

CAMBRIDGE TENANTS UNION
1151 Massachusetts Avenue
Cambridge, MA 02138

1991 APR 4 4:52
CAMBRIDGE MA.

Cambridge City Council
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

To the Honorable; the City Council:

The Cambridge Tenants Union has not yet responded formally to the work of the city council's Rent Control Committee. We understand the matter will be before you officially on April 8, 1991 and ask that this, the first part of a two-part response to the February 25, 1991 report, "Rent Control Reform in Cambridge," be included in the April 8th hearing record.

The Process

At the outset we believe a review of the process which led to Mr. Ford's report will prove instructive. The long series of meetings which the Rent Control Committee held throughout the fall and early winter were mostly just that, meetings. The committee appeared to be attempting to function like a legislative committee at the state house. Public participation was not encouraged. Instead, the public, both tenants and landlords, were relegated to the role of spectators at the committee's "working meetings".

Little preparation appeared to go into the conduct of most of these meetings. Agency officials who were asked to appear provided only the most general information, as if they had not been given a precise set of questions or issues beforehand and as if "once over the top lightly" was all the committee really wanted.

In this setting it was not surprising that, for the most part, the treatment of issues was superficial and desultory. No genuine attempt was made to involve tenants or landlords in rethinking how the rent control system works, what its legal foundations are, and how, after twenty years, it could, while still resting on those foundations, work better. Among tenants, the sessions became known as either "The Twilight Zone" or "Rent Control 101A". Somewhere along the way, it crossed the minds of many of us, both tenants and landlords, that we might be part of some other agenda. If so, perhaps time will reveal what that other agenda is.

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The greatest tragedy in this is that an opportunity has been lost. Had the committee selected a more productive approach, set a clear direction, and had it genuinely sought and pursued innovative thinking, then some solid changes in a few critical areas could have been achieved. A few well-thought-out changes could be put in place on a workable and non-disruptive timetable. This, unfortunately, is not what happened and not what appears to be happening.

THE FORD REPORT

General Comments

There are both advantages and disadvantages to having someone unfamiliar with a subject write about it. With solid data and a firm factual foundation someone new to a subject can bring dispassionate analysis and can order the data and facts in a clear, unbiased way. Without such data and facts, someone new to a subject is reduced to anecdote, assertion, and personal opinion. That, regrettably, is the result here. Given the situation, we think this outcome was predictable. We wonder why it was allowed to occur.

The report is sloppy; it was thrown together hastily; its points are often superficial at best and misguided or plain wrong at worst. The most thorough discussions appear to be result-oriented: "facts" and "data" are selected and organized only to support pre-ordained conclusions.

Tenants have been told they should be pleased because a good deal of their "agenda" is included. Some of the words perhaps, but not the content, the understanding, and the workable programs. Now, on the heels of Mr. Ford's report, the field is wide open: everyone can be an instant expert on rent control and everything is up for grabs. It looks as if rent control is about to be blasted with scatter guns and peashooters alike as the stable regulatory environment vital for the protection of Cambridge tenants is turned topsy-turvy. Unless clearer heads prevail, tenants will, we predict, surely be the losers.

The Introductory and Policy Sections

The hardest parts of the report for many tenants to read were those which implicitly accepted many of the biases and premises of the real estate industry and its attacks on rent control. If we had to reduce these rationales -- and we trust they are not those of the committee or the council -- to a pat

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sylllogism it might read: "tenants are rich, landlords are poor, and rent control causes dilapidated buildings." Stating the landlord position baldly makes the point clear: focusing in on the exceptions and not on the rule cannot and will not lead to sound public policy. Nor will reciting mantras of support for rent control. We, and the committee, know that the facts, the objective facts, about rent control do not lead to these conclusions. If there were any real basis for such rationales, given the drumbeat of anti-rent control rhetoric by landlords and the real estate industry, we would have long since heard about it, many times over.

Rent control rests on well-established and well-tested foundations. Those foundations must remain firm if the system is to work. No magic wand can convert a cost-based system into an income-based system. Rent Control is not a Cambridge Section 8 program.

While we agree with the committee that rent control is an important part, but not the only part, of housing programs in Cambridge, we do not believe that rent control can solve all the city's housing problems, nor can it be all things to all people.

Neither the members of the Rent Control Committee nor anyone else can issue a ukase decreeing instantaneous harmony between tenants and landlords. Landlord/tenant law exists because there are frequent disputes between those who rent and those who own. Obviously, housing is much better for renters when they get along with their landlords, and honest landlords will admit that they have good tenants. But no one with a real sense of the twenty year history of rent control in Cambridge can honestly expect an era of good feeling to begin just because meetings are held and a report is written. Too often, disputes about housing and about rent control take place in a zero-sum game environment: someone wins and someone loses. An honest government must face up to those situations. That's why making good housing policy and witting good housing law is hard.

As it stands, we urge great care on the council's part in adopting Mr. Ford's report in any fashion. Unless, of course, the council wishes to place itself on record as accepting a report shot through with landlord biases and false premises, each of which may be used down the road by those who wish to undermine the essential foundations of rent control in Cambridge.

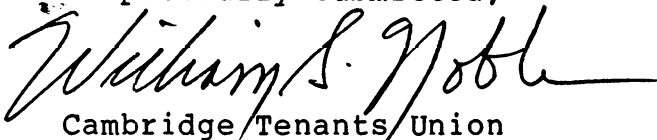
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The Recommendations

Part 2 of our response to the city council will deal with specific recommendations of the Ford report and other matters. Here, suffice it to say that we trust that this city council will ensure that any rent control reforms adopted in 1991 will not stain further the meaning of the word "reform", as "tax reforms" did during the Reagan years.

Respectfully submitted,

(for)



Cambridge Tenants Union
(William S. Noble)

COMMUNICATION #1

S-620

Communication received from William S.
Noble re: report entitled Rent Control
Reform in Cambridge.

In City Council,

April 8, 1991.

*Referred to hearing
scheduled for
April 22, 1991
at 7 PM*