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THE STATUS OF TENANTS IN THE UNITED STATES*

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Sociologists have done little research on the status of tenants in the United States. This paper examines the social, political and economic status of tenants and the conditions which have given rise to tenant mobilization. It focuses on property ownership and property relations as a neglected but persistent aspect of stratification in U.S. society.

People in the United States have long cherished home ownership as a key element of the "American dream." Being a propertyless tenant has never been part of that dream. Yet, at least since the emergence of industrial cities following the Civil War, tenants have constituted a sizeable proportion of the U.S. urban population. Indeed, as both Barth (1980) and Hancock (1980) suggest, the apartment house became a symbol of urban life itself. By the 1890s, the vast majority of city dwellers rented the places they lived in, a situation that did not change until after the Second World War. Even today, half (50.4 percent) of all central city households, and more than one-quarter (29.1 percent) of all suburban households, are renter-occupied (U.S. Department of Commerce, 1981). In many cities and suburbs, of course, the proportion is much higher.

One-third of all U.S. households lived in rented accommodations in 1980. Differences between tenant- and owner-occupied housing also suggests that housing tenure is part of an overall pattern of structured inequality. Tenant households are more likely than owner households to be low-income, headed by a single person, headed by a woman, smaller in household size, minority (black and Hispanic), elderly, and non-union. Rental housing is more likely than owner-occupied housing to have structural defects, to be older, and to be overcrowded (AFL-CIO, 1975; U.S. Department of Commerce, 1979a, 1981). These facts suggest that in many ways tenants and homeowners are socially distinct categories.

It is surprising, therefore, that within sociology tenants are almost invisible as a group. Indeed, this neglect has a long history. During the first two decades of this century, the so-called "progressive era," the problems of slums and tenement housing occupied social reformers. While this spirit of reform shaped the beginnings of U.S. sociology, especially at the University of Chicago, none of the "Chicago school" studies focused particularly on tenants as a group, despite the fact that most of the people they studied were tenants.¹ In the postwar period, despite a renewed interest in housing, this neglect continued. For sociologists who studied such topics as the social

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1. The progressive era reformers undertook systematic investigations of housing conditions, exposed problems of overcrowding, health, fire and safety hazards, and lobbied for legislation to improve tenement conditions and the lives of tenants (Lubove, 1962). At the University of Chicago, several generations of sociologists and their graduate students studied the conditions of immigrants, minorities, and other groups (Short, 1971). Despite the fact that most of these people were tenants, none of their studies focused specifically on tenants as a group. They did not even focus on rental housing conditions and their effects, landlord-tenant relations, or the activities of housing reform and tenant movements. Among University of Chicago Ph.D. dissertations between 1893 and 1935, none focused primarily on tenants (Faris, 1967). Hughes' (1928) dissertation analyzed the Chicago Real Estate Board as a "secular institution." Zorbaugh (1929) touched only briefly on the lives of transient men living in low-rent rooming houses. One Master's thesis (Conway, 1926) dealt with apartment dwellers. In addition, none of the classic studies of voting behavior (Berelson *et al.*, 1954; Campbell *et al.*, 1954, 1960; Nie *et al.*, 1976) have looked at housing tenure as a variable to explain political outlook and behavior. This neglect is reflected in the leading textbooks in urban sociology and urban politics. While they give attention to housing problems in general, they say nothing about tenants as a distinct social or political group (Abrahamson, 1980; Adrian, 1976; Bollens and Schmandt, 1975; Butler, 1976; Caraley, 1977; Gist and Fava, 1974; Hawley, 1981; Lineberry and Sharkansky, 1978; Palen, 1981; Schulz and Wilson, 1978; Stedman, 1975).

aspects of environmental design in high-rise buildings (Baldassare, 1979; Choldin, 1978; Freedman, 1975; Mitchell, 1971; Wilner *et al.*, 1962); the social and political consequences of public housing (Freedman, 1969; Rainwater, 1970; Yancey, 1971); urban renewal and slum clearance (Fellman, 1973; Fried, 1973; Gans, 1962; Mollenkopf, 1975; Rossi and Dentler, 1961); and the “culture of poverty” in cities (Liebow, 1967; Suttles, 1968) observations about tenants were a by-product of other primary concerns. In contrast, consider the outpouring of research on home ownership in the booming suburbs and planned communities in the postwar period. Most of these new suburbs were almost entirely single-family, detached, owner-occupied dwellings. Many of these new homeowners had previously been tenants; but with only one exception, (Berger, 1960) there was no effort made to single out the sociologically significant differences between their lives as tenants and as homeowners, or to compare the new home-owning suburbanites with tenants left behind in the central cities (Caplow, 1948; Dobriner, 1963; Gans, 1967; Greer, 1960; Seeley *et al.*, 1956; Torich, 1964). Beginning in the 1960s there was a dramatic increase in construction of suburban apartments (primarily garden apartment complexes), but sociologists did not flock to the suburbs to study the new suburban tenants.

The neglect of tenants is much more pronounced among U.S. sociologists than it is among their counterparts elsewhere. Among European sociologists, in particular, studies and debates about the centrality of “housing classes” and property ownership, and its relationship to other aspects of social stratification, are widespread (Agnew, 1981; Cooper and Brindley, 1975; Harvey, 1976; Headey, 1978; Kemeny, 1981; Rex and Moore, 1967.) This may reflect a strong belief in the United States in the inherent superiority of home ownership—and the impact of that powerful ideology in discussions of U.S. housing policy. Few people in the United States are aware, for example, that the status of tenants varies greatly throughout the world. Tenant-landlord laws and rates of home ownership vary widely, even within the affluent, industrialized capitalist nations. In 1970–71, for example, the percentage of homeowners among all households was relatively low in Switzerland (27.9), West Germany (34.3), and Sweden (35.0); in the middle range for France (43.3), Great Britain (50.1), and Belgium (55.9); and highest for Canada (60.2), the United States (62.9), New Zealand (68.1), and Australia (68.7) (Kemeny, 1981). Among these advanced capitalist nations, there is no strong correlation between the incidence of home ownership and per capita gross national product (GNP), an indicator of national standards of living. While the proportion of homeowners has increased over time in some nations (such as the United States), it has levelled off or declined in others. Also, the relationship between income and home ownership varies. Although, in general, low-income households are less likely to be homeowners (as in the United States; see Table 1), in some nations renting is an attractive alternative for the middle class and affluent. This is due to the fact that, in England, Sweden, and several other capitalist nations, public and cooperative housing (both miniscule in numbers and reserved for the poor in the United States) are widespread, attractive to the non-poor, and lack the stigma attached to government-subsidized housing in the United States (Kemeny, 1981; Popenoe, 1977.) Sweden, in fact, has sought to eliminate the private landlord-tenant relationship. Further, tenant-landlord laws in some other advanced capitalist nations provide greater protections for tenants in terms of rent increases, security of residence, and participation in management. Tenants, therefore, have many of the benefits that are only provided by home ownership in the United States. All this suggests that the “dream” of home ownership is not universal, but is rather a product of political ideology and conflict, particularly around views of private property, individualism, and the role of the state.

This brief comparative analysis places the status of U.S. tenants in dramatic relief. It suggests, too, that an understanding of both tenants and tenancy can contribute to our knowledge of basic political, economic, and ideological features of U.S. society. Further, just as political movements among the poor, blacks, and women helped to re-orient social scientists to study long-

neglected areas of life in the United States, the burgeoning tenants rights movement (Dreier, forthcoming) may help to focus attention on other divisions and problems in our society. In this article, therefore, I intend to fill a neglected gap by providing an assessment of the position of tenants in U.S. society.

SOCIAL AND CULTURAL IMAGES

Prejudice against tenants has long-standing national roots, beginning with the first European settlers in North America. The stigma is based on the central importance of property ownership in U.S. ideology and values. The achievement of property ownership is believed to bestow on individuals, or be evidence of, certain character traits highly valued in U.S. culture. Despite changes in social structure and values since colonial times, the virtues attached to property ownership (and property owners), and the presumed absence of such virtues among propertyless tenants, have remained remarkably similar over the years. It is perhaps one of the few core values that has persisted throughout the more than two centuries of U.S. society.

From the outset, European settlers sought to establish property relations as the legal and moral underpinning of the new colonies. The earliest settlers came to escape oppressive landlords (Kim, 1978; Kraus, 1971). As a colonial official observed in 1732, these people were "the better sort" who sought to "avoid the dependency on landlords" (Warner, 1968:16). The abundance of land created enthusiasm about the possibility of individual ownership and "nourished the first settlers' vision of land as a civil right, a right against the long-standing obligations of a crumbling feudal society" (Warner, 1972:16). As Warner (1972:16) notes, land ownership meant not only "freedom from meddling feudal lords or town officials" but also "freedom for even the poorest family to win autonomy" and "freedom to achieve the dignities and prerogatives that went with the possession of even the smallest holding." Tenants in colonial America could not share in this vision. Indeed, a missionary making a tour in 1802 observed:

The American can never flourish on leased lands. They have too much enterprise to work for others or remain tenants, and where they are under the necessity of living on such lands, I find they are greatly depressed in mind and are losing their animation (quoted in Christman, 1945:9).

When colonists debated whether tenants should be granted the vote, opponents of tenant suffrage argued that ownership of property was a good indication of an individual's moral worth. Among landowners, they argued, one could "always expect to find moderation, frugality, order, honesty, and a due sense of independence, liberty, and justice" (Carter and Stone, 1821:220). Among the propertyless, on the other hand, one found a "ringed and speckled . . . motley and undefinable population" known as the "indolent and profligate" (Carter and Stone, 1821:221). James Madison believed that "The Freeholders of the country would be the safest depositories of Republican liberty" (quoted in Marcuse, 1975:197). Sen. Thomas Hart Benton of Missouri said in 1826 that "Tenantry is unfavorable to freedom" (quoted in Percy, 1966:2725B). Thomas Jefferson (1956:37), who favored tenant suffrage, nevertheless held that "the small landholders are the precious part of a state." Andrew Johnson supported the Homestead Act to offer land ownership on the frontier because "it would create the strongest tie between the citizen and the Government" (Johnson, 1850:951). As a result of this prejudice, tenants were denied the vote in federal elections until 1860 (Martin, 1976.)

In the half-century following the end of the Civil War in 1865, as immigrants from abroad and from rural areas in the United States flocked into the nation's expanding cities, the nature of tenancy changed from an agrarian to an urban phenomenon. Tenancy became the lot of wage and salary workers, not just farmers. Prejudice against tenants, however, continued as a deeply ingrained part of U.S. culture. Typical was the remark by John Hay, later appointed secretary of state, during a period of tenant protests over massive evictions for non-payment of rent during the depression of 1893: "That you have property is proof of industry and foresight on you or

your father's part; that you have nothing is judgment of your laziness and vices, or of your improvidence" (quoted in Foner, 1955:28).

Around the turn of the century, as more people came to the cities and as the percentage of tenants in the total population increased, the nation witnessed the first significant movement away from downtown neighborhoods near the industrial workplaces. At the time, only the affluent middle class, thanks to the new trolleys, could afford to move to owner-occupied, one- or two-family houses in the "streetcar suburbs" (Warner, 1962). But as the economy grew and the middle class expanded, home ownership increasingly became not only a symbol of status and achievement, but also a goal that working-class families could strive for.² It was not until after the Second World War that this goal would be widely realized, but as early as the turn of the century, the ideology of home ownership as the "American dream" took root (Marcuse, 1980). The inherent superiority of home ownership, and of home owners, became a central theme of the nation's "civil religion" (Bellah, 1967), repeated frequently by national leaders. Making the country a nation of homeowners became a central feature of public policy, since home ownership was seen as a bulwark of social stability. This served to reinforce prejudice against propertyless tenants. President Calvin Coolidge observed that "No greater contribution could be made to the stability of the Nation, and the advancement of its ideals, than to make it a Nation of home-owning families" (Dean, 1945:40). President Herbert Hoover waxed eloquently over the benefits of home ownership, convened an entire conference on the subject in 1931, and noted that "To possess one's own home is the hope and ambition of almost every individual in our country, whether he lives in hotel, apartment, or tenement" (Hoover, 1976:573). President Franklin Roosevelt echoed that "A nation of home owners, of people who own a real share in their own land, is unconquerable" (Dean, 1945:40). The final report of Hoover's Conference on Home Building and Home Ownership termed home ownership a "birthright," and concluded that "too much cannot be said about the value of stimulating home ownership because of its effect upon good citizenship and the strengthening of family ties" (Gries and Ford, 1932:1). One realtor at the conference observed that there was no worse fate than to be "condemned to die in rented houses" (Gries and Ford, 1932:50).

Following the Depression and the Second World War, federal government policy sought to turn this goal into a reality. Home ownership rates climbed from 43.6 percent to all households in 1940 to 55 percent in 1950, to 61.9 percent in 1970, and to 64.6 percent in 1975 (Sternlieb and Hughes, 1980:220). It was not surprising, therefore, that when the ghetto rebellions occurred in the mid-1960s, elected officials and policymakers looked toward home ownership as a solution to this social and political turmoil. A number of programs were started to make home ownership possible for the poor. These programs were justified on familiar grounds, reinforcing traditional prejudices. Senator Charles Percy explained:

For a man who owns his own home acquires with it a new dignity. He begins to take pride in what is his own, and pride in conserving and improving it for his children. He becomes a more steadfast and concerned citizen of his community. He becomes more self-confident and self-reliant. The mere act of becoming a home owner transforms him. It gives him roots, a sense of belonging, a true stake in his community and well-being (1966:2725B).

These sentiments were echoed later by Robert Weaver, Secretary of Housing and Urban Development (U.S. Congress, 1968:63); by the National Commission on Urban Problems (1968:401) headed by Senator Paul Douglas; and by the National Advisory Commission on Civil Disorders, often called the Kerner Commission (1968:261).

The U.S. public shares these "official" prejudices. Lynd and Lynd (1937:411) found that even

2. Warner (1962:9) estimates that one quarter of the families in Boston, and one quarter of the families in the surrounding suburbs, owned houses in 1900.

during the Depression, one of the most widely held values was “that home ownership is a good thing for the family and also makes for good citizenship.” Foley’s (1980:463) review of the sociology of housing concluded that “Americans strongly aspire to own their own homes.” The U.S. Department of Housing and Urban Development (1978) found that 85 percent of people in the United States preferred owning a home to renting; more than 75 percent wanted to own single detached homes.

The obvious flip side of this ideology of home ownership is the stigma attached to renting. Studies by Michelson (1977), Perrin (1977), and Rakoff (1977), based on surveys as well as interviews, found that people in the United States and Canada view tenants as a distinct group, inferior to homeowners. My own observations of public community meetings dealing with housing issues confirm these findings.³ According to these studies, tenants are viewed as the opposite of homeowners. They “lack a stake in the community” that makes one a “better citizen.” They are transient and don’t care about or become involved with civic, social, and voluntary activities. Tenants lack the sense of “responsibility” necessary to become a homeowner; they waive these duties, requiring the landlord to be responsible for maintenance, repairs, mortgage, and tax payments. Tenants are viewed as less “family oriented” and less concerned about the well-being of children. While homeowners shoulder the burden of providing public service through their property taxes, tenants are viewed as getting a “free ride.” And tenants lack the ambition, enterprise, skill, or other character traits necessary to achieve home ownership.

As a result of this prejudice, homeowners do not want to live near apartment dwellers, but want to maintain their social distance from the stigmatized minority. This applies to tenants in general, even those of the same income and occupational level. According to one of Perrin’s (1977:36) informants:

Well, while there is some over-building in apartments, I think that they’re acceptable. I think that the question of acceptability is not so much a question of whether there should be apartments or whether there shouldn’t be apartments. It is whether it should be apartments *next door to them* (emphasis on original).

Regardless of house form, renting by itself makes tenants less desirable neighbors in the eyes of homeowners. Homeowners, an informant told Perrin (1977:37), “just don’t consider the apartment dweller as being truly indigenous to the neighborhood.” They believe that renters and homeowners should not be mixed even if the housing types (single-family detached homes) are the same. One realtor explained that houses for sale will be harder to sell if there are people renting similar houses nearby (Perrin, 1977:38). Another realtor explained:

There is a decline in the area when renters come in . . . the old-fashioned pride in home ownership. The difference between a tenant renter and a home owner is in the majority of cases quite marked. You can tell when the housing is being rented and when it is being owned. From the maintenance of its yard, its appearance, and so on, its upkeep (Perrin, 1977:38).

This attitude is confirmed by a survey of local government officials and community leaders in 11 New Jersey suburbs: They “saw their constituents as being hostile to (non-subsidized) apartments and apartment residents, generally on visual or social grounds” (N.J. County and Municipal Government Study Commission, 1974).

In an ideology that Perrin (1977:32) calls the “ladder of life,” people in the United States are supposed to travel through social time and space in a series of progressive steps as one begins adulthood. Sooner or later, they are supposed to marry, have children, and purchase their first home—only to buy bigger homes as their families and income expand. Tenancy is considered

3. During 1979–81, I observed 34 public hearing and meetings (including city council, town meeting, state legislature, and others) in Massachusetts, at which tenants, homeowners, realtors, landlords, developers, and elected officials discussed rental housing issues such as rent control, condominium conversions, and zoning.

appropriate only for single people, young couples without children, and the elderly. Those who do not conform to this normative expectation are viewed as deviant and inferior.

These stereotypes towards tenants were reinforced in popular culture, particularly in the period immediately after the Second World War. Most families portrayed on popular U.S. TV programs of the 1950s and 1960s lived in suburban, owner-occupied homes—from small bungalows to large, ranch-style homes. Those who lived in apartments (“I Love Lucy,” “The Honeymooners”) were portrayed as less respectable or responsible. This portrayal began to change slightly in the 1970s as TV began to portray more low-income families (“Good Times”), single women (“Mary Tyler Moore,” “Rhoda”), childless professional couples (“Bob Newhart Show”), divorced women (“One Day at a Time”), and unmarried singles (“Three’s Company”), who characteristically live in apartments.

Some observers insist that the ideology of home ownership (and the stigma of renting), by promoting conservative social values (individualism, thrift) and social stability, maintains the political status quo and the privilege of the elite (Agnew, 1981; Angotti, 1977; Edel, 1982; Engels, 1975; Hartman and Stone, 1978; Luria, 1976; Stone, 1978). Sternlieb observed that “Home ownership is what glues people to the system.” If it gets out of reach, people are “going to be very angry” (quoted in Guenther, 1982:25). Indeed, Harvey goes so far as to suggest that:

Extended individualized home ownership is, therefore, seen as advantageous to the capitalist class because it provides: the allegiance of at least a segment of the working class to the principal of private property; an ethic of “possessive individualism” . . . gives the capitalist class a handy ideological lever to use against public ownership and nationalization demands because it is easy to make these proposals sound as if their intent were to take workers’ privately owned houses away from them (1976:272).

Harvey appears to be overstating the case. The preferences for home ownership are long standing, predating government policies that encourage home ownership. Further, capitalist countries display a wide range of consumer attitudes and government policies toward home ownership. But government policies do not simply reflect cultural preferences; they also encourage consumers in an intended direction. As Checkoway (1980:39) has observed: “Consumers made a logical choice among alternatives developed elsewhere. . . . Prior decisions may pre-terminate a narrow range of alternatives from which consumers can choose.”

DISCRIMINATION

The desire to own a home is not simply a cultural preference. It is also built into the economic arrangements and policies of society. Tenants are the objects of pervasive patterns of discrimination in the economic, political, and social institutions of U.S. society. This is evident, among other ways, in the nation’s tax policy, in tenant-landlord laws, and in zoning regulations. It is these institutionalized patterns of discrimination, as much as the social and cultural stigma toward tenants, that promote home ownership. As a result, most tenants who can afford to do so seek to own their own homes. Certainly there are some long-term tenants who do, by choice, wish to become home owners.⁴ But as Table 1 shows, rates of home ownership increase directly with income, suggesting that tenant status is primarily a function of inability to pay (or borrow) rather than of individual preference.⁵

4. The Bureau of the Census’ Annual Housing Survey only asks renters how long they have lived in the *same* apartment, but not how long they have been tenants.

5. The relationship between income and tenancy is partly an artifact of various other factors, particularly racial discrimination, as Table 1 shows. For example, blacks and Hispanics are more likely than whites to rent. This is due primarily to the lower incomes of blacks and Hispanics, but it is also due to a well-documented racial discrimination in the housing market against potential black and Hispanic home buyers by private realtors and government agencies (Abrams, 1955; Judd, 1979; Pearce, 1979; Yinger, 1978). The difference between racial minorities and whites persists at all income levels. There is no evidence that blacks and Hispanics have different housing preferences (U.S. Department of Housing and Urban Development, 1978).

TABLE 1
Income, Race, and Home Ownership in 1980 (Percentage Homeowners)

Income	All Households	White Households	Black Households	Hispanic Households
Less than \$3,000	43.7	51.1	26.6	21.0
\$3,000–\$6,999	47.0	52.9	31.1	20.0
\$7,000–\$9,999	53.0	58.1	37.4	24.5
\$10,000–\$14,999	56.5	59.7	44.3	37.6
\$15,000–\$19,999	65.5	67.7	52.4	53.5
\$20,000–\$24,999	74.7	76.7	59.2	62.0
\$25,000–\$34,999	83.1	84.2	71.0	75.0
\$35,000–\$49,999	89.5	90.2	80.0	82.6
\$50,000–\$74,999	92.1	92.4	83.9	92.1
\$75,000 and above	92.4	92.7	99.9	73.9
Total	65.5	69.7	43.9	42.4

Source: U.S. Department of Commerce, Bureau of the Census (1981).

Tax Policy

The dramatic increase in home ownership following the Second World War is due primarily to various government policies, including the mortgage guarantee program of the Federal Housing Administration (FHA) and the Veterans Administration (VA), which furnished insurance on the risks that private credit institutions take in lending money to finance housing purchases; the highway programs, embodied in the 1956 National Highway Defense Act, which made possible the roads that facilitated the movement of people and businesses to the suburbs, where large tracts of land became accessible to developers and which in turn created U.S. society's dependence on the automobile (Checkoway, 1980; Gelfand, 1975; Leavitt, 1970; Sawers and Wachtel, 1977); and a variety of income tax policies through the Internal Revenue Service codes. The tax laws, in particular, not only promote home ownership, but also make renting economically undesirable.

To encourage home ownership, the federal tax code allows homeowners to deduct all mortgage interest and property tax payments from income. Also, homeowners pay relatively low capital-gains rates when they sell their homes; before 1978, 50 percent was taxed as ordinary income; in 1978 this was increased to 60 percent. This is a significant benefit to homeowners in light of the steady inflation in the value of homes. Further, homeowners are able to defer capital gains on the sale of a home if another, more expensive, home is purchased within 18 months; they are provided residential energy credits; and they do not have to pay taxes on the imputed income from home ownership—that is, owners, in effect, rent to themselves without paying taxes on this imputed income (Bourdon, 1980; Kee and Moan, 1976).

These tax benefits reduce the overall costs of home ownership. As a result, these benefits have sharply increased the home ownership rate; at least 4.5 to 5 million fewer households would have been homeowners at the end of 1978 in the absence of these government-induced benefits (Hendershott and Shilling, 1980).

In 1982, these homeowner tax deductions cost the federal government more than \$39 billion. This hidden subsidy to homeowners is bigger than all direct federal housing programs combined—public housing, rent subsidies, and indeed the entire annual Department of Housing and Urban Development budget. Moreover, these tax benefits are exceedingly regressive. They benefit affluent homeowners most, because these deductions can only be taken by taxpayers who itemize deductions, and the proportion of itemizers increases sharply with income. Since home ownership rates also increase with income (see Table 1), these tax policies discriminate against tenants (Aaron, 1972, 1973). About 30 percent of these tax benefits go to taxpayers with incomes

over \$50,000—less than 5 percent of all taxpayers. About 74 percent of these benefits go to the 19 percent of taxpayers with incomes over \$30,000 (Congressional Budget Office, 1981). People in the United States are generally unaware of the extent to which homeowners are subsidized by government policy. Public housing and rent subsidy programs are more visible than tax deductions and thus fuel the common misconception that U.S. housing policy is redistributive downward and primarily benefits the poor and tenants.

Government tax policies thus discriminate against tenants in two ways. First, they create a built-in incentive for persons to become homeowners. A renter with the same income as a homeowner is penalized economically for voluntarily deciding to rent instead of to own. Government policy pushes them into home ownership. Second, for those who choose to rent, whether voluntary or involuntary, government tax policies further widen the economic gap between tenants and homeowners.

In 1970, tenants' median household income (\$6,300) was 64.9 percent of homeowners' (\$9,700). By 1977, the gap had widened: tenants' median household income (\$8,800) was only 55 percent of homeowners' (\$16,000). In 1980 it had widened further: tenants income (\$10,600) was only 53.5 percent of homeowners' (\$19,800). This trend reflects two parallel processes. On the one hand, the incomes of tenants—concentrated among the minorities, the elderly, and low-wage workers in the secondary labor market—increased more slowly than the incomes of homeowners. On the other hand, these tenants at the top of the income scale who could afford to become homeowners did so, a process Sternlieb and Hughes (1980, 1981) called “cream-skimming” (U.S. Department of Commerce, 1979a and 1981).

The rental housing market forces tenants to pay a higher proportion of their income for lower quality housing (U.S. Department of Labor, 1966). Among households which rent, 52.9 percent pay more than one-quarter of their income for housing; one-fifth of all tenants pay more than half their income in rent. Among households which own, 26.7 percent pay more than one-quarter of their income for housing. The rent burden falls heaviest on low-income tenants; among those who make less than \$10,000 a year, 82.5 percent spent more than one-quarter of their income for housing (U.S. Department of Commerce, 1981). Further, tenants are more likely than homeowners to live in older and substandard housing. Among renter-occupied units, 51.5 percent were built before 1950; among owner-occupied units, 37.6 percent were built before 1950. Almost one-quarter (24.5 percent) of renter-occupied housing has structural deficiencies, compared with 19.1 percent of owner-occupied housing. Three times as many renter-occupied units (4.1 percent) compared to owner-occupied units (1.4 percent) lack some or all plumbing facilities. More than three times as many tenants (32.4 percent) as owners (10.6 percent) judge their housing as either “poor” or “fair” (U.S. Department of Commerce, 1979a).

Tenant-Landlord Law

Despite recent reforms since the early 1970s, tenant-landlord law in the United States remains exceedingly biased against tenants—a remnant of its agrarian and feudal origins (Rose, 1973). A 1967 federal government study, only slightly outdated by recent reforms, found that:

The traditional legal interpretation of the tenants' obligation to pay rent as independent of the landlord's obligation means that no matter how badly the landlord fails in his obligations to the tenant, the tenant must continue to pay his full rent to the landlord on time, or be evicted (U.S. Department of Housing and Urban Development, 1967:5).

Except in New Jersey (which has a statewide “just cause” eviction law), landlords can evict tenants for almost any reason at all, not only failure to pay rent, and can use the power of the courts to back them up. Besides the right to evict during the term of the lease (for nonpayment),

landlords can force tenants to move at the end of the lease period for any reason whatsoever.⁶ Homeowners are more secure. Mortgage lenders can take possession of a home (the equivalent of a tenants' eviction) only if the homeowner fails to make payments. Even then, however, the process of foreclosure and possession is relatively slow compared to the procedures available to a landlord to evict a tenant. As Marcuse (1975:192) notes:

The mere switch from a lease to a deed does not in and of itself necessarily provide a greater bundle of rights to the owner than a tenant may have; a good lease, in other words, may provide many more advantages to a tenant than a deed subject to a mortgage under many conditions will provide to an owner.

In other words, the relative legal advantages of owning and renting are not an inevitable consequence of tenure itself, but of political priorities regarding the tenure groups. In the United States, the bias of tenant-landlord law reflects the political weakness of tenants.

Since the 1970s, in response to tenant protest movements, a number of states have adopted laws giving tenants more rights and landlords more responsibility. These include the "implied warranty of habitability" (which guarantees tenants the right to minimum standards of decent housing and that they will not have to pay for "essential services" which they do not receive), protection against "retaliatory" evictions for complaining to the landlord or authorities about building conditions, and the legality of rent control. Other legal reforms deal with security deposits, the right to rent strike, utility shut-offs, locks, seizure of tenants' possessions, standard leases, and housing discrimination (Blumberg and Grow, 1978; Rose, 1973). But because tenant-landlord laws are enacted at the local and state levels, these reforms have not been adopted uniformly, but only in areas of tenant concentration and activism. Many tenants, therefore, are not covered by such laws.

State and municipal building and housing codes provide for minimum standards of health and safety. Although localities had dealt with this problem earlier, substantial government regulation really began with New York's pioneering Tenement House Act of 1867, which prescribed minimum standards for fire, safety, ventilation, sanitation, and weathertightness of multiple-family housing, and the Tenement House Act of 1901, which created more adequate enforcement mechanisms. Despite scholarly debate on the motives behind such regulation (Lubove, 1962; Marcuse, 1978; Warner, 1972), there is no doubt that these codes have become stronger over the years.

However, extremely tight conditions in the housing market provide landlords with little incentive to obey tenant-landlord laws or housing codes. Despite the legal right of tenants to move, the rental housing shortage gives most tenants "no practical alternative but to take what is offered and pay what is asked" (U.S. Department of Housing and Urban Development, 1967:6). Further, in most cities, local housing codes and tenant-landlord laws are not adequately enforced. Municipal inspection departments are understaffed and poorly trained. Many landlords consider a pay-off to housing inspectors as a regular cost of business to avoid having to maintain buildings up to standards (Greer, 1979; Hartman *et al.*, 1974). Further, even when landlords are brought to court, many judges are reluctant to put the full force of the law behind landlord violations of tenants' rights or municipal housing codes. Some may fear that enforcement might lead to widespread abandonment, while others have prejudices or political ties to landlords or local governmental authorities (Carlson *et al.*, 1965; Comptroller General, 1972; Fish, 1973; Greer, 1979; Gribetz and Grad, 1966; Hartman *et al.*, 1974; Sternlieb, 1966; Sternlieb and Burchell, 1973).

6. One consequence of the tight rental housing market since the late 1970s has been the decline in the number of landlords offering leases. Increasing numbers of renters are tenants "at will," without leases.

Even rent control laws, where they exist, cannot, according to court rulings, allow local rent boards to “confiscate” landlords’ property by denying them a “fair profit.” That is, the landlords’ “right” to a profit is given greater weight than the tenants’ “right” to affordable and decent housing or to the tenants’ ability to pay (Blumberg and Grow, 1978; Lett, 1976; Rose, 1973).

The bias of tenant-landlord law and municipal housing code enforcement is a major reason why tenants are more transient than homeowners. Many tenants also move when they change marital or employment status or family size, and because they desire more space. Several studies also reveal that tenants are more mobile regardless of family characteristics (Fredland, 1973; Goodman, 1978; Rossi, 1955). The ease of eviction, the poor condition of much rental housing, and various government policies which promote displacement (LeGates and Hartman, 1981; U.S. Department of Housing and Urban Development, 1980) and raze rental housing (Gans, 1962), also prompt tenants to move frequently. When government agencies use their power of “eminent domain” to seize private property, or when private investors purchase buildings in order to “revitalize” them (such as to convert apartments to condominiums), the apartment owners are compensated for their property loss, but tenants typically are not compensated for the loss of their homes and neighborhoods. Efforts to relocate tenants displaced by urban renewal have been half-hearted and met with little success (Dreier and Atlas, 1981; Hartman, 1967).

Zoning Regulations

Land-use zoning can, and is, used for other purposes, but it generally has been used to reinforce patterns of residential segregation, based on housing form and tenure, that conform to popular prejudices and economic interests. In practice, if not in theory, zoning has served to segregate residents by economic class, both within and between municipalities. It has also been used to segregate homeowners from tenants. Where tenants are not excluded entirely, they have been spatially segregated in particular areas within municipalities (Babcock and Bosselman, 1973; Mandelker, 1971).

It may appear that exclusionary zoning is directed primarily against the poor and racial minorities (who are disproportionately apartment dwellers). But there is also considerable evidence that it also discriminates, in intent and in effect, against *all* tenants, regardless of income, race, or family characteristics.

The first zoning laws in the United States were adopted in the early part of the 20th century and most communities now exercise zoning powers. In 1926, the U.S. Supreme Court issued a landmark decision in defense of restrictive zoning, arguing that the presence of apartment buildings lowered the value of single-family dwellings. The Court said:

With particular reference to apartment houses, it is pointed out that the development of detached house sections is greatly retarded by the coming of apartment houses, which has sometimes resulted in destroying the entire section for private home purposes, that in such sections very often the apartment house is a mere parasite, constructed in order to take advantage of the open spaces and attractive surroundings created by the residential character of the district. Moreover, the coming of one apartment house is followed by others, interfering by their height and bulk with the free circulation of air and monopolizing the rays of the sun which otherwise would fall upon the smaller homes, and brings, as their necessary accompaniments, the disturbing noises incident to increased traffic and business, and the occupation by means of moving and parked automobiles, of larger portions of the streets, thus detracting from their safety and depriving children of the quiet and open spaces and play, enjoyed by those in more favored localities—until, finally the residential character of the neighborhood and its desirability as a place of detached residences is utterly destroyed. Under these circumstances, apartment houses, which in a different environment would not only be entirely unobjectionable but highly desirable, come very near to being nuisances (*Village of Euclid v. Ambler Realty Company*, 1926:394).

Apartments symbolize the city problems that many suburban homeowners sought to avoid

(Danielson, 1976:53). As Judd (1979:187) notes, this is “an attitude applied even to luxury apartments.” As a result of this prejudice, proposals for apartment construction, fought out as zoning disputes, ignite popular resistance. That these prejudices are directed at tenants in general, not only at the poor and minorities, is suggested by the fact that middle-income apartments meet resistance as well as efforts to “open up” the suburbs to the poor and minorities (Davidoff and Davidoff, 1971). Most suburbs exclude apartments entirely. Almost all municipalities segregate them from single-family areas. Over 99 percent of undeveloped land in the United States zoned for residential use is restricted to single-family homes (Hartman, 1975:45).

TENANT CONSCIOUSNESS AND ACTIVISM

Tenants have a long history of collective action and consciousness in the United States, beginning in the colonial period. In that period, tenants joined together to resist landlords' efforts to evict tenants and raise rents and, ultimately, “to wrestle the land that the tenants worked from the landlord's ownership” (Heskin, 1981:180). By the time of the Revolution in 1776, tenants became part of the movement for independence. “Urban tenants joined with property owners in the Sons of Liberty, for the theme ‘no taxation without representation’ had special meaning to tenants who were generally denied the vote in colonial America” (Heskin, 1981:181). Even in those colonies where they could legally vote, their “tenure was at risk as they stepped to the polling place” because landlords did not like the idea of tenants exercising the right to vote (Nash, 1979:367). Tenants assumed that upon independence they would be granted the vote, and would be able to elect their own to office and pass laws making it more difficult for landlords to evict tenants (Williamson, 1960:86). After much debate, the Continental Congress of 1776 advised all the states to expand the voting population, but only a few did so (Williamson, 1960). As a result, virtually no tenants had any voice in the writing or ratification of the U.S. Constitution or the formulation of local laws, including tenant-landlord laws. The Constitution was written to protect large property holders from the potential power of the majority who were small property owners and tenants. Indeed, Beard wrote, their basic fear was of a future majority of an urban “landless proletariat” (1913:157). For the next half-century, both rural and urban tenants took part in continuous protest and political struggles to secure their tenure, reduce rents, and extend the franchise (Heskin, 1981).

Modern tenant consciousness and activism began in the late 1800s with the rise of the industrial city and the emergence of tenants as a majority of the population in central cities. Fragmentary evidence suggests that tenant consciousness and activism reached peaks at the turn of the 20th century, after the First World War, and during the Depression—all periods of economic crises and housing shortages (Heskin, 1981; Lawson *et al.*, 1975; Lawson and McLaughlin, 1975a,b, 1976; Lebowitz, 1981; Piven and Cloward, 1977). The strongest and most persistent activism developed in New York City. The tenants self-help movement was distinct from the “good housing” movements of middle-class reformers working on behalf of tenants who rarely were themselves tenants (Lubove, 1962).

The 1960s saw another wave of tenant consciousness and activism. This period differed from previous ones in that it was not a period of economic crisis or of a severe housing shortage. Indeed, it was a spill-over from the civil rights, poor people's, and student movements, all of which developed in the context of “rising expectations.” Out of these efforts came the Harlem rent strikes of 1963–65 (Lawson and McLoughlin, 1976; Lipsky, 1970; Naison, 1972; Piven and Cloward, 1967); the National Tenants Organization, primarily among low-income blacks in public housing (Brill, 1972; Marcuse, 1971); and tenant unions in such college towns as Berkeley, Madison, Ann Arbor, and Cambridge, and in nearby cities where student activists mixed with a low-income population, such as Boston, Lynn, and San Francisco (Burghardt, 1972). The report of the Kerner Commission (National Advisory Commission on Civil Disorders, 1968)

found that housing problems among low-income tenants was the primary grievance behind the mid-1960s ghetto rebellions. An important legacy of this period was the reform of tenant-landlord law. Legal Services lawyers, part of the "war on poverty" program, worked with tenant groups on the local and national level to advocate more equitable laws; they won important legal precedents, as I noted above.

Except for this brief peak in the 1960s, however, the postwar period was not conducive to widescale tenant protest because of the sharp increase in home ownership during that period. Many tenants viewed themselves as "temporary" tenants on a "way-station" toward home ownership, and the growing numbers of home owners seemed to indicate that they were right. Other conditions also constrained tenant consciousness and activism. One was their greater transiency, giving them less of a "stake" in their building. The greater transiency of tenants, and the fact that tenants were more likely than homeowners to be low-income, also resulted in their lower political participation. Studies in both the United States (Alford and Scoble, 1968; U.S. Department of Commerce, 1979b) and Great Britain (Davies and Newton, 1974) found lower voting rates among tenants.⁷ They were less involved than homeowners in protest activities to protect their neighborhood (Cox, 1982; Fellman, 1973). In addition, the personal, often paternalistic, relationship between small, amateur landlords (owners of one or a few small apartment buildings where they often reside themselves), and their tenants constrained the development of broad-based, tenant-landlord conflicts (Gans, 1962; Krohn and Tiller, 1969).

These conditions were beginning to change in the late 1970s as a new wave of tenant consciousness and activism developed. First, extremely low vacancy rates for rental housing have made it more difficult for tenants who were dissatisfied with their apartments to move elsewhere. In 1979, the nationwide vacancy rate reached a postwar low of 4.8 percent, but it was even lower in most major cities (Comptroller General, 1979). Second, with skyrocketing costs of home ownership, an increasing number of households, particularly those in the "baby boom generation," have become involuntary tenants, perhaps for a significant period of their lives. The average price of a single-family home increased from \$23,000 in 1970 to almost \$70,000 in 1979. Whereas two-thirds of all households could afford a single-family home in the 1950s (using the rule-of-thumb of spending no more than one-quarter of one's income for housing), less than one-quarter could in the late 1970s (Frieden and Solomon, 1977). The percentage of home buyers who were purchasing their first home decreased from 36.3 percent in 1977 to 13.5 percent in 1981 (Christian and Parliment, 1982). In 1982, the rate of mortgages in foreclosure reached a postwar peak (Brooks, 1982). Fewer tenants in the 1980s view themselves as "temporary;" they have a greater stake in their apartments. Lastly, the economics of apartment ownership and management began to change in the 1970s. The late 1960s and early 1970s experienced a boom in high-rise and garden apartment construction in cities and suburbs. These were rented by middle-income tenants, owned by absentee owners, and managed by professional reality firms (Neutze, 1968; Schafer, 1974).⁸ This aggregation and depersonalization of tenant-landlord relations further created conditions for the development of tenant consciousness and activism, much as the parallel process in labor-management relations gave rise to industrial unionism.

7. Unfortunately, none of these studies controlled for income, so we do not know whether these findings are related to tenants' socio-economic status. White and black tenants, and male and female tenants, vote at approximately the same rate. Older tenants vote at a higher rate than younger tenants (U.S. Department of Commerce, 1979b).

8. Most renters do not live in high-rise buildings: 73.1 percent live in structures with nine units or less (Sternlieb and Hughes, 1980:223). This is changing, however, as older, smaller buildings are demolished or abandoned, while new construction is primarily of larger structures. Larger buildings and complexes tend to be owned by a partnership, real estate corporation, or investment trust; small buildings by individuals (U.S. Department of Commerce, 1973).

A widespread, middle-class tenant movement has begun to develop across the United States, starting first in New Jersey and California where the trends were most pronounced. It soon spread to every urban area in the nation. In the early 1970s alone, more than 100 municipalities in New Jersey and more than 25 in California adopted rent control—as did Washington, D.C., Baltimore, Boston, and other communities—while the momentum for rent control escalated elsewhere (Atlas and Dreier, 1980; 1981; Baar, 1977; Dreier, 1979; Indritz, 1971; Lawson, 1980b). The wave of condominium conversions that emerged in the late 1970s—in part due to speculation from the rental housing shortage, in part to take advantage of “lowered expectations” for home ownership—triggered widescale tenant protest, enactment of regulations on “condomania” in hundreds of localities, and the emergence of ongoing tenants groups (Dreier and Atlas, 1981). In many communities, tenant groups became a self-conscious voting bloc, dramatically increasing tenant voter turn-out and electing tenant advocates to public office (Dreier, 1979, forthcoming; Shearer, 1982). The growing number of local tenant groups led to the founding of a national tenants newspaper called *Shelterforce* in 1975 and the formation of a National Tenants Union in 1980.

Among low-income tenants, tenant activism was encouraged by the policies of President Jimmy Carter, which revitalized programs that provided staff and support services (VISTA, Legal Services, Community Services Administration) to grass-roots tenant and neighborhood groups (Perlman, 1979). This confirms, in part, the view of the “resource mobilization” paradigm of social movements, linking movements to funding and other sources in the external environment, not just to objective conditions of oppression (Zald and McCarthy, 1979).

More broadly, political and cultural changes helped fuel the revitalized tenant movement in the late 1970s and early 1980s. The legal reforms around tenant-landlord law achieved during the previous decade (particularly laws against “retaliatory” evictions) made tenant organizing easier and less risky. The broader consumer, environmental, women’s, and neighborhood movements of the 1970s (Boyte, 1980; Oliver, 1980; Perlman, 1979) also created a political climate of what Bell (1976) called “rising entitlements.”

Although tenants vastly outnumber landlords, the real estate industry has traditionally been more united and powerful in promoting laws and policies that protect its self-interest (Checkoway, 1980; Lilley, 1980; Marcuse, 1971; Wolman, 1971). Homeowners tend to side with realtors, and against tenants, in local political matters, viewing themselves as “property owners” (Bouma, 1962). But in the late 1970s apartment owners and developers, particularly those representing the larger and professionalized sector of the industry, began to organize more self-consciously to stem the tide of tenant activism and the growing number of communities passing rent controls, condominium conversion restrictions, and other pro-tenant laws. Not surprisingly, this first occurred in New York State, California, and New Jersey, where tenant strength was greatest (Baar, 1977; Dreier, 1979; Lawson, 1980a). In 1978, they formed the National Multi-housing Council (NMHC) to provide local affiliates with technical and legal advice and to lobby in Washington, D.C.; in 1982, for example, the President’s Commission on Housing recommended a NMHC proposal to prohibit federal housing funds to localities with rent control.

CONCLUSION

Although sociologists and other social scientists should be wary of making predictions, it seems clear that unless social and political conditions, and national housing policy, are dramatically altered in the United States, the 1980s will witness the continued growth and consolidation of tenant consciousness and activism (Dreier, 1982, forthcoming). To understand this protest movement, it is necessary to understand the status of tenants in the context of broader trends and inequities in the society. This paper has been a step in that direction.

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