally weakened tenants who did not have successful organizing structures to be able to counter their efforts. This provides several avenues to research, including the appeal to diversity/liberal values, use of the media, undemocratic ballot techniques, and the characterization of tenants. This provides the basis for my hypothesis and initial literature review.

In order to fully evaluate the campaign, evaluating the turnout will be important. The influence of interest groups is higher when turnout is lower (Anzia, 2011). This election was high stakes for several institutions, such as Harvard who owned several rent-controlled properties at the time (Gell, 1994). Also, Q6 and Q7 were tax related questions. Tax questions tend to bring out more voters than usual (Percival, 2007). Unfortunately voting is not convenient, even more so in 1994 before early voting and mail in ballots were common. For a voter to turn up for a state election, they must see value in what they are voting for. Tax questions are particularly

motivating for otherwise disengaged voters because they can understand how it directly impacts them. Turnout, and specifically who turned out, may have been a factor in how the campaign played out.

The amount of money spent in the election is another possible factor. Voters rely on parties to indicate the way they should vote, but when party labels have low value or aren't attached to an election, that messaging becomes incredibly important (Gierzynski, 1991). Money is the key to getting the message out, as advertisements, mailers, canvassing and staff all cost money. The influence of groups is determined directly by their ability to reach voters and legislatures. An effective group makes themselves useful by providing research and positions that voters and legislators can choose to accept or not (Kelleher et. al, 2006). The role of the groups is to do "the work" for voters and legislators unwilling or unable to spend time researching specific issues and bills, an important service constituents and legislators rely on (Kelleher et. al 2006). State government elections have significantly lower turnout, and constituents are significantly less informed on state level issues and legislature than national ones (Percival et. al 2007). The battle is convincing people to care about the issue, and if one side has a louder voice, they are more likely to get people to care. This then frames my research as to figure out what SPOA did that was able to mobilize many people to vote on an issue that didn't affect them.

Methodology

In my research, I analyze public facing publications by SPOA (and those aligned with SPOA or the cause of landlords) in the years 1987-1994 leading up to the Q9 election. I focus primarily on documents archived by SPOA, using tenant archives to contextualize the SPOA materials. Most of the materials were sourced from *SPOA: The First Ten Years* a "memory book" compiled of articles from local and national papers, SPOA newsletters and interviews, internal SPOA communications, poetry by landlords, communications between SPOA and Cambridge officials (such as the Rent Control Board), court documents and photographs of demonstrations. This memory book is one of several documents sourced from the *Skip and Lenore Schloming Papers* in the local archive at History Cambridge. These papers were donated in 2010 by Skip and Lenore Schloming, founding members of SPOA.

To access these documents I made several visits to the History Cambridge archive. I would take photos of the documents needed, as scanning was not permitted in order to preserve the documents. The memory book is formatted like a scrapbook, oftentimes missing the dates and/or source of a clipping. To source this information, I relied on my own knowledge of local papers. As a lifelong resident of "Camberville" (nickname for the area of Somerville and Cambridge, MA), I grew up looking at these different papers so I can usually identify the difference in these papers just through the style. And in the spirit of community organizing, I would ask relatives, neighbors, and family friends to help identify certain pieces. This often meant combing through archives of the Cambridge Chronicle, TAB, Boston Globe, or other publishers to find the matching article, with only a vague idea of the year. If the source was one I

didn't recognize, I would ask local historians, librarians, professors, and Cambridge area locals to help pin-point the publisher so the date and exact article could be located.

Any supplementing articles or documents were provided to me by local, independent archivists and tenant activists who would send me copies of documents filed away in basements and personal archives. I followed the same procedure of "authenticating" these documents, by locating the full articles and publishing dates. Any documents used that I was unable to authenticate are marked as such and used sparingly, regardless of where they were sourced from.

Using the article The Status of Tenants in the United States, I analyze how the central themes pulled from the SPOA campaign align with existing biases written into American society. I also use rhetorical analysis to reconstruct the overarching arguments that SPOA found success in. I focus on writing style, and argumentative strategy. I use The Status of Tenants in the United States to evaluate the success of these strategies.

Limitations

This paper does not address the efficacy of rent control. This is not an argument for rent-control specifically, nor is it a condemnation. There are many ways to protect vulnerable people from housing instability, rent control being one of them. I will also not explore the deficiencies in tenant rights groups or the rent control policies themselves. The argument that tenants didn't do enough to protect themselves or that the actual policies and operations of rent control in Cambridge needed to be reformed is the argument that I would like to challenge based on my research. I argue that housing is a human right, and it is contradictory to the definition of a human right to argue that those stripped of a right are at fault. Similarly, the groups lobbying

against rent control were persistent that a “reformed” rent control would not be enough. The goal was to strip it entirely, therefore “improving” the rent control regulations would not appease the opposition. This isn’t to say that tenant groups didn’t make mistakes, but to put them on equal footing with equal responsibility to a conglomerate of large real estate companies is unfair and misleading.

While there were three cities that had rent control before the Q9 election I am focusing primarily on Cambridge, as that is where most of the fight took place and was documented. Although Somerville did have rent control at some point, I do not include it as it was not an active policy at the time of this election. I also do not examine rent control that exists in trailer parks across Massachusetts as Q9 explicitly states that passing the new law will not affect mobile homes. SPOA is my focus simply because they are the best documented and are considered to be the entity to defeat rent control. I am limited to what I can find in the Cambridge Historical Society Archive, as well as the local libraries and some independent archives. Being a local issue, the documentation is sporadic, so I imagine there will be gaps in the data able to be reached.

Part I - Tenants

Tenants and pro-rent control advocates are found on the same side of the Q9 campaign, but do not always overlap. SPOA, at the risk of looking like Rockefellers, often chose not to go after the tenants that rent control advocates highlighted, but "others" they advertised to be the ones "really" behind rent control. This group did include tenants (but only tenants who were able to profit off of rent control through loopholes or were "undeserving" of rent control rates), city officials who used rent control to remain in power, attorneys who testified on behalf of rent control tenants, and dangerously misled activists. Other anti-rent control groups across the country would often come out strongly with the argument that rent control hurts tenants and low income people (Appelbaum et al., 1991). This angle was sparsely utilized by SPOA who opted instead to vilify the "undeserving" and "greedy" tenants and other rent control profiteers.

Media Profiles of the "Greedy" Tenants

> "Originally intended to help the poor, elderly, and other disadvantaged citizens, rent control is now exploited by many residents who are better off than the average citizen in their communities - and better off than their landlords." (S. Schloming & L. Schloming, 2010d).

This is the opening claim in an undated[1] MA Homeowners Association mailer targeting homeowners across MA titled "Who Really Benefits From Rent Control?" Underneath is a bulleted list of "undeserving" tenants who occupy rent controlled apartments. At the top of the list is Justice Ruth Abrams of the Massachusetts Supreme Judicial Court, who "only pays $718 a

[1] Appearing in the "Campaign" section of the memory book, I can reasonably assume that it was between 1993-1994. The organization that distributed it, MA Homeowners Association is a SPOA organization, created for campaign finance law compliance, indicating it would be distributed in this time frame.

month" for her apartment that includes "heat" and a view that overlooks "the Charles River and Boston skyline." They also included her yearly salary: $90,000 a year "from Massachusetts taxpayers" (S. Schloming & L. Schloming, 2010d).

The author of this pamphlet wants the reader to believe that, based on this snapshot of Justice Abrams' finances, she is abusing the rent control policy. She could clearly pay more in rent, pay more for heat, and certainly, she can and should pay more for her premium view. She collects a paycheck from taxpayers but, because of rent control, is unwilling and legally unable to share this wealth with her landlord. Underneath this accusation is anti-rent control economic logic, that a tenant that is able to pay more for an apartment "values" it more (Block, 2002). Rent control does not allow Justice Abrams' landlord to offer it at what it is worth, which is the maximum she is willing or able to pay.

The Abrams case is further complicated by attempting to value the view from her apartment. At the surface, the argument is that the Justice is underpaying for luxury, further robbing the landowner of potential income. However, I believe this argument is founded on classist principles that put morality on poverty. Assuming all factors are true (Justice Abrams is able but unwilling to pay more for an apartment, her apartment is premium real estate, and that rent control is exclusively a housing assistance program), it is doubtful that moving in a low-income tenant would appease SPOA. They do not believe that this apartment overlooking the skyline should be under rent control, because they don't believe any apartment should be under rent control. ~~However, this mailer plays into a specific bias against working class people: those reliant on social services should not have access to nice things.~~ The Abrams case was picked to persuade readers that those who benefit from rent control do not need it, and the

inclusion of her view adds outrage, as those who suffer from moral-failing poverty should not have access to these comforts.

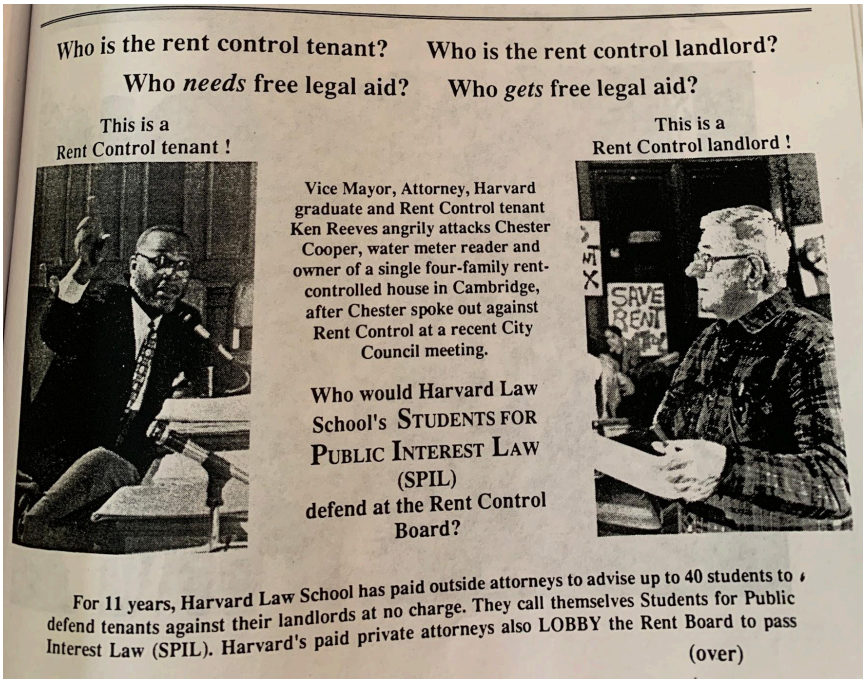
According to capitalist thought, income is and should be a direct indicator of quality of life. Even those supportive of social services, like food stamps or Section 8 vouchers, may hold this belief. This manifests in policing which brands food stamps should cover, putting different items on the lunch tray of a child who cannot afford school lunch, or in this case, exempting "nice" housing from housing vouchers or rent control. While this generalization applies to the working class as a whole, tenants are the shining example of poverty as a moral failing. Many in the US believe tenants to be lacking in "responsibility", forcing the landlord to foot the bill for repairs and property tax (Dreier, 1982). In the case of our free-loading Justice, this profile fits. She collects her salary from the taxpayer, but pays nothing back in property tax.

Ken Reeves is the next name listed on the mailer, the recently elected mayor of Cambridge, Harvard graduate, and attorney. He pays "$425 a month" for his "five room apartment" in Harvard Square, including "heat and hot water" (S. Schloming & L. Schloming, 2010). According to the mailer he has "benefitted" from rent control for 20 years. Mayor Reeves is a frequent target in SPOA's search for greedy tenants. In an article in the Boston Globe, Globe staff writer Bella English (1992) uses this profile of Mayor Reeves nearly verbatim in the article "Hiding out in Cambrige":

> "[Ordinenced rental units] are permanently set aside for people who desperately need affordable housing. Like Cambridge Mayor Ken Reeves, a Harvard Law graduate who pays $421 a month for a five-room apartment at Harvard Square. … Or Justice Ruth Abrams of the Supreme Judicial Court (salary: $90,450 a year, rent: $624 a month including heat, hot water and a view of the Boston skyline)."

As a politician and lawyer, he is the prime example of a tenant SPOA deems to be undeserving of rent control rates. Before he took the mayoral office, he was a city councilor in Cambridge who was outspokenly pro-rent control. Even as a city councilor, he was on the SPOA radar. In a different undated flyer titled "11 YEARS of HARVARD BIGOTRY is E N O U G H !!"[2], Vice Mayor Reeves makes another appearance:

> "Vice Mayor, Attorney, Harvard graduate and Rent Control tenant Ken Reeves angrily attacks Chester Cooper, water meter reader and owner of single four-family rent-controlled house in Cambridge, after Chester spoke out against Rent Control at a recent City Council meeting" (S. Schloming & L. Schloming, 2010a).



The photographs tell a story of papers. While Cooper reads off a single sheet of paper, Reeves is surrounded by them. Sporting a nice suit coat and tie, he is crossing his legs and raising his arm.

[2] The leaflet is included in the memory book with the caveat that it does not "necessarily reflect the official position of SPOA" (S. Schloming & L. Schloming, 2010a). My guess as to what parts of the leaflet do not adhere to the official position of SPOA, would be the targeting of Harvard. Harvard was one of the largest landlords in Cambridge (Gell, 1994). Allegedly, Harvard and SPOA were collaborating through Scott Levitan, Director of University and Commercial Real Estate at Harvard during the Q9 fight. He is rumored to also have served as Treasurer for SPOA, however I could not verify this claim.

His expression is not quite that of an angry person. However, his stance, his suit, his papers, and perhaps his complexion, tell a different story. This pamphlet adheres closely to the SPOA narrative that this is what a tenant looks like in Cambridge. According to Bella English, there are "hundreds more" of these "well-to-do free-loaders", slipping through the ill conceived rent-control regulations designed by the "People's Republic", a "system" that "acts as if all tenants are poor and all landlords are rich" (English, 1992).

According to SPOA leader Lenore Schloming's letter to the Cambridge Chronicle, "If not oppression, then what?", Reeves represents a different kind of greed. Tenants are not the only ones able to benefit from rent control at the expense of property owners. Other rent control profiteers include "lawyers and tenant advocates" who collect legal fees from representing tenants in court and politicians who win elections and campaign donations by being pro-rent control (L. Schloming, 1990b). Reeves, as a politician and attorney, fits this description. He lines his pockets with saved rates and taxpayer income as a sitting politician, all at the expense of his landlord and those who pay property tax. When the MA Homeowners Association claims he has "benefitted" from rent control, they do not refer simply to his reduced rent. He is one of the "others" who use rent control for their own gain.

The profile of the undeserving tenant relies on an important claim made at the top of the MA Homeowners Association mailer: "Originally intended to help the poor, elderly, and other disadvantaged citizens, rent control is now exploited" (S. Schloming & L. Schloming, 2010). While tenant organizers use the need for affordable housing as an argument to keep rent control, the policy is a market adjustment, not an affordable housing policy. This is why the undeserving tenant is able to rent a rent-controlled apartment. Rent control was designed as a way to prevent excess costs to the tenants without a return in value, limiting what the landlord can charge to

cover costs (Cantor, 1995). The undeserving or greedy tenant is not a bug in the rent control policy, but is instead the system as intended. To claim it as an error is dishonest, however it is to the benefit of SPOA to present it as such. Describing the policy as it was intended, drawing attention to the way it prevents excess in rent prices, goes against the logic of market prices being the fair, deserved price that tenants and rent control rob them of.

Tenants as "Oppressors"

To prove that landlords are oppressed, SPOA attempts to establish rent control profiteers as the oppressors, which include the tenants. Already discussed are the ways tenants are painted as the powerful and privileged group, but it is in a series of letters between SPOA's Lenore Schloming and tenant activists that SPOA claims tenants and their allies are the oppressors. Starting on July 12, 1990, Lenore Schloming wrote a letter[3] published in the Cambridge Chronicle. The letter is in response to a recent action staged by the Eviction Free Zone (EFZ) in which members of this tenants' rights group broke into vacant rent control apartments on Broadway in Cambridge (Stroud, 1990). Once inside, volunteers made repairs and cleaned so that tenants could be moved into the vacant units. The landlord, or more accurately, the property owner, left the units vacant for three and a half years before the media-dubbed "Broadway Takeover" (Stroud, 1990). After several attempts by the Rent Control Board to reach him about this issue and missing his court date, a warrant was issued for his arrest. In her letter titled "Why doesn't city punish tenants?", Schloming makes the following proclamation:

[3] Letters in the Cambridge Chronicle are similar to opinion or community pieces in other publications. Anyone from Cambridge could choose to submit a letter, as long as it fit the length requirement and deadline.

> "This latest escalation of Cambridge's war against landlords is setting a very dangerous precedent. A majority cannot oppress and exploit a minority forever. Eventually, the minority will have no choice but to fight back" (L. Schloming, 1990a).

This prompted a response from EFZ, published July 26, 1990 in the "Open Forum" of the Cambridge Chronicle. The topic of the open forum was the Broadway Takeover: "Squatters on Broadway prompt property rights debate." Five separate community-sourced pieces are on this page, two condemning the Broadway takeover, one partially in defense of and two fully in defense of the action. One of the in favor articles is titled "Tenants' supporters say decent housing is the issue," signed by a few Cambridge residents and EFZ organizers. This article directly addresses Schloming's July 12th letter with the following statement:

> "Ms. Schloming in her July 12 letter to the Chronicle suggests that the EFZ's occupation was another example of the majority "oppressing" the minority. … These statements are so callous they could only be made by people out of touch with real suffering in America. Should we believe that [the property owner] is part of the "oppressed"? He has four buildings on the corner of Elm and Broadway, with substantial commercial space involved… And he was living in Florida. May we all be so "oppressed." Would Ms. Schloming have us believe that the Haitian families who fled 1 Coolidge Place and 580 Mass, Ave. to Broadway are the "Oppressors"" (Padgagh et al., 1990)

And for the finale, Schloming publishes one more letter, "If not oppression, then what?" By warping the definition of oppression, policing the use of tenants' income, and deepening social groups of tenants and property owners, Schloming uses the Broadway takeover to advocate for the end of rent control and pushes capitalist ideology to voters.

At the top of the article Schloming defines oppression as the occurrence of two situations. As stated in the July 12th piece, oppression is when the majority makes decisions for the minority and now, “oppression is when one group can do something another cannot do,” using the gender pay gap as example. While situationally these occurrences can be symptoms of oppression, but the occurrences themselves are not proof of oppression. This definition is misleading in a way that promotes scrutiny against tenants that play into existing stigmas, creating a “definist fallacy,” a fallacy in which the debater uses an incorrect or incomplete definition of a key word in an argument.

It is true that landlords are the minority, if Cambridge were to be divided into landlords and tenants. However, majority rule is not always a symptom of systematic oppression. Schloming calls it oppression, Plato calls it democracy. It is not uncommon and quite often expected in class issues for the working class to outnumber those with wealth. Often it is also the case that the only assured power of the working class is that of the majority (collective bargaining, strike power, unions).

Schloming’s definition of oppression also misuses the idea of double standards as universal proof of systemic oppression. In the wage gap example, the double standard is indeed a symptom of misogyny, the systemic oppression of women, as the double standard is rooted in societal prejudices that give those in power justification to devalue women's work. But according to Schloming, it is not societal prejudice that drives a double standard that makes it oppressive, but its existence. Under this logic, all doctors are oppressing people without medical licenses who wish to perform surgery. Even worse, there are government boards and laws further oppressing self-taught surgeons, lawyers who benefit from malpractice lawsuits, and politicians that campaign on medical safety regulations. Certainly there are more doctors and lawmakers

than there are self-taught surgeons, which is further proof that doctors are oppressors. I severely doubt that anyone (including Schloming) would agree that this situation is indicative of oppression, rather government regulation designed to reduce harm.

Shloming asks the reader to be concerned with the validity of the tenant's poverty and the way in which their income should be spent. Shloming cites a ”Recent study prepared for the Community Development Department” which claims “15,470 tenants” pay “less than 20% of their incomes for rent.” She then proclaims this to be proof that “they can afford more.” I could not find the exact study she cites as there's no citation provided, simply who it was presented to and the loose time frame of “recent.”

This figure has many ways in which it could be misleading, starting with the choice of the percentage of income. While 20% sounds like very little, according to the U.S. Department of Housing and Urban Development (HUD), ”Households are considered cost-burdened when they spend more than 30% of their income on rent, mortgage payments, and other housing costs”, with 50% marking a household as “severely” cost burdened (*Rental Burdens: Rethinking Affordability Measures*, 2014). While this figure is contested, it has been the standard since before the publishing of showings letter. A tenant that pays 20% of income on housing is not considered to be burdened, However in understanding that 30% of income is burdened 20% does not feel like a small figure anymore.

Considering the minimum wage in Massachusetts was $3.65 in 1990, on a 40-hour work week, a minimum wage worker paying 20% of income in rent would pay conservatively $117 a month[4]. That leaves $117 a week to live off of which for some tenants is doable but not all. A simple $50 increase pushes this tenant close to burdensome cost raising rent to 28.6% of income.

[4] This does not account for tax automatically withheld from a paycheck.

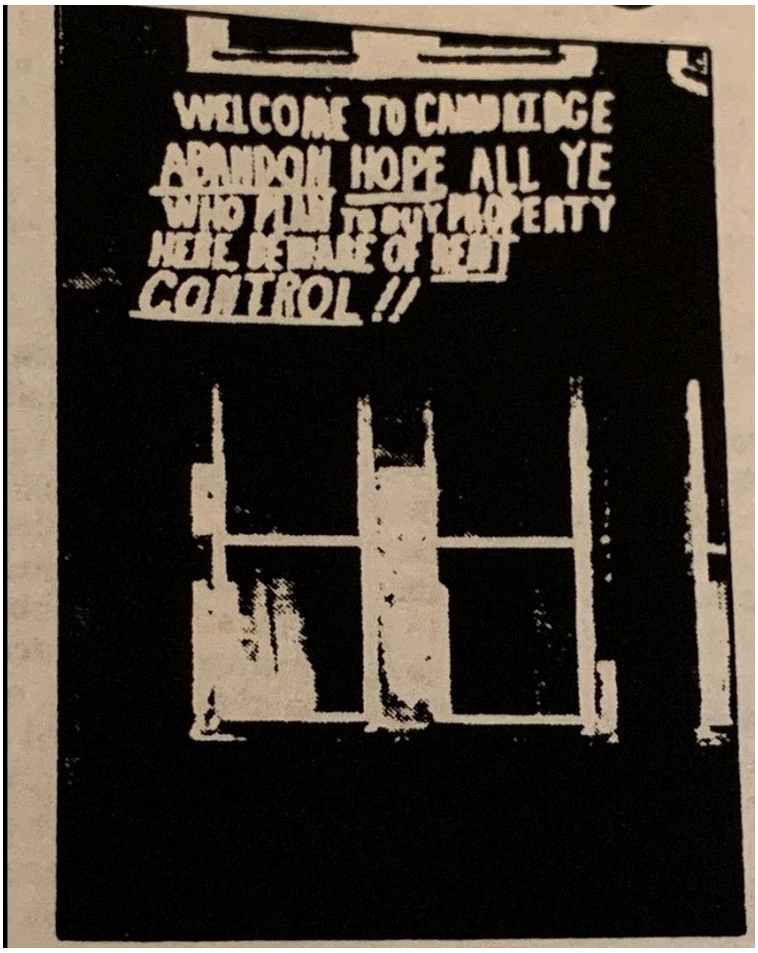
This tenant now has 104.25 a week to live off of. $13 to a tenant could be the difference between name brand and off brand, but to another tenant, could mean diapers or medication.

But, this is not the case for every tenant, and some of these tenants "can afford more." Underlying this statement is the capitalist argument from rent control opponents across the country: landlords, as owners of the property, are entitled to the maximum rent they can charge. Whether that be a percentage of tenant income or the market value, anything short of what the rent should be is a robbery. Schloming has no problem making this argument as she claims that tenants under rent control have access to extravagances such as "cars, vacations" and even "house down payments with rent money they save" (L. Schloming, 1990b). Rent money they save, meaning the rent money they should be paying to landlords who deserve it because the market says so. With this statement, she implies that tenants are preying upon the landlord to subsidize their luxuries. This argument is effective on voters, as many believe the tenants lack the "responsibility" and "stake in their community" to invest their own money (Dreier, 1982). She relies on the assumption that the reader will not understand that rent control is a tool in which tenants can achieve class mobility but will be caught up on the fact that they use someone else's income to achieve it. She closes out the letter aggressively stating:

> "It's oppression. And it's exploitation when YOU vote for ME to pay for YOUR affordable housing policy. It's hypocrisy when tens of thousands of those who profit from this policy do not need it. It's hypocrisy when those who pay nothing for this policy call those who pay for rent control greedy! Are you willing to put YOUR money where your mouth is? You certainly are not. But, you're not greedy. No. You're compassionate" (Schloming L., 1990b).

There's a very clear “Us versus Them" rhetoric, supported by the distinction of separate social groups for tenants and property owners; a social construct that primarily exists in American politics (Dreier, 1982). Social constructs divide the population, often to the detriment of at least one of the new groups. This conclusion could be understood to address EFZ, but SPOA sees it in their best interest to frame all tenants as greedy or otherwise taking advantage of their landlords. The tenants do not need rent control. In fact, they profit from it all at the expense of landlords who pay for it. In order to convince people to vote against the vulnerable, the voters must be turned against them. By turning tenants into Cochrans or Rockefellers, this opens the gateway for landlords to be oppressed. By playing into underlying beliefs that harm tenants and framing it as subversive, SPOA creates a winning formula.

Part II - Landlords



"Welcome to Cambridge… Abandon hope all ye who plan to buy property here. Beware of Rent Control !!" (Boraks, 1990).

This is the text on the banner hung above Chester Cooper's property on River Street in Cambridge. According to the caption, this is one of several anti-rent control signs adorning his home. Alluding to the sign above the Gates of Hell in *Dante's Divine Comedy*, residents of Allston looking to pass through Cambridgeport are aptly warned about the condition of property owners. According to Cooper, an active member of SPOA at the time of this photograph, being a

landlord under rent control was a waking “nightmare” (Cooper, 1990). And for some, it may have been so.

In this section I examine the ways in which SPOA discusses landlords in the media, and how and why they choose to highlight specific cases. I start by going over the biography of Skip and Lenore Schloming, founding members of SPOA and curators of the articles in this section. I then go over a document that details the largest donors to the Yes on Q9 campaign in comparison to the profile SPOA advertises. To finish, I analyze the media profiles of “SPOA landlords”, a term I use to categorize the political characteristics a landlord should possess in order to be the center of a SPOA media campaign. My analysis also compares the media profiles of these landlord characters to their tenant counterparts.

Lenore and Skip

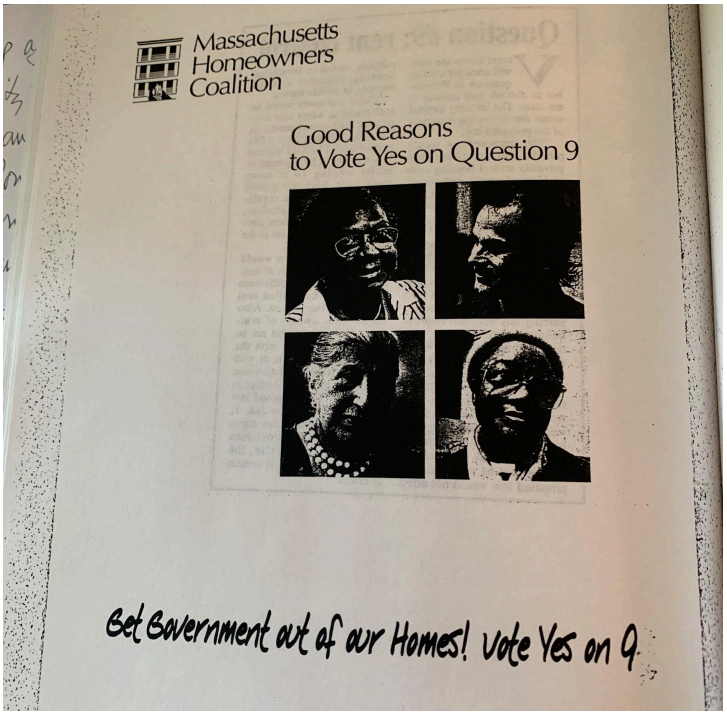
Lenore and Skip are the main focus of my project for two specific reasons, they played very fundamental roles in the founding and messaging strategy of SPOA, and it is through their documentation that I was able to conduct my research. According to the biography provided by History Cambridge, Skip and Lenore Schloming began purchasing rental property in 1974. Their first property was a four family home, bought from Lenore’s father. The Schlomings occupied one of the units until they moved out of state in 1976. While on their homestead in Maine, they purchased another property from Lenore’s father, a ten-unit. The Schlomings returned to Cambridge in 1989, two years after establishing the Small Property Owner’s Association in collaboration with other Massachusetts landlords. Lenore rose quickly through the Association, becoming a board member in 1989, and then president in 1995. Skip, a self-described “casual”

member transitioned to full time in 1995, when he became Executive Director. As of 2024, both Lenore and Skip Schloming are still holding their positions.

The biography, serving as background for the "Skip and Lenore Schloming Papers", states that the "founding mission of the Small Property Owners Association was to abolish rent control laws in the city of Cambridge."(History Cambridge).

The biography describes the two pivotal assumptions that I make when I engage with SPOA. First, at least some members and leaders come from economic privilege. The Schlomings met in college and got their head start buying property from family. While the biography does not detail the economic status of other founding members, this is an assumption that can safely be made about the Schlomings specifically. The second assumption is that SPOA's purpose was to eradicate rent control, not reform it. As Patricia Cantor states, "it also seems clear that SPOA would not have been satisfied with reforms… evident from its repeated statements that rent control was both fundamentally unfair and illegal." Under this assumption, all actions and publishings leading up to the campaign, even before Q9 was imagined, should be considered as part of the larger campaign. Making assumptions like these are necessary when analyzing primary sources and add to the canon of "historical fact" that narrators are cross examined with.

“Small” Property Owners Association



[5]SPOA’s rhetorical strategy begins with the name. The name, according to SPOA, comes from the fact that the founding members were all “small property owners”. In an ad recruiting for SPOA titled “Small property owners unite”, they describe their organization as an “advocacy group for property owners of buildings with 10 units or less.”[6] (S. Schloming & L. Schloming, 2010c). At this point, their stated goal was for “reasonable reform” to rent control, not outright abolition. According to this definition of a “small property owner”, one member could own several ten unit buildings and still be considered a “small property” owner.

SPOA, especially under the Q9 era, was largely funded by the real estate industry of Greater Boston and beyond. Real estate agents are not “small property owners” but brokers who

[5] Image citation: Massachusetts Homeowner's Association. (1994). *Good Reasons to Vote Yes on Question 9* [Reproduced mailer].

[6] The quote comes from the memory book. There is a reproduced version of this ad labeled “CHR 3/30/89”, I assumed this was the Chronicle but I couldn’t locate the ad in the issue under this date.

benefit from the sale and leasing of properties by working as “agents” of property owners, landlords, or sometimes tenants. They hypothetically do not “own” the properties but serve as a negotiator between seller and buyer (or landlord and tenant) and take a fee in exchange for their mediation services. I know this from a legal document in the *Skip and Lenore Schloming Papers*, filed under campaign financial records. SPOA went under the name “Massachusetts Homeowners Coalition” at this point for campaign finance law compliance. This is a list of “Businesses/Entities contributing $10,000 or more to YES on 9” from January 1994-Nov 1994. They raised $408,800 from the listed eighteen donors alone (S. Schloming & L. Schloming, 2010b). All eighteen were in the real estate industry and of the entities listed, three are not Massachusetts based. The others include the “National Multi-housing Council” (NMHC) from DC, and the “National Association of Realtors” and “Institute of Real Estate Management" in Chicago (S. Schloming & L. Schloming, 2010b).

A basic google search brought up the 2024 websites and mission statements for all three groups. The National Multi-housing Council has a “Values and Expectations” section of their website in which they state “NMHC is the place where rental housers *(sic)* and suppliers come together to help meet America’s housing needs by creating inclusive and resilient communities where people build their lives. NMHC’s mission is to provide leadership and advocacy that promotes thriving rental housing communities for all” (National Multifamily Housing Council, 2023).

This is important, because SPOA brands itself as a “true grassroots” organization (S. Schloming & L. Schloming, 2010c). In order to be properly critical of this claim, we must be in agreement that the branding of “small property owners” is, in itself, a tactic playing into their larger media strategy around how landlords are characterized. SPOA relies on specific cases of

poor landlords, true "small property owners" to erase and overshadow those in their movement who are in it to become (or remain) egregiously wealthy. The rhetoric also reinforces the social construction of tenant and property-owner groups. Based on income, small landlords have a lot more in common with tenants than they do corporate landlords. Even so, property owners view themselves and large/corporate landlords as part of the same group and tenants in their own "lesser" class (Dreier, 1982). This is part of the success of SPOA and remains key to their strategy today. To this day, my parents receive mailers warning them as homeowners about the return of rent control and tenant organizing from SPOA adjacent organizations[7].

"Get gov't out of our homes" was printed on SPOA mailers during Q9 (Massachusetts Homeowner's Association, 1994). The first part of the phrase is an allusion to libertarian ideals that were growing in popularity in the early 90s. The second part recruits the reader, a homeowner, to the side of the landlords, regardless if they have tenants or not. These homes are ours, it is no business of the government to say who can and cannot live there. And certainly, it is not their business to say how much a landlord can charge tenants. It is your home. Not the tenants', not the government's, but the owner's property and where do you get off telling us how to manage it?

In Cambridge, owner-occupied buildings with three units or less were exempt from rent control (Gaulkin, 1989). If a couple owned and lived in a two family home and rented out the bottom unit, rent control would not affect them. SPOA fails to mention this when proclaiming on their mailers that the government is in "our" homes. Despite the fact that an occupant owner would most likely have more in common with their tenants than the real estate conglomerates

[7] Over the years SPOA has changed their name, board, and activity levels. As previously stated, many SPOA members are still living and sporadically active in and outside the organization.

backing SPOA, it is much more convenient for SPOA to position themselves this way and turn homeowners against their tenants.

SPOA Media Landlords

One tentacle of the SPOA strategy is choosing which landlords to highlight. A “SPOA landlord” is a landlord showcased in SPOA publications who encapsulates any combination of these characteristics; traditional family, sympathetic identity, under-educated in an Ivy League town, working class or blue collar background, Cambridge “locals”, and definitively small property owners, usually owner-occupants.

Class and education are at the center of the landlords featured in Bella English’s Boston Globe article, “Hiding Out in Cambridge."[8] This article explores the landlord perspective on the “Condo Crackdown”, one of the smaller fights leading up to Q9, in which an ordinance exists under rent control in Cambridge where certain condos can be bought and sold, but are not to be owner-occupied. This is to ensure that condo conversion doesn’t remove rental units from the market (English, 1992). However, there are cases in which individuals bought condos, unaware they were never to be occupied by the owner, so the owner would “illegally” occupy the condo and cover it through various means (English, 1992).

English includes quotes from two condo owners in violation of the ordinance. The first owner is a young professional: ”the woman who was naive enough to believe she could live in her own studio, which she bought in 1987, saving the $30,000 down payment ‘dollar by dollar

[8] English published quite a few articles about rent control from the perspective of anti-rent control landlords. I cannot assert whether she was a collaborator with SPOA but her work reflects the talking points of SPOA and sometimes uses their exact phrasing, including the previously quoted “People’s Republic of Cambridge” (Cantor, 1995). It is for this reason I consider this article to be reflective of SPOA as the section about Justice Abrams and Ken Reeves is nearly identical to the section about them in the MA Homeowners Association mailer I discussed earlier. She uses slightly different figures, and it is important to note her article pre-dates the Q9 campaign entirely. But regardless if she consulted SPOA or if SPOA consulted her work, they reach the same conclusions.

working at just about anything.’” The second owner is a Chinese immigrant who found a neighbor was “prosecuted” for illegally occupying his property: “I began to realize that I could be thrown in jail for occupying the apartment which I bought with years of sweat labor” (English, 1992). Both these women claim they were unaware of the ordinance when they purchased the condos.

Oftentimes these SPOA landlords fall in the “hard-working class,” meaning that their low income status is not moral failing but a product of outside forces. Whenever their income is brought up, SPOA points out their “hard work”. In the “Condo Crackdowns”, the two landlords are not just deprived of a home, but the achievement of homeownership. Using phrases like “dollar by dollar” and “sweat labor”, English uses imagery to build the damages they could suffer if caught. In these narratives property and wealth are well deserved and taking it away is not simply a miscarriage of justice but moral outrage.

Revisiting the leaflet “11 Years of Harvard Bigotry is Enough”, Chester Cooper’s image supports this analysis. He wears flannel and glasses and reads from a single sheet of paper. He only has his job as a “ water meter reader” and his four unit property to stand on (S. Schloming & L. Schloming, 2010a). Compared to the loud and privileged Reeves, Cooper encapsulates what the “working class” should look like in American conscience.

Willful or Woeful Ignorance

When tenants are presented as uber wealthy and diabolical, the landlords assume the role of the “normal people.” When the leaflet describes Reeves, they bring up his Ivy League education. Most people do not have an ivy-league degree and it is commonly believed that those that do are smart and have earned an advantage/privilege in life. SPOA does not choose to highlight landlords in the area with ivy-league education, just tenants. Tenants are portrayed as

taking advantage of the landlord and when the tenant has a better education, this adds another layer of immorality to the situation. The property owners and landlords would break laws, not because they were greedy or looking to rip off tenants, but because they are uneducated on what the regulations are. And this happens often because the rent control laws are too confusing for any "normal" person to understand. It takes a tenant with a law degree to be able to profit from rent control.

English presents the condo ordinance as "weird", created with the intention to "set aside [rental units] for people who desperately need affordable housing." (English, 1992). This is misleading, as the ordinanced condos exist in order to preserve rental units, a method used to combat rental shortages. This closes the loophole discovered by developers and realtors that would attempt to remove rental units in favor of condos that could be sold to young, single professionals. Instead of targeting the realtors, whose job it is to know the regulations, for misleading these first time property owners, it is used as a reason to bring down rent control in its entirety. Regulations for property can be confusing, and often those without the resources (or in some cases, the willingness) to understand and ensure they are within them can get caught and face harsh consequences. This issue is not unique to rent control boards. In order to add a porch to a single family home, the homeowner may need to submit lengthy paperwork, get approval from neighbors, and petition a handful of different city institutions. Often this homeowner may need to hire contractors, even a legal consultant to navigate this web, creating inequity between those who can afford to expedite and those who can't. That is not the making of rent control, but rather the way many city institutions work. SPOA does not provide a meaningful response to this need, but would rather take these cases in order to fight rent control itself.

Helen Petrillo

Cambridge Chronicle article from September 28, 1989 titled “Elderly widow caught in ordinance tangle” by Chronicle staff Zachary Gaulkin. Found in the “Horrors” section of the memory book, this is an example of the kind of fringe case that SPOA clung to. In the *Skip and Lenore Schloming Papers*, Helen has her own file documenting the court case that followed this incident. Helen is a sympathetic landlord who got caught in the bureaucratic web of the Rent Control Board and another government institution, such as the zoning board or in this case, Inspectional Services department. The Petrillos, as many landlords did, claimed ignorance to the rule, therefore the intention of the Petrillos is central.

Helen Petrillo and her husband, Joe Petrillo, were renting out their basement to college aged family friends (Gaulkin, 1989). Three-unit owner- occupied homes are exempt from rent control, but with the addition of the basement as a “unit”, the house would be classified as a four-unit and therefore, fall under rent control. The basement ceiling was too low according to Inspectional Services, but the rent control board claims that the unit cannot remain vacant. For this family, that means that they would have to “hoist the entire building off of the foundation” (Gaulkin, 1989). Her other option would be to petition for decontrol, but Gaulkin states she was unable. Helen Petrillo, recently widowed, was already caught in the weeds of rent control prosecution for skirting rent control regulations, including owing back rent to other tenants who were “supposed” to be charged rent control rates. She challenged the four-unit accusation but the Rent Control Board findings were upheld. She was given the decision to “bring the basement up to code, or get a removal permit” for the rent control Board (Gaulkin, 1989).

Petrillo is a SPOA landlord. She is framed as a sweet old woman. She is not a malicious entity, and in fact, is helpful and benevolent to her tenants who have nowhere to go, providing

housing where it didn't exist. She didn't know she would be paying for this act of kindness. She didn't know that adding another unit to her home would raise the number of units in her home. Her tenants turned on her, accepting the back-rent. And she, an elderly widow in mourning, is in no state to deal with city institutions that cannot be appeased.

Lenore Schloming claims that landlords are oppressed, and the Petrillo case is damning. Her tenants outnumber her. She lost her support, lost her husband, and is now losing money. It seems as if this Rent Control Board is bullying an old lady out of thousands of dollars and a home. However, the suffering of one does not indicate the suffering of a whole group.

I believe the Petrillo case may be indicative of a different oppression: ageism. A popular tenant talking point of the Q9 case was how rent control protects the elderly (Cantor, 1995). Individuals on a fixed income, such as social security or pension, are more likely to face homelessness after an eviction (Delfani et al., 2015). Those prone to injury and the disabled have a harder time moving. The elderly are likely to fit one or both of these conditions. That is why rent control advocates say that rent control protects the elderly, regardless of their economic standing. Rent control allows tenants to remain housed where they are, a fundamental right for the elderly.

If I am to take Gaulkin's account of the Petrillo case at face value, I would also determine that what is asked of Helen is unreasonable. Lifting a house off the foundation is incredibly costly and disruptive. As an occupant-owner, Helen would need to find and pay for temporary housing for herself and her tenants, move, and wait until the massive construction project is finished, all while mourning the sudden loss of her husband. This kind of strain is likely to induce high amounts of stress, which could be fatal especially to an elderly person. In this case, there is a genuine claim for oppression. This is not because she is a landlord, but because her

condition as an elderly person is not considered in the costs she endures by the Rent Control Board decision.

It is cases like Helen's that exemplify the ways in which landlords and tenants can suffer under similar oppressive structures. The construction of tenant and property owner groups erases common class struggles and those of intersecting identities. Landlords as a group are not oppressed, however individual landlords may be.

Conclusion

Massachusetts lost rent control in 1994, and has been unable and unwilling to reinstate it. There are several tragedies in this story. The major rent hikes that displaced hundreds of people, the rapid progression of gentrification, and the disempowerment of vulnerable tenants are just a few (Cavellini, 2001). The most tragic might be the one told by the election results. Cambridge, Brookline, and Boston voted to keep rent control, but it was voters in unaffected municipalities that cost these tenants their security under rent control. 55% of Cambridge voted no, 44% of Boston voted no[9], and 53% of Brookline voted no.

The rhetoric and political strategy is only one factor in the defeat of rent control. Backed by the real estate industry, SPOA's funding was overwhelming compared to the grassroots tenant organizations that opposed Q9 (Cantor, 1995). The timing of the election may have also played a part. There was a massive conservative swing across the country, and Massachusetts was no exception. In 1994, MA re-elected conservative Governor Bill Weld, notable for his time as Assistant Attorney General for the Criminal Division under Ronald Reagan and recent run for the Republican nomination in the 2020 presidential election. Weld won by the largest majority of any other MA governor (*Elections Results Archive*, n.d.). More research could be done to understand the impact of this conservative wave on tenant rights in MA.

Say the tenant activists raised more money, or the election took place 10 years earlier (or later). Neither would change one specific thing about this election: the rhetoric and talking points of SPOA harmed tenants, and continues to hurt them to this day. Language, whether explicit or

[9] In Boston, 15.7% of ballots cast for Q9 were marked as blank. To some, this victory is still considered very decisive despite being under 50% of the vote. In Suffolk county, the other three municipalities (Chelsea, Revere, and Winthrop) all voted yes. Yet, due to the sheer size of Boston in comparison, the county voted "no". I could not find a reason as to why so many ballots were blank for this specific question, as it was the question with the second highest blank percentage this election (*Elections Results Archive*, n.d.).

coded, matters. In the wake of the upcoming Trump presidency, we cannot forget that the impact of rhetoric outlasts the politicians who spread it. An educated and critical population is necessary to negate the worst of the impacts on marginalized people.

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Abstract

On Election Day, 1994, Massachusetts voters were presented with the opportunity to ratify a new law which would outlaw rent control across the state. The resolution passed with a slim majority voting yes, and rent control was phased out the following year. Credited with the demise of rent control, the Small Property Owners' Association (SPOA), couldn't have been happier. My research analyzes the role of tenant discrimination in the media campaign run by SPOA, from its founding in 1987 up to the 1994 election. I also analyze the ideology behind SPOA and how it enforces tenant bias. My research is focussed into two parts under the guidance of the Peter Dreier article "The Status of Tenants in the United States" to frame and contextualize tenant discrimination. In the first part I analyze the media profiles written by SPOA about specific tenants and the definist fallacy they use to portray tenants as oppressors. In the second part I analyze the ways SPOA characterizes landlords in the media, paying special attention to themes of class and education.