

THE GREAT BERKELEY RENT STRIKE

trouble

People in Pain. People spend months looking for a nice place to live in Berkeley. Absentee landlords treat tenants as highhandedly as they please (they steal deposits, ban dogs and children, hassle people, discriminate against blacks, longhairs, old people, students). And RENTS are getting totally out of hand -- often nearly double what they were five years ago. Rent increases of \$10-20 EACH YEAR are now common. People are being driven out of Berkeley, to North Oakland and other places. Meanwhile landlords let comfortable, inexpensive old houses decay as they raise the rents (like 2302-14 Dwight), then destroy them (like 2530-6 Ellsworth in December, 1968), to make way for ugly, overpriced "instant slums", built to last about 10 years (2431 Ellsworth is 1 year old and in need of repairs; 2227 Derby is 11 years old and in deplorable condition; 2425 Grant was built in 1960 and is practically unfit for human habitation). Every year the number of attractive apartments diminishes, the rents go up, and more people are turned away from Berkeley.

Who's Behind It? The BERKELEY BOARD OF REALTORS has managed a housing squeeze in the Berkeley flatlands. They are redeveloping Berkeley in an ever widening circle around campus. Near the perimeter (currently at Parker, Grove, and Virginia) they madly grab land. Further out they raise ghetto rents, force out working class blacks and whites, and move in relatively more affluent students (an apartment on Harmon St. was raised from \$85 to \$125, beyond the means of the black tenant family).

A landlord's big money is in SPECULATION. He bleeds old buildings for all he can (at 2037 Hearst, the landlord, Bachenheimer, pays \$720 taxes, grosses \$7,000 rents per year on a property assessed at \$21,500). Then he sets up a PARTNERSHIP of doctors, lawyers, professors, and small businessmen to finance a ticky-tacky. Then he cleans up from (1) TAX WRITE-OFFS -- he subtracts a super-loophole DEPRECIATION allowance as well as municipal and county taxes from his taxable assets (2) EQUITY -- the tenants pay off his mortgage and he gets every cent back when he sells the property (3) HIGH RENTS -- often paying off the whole building in 5-10 years (4) higher PROPERTY VALUE -- the land values rise as the city is redeveloped, and the property values go up as the rent goes up. He exploits this RENT-TAX SPIRAL by raising the rents many times the tax increase, using the resultant tax increase to "justify" even higher rents (a typical case is 2325 McKinley, where the taxes (deductible) have increased \$3,300 while the total rents have increased \$16,380).

Certain speculators are called "gougers" even by the Board of Realtors. They probably refer to ambitious and avaricious men who neglect P.R. like Melvin Kaplan, Richard Bachenheimer (alias Premium Realty), Forrest Merrill, Robert Ellsworth (alias Rue Ell Enterprises), John S. Knudsen (of Rental Associates), and Cyril Stevenson (alias Sather Gate Realty). These men not only gouge but also ruthlessly deceive and intimidate tenants and cheat each other (for instance, according to a representative of the Board of Realtors, they fined one of these men \$500 for unethical listing practices).

The "small landlords" who charge average inflated rents and make fancy gains in land are accomplices of the Board of Realtors in redevelopment (P.G. Pearce owns two buildings on Derby St. assessed at \$116,000, grosses \$23,000 rents, pays \$4,000 taxes, and the market value of his property has risen sharply in the five years that he has owned it).

The UNIVERSITY has bought up the South Campus residential area and turned it into dormitories and parking lots (like the People's Park site). The CITY has supported a plastic-neon redevelopment scheme called the MASTER PLAN, which produces today's University Ave. and tomorrow's plans for the BART corridor on Hearst Ave. Their building codes and zoning ordinances actively encourage the construction of large, shoddy apartment houses.

action

Take Care of Berkeley. We have formed the BERKELEY TENANTS UNION (People's Office, 1925 Grove, 549-3977) to help take care of people's housing needs. The BTU offers (1) free LEGAL COUNSELING (daily, 549-3977) for tenants' problems, with free lawyers in many cases (2) a RELIEF SQUAD (549-3977 or 843-5025) on immediate call for protection from violence perpetrated by landlords against tenants (3) ORGANIZERS (People's Office, 1925 Grove) to help solve landlord-tenant disputes by publicity, pressure, and collective action (4) INFORMATION (549-3977) on a landlord's taxes, mortgages, and holdings. For the Black and Chicano communities there is a fraternal tenants union, TORCH (3284 Adeline, 655-2700). And for developing a people's alternative to the Master Plan, PEOPLE'S ARCHITECTURE (1940-B Bonita, 849-2577).

Collective Action. To prevent the destruction of Berkeley, not just salve the wounds, we must ACT COLLECTIVELY. For example, this fall we have (1) picketed 2430 Dwight Way, halting new rentals, resulting in the lowering of 2-bedroom apartments from \$200-220 to \$180-190 and 1-bedrooms from \$180-190 to \$150-160 (2) petitioned Knudsen of Rental Associates to make long-promised repairs and improvements at 2325 Channing, resulting in the installation of shower stalls and all other repairs within a month (3) marched on Golden Gate Management Co. and demanded of A. Kobs in front of TV cameras, that he stop all evictions at 3042-8 Wheeler St., resulting in all evictions being rescinded (4) held scores of BUILDING MEETINGS, resulting in the organization of a thousand tenants around their demands. Most importantly, we are organizing a RENT STRIKE to alter the nature of landlord-tenant relations by forcing the landlords to recognize the BTU as the SOLE COLLECTIVE BARGAINING AGENT for its members. This is our NON-NEGOTIABLE DEMAND (we have many negotiable demands such as rent reductions, third party management of deposits, better leases, no construction or demolition of rental property without BTU approval, etc.). We are circulating a STRIKE PLEDGE to muster bargaining power and support for the rent strike. Through the ORGANIZERS COLLECTIVE (meeting Sundays at noon, People's Office) we are organizing LANDLORD COLLECTIVES of tenants under the same landlord. The landlord collectives are the STRIKE LOCALS for the BTU, making demands, entering negotiations, and striking collectively when the time comes. We are contemplating the formation of TENANTS COLLECTIVES to manage and purchase apartment buildings.

Strategy for Victory. We expect to defeat the landlords by pressuring them and pinching their pockets until it becomes more profitable for them to sign with the BTU. Tenants will stay in their apartments, not paying rent. Landlords will try to evict them, but (1) any evictions come AFTER court judgment (2) the courts will be clogged up (3) court costs will mount (4) we will keep increasing the pressure on the landlords (5) the landlord MAY lose the eviction case and will PROBABLY be awarded a minimal judgment by a jury of Berkeley citizens (6) he will have DIFFICULTY collecting the judgment (7) evictions require the INFLAMMATORY presence of Alameda County Sheriffs (8) the apartment will be picketed and scab tenants hard to find, hard to keep (9) other landlords will sign with the BTU, minimizing the value of holding out. Finally, the rent strike will undermine the whole investment situation in Berkeley, making speculation much less profitable.

doubt

But My Rent is Reasonable. A 1-bedroom apartment (with dining room) on Fulton St. near Carleton St. rents for \$75. Are you doing that well? Your landlord may claim he is losing money or nearly so, but he is LYING. He MIGHT NOT be clearing cash on the building. But hardly ever does 2 months rent fail to cover taxes (which are deductible anyway). For example, at 1915 Haste St., the landlord, Roy French, grosses \$495 per month from a 4-plex and pays \$985.18 taxes this year. Your landlord's main "expense" is mortgage payments--and he gets back every cent when he sells the property!

My Landlord is a Nice Guy. Ask your landlord if he will sign the BTU collective bargaining covenant. It is only fair of him.

My Landlord Will Tear This Place Down and Build a Ticky-Tacky. He is probably bluffing. If he could afford to tear it down right now, he would. If he is for real, then no doubt he would do it anyway--at most, a couple of years later. Only a rent strike can hope to stop the destruction of Berkeley in the long run.

The Landlords May Blacklist Me. If any such practices occur, we will act together and stop them.

It's Hard to Find a Place in Berkeley. It sure is. The BTU will see to it that if you are evicted in the rent strike, you will have a roof over your head--but it may not be as desirable as what you have now. This is a real risk (but very few of the mass of people out on strike will actually be evicted).

The Rent Strike May Fail. We don't think so. The landlords and the city have never before seen the people stand up for their basic needs. They are overextended and not adapted to collective action by tenants.

(We know that the State government and the University may prevent us from realising in a few months' time the full vision of a People's Berkeley--but already our actions have shown how very vulnerable the landlords are.) And rent strikes usually win (for example, in St. Louis and Ann Arbor). Besides, what else can we do? We must take care of the plight of our cities--if Berkeley won't, who will?

The Rent Strike May Be Co-opted. The Ann Arbor Tenants Union has consistently won rent reductions of 5% to 50%, but they have not won collective bargaining recognition. Likewise, in every action we have initiated so far, the landlords have given in to buy us off. We must continue firm in our resolve to struggle for collective bargaining recognition and people's control of the Berkeley housing situation.

risk

Eviction Scenarios. You MAY get evicted. You will PROBABLY face EVICTION PROCEEDINGS. Probably as a first step your landlord collective will notify your landlord of your demands. If your landlord does not sign the BTU collective bargaining covenant, you (as a strike pledge signer) will be expected to strike, by withholding your rent, when a mass meeting of pledge signers votes to strike. You will probably place your rent (or a "fair" part of it) in an ESCROW ACCOUNT -- if this is decided upon by the mass meeting. And you will send your landlord a letter announcing your strike. He will probably send you a Notice to Quit or an Eviction Summons. In either case IMMEDIATELY CONTACT YOUR ORGANIZER AND THE BTU. You must file either a DEMUR or an ANSWER within THREE DAYS of the Eviction Summons, or lose by DEFAULT. We intend to prepare these responses in advance for all pledge signers. Free lawyers will be available for all pledge signers.

We will ASK (but NOT INSIST) that you DEFEND YOURSELF (with intensive technical assistance from our legal staff). We advocate self-defense because (1) it breaks down people's dread of the law (2) it enables the defendant to get up on the witness stand and just rap. You will want a JURY TRIAL -- you or we or your collective will muster up the necessary \$60 per day. If you are evicted, you have FIVE DAYS before the Sheriff can legally evict you. And an eviction is a civil judgment and will not give you a criminal record.

You May Lose Money. If evicted, you can be held liable for (1) landlord's court costs (maybe \$25) (2) landlord's attorney's fees (maybe \$250) (3) back rent -- possibly trebled (4) Sheriff's fees for eviction (about \$75-100 per room). But (1) the jury awards the damages -- a jury of Berkeley citizens will never treble the back rent, and other awards will be minimal (2) the laws providing these damages are questionable and we will challenge them in court (3) THE LANDLORD HAS TO COLLECT THE DAMAGES. And as far as possible, we will bear our losses collectively.

Protection in Numbers. Collective action offers these protections: (1) we will help each other, by coming to each other's aid, by sharing resources, by publicity (2) united we can protect ourselves from landlords' violence (3) we can bring our own court costs to very little (4) we will be able to provide alternate housing for people who do get evicted (5) we will clog up the courts (for comparison, the Berkeley-Albany Municipal Court tried only 350 cases including 50 jury trials in the first SIX MONTHS of 1969) (6) the large MASS of people striking makes any counter action risky to landlords and liable to upset their delicate situations (they fear each other second only to tenants). We expect to suffer losses; we expect to make substantial gains; we will struggle until the people control the Berkeley housing situation.

soul

"Dear landlord, please don't put a price on my soul
My burden is heavy, my dreams are beyond control
When that steamboat whistle blows, I'm gonna give you all I've got to give
And I do hope you receive it well, depending on the way that you feel that you live.

"Dear landlord, please heed these words that I speak
I know you've suffered much, but in this you are not so unique
All of us at times we might work too hard to have it too fast and too much
But anyone can fill his life up with things he can see but it just cannot touch

"Dear landlord, please don't dismiss my case
I'm not about to argue, I'm not about to move to no other place
Now each of us has his own special gift, and you know this was meant to be true
And if you don't underestimate me, I won't underestimate you."
- Bob Dylan