



A Renter's Right to Return: Deprivatizing Resilience In The California Context

Citation

Slade, Shannon. 2022. A Renter's Right to Return: Deprivatizing Resilience In The California Context. Master's thesis, Harvard Graduate School of Design.

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A Renter's Right to Return: Deprivatizing Resilience in the California Context

By

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Submitted in partial fulfillment of the requirements for the degree of

**Master in Design Studies
Risk and Resilience**

At the Harvard University Graduate School of Design

May, 2022

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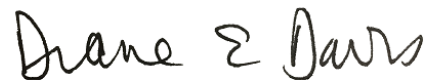
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A RENTER'S RIGHT TO RETURN:

Deprivatizing Resilience In The California Context

How disaster preparedness and recovery efforts in the United States fail renter communities, and what strategies could improve risk mitigation for non-homeowners.



Billboard along La Brea Avenue in West Hollywood, March 2022 (Photograph by author).

By Shannon Slade

Master in Design Studies in Risk and Resilience
Harvard Graduate School of Design, Class of 2022

ACKNOWLEDGEMENTS

It is easy to see the beginnings of things, and harder to see the ends.

Joan Didion, *Slouching Towards Bethlehem*¹

I am so grateful for the people who supported me and made this thesis research possible. I would like to thank my advisor, Professor Diane Davis, for encouraging me to pursue this topic and for introducing me to literature that informed the methodology of my work. You have deeply influenced how I understand the dynamics of cities and the communities within them, and I am appreciative of the time, feedback and guidance you provided me throughout this process. I would also like to thank Dr. Abby Spinak for your support and for challenging me to translate these ideas to a broader audience. The guiding principles of the Risk and Resilience concentration are more timely today than they have ever been, and your leadership as our Area Heads was instrumental in shaping the work of our cohort. I am thankful I had the opportunity to be a part of this program.

This project was deeply informed by the interviews I conducted over the course of my research. I would like to thank the West Hollywood and Los Angeles city officials and staff, as well as representatives at the Coalition for Economic Survival, for your critical perspectives. I would also like to thank Dr. Carlos Martin and the Joint Center for Housing Studies of Harvard University for lending their expertise around topics of housing policy and disaster risk, as well as for the Community Service Fellowship Program that gave me the opportunity to learn more about municipal governance.

Diego, Slide, Mike, Keni, and Fabiana— our cohort has meant the world to me, and I feel incredibly lucky to have emerged from this program as lifelong friends. I continue to be inspired by you and I look forward to learning together for years to come.

To my West Hollywood and Los Angeles communities, thank you for your support and for creating a space that helped me grow into a truer version of myself.

Most importantly, I would like to thank my parents, Elliott and Donna, and my sisters, Laura and Kimball, for your love, generosity and patience as I worked through these difficult topics. I love you and I could not have done this without you. Dad, I'll get my licensure soon, I swear.

¹ Didion, Joan. 1968. *Slouching Towards Bethlehem*. New York: Farrar, Straus & Giroux.

Risk as a phenomenon or a legible concern is deeply informed by power and social questions, including who has the right or authority to define risk, how risk is distributed, and who pays and who gains from it.

Diane Davis, ““From Risk to Resilience and Back: New Design Assemblages for Confronting Unknown Futures.”²

²Davis, Diane. ““From Risk to Resilience and Back: New Design Assemblages for Confronting Unknown Futures.” *Topos*, 90, 2015; 61.

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PREFACE

A CALL FOR URGENCY, PANDEMIC LESSONS ON RENTER VULNERABILITY

Why is the right to return so fundamental? It is because exile is a fundamental deprivation of homeland, a deprivation that goes to the heart of those immutable characteristics that comprise our personal and collective identities. We have a right to our homeland, to live in peace and security in the places of our birth, of our ancestors, our culture, and our heritage.

Bill Frelick, "Opinion: The Right of Return."³

Derived from the international human rights context, the "right to return" acknowledges the human need for connection to place and the community, stability, and security this connection provides. In disasters, whether they are natural or man-made, sudden shocks displace citizens and destabilize communities, leaving them without the guarantee to come back to their homes and with the "spiritual pain" that comes with losing access to these freedoms.⁴ In the United States alone, the percentage of internally displaced people has risen 72% from 2018-to 2020, with over 1 million citizens forced to leave their homes every year.⁵

The COVID-19 pandemic has been a collective traumatic event that continues to cause widespread damage across the globe regardless of spatial or political boundaries. While representing a public health disaster as opposed to a 'natural' one⁶ like an earthquake or wildfire, the pandemic has proven that sudden onset disasters

³ Frelick, Bill. "Opinion: The Right of Return." *International Journal of Refugee Law* 2, no. 3 (1990): 442–47.

⁴ Frelick, Bil.. "Opinion: The Right of Return."

⁵ IDMC. "International Displacement Monitoring Centre Country Profile: United States." Accessed April 10, 2022. <https://www.internal-displacement.org/countries/united-states>.

⁶ FEMA National Risk Index. "Natural Hazards | National Risk Index." Accessed April 6, 2022. <https://hazards.fema.gov/nri/natural-hazards>.

amplify existing vulnerabilities of populations and reveal the weaknesses in our existing emergency mitigation and response systems.⁷ The ability of citizens to recover from a disaster is not self-determined but linked to multiple factors that privilege or disadvantage groups, including socioeconomic, environmental, historical, and infrastructural factors that are deeply tied to our built environment. This is determined in part by *exposure*, the probability of an area or community being struck by a disaster event, as well as *vulnerability*, the community's capacity to prepare for or respond to the disaster.⁸ These factors exist physically, through our housing and infrastructure, and in a social capacity. *Risk*, the combination of *exposure* and *vulnerability*⁹, is inherently place-based in terms of distribution.

Though issues of renter precarity had never gone away, the COVID-19 pandemic brought these vulnerabilities to the forefront with renewed attention to the need for tenant protections in a sudden-onset disaster and intersected with ongoing chronic stressors to communities. Since 2010, California's unhoused population has risen by over 31%, with over 40% of all unhoused people in the State residing in Los Angeles¹⁰. These numbers will continue to rise as eviction protections across the country end. Over the course of the pandemic, new protective measures were adopted at the national, state and local levels to try to mitigate stressors to the renter housing market both for tenants and landlords. The federal Coronavirus Aid, Relief, and Economic Security Act (CARES), the federal eviction ban, and emergency rental

⁷ Crisanta E. Gonzalez, MPA, Emergency Management Coordinator II and Carmina De Santiago, Public Health Liaison, with the Planning Division & Community Preparedness and Engagement Division of the City of Los Angeles Emergency Management Department in discussion with author, March 18, 2022.

⁸ Martin, Carlos. "Building Equity Into Federal Investments for Housing Resilience." Virtual, October 1, 2021.
<https://www.jchs.harvard.edu/calendar/building-equity-federal-investments-housing-resilience>.

⁹ Ibid.

¹⁰ Levin, Sam. "'We Have Failed': How California's Homelessness Catastrophe Is Worsening." The Guardian, March 22, 2022.

<https://www.theguardian.com/us-news/2022/mar/22/california-homelessness-crisis-unhoused-and-unequal>.

assistance programs helped renters stay in place even when unable to pay rent.^{11 12} However, these federal protections and state relief act terminated in the fall of 2021¹³, and now only city-level protections remain¹⁴. This leaves many tenants, who are still reeling from financial, physical and emotional losses due to the pandemic, particularly vulnerable as eviction moratoriums expire and they must resume full rent and utility payments again.¹⁵

The catastrophic destabilization caused by the pandemic presents a chance for planners and politicians to reassess elements of our practice across scales, including our housing policies, that were assumed to be immutable. The pandemic has put a spotlight on renter precarity, and while emergency eviction moratoriums acted as short-term safeguards and enabled many renters to remain in place during the

¹¹ Office, U. S. Government Accountability. “Struggling Homeowners Get Extension, But Did COVID-19 Housing Protections Really Work?” Accessed April 22, 2022. <https://www.gao.gov/blog/struggling-homeowners-get-extension%2C-did-covid-19-housing-protections-really-work>.

¹² U.S. Department of Housing and Urban Development. “COVID-19: Resources for Renters.” HUD.gov, June 15, 2021. https://www.hud.gov/coronavirus/resources_for_renters.

¹³ Ibid.

¹⁴ While the California legislature approved Assembly Bill 2179 (AB 2179) to extend the renter eviction moratorium through June 30th, 2022, it did not extend the deadline to apply for rental assistance effectively closing the CA COVID-19 Rent Relief Program, which terminated March 31st, 2022. The extension of eviction protections does not extend the non-payment of rent after the March 31st date, and so tenants, many of whom are still recovering financially from the pandemic, must begin rent and utility payments again. In addition, the extension of the eviction moratorium mandates that local jurisdictions may not create new eviction restrictions until after July 1st, 2022, preventing cities from further protecting their tenants. (Arroyo, Noah. “California Evictions Could Soar in April, Tenant Groups Warn.” San Francisco Public Press, March 2, 2022. <https://www.sfpublishpress.org/california-evictions-could-soar-in-april-tenant-groups-warn/>); The National Law Review. “Some Renters Protected Under California’s Extended Eviction Moratorium.” Accessed April 22, 2022. <https://www.natlawreview.com/article/some-renters-protected-under-california-s-extended-eviction-moratorium>.)

¹⁵ State of California: Housing Is Key. “Resources for Renters, Landlords and Homeowners.” Accessed April 22, 2022. <https://housing.ca.gov/>.

pandemic,¹⁶ as these protections end, concerns about displacement return. At this moment in time, where renter protections and rights are at the forefront of the political consciousness, is there a new motivation from actors to protect renters and address their root vulnerabilities before the next big disaster event? When renters don't have a tenable ownership claim to the land, what ensures their access to their home and community?

¹⁶ Hermann, Alexander. "Emergency Rental Assistance Has Helped Stabilize Struggling Renters | Joint Center for Housing Studies." *Joint Center for Housing Studies of Harvard University* (blog), April 6, 2022. <https://www.jchs.harvard.edu/blog/emergency-rental-assistance-has-helped-stabilize-struggling-renters>.

CHAPTER 1

HOMEOWNERSHIP BIAS IN DISASTER CONTEXTS

Professor Jerold S. Kayden: *“There have been lots of debates about what’s the proper balance between, you know, encouraging ownership on the one hand and encouraging renting on the other and some people have argued that the national government for a while went too far in encouraging homeownership rather than renting. Do you have a thought about that?”*

The Honorable Marcia L. Fudge: *“I have a thought about it because I do believe we are the sum of our experiences, and when you grow up like I grew up, the only wealth you could amass at that time was to buy a home. **So if you care about building wealth, and you are a poor or moderate-income person, you should buy a home if you can. If you don’t care about wealth, then rent. See to me, rent is a waste. But to friends I have, that’s the only way they want to live. They don’t want to have responsibilities, they don’t want to take care of anything- they just want to live. But I think that we make a mistake if we say to young people that’s not something you should consider doing. I would say to young people, buy a house as soon as you can, even if you don’t live in it. Buy it. There’s only so much land, there’s only so much we can do, so own something that will over the years. Maybe it won’t be what you want it to be for you, but you can take care of your children and grandchildren. **There are not a lot of ways to create wealth in this country, homeownership is one of them.**”***

Harvard GSD John T. Dunlop Lecture: The Honorable Marcia L. Fudge: *“Building the World We Want to See: What Do We Want Our Legacy to Be?”*¹⁷

In the United States, homeownership is touted as the safeguard for community, stability, and wealth. However, ideological biases in the United States associated with this ‘American dream’ and the ‘nuclear’ family model are dangerous and dismiss the precarity many American renters face. Renters, though an essential and growing

¹⁷ Harvard GSD. *John T. Dunlop Lecture: The Honorable Marcia L. Fudge: “Building the World We Want to See: What Do We Want Our Legacy to Be?”* 2022.

<https://www.youtube.com/watch?v=TgCCICCYd9c>.

population at over 44 million households¹⁸ in the country, are still associated with impermanence and a lack of investment in their community. As exemplified in the statements above by the current U.S. Department of Housing and Urban Development (HUD) Secretary, renters are dismissed as not “car[ing] about building wealth” or “tak[ing] care of anything- they just want to live.”¹⁹ This is far from the truth about the real socioeconomic vulnerability of many renter households, many of whom do not rent out of choice but out of necessity. A Harvard University Joint Center for Housing Studies report indicated that over one-third of renter households make under \$30,000 per year. This number encompasses nearly half of Black, one-third of Hispanic and White, and just under one-third of Asian renter households when considered by race. In 2019, 46% of renters across all demographics were at least moderately cost-burdened²⁰, and 24% were severely so, spending more than half of their income on housing.²¹ These renters are also at increased risk of danger, with 40% of all United States rental units located in areas with at least a moderate risk of annual losses from natural hazards.²²

In the case of a disaster event, federal, state, and local policies often privilege the homeowner model of living over rental or multigenerational situations. These modes are already more vulnerable when finding post-disaster relief due to entrenched discriminatory practices historically built into U.S. systems of housing provision.²³ Homeowners receive specialized federal help post-disaster and often have insurance

¹⁸ Harvard Joint Center for Housing Studies. “America’s Rental Housing 2022.” Harvard Graduate School of Design and Harvard Kennedy School, 2022.
https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_Americas_Rental_Housing_2022.pdf.

¹⁹ Harvard GSD. *John T. Dunlop Lecture: The Honorable Marcia L. Fudge*.

²⁰ Spending more than 30% of income on rent and utilities.

²¹ Harvard Joint Center for Housing Studies. “America’s Rental Housing 2022.” Of these groups, low-income renters accounted for 62% (moderate) and 86% (severe) rent burdened households.

²² Ibid.

²³ Coates, Ta-Nehisi. “The Case for Reparations.” *The Atlantic*, May 22, 2014.
<https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>.

measures to help them rebuild²⁴, while renter populations, particularly non-White citizens, may end up with long wait times for aid and be more financially vulnerable while facing a risk of long-term displacement from their communities.²⁵ While the U.S. has worked to improve federal assistance programs for renters post-disaster, not enough has been done to create safeguards preemptively to protect renters and address root causes of vulnerability. Urban areas are increasingly renter-dominant²⁶; however, disaster planning has not matched this shifting evolution of our cities.

Sociologist Craig Calhoun describes the “privatization” or “marketization” of risk, where individuals bear the brunt of hardship because the public provision of goods and safety measures has become reliant on private actors. This reduces the capacity of social institutions by limiting public financing, leaving those with enough means or influence able to buy their way into better protections while those without these safeguards are left behind.²⁷ In Calhoun’s assessment, marketization leads to inequitable mitigation strategies, where preparedness measures are turned into “market opportunities”²⁸ for capitalizing on risks. These opportunities can be found in access to more expensive but safer housing options or locations, access to insurance, or through response measures like the rebuilding of housing and infrastructure and selling of products. This can take shape in disaster contexts through access to disaster mitigation programs like home buyouts and retreat adaptation, where federal and local governments offer to buy homes or provide other special financial incentives to homeowners post-disaster to prevent rebuild in vulnerable areas²⁹. Due to this

²⁴ Dundon, Leah A., and Janey S. Camp. “Climate Justice and Home-Buyout Programs: Renters as a Forgotten Population in Managed Retreat Actions.” *Journal of Environmental Studies and Sciences* 11, no. 3 (September 2021): 420–33. <https://doi.org/10.1007/s13412-021-00691-4>.

²⁵ Reid, Megan. “Social Policy, ‘Deservingness,’ and Sociotemporal Marginalization: Katrina Survivors and FEMA.” *Sociological Forum* 28, no. 4 (2013): 742–63.

²⁶ Harvard Joint Center for Housing Studies. “America’s Rental Housing 2022.”

²⁷ Calhoun, “The Privatization of Risk.”

²⁸ *Ibid*; 260.

²⁹ Yuliya Panfil. “The Case for ‘Managed Retreat.’” *Politico*. 2020, U.S. edition edition.

<https://search.proquest.com/docview/2423544481?pg-origsite=primo>.

marketization of risk, the current system is heavily focused on response and does not incentivize more aggressive mitigation measures, which would improve safety across populations, but reduce earnings for those providing these specialized goods and services through the privatized risk market.

There is also the role of political influence in accessing all these systems with the use of homeownership as a means to have a voice in decision-making in access to recovery funds. With homeowners representing a consistent voting block and source of revenue for cities via property taxes, even post-disaster grants that are supposed to be distributed equitably are influenced by these dynamics and privilege homeowners. Community Development Block Grants, the federal government's "largest source of financial assistance for neighborhood revitalization, housing rehabilitation, and economic development activities are driven by state and local governments," includes Community Development Block Grants for Disaster Recovery (CDBG-DR), which are the most substantial appropriated long-term federal recovery program for disasters³⁰. These grants were first used in response to the 1994 Northridge earthquake to try to address long-term housing needs during recovery in order to support local and state governments during a rebuild.

CDBG-DR grants are targeted at low- and middle-income populations in "response to extraordinary impacts from disasters"³¹, such as damages that are not covered by insurance or other federal sources. However, even they are still influenced by homeownership bias. In an analysis of a decade of HUD CDBG-DR awards, the Urban Institute found that while 90% of overall funds went to homeowner compensation, rehabilitation programs, or affordable rental housing out of this amount,

³⁰ Martin, Carlos, Brandi Gilbert, Dan Teles, and Brett Theodos. "Housing Recovery and CDBG-DR." U.S. Department of Housing and Urban Development, Office of Policy Development and Research, April 2019.

https://www.huduser.gov/portal/sites/default/files/pdf/HousingRecovery_CDBG-DR.pdf.

³¹ "CDBG-DR Overview - HUD Exchange." Accessed February 21, 2022.

<https://www.hudexchange.info/programs/cdbg-dr/overview/>.

state and local governments allocated more than half of this money to homeowner compensation. Only 12% of these funds went to build affordable rental housing, and since the creation of affordable rental housing was a requirement for many grants³² it is possible this number would be much lower if it were an optional allocation.³³ This is particularly concerning when considering that while an estimated 93% of homeowners have minimum basic homeowners insurance, in part due to mortgage lenders' requirement for this coverage³⁴, while only 40% of renters have renter insurance, with nearly 40% lacking adequate funds to leave their homes in an emergency.³⁵

Gaps in housing provision for renters mean that many who are displaced by disaster will not be able to afford to wait for new housing to be built in their communities during recovery, and researchers have found that the “negative effects of disasters persist, and even grow, over time.”³⁶ Researchers have pointed to a precipitous “valley” in lack of assistance, where after short-term federal aid has ended and long-term recovery funds like the CDBG-DR grants have not started soon enough to prevent renters from slipping through the cracks³⁷. Federal assistance tends to be short-lived and access to these funds are influenced by an area’s capacity to access aid. This includes having the necessary knowledge, time and ability to conduct damage

³² Martin, Carlos. “Building Equity Into Federal Investments for Housing Resilience.” Virtual, October 1, 2021.

<https://www.ichs.harvard.edu/calendar/building-equity-federal-investments-housing-resilience>.

³³ CDBG-DR grants are under temporary authorization by special Congressional budget appropriations, and case-by-case assessment of disasters has slowed down distribution to areas in need of immediate help and created some confusion when CDBG-DR grants cross-cut with other federal recovery programs. In addition, grants are intrajurisdictional, with studies finding that state priorities for housing recovery were often broader than the immediate needs of local jurisdictions, leading to tension and ineffective allocation of resources. Ibid.

³⁴ Insurance Information Institute. “2021 Insurance Factbook.” Accessed May 4, 2022. 90. https://www.iii.org/sites/default/files/docs/pdf/insurance_factbook_2021.pdf.

³⁵ Harvard Joint Center for Housing Studies. “America’s Rental Housing 2022.”

³⁶ Ratcliffe et al. “Insult to Injury: Natural Disasters and Residents’ Financial Health.” Urban Institute. 2019.

https://www.urban.org/sites/default/files/publication/100079/insult_to_injury_natural_disasters_2.pdf

³⁷ Martin, Carlos. “Building Equity Into Federal Investments for Housing Resilience.”

assessments, apply and wait for longer-term care, and fulfill eligibility requirements to cover unmet needs. Lead times on ground-up affordable rental housing were calculated at between four and five years, while housing rehabilitation programs for homeowners took around three to four years, causing lasting ramifications even outside of housing needs. For example, while temporary assistance and shelter measures expire after a few months, it may take state and local governments up to a year to launch housing assistance funds, and up to three years for citizens to receive the money they have been allocated.³⁸ Other funding measures for disaster recovery for renter populations have been inconsistent, and worse, some provisions meant to provide short-term solutions may create additional financial burdens to the displaced.³⁹ Long-term correlations have been drawn between presidential disaster declaration sites and negative measures of financial health, with long-term damage to metrics like credit scores seen for years after 'recovery'.⁴⁰

These biases support assertions about the existence of a “risk society”⁴¹ or “risk-class,”⁴² where populations who are already marginalized, such as those outside of the ‘traditional’ dwelling setup of a single-family home, are threatened by larger systems of chronic inequitable risk distribution that become particularly apparent in an

³⁸ Ratcliffe et al. “Insult to Injury: Natural Disasters and Residents’ Financial Health.”

³⁹ During the 2017 hurricane season, one of the costliest and most damaging years on record for weather and climate disasters until 2020, FEMA rejected two-thirds of applications for its Individual Assistance program meant to provide supplement for needs not covered by insurance. HUD’s Disaster Housing Assistance Program (DHAP), which provides rent subsidies to low- and middle-income citizens along with case management, is only sporadically available and often not utilized in disaster declarations. The Transitional Shelter Assistance program, which creates options for short-term housing in hotels after a presidentially declared disaster, is capped at six months once a State requests aid and FEMA inspections confirm damage. Hotels are also able to charge ‘resort fees’ for those sheltering and require credit card information, creating undue financial barriers for those in desperate need of accommodation.

(Ratcliffe et al. “Insult to Injury: Natural Disasters and Residents’ Financial Health.”)

⁴⁰ Martin, Carlos. “Building Equity Into Federal Investments for Housing Resilience.”

⁴¹ Beck, Ulrich. *Risk Society: Towards a New Modernity*. Theory, Culture & Society. London; Thousand Oaks, Calif.: Sage Publications, 1992.

⁴² Curran, Dean. “Environmental Justice Meets Risk-Class: The Relational Distribution of Environmental Bads.” *Antipode* 50, no. 2 (2018): 298–318. <https://doi.org/10.1111/anti.12372>.

emergency context. There are examples of “middle-classist policies”⁴³ in post-disaster recovery, where populations outside of traditional white middle- and upper-income nuclear families⁴⁴ have longer wait times for, or a complete lack of, aid for survivors outside of this mode of habitation. After Hurricane Katrina, FEMA rental assistance programs⁴⁵ assumed a ‘nuclear’ family structure. Those who had multigenerational or multiparty households struggled to obtain aid under a ‘shared household rule,’ where only one check per house, first come, first served, regardless of relationships between occupants. This created problems for shared housing scenarios for roommates, residents with different financial obligations or those experiencing domestic violence if they were not the party who first applied to these programs. FEMA rental assistance also required recipients to have enough savings for security deposit and month’s rent before they could receive assistance, leaving landlords hesitant to accept these renters because funds could also end with short notice, with many tenants who had just lost everything unable to afford this additional financial burden.⁴⁶

There also appears to be a morality measure of who is ‘deserving’ of aid that is seen in United States disaster response, with hierarchies based on race and class. Studies have found that psychologically, Americans feel empathy for those in disaster scenarios and want to help them but are less responsive to addressing the broader “social institutions” that create increased and inequitable risk distribution for certain populations.⁴⁷ This is compounded by historical biases in the United States around the

⁴³ Reid, Megan. “Social Policy, ‘Deservingness,’ and Sociotemporal Marginalization: Katrina Survivors and FEMA.” *Sociological Forum* 28, no. 4 (2013): 742–63.

⁴⁴ The viewpoint that a heterosexual two-parent household with one or more children is the cornerstone of social and financial stability for a culture.

⁴⁵ Programs 403 and 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

⁴⁶ *Ibid.*

⁴⁷ Clark-Ginsberg, Aaron, Lena C. Easton-Calabria, Sonny S. Patel, Jay Balagna, and Leslie A. Payne. “When Disaster Management Agencies Create Disaster Risk: A Case Study of the US’s Federal Emergency Management Agency.” *Disaster Prevention and Management* 30, no. 4–5 (October 25, 2021): 447–61. <https://doi.org/10.1108/DPM-03-2021-0067>; Reid, Megan. “Social Policy, ‘Deservingness,’ and Sociotemporal Marginalization: Katrina Survivors and FEMA.”

'nuclear' family. Though an unrealistic model for many households where its success was likely due to external social and economic factors in a post-war society,⁴⁸ the mythology surrounding the nuclear family has continued to dictate housing policy, and thereby disaster recovery, and heavily influences who does or does not have access to relief.

⁴⁸ Brooks, David. "The Nuclear Family Was a Mistake." The Atlantic, February 10, 2020. <https://www.theatlantic.com/magazine/archive/2020/03/the-nuclear-family-was-a-mistake/605536/>.

CHAPTER 2

DISPLACEMENT AND THE MARKET IN THE CALIFORNIA CONTEXT

The earth below, the roof above, and the walls around make up a special sort of commodity: a place to be bought and sold, rented and leased, as well as used for making a life.

John Logan and Harvey Molotch. "The City as a Growth Machine."⁴⁹

Disasters destabilize systems, which can create market opportunities in their immediate aftermaths in what has been termed "disaster capitalism."⁵⁰ Disaster capitalism acknowledges how "the market creates and then feeds off its own crises,"⁵¹ with parties seeking financial gain in the immediate aftermath of an emergency while others struggle to recover. In contemporary built-out cities, where available space for development is often scarce, real estate is one of the biggest sources of capital a city has at its disposal. This treatment by the public and private sectors of "land as capital"⁵² has created a system biased towards maximizing the possible returns of land.

Neil Smith's "rent-gap" theory⁵³ asserts that there exists a "rent gap" between the difference between the land value at present and what it could be worth with a different use. The city becomes a "growth machine," where governing bodies seek to reorganize the political dimensions of space through land-use changes and development to develop the city economically⁵⁴. Physical space is assigned somewhat

⁴⁹ Logan, John, and Harvey Molotch. "The City as a Growth Machine." In *Readings in Urban Theory*, edited by Susan Fainstein and Scott Campbell, 2nd ed., 9. Malden, MA: Wiley-Blackwell, 2002.

⁵⁰ Klein, Naomi, and Neil Smith. "The Shock Doctrine: A Discussion."

⁵¹ Ibid.

⁵² Harvey, David. "On Planning the Ideology of Planning." In *The Urbanization of Capital: Studies in the History and Theory of Capitalist Urbanization*, 165–84. Baltimore, Md.: John Hopkins University Press, 1985.

⁵³ Smith, Neil. "Gentrification, the Frontier and the Restructuring of Urban Space." In *The Urban Geography Reader*, 2004.

⁵⁴ Logan, John, and Harvey Molotch. "The City as a Growth Machine." In *Readings in Urban Theory*, edited by Susan Fainstein and Scott Campbell, 2nd ed., 9. Malden, MA: Wiley-Blackwell, 2002.

contradictory “use value,” its sentimental role centered in feelings of community, and “exchange value,” its quantifiable value embodied in real estate, where desirable land is considered a finite resource. Homeowners can access both *exchange value*, where housing is part of a larger financial strategy and a connection to place found in their home’s *use value*. However, renters do not own their homes and therefore cannot access their homes’ *exchange value*, leaving them with *use values* as “the only values at issue.”⁵⁵

In Southern California, market-driven development has dictated the growth of the region since the United States took control of it from Mexico in 1848 with the Treaty of Guadalupe Hidalgo. Greater Los Angeles⁵⁶ urbanized rapidly in the 1860s and 1870s through the competing rail lines connecting ports with the inland agricultural areas. Fueled by the expansion of hydrology in an otherwise arid area, “the whole land surface became a saleable proposition”⁵⁷ filled with desirable, developable areas. For the following century, the area developed as a cluster of cities and unincorporated areas grouped within the umbrella of Los Angeles county. Smaller areas within Los Angeles county coalesced around shared “private interest[s] at stake,” where “governmental changes in the area [were] produced by the creation of instant pressure groups of interested citizens (normally coming out of the business community, of course)”⁵⁸ as architectural historian and urban sociologist Reyner Banham noted in his analysis of the growth of the region.

Within this development emerged a pattern- the proliferation of single-family use zoning for homes across almost 50% of developable land in Los Angeles by the

⁵⁵ Ibid. 112.

⁵⁶ Greater Los Angeles encompasses three contiguous metropolitan areas: the Inland Empire, Ventura County, and the Los Angeles metropolitan area of Los Angeles and Orange Counties (U.S. Census Bureau). Los Angeles County, also designated during the creation of California’s statehood, is one piece of this larger region.

⁵⁷ Banham, Reyner. “LA: The Structure Behind the Scene.” *Architectural Design* 41 (April 1971): 227–30.

⁵⁸ Ibid.

1970s, up from just 5% in 1933.⁵⁹ Renting is more common in expensive urban areas, and a lack of available and accessible housing in California has meant many residents are unable to buy housing in their neighborhoods. Despite single-family homes being the primary typology across the region, Los Angeles residents remain 52% renters.⁶⁰ Though encompassing a vast region, Los Angeles is also experiencing a capacity crisis. The City of Los Angeles was zoned for 4.3 million residents and already holds almost 4 million.⁶¹ Meanwhile, single-family homes remain inaccessible to many and have even become a target for consolidation of the rental market by real estate investors and business entities as they increasingly control the housing market, with the bank consolidation of property assets stemming from the 2008 stock market and housing crash when lenders sold off foreclosed homes at marked-down prices. Before- and after-crash comparisons reveal institutional investor consolidation. For example, mid-size properties of 5 to 24 units had one-third non-individual investor ownership, what might be termed 'corporate landlords', in 2001. In 2015 this number had doubled to two-thirds ownership across United States housing stock.⁶²

One of the few remaining safeguards for housing affordability, *rent control* or *rent stabilization* limits annual rent increases and contains tenant protections to prevent the termination of rental leases for unjust causes.⁶³ However, the history of California rental protections has been fraught, with local efforts to protect rent control often

⁵⁹Chiland, Elijah. "Single-Family Homes Cover Almost Half of Los Angeles." Curbed LA. Accessed May 5, 2022.

<https://la.curbed.com/2018/9/10/17827982/single-family-houses-los-angeles-zoning-rules-explained>.

⁶⁰ Harvard Joint Center for Housing Studies. "America's Rental Housing 2022."

⁶¹ Chiland, Elijah. "Single-Family Homes Cover Almost Half of Los Angeles."

⁶² Lee, Hyojung. "Who Owns Rental Properties, and Is It Changing?" *Joint Center for Housing Studies of Harvard University: Housing Perspectives* (blog). Accessed May 7, 2022.

<https://www.jchs.harvard.edu/blog/who-owns-rental-properties-and-is-it-changing>.

⁶³ Los Angeles Housing Department. "AB1482 / State Rent Control." Accessed May 7, 2022.

<https://housing.lacity.org/residents/ab-1482>.

quashed at a state level since these movements began in the 1970s and 1980s.⁶⁴ Even as the state's political makeup has shifted left, issues of housing affordability have remained contested, and real estate developers and investors are particularly committed to stopping additional rent control protections from succeeding, putting millions towards blocking changes in legislation that currently protects market-rate rent.⁶⁵

Two pieces of legislation in particular, The Ellis and Costa-Hawkins Rental Housing Acts (Costa-Hawkins Act), continue to override local rent control measures and present the largest legislative obstacles toward enacting meaningful changes in housing affordability. The Ellis Act, enacted in 1985, allows landlords to get around municipal tenant protections by enabling landlords to evict if the entire rental property is taken off the market before being rented back out, citing a landlord's right to "go out of the business of being a landlord" in entirety⁶⁶. While meant as a protection for 'mom and pop' landlords who could no longer upkeep their property, this has turned into a powerful tool for eviction in order to replace rent-controlled tenants with those paying market rates.⁶⁷ The categorization of 'mom and pop' landlords include small-scale landlords who generally own one to three buildings and are more likely to live in the neighborhood or in the rental building itself. However, this term has been weaponized politically in order to shield larger-scale renter organizations from scrutiny as they evict

⁶⁴ "Opinion Sunday: John Heilman Reflects on How West Hollywood Has Changed in Past 36 Years," *WEHOville* (blog), April 11, 2021, <https://wehoville.com/2021/04/11/opinion-sunday-john-heilman-reflects-on-how-west-hollywood-has-changed-in-past-36-years/>.

⁶⁵ Chiland, Elijah. "California's Rent Control Ballot Measure Triggers \$24M Fundraising Battle." *Curbed LA*, August 7, 2018. <https://la.curbed.com/2018/8/7/17660820/california-rent-control-costa-hawkins-spending>.

⁶⁶ California Government Code. "CHAPTER 12.75. Residential Real Property 7060.7" California Legislative Information, accessed April 21, 2022. https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=7060.7.

⁶⁷ KQED. "Meet the Ellis Act, the Law Driving Many San Francisco Evictions." Accessed April 6, 2022. <https://www.kqed.org/news/117540/the-ellis-act-and-san-francisco-evictions-a-primer>.

or perpetuate harm to tenants, and larger landlords will often split their holdings under different limited liability companies (LLCs) in order to obscure the consolidation of properties.^{68 69} This improper use of the Ellis Act has been widespread across Californian cities, with the Anti-Eviction mapping project finding that almost 28,000 rent-controlled units in Los Angeles were "Ellis-ed" from the housing market in California from 2001-to 2022⁷⁰ by speculators.

The Costa-Hawkins Act prohibited cities from establishing new rent control measures over single-family homes, condominiums, and newly constructed residential buildings and mandates that buildings built after 1995 cannot fall under rent stabilization ordinances.⁷¹ An important element in this Act is the prohibition of "vacancy control," where cities can no longer withhold from the apartment owner the right to rent a vacant apartment at any price, normally market value or above,⁷² creating motivation for landlords to push out tenants to increase rent. Notably, Costa-Hawkins also prohibits single-family homes and condominiums from rent control measures, and so even if those typologies are rented out they will be only available to tenants at market rate. Though there was an attempt to repeal Costa-Hawkins through Proposition 10 in 2018, this failed by 59% votes, with strong opposition from landlords

⁶⁸ Tenants Together. "The Speculator Loophole: Ellis Act Evictions in San Francisco." Accessed April 6, 2022. <https://static1.squarespace.com/static/52b7d7a6e4b0b3e376ac8ea2/t/5b127473f950b792dfdb3c97/1527936162241/Speculator+Loophole+2014.pdf>.

⁶⁹ For reference, cities like New York and Chicago have been trying to counter these issues by publicly releasing information on ownership through websites like <https://whoownswhat.justfix.nyc/en/> in New York City or the Building Code Scofflaw List in Chicago <https://data.cityofchicago.org/Buildings/Building-Code-Scofflaw-List/crg5-4zyp>, though they have been met with legal challenges by developers and landlords.

⁷⁰ "Ellis Act Evictions, Los Angeles - Anti-Eviction Mapping Project." Accessed February 15, 2022. <http://www.antievictionmappingproject.net/losangeles.html>.

⁷¹ "Costa-Hawkins Rental Housing Act." In *Wikipedia*, November 23, 2021. https://en.wikipedia.org/w/index.php?title=Costa%E2%80%93Hawkins_Rental_Housing_Act&oldid=1056783492.

⁷² Mitchell, John L. "Era of Rent Control Comes to End; Rates and Availability Up." *Los Angeles Times*, January 5, 1999. <https://www.latimes.com/archives/la-xpm-1999-jan-05-me-60543-story.html>.

and real estate investment firms like Blackstone, who contributed \$6.2 million against Prop 10.⁷³

The Ellis and Costa-Hawkins Acts are relevant in a post-disaster context because when housing is damaged, the ability of landlords to keep buildings on the rental market is heavily impacted, and many are unable to keep up with the process of repair. The Earthquake Country Alliance and USGS have modeled the “Great ShakeOut” scenario, a disastrous but realistic projection of a 7.8 magnitude earthquake on the San Andreas Fault, the most likely source of a potential large California earthquake⁷⁴. If a quake of this magnitude struck Southern California, it would have devastating effects across the region, severing the movement of goods across the state and causing widespread loss of life, housing and infrastructural damage.⁷⁵ Given current conditions and no additional preparedness or mitigation measures, it would cause “some 2,000 deaths, 50,000 injuries, \$200 billion in damage, and severe, long-lasting disruption. These numbers can climb with each damaging aftershock” that may continue to disrupt the region.⁷⁶

A large focus of the Great Shakeout report centers on the ramifications a large earthquake would have on the built environment, where long seismic waves will create widespread destruction. The study predicts that even a month after the quake occurs, even as services are restored, “tens of thousands of people [would be] still without permanent shelter or jobs—or both—because their buildings sustained so much damage” and the acquisition of building materials and process of reconstruction could

⁷³ Chandler, Jenna. “Proposition 10, Proposal to Strengthen Rent Control in California, Is Defeated.” Curbed LA, November 6, 2018.

<https://la.curbed.com/2018/11/6/18070782/proposition-10-california-results-defeat>.

⁷⁴ USGS. “M 7.8 Scenario Earthquake - Shakeout2 Full Scenario.” Accessed February 28, 2022.

https://earthquake.usgs.gov/scenarios/eventpage/sclegacyshakeout2full_se/shakemap/intensity.

⁷⁵ Susanne Perry et. al. “The ShakeOut Earthquake Scenario- A Story That Southern Californians Are Writing.” California Geological Survey Special Report 207. U.S. Geological Survey, 2008.

<https://pubs.usgs.gov/circ/1324/c1324.pdf>.

⁷⁶ Ibid, 2.

be disastrously slow, leaving many renters homeless if preventative measures are not enacted.⁷⁷

California's disaster response strategy relies on a 'mutual aid' system across jurisdictions. Unfortunately, the Great Shakeout scenario and recent disaster events highlight the limits of this system when intraregional connections are disrupted. With mutual aid, all regions of California are expected to "furnish resources and facilities and to render services to each and every other party to this agreement to prevent and combat any type of disaster."⁷⁸ However, the mutual aid agreement has limitations, and regions can withhold aid when providing it would "deplete unreasonably its own resources, facilities, and services in furnishing such mutual aid."⁷⁹ This has happened in increasingly frequent and severe wildfire seasons, as seen during the Camp and Woolsey fires, where systems are under unprecedented stress and can only handle so much. During the Woolsey Fire, only 50% of mutual aid requests were completed, and fire chiefs admit they are hesitant to send fire crews far from their home bases.⁸⁰

Experts at the City of Los Angeles believe in the strength of the mutual aid system in minimizing loss of life, but they do stipulate that recovery would be a long process and success would be dependent on how many counties were hit by a given earthquake⁸¹. The Los Angeles region is large and sprawling at over 500 square miles,

⁷⁷ Ibid, 13.

⁷⁸ California Governor's Office of Emergency Services. "California Disaster and Civil Defense Master Mutual Aid Agreement." Accessed April 21, 2022. <https://www.caloes.ca.gov/PlanningPreparednessSite/Documents/CAMasterMutAidAgreement.pdf>.

⁷⁹ Ibid.

⁸⁰ Serna, Joseph. "California Mutual-Aid Firefighting System Strained by Continued Blazes." *Washington Post*. Accessed February 15, 2022. http://www.washingtonpost.com/national/californias-mutual-aid-firefighting-system-is-strained-by-continued-blazes/2019/11/10/70161bc6-040c-11ea-b17d-8b867891d39d_story.html.

⁸¹ Crisanta E. Gonzalez, MPA, Emergency Management Coordinator II and Carmina De Santiago, Public Health Liaison, with the Planning Division & Community Preparedness and Engagement Division of the City of Los Angeles Emergency Management Department in discussion with author, March 18, 2022.

and issues of connectivity and infrastructural damage could prevent first responders from activating across the region. Under a condition like what is modeled in the Great Shakeout, mutual aid systems could fail, leaving millions of residents at risk and on their own for some time. With a lack of rent control measures under the Ellis and Costa-Hawkins Acts compounded with a potential widespread removal of rent stabilized housing from the market post-disaster event like the Great Shakeout, we could also see the eradication of rent controlled housing in California.

CHAPTER 3

WEST HOLLYWOOD, A RENTER'S CITY AT RISK

The dingbat... is the true symptom of Los Angeles' urban Id trying to cope with the unprecedented appearance of residential densities too high to be subsumed within the illusions of homestead living.

Reyner Banham, *Los Angeles: The Architecture of Four Ecologies*.⁸²

Though representing only two square miles of Los Angeles County, the City of West Hollywood is unique in its site-specific conditions, histories, and politics and is also indicative of larger market and seismic risks to affordable housing in California. West Hollywood also has a duality of vulnerabilities. It contains an unusually high (80%) ratio of renter households, who are at increased risk of displacement, and over half of the city's building stock is already over fifty years old, an age where many buildings may require major physical upgrades. Even within a proliferation of single-family home zoning across Greater Los Angeles, outlier areas exist with an incredibly high concentration of renters and higher occupancy building typologies that challenge the existing status quo.

West Hollywood has a high proportion of rent-stabilized units (75%) within this aging housing stock, so affordability hinges on preserving these units.⁸³ The limited single-family zoning that exists in West Hollywood, compared to surrounding cities and the region's overall hostility towards expanding outside of this typology, is astounding.

⁸² Banham, Reyner. *Los Angeles: The Architecture of Four Ecologies*. Berkeley, Calif. ; London: University of California Press, 2009, 159.

⁸³ Rent Stabilization and Housing Division, City of West Hollywood. "Annual Report 2017 | 2018 Rent Stabilization Program: City of West Hollywood," 2019.

<https://www.weho.org/home/showpublisheddocument/41186/637018038832870000>.

In Los Angeles County, 76% of all residential zoning is designated as single-family only. On average, similar patterns exist in areas immediately neighboring West Hollywood, with 89% of Beverly Hills, 74% of the City of Los Angeles, 48% of Culver City, and 43% of Santa Monica zoned single-family residential only. In West Hollywood, only 1% of all residential zoning is restricted to single-family zoning only.⁸⁴ As opposed to single-family, the primary housing stock is buildings with five or more units (80%), in substantially greater amounts than the rest of the County (34%)⁸⁵, allowing for increased housing density.

Renter Populations

While, on average, a low concentration of single-family zoning would correlate with lower-income cities and residents, West Hollywood instead reflects more recent patterns of renter population polarity in terms of financial stability. Out of the 20,649 renter households in West Hollywood 2019, approximately 35% are very low-income while 39.5% are high income, with smaller percentages of low- and moderate-income households across the middle of this distribution.⁸⁶ This stark divide between high and low-income renters currently exists across the American rental market, not just in Los Angeles or California. High-income renters are pushed by tight for-sale conditions and low inventories of housing stock to continue to rent, with a smaller subset renting in order to seek amenities, while low-income renters do not have the funds to choose alternative housing options, especially in dense urban areas with minimal available rental stock.⁸⁷

⁸⁴ Othering & Belonging Institute. "Greater LA Region Zoning Maps." University of California, Berkeley, 2022. <https://belonging.berkeley.edu/greater-la-region-zoning-maps>.

⁸⁵ City of West Hollywood. "West Hollywood 2019 Community Study: Demographic Report," May 2019. <https://www.weho.org/home/showpublisheddocument/40323/636928340972270000>.

⁸⁶ Rent Stabilization and Housing Division, City of West Hollywood. "Annual Report 2017 | 2018 Rent Stabilization Program: City of West Hollywood," 2019. <https://www.weho.org/home/showpublisheddocument/41186/637018038832870000>.

⁸⁷ Harvard Joint Center for Housing Studies. "America's Rental Housing 2022."

Due to rising housing costs in the past decade, there are also differing renter factions in terms of longevity of neighborhood tenure and this relationship to housing cost. With vacancy decontrol allowed by Costa-Hawkins, units are allowed to be rented out at market rate following a vacancy, effectively ending rent control once a tenant moves out. This has meant wide margins in average rents between tenants who recently acquired their apartment compared to those who did so five to ten years prior. A 2018 study found that, following a vacancy, rent on a unit went up over 35% in West Hollywood, with most tenant movement happening within five years in a rent-stabilized tenancy. After five years, with rising costs, tenants tend to remain in place as they could no longer find new housing at comparable prices in their neighborhood on similar units.⁸⁸ For example, the average move-in rent for a studio apartment in West Hollywood has jumped from \$1,150 in 2009 to \$1,695 in 2018. More startling is the change in rent for a three-bedroom, an over \$1,500 increase in rent over ten years from \$2,815 to \$4,335 on average.⁸⁹

A History of City Formalization

For many years, West Hollywood existed as a liminal space between the affluent Beverly Hills, star-studded Hollywood, and the broader City of Los Angeles, outside of smaller-scale jurisdictions and thereby also outside their law enforcement and policing. The area of West Hollywood was unincorporated, outside of the boundary of an existing municipality⁹⁰ and therefore administered by larger Los Angeles County, which in 1984 had upwards of 7.8 million residents.⁹¹ This gave marginalized populations space to build their own communities around shared identities, protected

⁸⁸ Ibid, 4.

⁸⁹ Rent Stabilization and Housing Division, City of West Hollywood. "Annual Report 2017 | 2018 Rent Stabilization Program: City of West Hollywood,"

⁹⁰ Terry Christensen and Larry Gerston, "West Hollywood: A City Is Born," *Cities* 4, no. 4 (November 1, 1987): 299–303, [https://doi.org/10.1016/0264-2751\(87\)90091-6](https://doi.org/10.1016/0264-2751(87)90091-6).

⁹¹ "Unincorporated Area," in *Wikipedia*, December 6, 2021, https://en.wikipedia.org/w/index.php?title=Unincorporated_area&oldid=1058877902.

by political anonymity. Outside of formal systems of power, the West Hollywood neighborhood took on its own character defined by the fringe populations who occupied it. During the 1970s and 1980s, Sunset Strip speakeasies, nightclubs and music venues catered to a rock-and-roll scene⁹² while the gay community⁹³ and recent Soviet Jewish immigrants found safety under a relatively unsupervised region surrounding Santa Monica Boulevard. Still today, out of West Hollywood's 35,000 residents, over 40% identify as LGBTQ+, and 11% of the population are from the former Soviet Union, and notably as well, 15% are senior citizens.⁹⁴

In the case of West Hollywood, the lack of an official city allowed for the unconventionality of space that was needed to create places for these “subcultures” to thrive, where groups of people who have common values and ways of life could gather in ways that are counter to the majority.⁹⁵ During this time, a preoccupation around ‘others’ outside the mainstream was central to the political conversation, and fears of a Soviet invasion in the context of the Cold War and the destruction of the traditional American family were a focus of political agendas.⁹⁶ The Republican party platform at the time discussed the importance of the “traditional role and values of the family in our society” and its significance as the “foundation of our social order” in the United States, with vague and ominous references to the “ongoing erosion of its base” after the

⁹² Meares, Hadley. “In the ‘80s, the Sunset Strip Was Nothin’ but a Good Time.” *Curbed LA*, March 21, 2019. <https://la.curbed.com/2019/3/21/18270439/sunset-strip-motley-crue-the-roxy>.

⁹³ Literature on the period around West Hollywood's incorporation in the 1980s, and 1990s focuses primarily on gay men and lesbians, without distinction given to other gender identities and sexual orientations. This is notable given that there is a known transgender community in the Eastern part of West Hollywood, particularly of trans women of color engaged in the sex work industry, who have been in the area for many years as well (Ehrenfeucht, 2013).

⁹⁴ City of West Hollywood. “West Hollywood 2019 Community Study: Demographic Report,” May 2019. <https://www.weho.org/home/showpublisheddocument/40323/636928340972270000>.

⁹⁵ Fischer, Claude S. 1995. “The Subcultural Theory of Urbanism: A Twentieth-Year Assessment.” *American Journal of Sociology*, 101(3): 543–77.

⁹⁶ In the 1980 Republican party platform, the word “Soviet” is mentioned one-hundred and fifteen times, in phrases such as “Soviet-sponsored subversion,” the “Soviet noose” around other countries, and the “dangers of Soviet communism.”

democratic Carter administration.⁹⁷ With social conservatives focused intently on preserving the conjugal family, homosexuals and those with alternative family formations were seen as an increasing threat.

Before incorporation, West Hollywood lacked a system of government that accepted the gay community and actively advocated for its needs. In the period before incorporation, many rights were withheld from gay citizens, and stigma around the gay community was particularly prevalent. UCLA had discovered several cases of what would later be known as AIDS in Los Angeles in 1981⁹⁸, but most media did not begin to prioritize coverage of the epidemic until 1983, and even then, AIDS was considered a purely homosexual issue and not one of national significance⁹⁹. Just months before West Hollywood's incorporation, recently elected California Governor George Deukmejian vetoed California Bill A.B. 1, which would have banned employment discrimination against gays and lesbians¹⁰⁰ and backed a bill that would allow healthcare workers to disclose the names of HIV patients to public health authorities without the patient's consent.¹⁰¹ In 1984, West Hollywood had the highest per capita population of people living with AIDS in Los Angeles County, and public services were woefully lacking to address the crisis.¹⁰²

While social movements often transcend space, the need for security and increased political capacity meant that the gay rights movement required a physical spatial tie in order to establish itself as a political force in the urban fabric. In his studies

⁹⁷ "Republican Party Platform of 1980 | The American Presidency Project," accessed December 8, 2021, <https://www.presidency.ucsb.edu/documents/republican-party-platform-1980>.

⁹⁸ Cisneros, Lisa. "40 Years of AIDS: A Timeline of the Epidemic | UC San Francisco." Accessed December 9, 2021. <https://www.ucsf.edu/news/2021/06/420686/40-years-aids-timeline-epidemic>.

⁹⁹ "The Reagan AIDS Strategy in Ruins." *The New York Times*. October 11, 1987.

¹⁰⁰ "AROUND THE NATION." *The New York Times*, March 15, 1984.

¹⁰¹ Stewart, Robert M. "Hearing on AIDS Tests Puts Dannemeyer in Spotlight." *Los Angeles Times*, September 26, 1991.

<https://www.latimes.com/archives/la-xpm-1991-09-26-mn-4211-story.html>.

¹⁰² Mitchell, 1999.

of the emergence of the gay political movement in San Francisco's Castro district in the early 1980s, urban sociologist Manuel Castells noted the unique drivers of the creation of gay territory, which "develops according to the relationship between emerging movements and the counteracting forces." This territory creates a "spatial concentration, as the basis for self-reliance" that directly opposes "property, family and high class: the old triumvirate of social conservatism" in the United States, including major metropolitan areas in California at that time.¹⁰³ West Hollywood residents, were spatially contained within, and later organized around, their collective identity as a gay and renter community in many ways that paralleled those of San Francisco. A vision of West Hollywood emerged as a city governed by gays with the capacity to take care of their community was central to mobilization for cityhood. West Hollywood already contained the necessary community bonds that provided "material and psychic" support to residents and projected a shared future "sentiment,"¹⁰⁴ an appreciation of the ways that a place can fulfill a set of needs, that is needed to grow communities and the city in which they reside. With these elements in place, residents were ready and willing to formalize to preserve these values and needs and grow the strength of their neighborhood.

The most unifying concern for West Hollywood residents of all identities was the preservation of rent control, which was under attack by the State of California at the time. Residents' fears of being priced out of their apartments as the Los Angeles region became more expensive during the real estate boom of the 1970s drove this preoccupation. At the time, formalized cities in the area were passing rent control laws. However, Los Angeles County did not offer this protection, and so the residents of unincorporated West Hollywood were not included in these protective measures. A

¹⁰³ Castells, Manuel. *The City and the Grassroots: A Cross-Cultural Theory of Urban Social Movements*. California Series in Urban Development 2. Berkeley: University of California Press, 1983.

¹⁰⁴ Logan, Jonathan and Harvey Molotch. 2002. "The City as a Growth Machine."

1983 initiative, Proposition M, failed to extend a county ordinance on rent controls¹⁰⁵, and it appeared that renters in unincorporated areas would lose protection just as waves of middle-class residents began to move back into cities seeking areas for settlement.¹⁰⁶ This created a coalition of unlikely allies of the “gay-and-gray”¹⁰⁷ emerged and created the West Hollywood Incorporation Committee in 1983, supported by the West Hollywood chapter of the Coalition for Economic Survival (CES), a grassroots community-based organization that had been operating tenants’ rights campaigns in the area since 1979¹⁰⁸. Effective organizing by CES, bolstered by residents’ unifying political similarities and fear of displacement, provided enough signatures on this measure in under two months, and incorporation was approved by 67% of voters.¹⁰⁹ The Coalition for Economic Survival remains a strong advocate for the rights of West Hollywood’s sizable renter population, and the organization works closely across community-based organizations, nonprofits, and city departments, particularly the rent stabilization office.¹¹⁰

Immediately upon gaining cityhood, the elected City Council of West Hollywood began executing the demands of CES and provided a multitude of city services, but the cost of these services led the city to rely heavily on the private sector. They quickly enacted a freeze on development, established a strict rent control law, subsidized apartments for seniors and approved ordinances that prevented discrimination based on sexual orientation and established rights for domestic partnership in the city, which applied to gay couples unable to marry under the law as well as other citizens,

¹⁰⁵ Christensen and Gerston, 1987.

¹⁰⁶ Ehrenfeucht, 2013.

¹⁰⁷ Ibid.

¹⁰⁸ “Happy Birthday West Hollywood.” Coalition for Economic Survival. Accessed December 10, 2021.

<http://cesinaction.org/IssuesActivities/WestHollywoodOrganizing/HappyBirthdayWestHollywood/tabid/285/Default.aspx>.

¹⁰⁹ Christensen and Gerston, 1987.

¹¹⁰ Eugene Maysky, Coalition for Economic Survival, Tenant Outreach Organizer (West Hollywood region), in discussion with author, April 24, 2022.

particularly seniors, who also frequently cohabitation outside of conjugal family structures.¹¹¹ The City also began large-scale infrastructural improvements and city beautification initiatives, including taking over Santa Monica Boulevard from CalTrans and launching a \$32 million project to reshape it as a commercial strip.¹¹² After incorporation, city officials claimed they had more money going into social services per capita of residents than any other city in the country.¹¹³

Within the creation of West Hollywood, as with any urban project, reconfiguring spatial systems has social, political, and economic ramifications. 35 years later, West Hollywood has grown into a thriving cultural area known for its walkability and commercial opportunities. However, while tourism and real estate development have helped fund robust public services for neighborhood residents, West Hollywood has struggled to balance its marketed image and associated a high price tag with the needs of the renter's coalition behind the city's creation. Heavy marketing of West Hollywood as a leisure destination has inflated associated living costs of food, transportation and other services which are essential to residents' livelihoods.¹¹⁴

Though the area still has large populations of the communities that first pushed for incorporation, the maintenance of the City and its municipal systems and services are beholden to development that continuously increases the costs of living. Market-driven real estate at the city level paired with political mandates from the State has created a space that, though representative of previously marginalized social and cultural practices of the founding communities, is inaccessible to the low- and even middle-income groups today that would have been most representative of the unified

¹¹¹ Ibid.

¹¹² Mitchell, John L. "At 15, City of West Hollywood's Going Strong: Communities: Since Its Incorporation in 1984, the City Noted for Its Gay Civic Leadership Has Become Known for Its Thriving Business Life." *Los Angeles Times* (1996-). November 13, 1999.

¹¹³ Ibid.

¹¹⁴ For an overview of the 'marketization' of West Hollywood, see Appendix.

push for affordability by the original incorporation coalition, especially in regard to housing affordability.

Housing Stock



A typical West Hollywood 'dingbat' apartment building. (Photograph by author)

As opposed to the region surrounding West Hollywood, multi-family housing stock is much more prevalent. A primary rental building typology in the area is the soft-story “dingbat” building, a two-story multi-family walk-up apartment building containing 6-12 apartments and tuck-under parking commonly built before 1980.¹¹⁵ Though the origins of the term are murky, the name ‘dingbat’ gained widespread recognition through Reynar Banham’s study *Los Angeles: The Architecture of Four Ecologies*. Within this catalog of the built environment of Los Angeles, Banham defines the dingbat as “simple rectangular forms and flush smooth surfaces, skinny steel columns and simple boxed balconies, and extensive overhangs to shelter four or five cars.” The front cladding acted as “a commercial pitch and a statement about the

¹¹⁵ Grant, Thurman, and Joshua G. Stein. “0.1 Introduction.” In *Dingbat 2.0: The Iconic Los Angeles Apartment as Projection of a Metropolis*, 4–15. Los Angeles: DoppelHouse Press, 2016.

culture of individualism,” displaying “every style having been through the Los Angeles mincer.”^{116 117}

Dingbats propagated across greater Los Angeles County as a part of the post-World War II housing boom in response to both market forces and also increased need for affordability. Pro-density zoning to target middle-class renters in the area increased,¹¹⁸ with particularly high concentrations of dingbats propagating in the cities of Santa Monica, West Hollywood and Palms. From 1957-to 1964, dingbat construction accelerated as a way to maximize returns for developers, and the buildings’ design was in direct response to zoning regulations of that time. Zoned as R-3 Limited Multiple Residence buildings, these apartments were capped at 35’ height limits and had minimum required lot areas of 5000 square feet.¹¹⁹ These constraints prompted developers to use rectilinear footprints in order to match the required parking ratios and required off-street parking dictated at that time. This led to densification compared to earlier apartment typologies of the 1930s and 40s, with an average of eight to ten units per building as opposed to two to six in older apartment models.¹²⁰

As single-family homes took over Southern California in the 1950s, the prices of the land went up, and so single-family typologies in some regions were replaced with more lucrative small-scale apartment buildings that still took advantage of readily available financing options at the time.¹²¹ Initially, dingbats were resented by many. The

¹¹⁶ Banham, Reyner. *Los Angeles: The Architecture of Four Ecologies*.

¹¹⁷ Images of typical dingbats in West Hollywood, CA in Appendix.

¹¹⁸ Treffers, Steven A. “1.4 The Embodiment of Speculation and Regulation: The Rise and Fall of the Dingbat Apartment.” In *Dingbat 2.0: The Iconic Los Angeles Apartment as Projection of a Metropolis*, edited by Thurman Grant and Joshua G. Stein, 60–75. Los Angeles: DoppelHouse Press, 2016.

¹¹⁹ “Zone R-3: Limited Multiple Residence | DRP.” Accessed April 19, 2022. https://planning.lacounty.gov/view/zone_r3.

¹²⁰ Treffers, Steven A. “1.4 The Embodiment of Speculation and Regulation: The Rise and Fall of the Dingbat Apartment.”

¹²¹ Ibid.

buildings have been called “Los Angeles apartment architecture at its worst,”¹²² “medium-density sprawl”¹²³ and, attributed satirically, “you couldn’t make an uglier building if you tried.”¹²⁴ However, dingbats provided access to the city for many immigrants and the growing middle-class moving into Los Angeles County in a way that previous housing typologies did not by ensuring affordability as well as flexibility for different lifestyle arrangements. As was neatly summarized in L.A. Forum’s 2010 design competition brief for Dingbat 2.0, “The Dingbat offered the tropes of the single family house minus the mortgage – a consolation prize to the American Dream.”¹²⁵ Still today, dingbats provide this accessibility to the city by a guarantee of affordability under rent control and have even been romanticized by architects and planners as a form of modernist housing accessible to the masses.¹²⁶

While dingbats are exempt from Ellis and Costa-Hawkins Acts due to their age¹²⁷, this also poses an increased risk of damage in a major disaster. The tuck-under-parking and open front walls that are representative of the building typology also make them highly susceptible to structural failure during a seismic event.¹²⁸ In a 2016 survey, the Los Angeles Building Department identified 13,500

¹²² Pitt, Leonard. *Los Angeles A to Z: An Encyclopedia of the City and County*. Berkeley: University of California Press, 1997.

¹²³ Grant, Thurman, and Joshua G. Stein. “0.1 Introduction.” In *Dingbat 2.0: The Iconic Los Angeles Apartment as Projection of a Metropolis*, 4–15. Los Angeles: DoppelHouse Press, 2016.

¹²⁴ Frauenfelder, Mark. “How I Came to Love the Dingbat.” *Boing Boing* (blog), October 1, 1999. <https://boingboing.net/dingbats.html>.

¹²⁵ L.A. Forum for Architecture and Urban Design. “Dingbat 2.0 Competition,” October 25, 2015. <http://laforum.org/series/dingbat-2-0-competition/>.

¹²⁶ Grant, Thurman, and Joshua G. Stein. “0.1 Introduction.” In *Dingbat 2.0: The Iconic Los Angeles Apartment as Projection of a Metropolis*, 4–15. Los Angeles: DoppelHouse Press, 2016.

¹²⁷ Buildings constructed before 1979 are protected under the full Rent Stabilization Ordinance, both in the City of West Hollywood and Los Angeles County. (City of West Hollywood Rent Stabilization and Housing Division. “Guide: Rent Stabilization,” November 2018. <https://www.weho.org/home/showpublisheddocument/15066/636771148102870000>.)

¹²⁸ Los Angeles Department of Building Services. “Soft-Story Retrofit Program | LADBS.” Accessed April 21, 2022. <https://www.ladbs.org/services/core-services/plan-check-permit/plan-check-permit-special-assistance/mandatory-retrofit-programs/soft-story-retrofit-program>.

soft-story structures at risk of collapse during an earthquake and placed them under a retrofit mandate. In West Hollywood, close to 800 structures in the city are subject to the soft-story mandatory retrofit program enacted by the County.¹²⁹ The retrofit mandate has been surprisingly successful, and most structures are in compliance with the required timelines, with retrofits even continuing to move forward during the pandemic.¹³⁰ However, many of these structures are still only in the building permitting phase and, as such, are still at risk. In addition, they only represent one dangerous form of construction at risk of collapse in a seismic event. Another hazardous typology, non-ductile concrete buildings, are often larger towers that lack lateral force-resistance needed to sustain gravity loads during a quake, leading to collapse. The retrofit timeline for this typology will likely take 25 years or more to complete.¹³¹

West Hollywood's incorporation as a city was drawn around the need for affordable rental housing and the establishment and preservation of space for the subcultures of the gay and immigrant experience. Attachment to place, both historically and in the contemporary context, unites a neighborhood around shared desires for community, safety and respect for the modes of living they had established and wanted to protect for future generations. When a dwelling ensures your access to these things,

¹²⁹ City of West Hollywood. "West Hollywood General Plan 2035 2013-2021 HOUSING ELEMENT TECHNICAL APPENDIX." City of West Hollywood Technical Background Report, September 2013.

http://weho.granicus.com/MetaViewer.php?view_id=16&clip_id=2235&meta_id=71338.

¹³⁰ Los Angeles Department of Building Services. "Soft Story Compliance Report," February 2022. https://www.ladbs.org/docs/default-source/publications/misc-publications/soft-story-compliance-report.pdf?sfvrsn=bbe9f553_114.

¹³¹The county is surveying these structures and landlords will be subject to a 25-year program to either retrofit or demolish these buildings. Estimates from the Earthquake Engineering Research Institute put the number of pre-1980 concrete buildings at close to 800, however, these buildings contain hundreds of thousands of units. (Concrete Coalition. "The Concrete Coalition and the California Inventory Project: An Estimate of the Number of Pre-1980 Concrete Buildings in the State." The Earthquake Engineering Research Institute, The Pacific Earthquake Engineering Research Center, The Applied Technology Council, September 2011.

http://www.concretecoalition.org/wp-content/uploads/2013/11/concrete_coalition_final-revise-0512.pdf.)

a right to return post-disaster is essential to people's lives, health and wellbeing. When we consider our current political situation where access to gender-affirming healthcare and bodily autonomy is at risk¹³² if it exists outside of the American 'cultural norm', what happens when you can't return to these protective spaces? Without additional protections, there is no guarantee that citizens would be able to return to their communities or be able to still afford them in a post-disaster context, should there be no guarantees for continued rent control. When physical space is destroyed or, if it still stands, is no longer affordable, what happens to the community?

¹³² Bior, Ayen. "How the Reversal of Roe v. Wade Could Impact the Transgender Community." *NPR*, May 5, 2022, sec. Roe v. Wade and the future of reproductive rights in America. <https://www.npr.org/2022/05/05/1096365879/roe-wade-abortion-transgender-scotus-marriage-contraceptives-privacy-rights>; Smith, David. "Supreme Court Voted to Overturn Roe v Wade Abortion Law, Leaked Draft Opinion Reportedly Shows." *The Guardian*, May 3, 2022, sec. US news. <https://www.theguardian.com/us-news/2022/may/02/roe-v-wade-abortion-supreme-court-draft-opinion>

CHAPTER 4

ENSURING A RENTER'S RIGHT TO RETURN

There may be an upside to the emergence of risk: It holds the potential to create new disciplinary synergies and to bring a wide range of disparate experts together to jointly address the multiple vulnerabilities of landscapes and contemporary lifestyles.

Diane Davis, "From Risk to Resilience and Back: New Design Assemblages for Confronting Unknown Futures."¹³³

The process of changing systems, particularly ones like post-disaster housing provision which are deeply locked into existing history, legislation and policy, requires securing legitimacy and support for a mission, increasing operational capacity by acquiring resources to execute it, and generating a proposition about why the change will add value to people's lives in order to engage a diverse set of stakeholders.¹³⁴ In order to gain a better sense of what would be required to prevent potential post-disaster displacement of renters in West Hollywood, I conducted a series of interviews to find out what could change to strengthen a renter's right to return and to evaluate whether a new renter's movement could a model of engagement to advance these protections.

I interviewed leaders involved in various aspects of tenant advocacy, disaster preparedness, and housing policy at the national and city scales in both West Hollywood and Los Angeles. Questions spanned disaster coordination and preparedness, renter housing vulnerabilities, ideas on improving post-disaster recovery, implementation measures to increase protections and resiliency through the built

¹³³ Davis, Diane E. "From Risk to Resilience and Back: New Design Assemblages for Confronting Unknown Futures." *Topos*, 90, 2015.

¹³⁴ Cels, Sanderijn, Jorrit de Jong, and Frans Nauta. "Strategies and Tactics." In *Agents of Change: Strategy and Tactics for Social Innovation*, 12–23. Washington: Brookings Institution Press, 2012. muse.jhu.edu/book/29043.

environment and policy, and dynamics of renter populations and landlords in the West Hollywood context.¹³⁵ Notably, in nearly every interview the COVID-19 pandemic came up. As an ongoing, sudden-onset disaster, the pandemic parallels conditions that may emerge in a post-earthquake scenario and highlights weaknesses in existing systems for disaster risk mitigation and housing stability. Discussions about this topic with experts in these focus areas could be indicative of how different groups would react and coordinate (or not) with each other around renter protections and housing in a disaster event in West Hollywood, and where their respective priorities lay.

Overall takeaways from these conversations highlighted that short-term policies and initiatives at the city level are strong in addressing short-term disaster displacement, but lack the capacity and budget to engage and inform communities on mitigation measures. As anticipated, concerns around precarious housing stock and connective infrastructure that would be needed for effective mutual aid provision meant there still exists a significant disaster risk in Los Angeles County. Addressing root causes of a lack of affordable housing was highlighted by all as a slow but necessary process in creating more renter protections in a post-disaster context, and community ties were also touted as essential to improving recovery measures. City emergency management and resiliency officers noted that building these relationships between city officials, community-based organizations and nonprofits, and first responders would help ensure a return to place and minimize displacement.

When it came to renter nuances there were some discrepancies in the interviews. A West Hollywood city councilor believed that unlike worker's movements in the area, contemporary renter groups seemed split between higher-income, newer tenants who were more concerned with amenities and access to transportation versus older, low- to middle-income tenants, generally in rent-stabilized housing, who were more involved in city politics but had less financial stability. Interestingly, a

¹³⁵ For a full list of questions, see Appendix.

representative from the Coalition for Economic Survival disagreed with this, saying that he believes even high income tenants are encountering abuses and intimidation, which were especially aggravated during the pandemic as delinquent landlords resorted to nefarious measures to try to push out rent-stabilized tenants. However, both noted that the best way to build renter advocacy was to facilitate organization through support services. These would be provided by the city rent stabilization office, who already has close working relationships with tenants and different advocacy groups, and local organizations that tenants were comfortable working with as they are generally associated with religious, cultural or queer affiliations within West Hollywood's subcultures. Through these facilitations, tenants could create bonds within their building and community and work on protecting themselves via "power in numbers."¹³⁶

These conversations paired with my research led to the following recommendations on how to combat renter displacement in a post-disaster West Hollywood:

1) EXPEDITE RENTAL HOUSING REBUILD PROCESS

All experts interviewed agreed that denser housing typologies, if expedited during rebuild, could help to combat an affordability crisis. However concerns arose about the ability to execute this under current resource limitations and the degree of difficulty involved in updating building code, especially with a seismic event being considered a *scenario*, and not a regular occurrence¹³⁷. Some ideas to improve this process would be to allow for rebuilding and rezoning for landlords in advance of a disaster, if existing tenants were ensured the ability to move back to the property. This could include the possibility of rebuilding with greater housing density on the lot (for example, by increasing the number of units allowed, within acceptable standards) or

¹³⁶ Eugene Maysky, Coalition for Economic Survival, Tenant Outreach Organizer (West Hollywood region), in discussion with author, April 24, 2022.

¹³⁷ Crisanta E. Gonzalez, MPA, Emergency Management Coordinator II and Carmina De Santiago, Public Health Liaison, with the Planning Division & Community Preparedness and Engagement Division of the City of Los Angeles Emergency Management Department in discussion with author, March 18, 2022.

exploring the potential of Accessory Dwelling Units and tapping into California Senate Bill 9's attempts to densify residential lots.¹³⁸ Some other suggestions centered around futures of collective ownership that could be possible, however these measures would require additional parameters and safeguards.

2) ABOLISH ELLIS AND COSTA-HAWKINS IN CALIFORNIA

In order to strengthen measures at the city levels, the Ellis and Costa-Hawkins acts must be abolished to prevent continuing renter displacement that could be abused in a post-disaster scenario. This can start by addressing current Ellis 'flipping' by increasing accountability and transparency around delinquent landlords and chronic "Ellis-ers" by building on current momentum around this to prevent speculation with Assembly Bill 2050 as a start.¹³⁹ Acknowledging that some true 'mom and pop' landlords will need to maintain an ability to go out of business, as the Ellis Act was initially meant to protect, West Hollywood should create an official definition of 'mom and pop' landlord classification, as exists in other cities,¹⁴⁰ and provide support for struggling small-scale landlords with proven track records, particularly post-pandemic, in order to prevent them from selling to larger institutional groups seeking profit and housing consolidation. In order to combat Costa-Hawkins, cities should also be permitted to re-establish vacancy control measures, within reason, on rental units to preserve affordability between tenant occupations.

3) FACILITATE AND STRENGTHEN RENTER EMPOWERMENT AND ADVOCACY

¹³⁸ California Senate Democratic Caucus. "SB 9: The California HOME Act." Focus on California, June 9, 2021. <https://focus.senate.ca.gov/sb9>.

¹³⁹ Spectrum 1 News. "LA City Council Supports Ellis Act Eviction Restrictions." Accessed May 16, 2022. <https://spectrumnews1.com/ca/la-west/politics/2022/04/26/la-city-council-supports-ellis-act-eviction-restrictions>.

¹⁴⁰ Los Angeles Housing Department. "Relocation Assistance Information." Accessed May 16, 2022. <https://housing.lacity.org/rental-property-owners/relocation-assistance-information>.

Cities like West Hollywood should increase the capacities of their city departments that support neighborhood-level advocacy for renter protections, including community organizations that can act as partners with the city around this goal. Tenant rights groups and their partners should continue to mobilize renter groups to work together across socio economic divides, and seize upon shared concerns stemming from pandemic renter intimidation in order to create solidarity. Any groups working to advance tenant rights should also utilize existing strong ties between tenant organizations, non-profits, community-based organizations and city actors to pressure for disaster displacement protections that can be translated on the city and state levels.

4) IMPROVE COORDINATION BETWEEN TEAMS INVOLVED IN POST-DISASTER RECOVERY

With a lack of prioritization given to addressing an impending housing crisis post-disaster, cities and other local actors should execute public awareness campaigns on post-disaster precarity, and emphasize how this chronic problem would be exacerbated in a crisis. On the national level, policymakers need to extend assistance measures provided to address the gap between short- and long-term post-disaster aid. At all levels, coordination between departments and advocates involved in housing should improve coordination with emergency operations teams. In the Los Angeles context, this could be folded into existing citizen training programs like Community Emergency Response Teams through the Los Angeles Fire Department¹⁴¹, but should also extend into other programs to spread knowledge between not only departments but within the community networks of citizens.

5) ADDRESS ROOT CAUSES OF RENTER PRECARIETY AND INCREASE AFFORDABLE HOUSING PROVISION

¹⁴¹ Los Angeles Fire Department Homeland Security Division. "City of Los Angeles Community Emergency Response Team." CERT-LA (blog). Accessed May 16, 2022. <https://www.cert-la.com/>

Many of the vulnerabilities mentioned are tied to existing biases in housing policy in the United States and deeply rooted within how renters are viewed in this country. To address homeownership bias in current systems, narratives need to change around renter deservingness, and there needs to be unified support for densification and for increased renter protections by acknowledging the realities of renter households. This includes updating post-disaster housing resilience to acknowledge the existence of living situations outside of the 'nuclear' family typology and creating safeguards for shared or multigenerational households. In the long term, particularly in increasingly expensive states like California, policymakers and planners need to preserve and grow affordable housing stock through a variety of measures like increased Section 8 vouchers or increased housing density, especially in areas at increased risk of a disaster event.

CONCLUSION

The prescription is: there cannot be a going back (towards the traditional city), nor a headlong flight, towards a colossal and shapeless agglomeration. In other words, for what concerns the city the object of science is not given. The past, the present, the possible cannot be separated.

Henri Lefebvre, "The Right to the City."¹⁴²

Protection of renters' rights ensures that our cities remain viable in future crisis scenarios. Preservation of safe, affordable and available rental housing allows for a diversity of subcultures and modes of living to thrive, while maintaining rent control post-disaster will enable citizens to return to their communities to heal and rebuild, should they choose to do so. Increased awareness and mitigation of risk factors, improved coordination and empowerment of teams that protect and ensure renter access to our cities, and the removal of state policies that prohibit rent control will help us prepare, rebuild and recover more effectively from the next disaster event. As we have learned from previous crises as well as the ongoing pandemic, disasters amplify existing vulnerabilities and stress-test our systems for protecting citizens. If we don't properly prepare, mitigate, and enshrine renter protections within our policy, planning and development strategies at the city, state and national levels, renters will continue to lose access to urban spaces.

To create our most effective systems of resiliency, we need to question why the "right to the city," which "cannot be conceived of as a simple visiting right... It can only be formulated as a transformed and renewed right to urban life"¹⁴³ is so tenuous as to be determined by a lease or deed. In the United States, there is a prioritization of the

¹⁴²Lefebvre, Henri. "The Right to the City." In *Writings on Cities*, 147–59. Oxford ; Cambridge, Mass, USA: Blackwell Publishers, 1996.

¹⁴³ Ibid.

market in disaster recovery and a clear delineation in the rights being presented to homeowners and those to renters when it comes to disaster scenarios. To fix this, different agencies must work together with renters and tenant rights advocates to address biases around housing and continue to build on community-driven initiatives to protect a renter's right to return.

APPENDIX

GLOSSARY

Community Development Block Grants (CDBG): the federal government’s “largest source of financial assistance for neighborhood revitalization, housing rehabilitation, and economic development activities are driven by state and local governments.”

Community Development Block Grants for Disaster Recovery (CDBG-DR): First used during the 1994 Northridge earthquake, CDBG-DR allocations are the largest appropriate long-term federal recovery funds given to support local and state governments during a post-disaster rebuild effort and are targeted at low- and middle-income populations.

Coronavirus Aid, Relief, and Economic Security Act (CARES Act): A \$2.2 trillion Congressional economic stimulus bill to provide economic assistance to workers, families, small businesses and industries in the United States in response to the COVID-19 pandemic. It was enacted in March 2020 and expired in March 2022.

Costa-Hawkins Rental Housing Act: Enacted in 1995, the Costa-Hawkins Act prohibits cities in California from establishing new rent-control measures over single-family homes, condominiums, and newly constructed residential buildings. It also mandates that buildings constructed after 1995 cannot fall under rent control, and prohibits **vacancy control**.

Disaster Housing Assistance Program (DHAP): A joint **FEMA** and **HUD** initiative that provides rent subsidies and case management post-disaster to low- and middle-income citizens. Must be authorized by FEMA in order to be implemented in a disaster.

Ellis Act: Enacted in 1985, the Ellis Act legally allows landlords to “go out of the business” of being a landlord in California. However, this act has been used as a loophole in order to evict tenants from rent-stabilized housing to increase rents.

Exposure (in disaster context): The probability of an area or community being struck by a disaster event.

Federal Emergency Management Agency (FEMA): An agency of the US Department of Homeland Security that primarily coordinated response to disasters in the United States that overwhelm the resources of local and state authorities.

Phases of Emergency Management: Recognized by FEMA as **mitigation** (prevention and minimizing of future emergencies), **preparedness** (actions taken before emergency), **response** (action during or immediately after an emergency event), and **recovery** (actions taken after an emergency event to return to 'normal' or a new, improved baseline of safety).

Rent Control, or Rent Stabilization: Limits annual rent increases and contains tenant protections to prevent the termination of rental leases by landlords for unjust causes.

'Right to Return': A guarantee that displaced populations may eventually return to their homes and/or communities post-disaster event, derived from international human rights legislation.

Risk (in disaster context): The combination of **vulnerability** and **exposure**.

Transitional Shelter Assistance Program (TSA): A FEMA-administered program, capped at six months, that the state authorizes to create short-term accommodations (often in hotels) when citizens are unable to return home after a Presidentially-declared disaster. Hotels are also able to charge 'resort fees' for those sheltering and require credit card information, creating undue financial barriers for those in desperate need of accommodation.

United States Department of Housing and Urban Development (HUD): An executive department of the federal government that administers federal housing and urban development laws. The current HUD Secretary, who heads the department, is the Hon. Marcia L. Fudge.

Vacancy control: Used by cities to control housing markets, vacancy control prevents the property owner from renting out their apartments at any price, normally market value or above. A lack of vacancy control can motivate landlords to push out tenants in order to increase rents.

Vulnerability (in disaster context): A community or person's capacity to prepare for and respond to a disaster.

EXHIBIT 1: TIMELINE OF CALIFORNIA RENTER PROTECTIONS

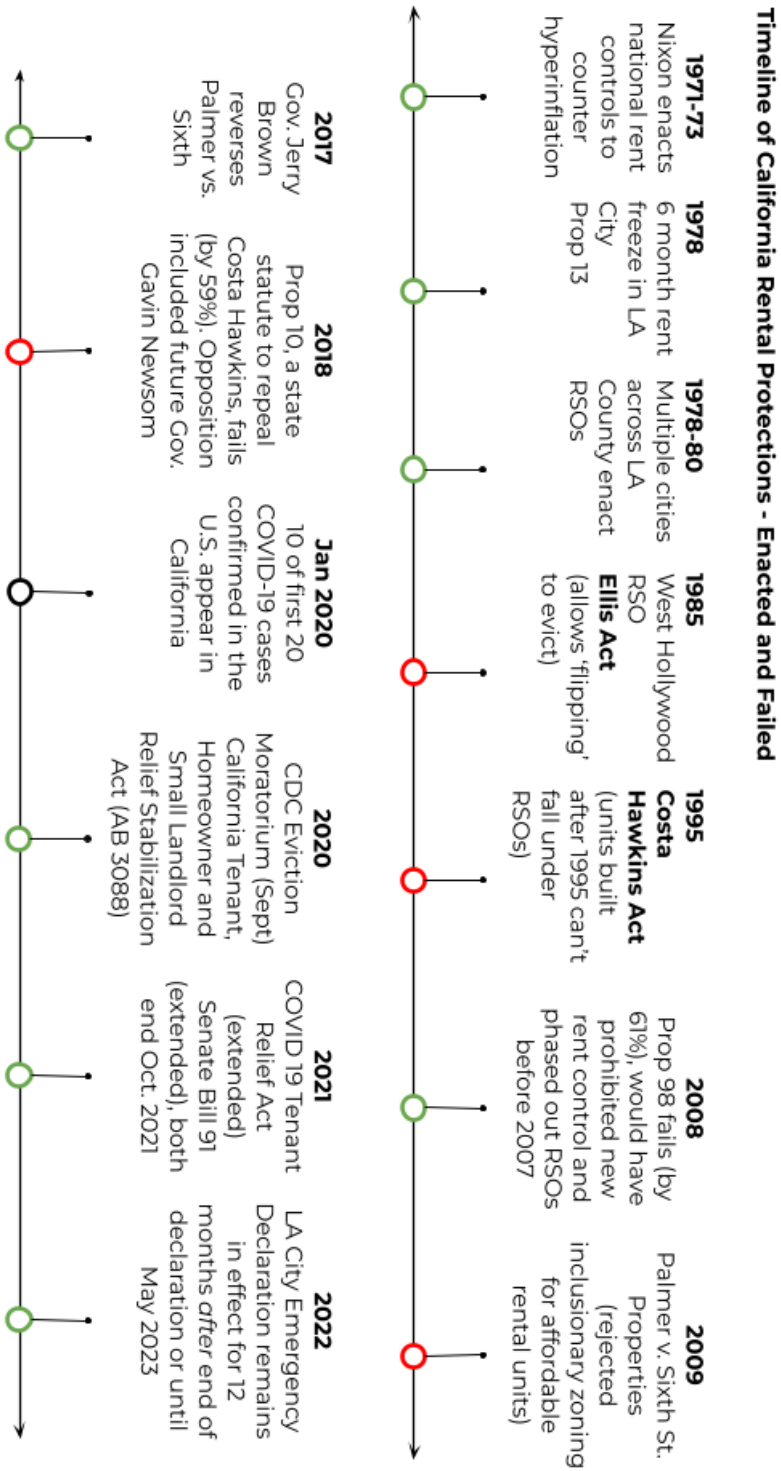


EXHIBIT 2: SHORTCOMINGS IN DISASTER RECOVERY FUNDS FOR RENTERS

| | WHAT IS PROVIDED | SHORTCOMINGS |
|--|--|---|
| Individual Assistance (IA) Distributor: FEMA | Provides direct assistance for needs not covered by insurance | Capped at 18 months. In 2017, FEMA rejected ⅓ of applications during a large Hurricane year |
| Mass Care/Emergency Assistance Distributor: FEMA | Available immediately, for distribution of resources/sheltering | Relies heavily on voluntary organizations, lack of stability |
| Transitional Shelter Assistance (TSA) Distributor: FEMA and HUD | Short-term housing (in hotels or similar) for after a presidentially declared disaster | Only if State requests and FEMA inspections confirm damage (capped at 6 months). Hotels can charge 'resort fees' and require credit card information. |
| CDBG-DR Grants Distributor: HUD and FEMA | Targets low/moderate income populations with uninsured needs post-disaster | Requires special appropriations (political), unequally distributed and biased toward more affluent areas |
| Disaster Housing Assistance Program (DHAP) Distributor: HUD | Provides rent subsidy with case management | Sporadically available during disasters, often not utilized |
| Disaster Loan Assistance Distributor: Small Business Association | Low-interest loans to small businesses and homeowners | Earmarked for owner-occupied homes and property |
| Private Insurance Distributor: Insurance Agencies | Insures personal property against damage or loss, and also protects against liability | Cost-prohibitive: only 40% of renters have renter insurance and the same amount lack adequate funds to leave their homes in an emergency |

EXHIBIT 3: HISTORICAL NOTE ON THE MARKETING OF WEST HOLLYWOOD

Despite increased efficiency, the costs of improving social and infrastructural developments were large. City officials were under pressure to pay for these programs and began to rely on real estate development to fund them. To encourage development growth, the City did away with utility, parking and entertainment taxes and engaged in a massive rebranding strategy intent on showcasing West Hollywood as a design- and entertainment-centric tourist hub.¹⁴⁴ The narrative of the city and its community, as represented to the public eye, was transformed from an affordable haven for renters on the social margins to a desirable tourist destination of shops, restaurants and entertainment to drive “exchange values”¹⁴⁵ within real estate and market forces.

The process for city incorporation relied on buy-in from larger parties at the county and state level, and so CES went through administrative hurdles in order for cityhood to end up as a ballot initiative. They first petitioned the Local Agency Formation Commission (LAFCO) at the State level, which required 25% of registered voters to sign on in order to be brought forward. Effective organizing by CES, bolstered by residents’ unifying political similarities and fear of displacement by provided enough signatures on this measure in under two months. Underlying LAFCO’s favorable assessment as well was an ‘image’ of what West Hollywood could be marketed as to future investors. LAFCO had conducted a feasibility study of the area to estimate projected tax revenues and the cost-of-service provision within the proposed city boundaries. In 1984, West Hollywood was only spending approximately \$10 million of the \$15 million it provided in county taxes at the time, and so incorporation would bring in a net benefit.¹⁴⁶

¹⁴⁴ Ehrenfeucht, 2013.

¹⁴⁵ Logan and Molotch, 2002.

¹⁴⁶ Christensen and Gerston, 1987.

Only two years after incorporation in 1986, a committee of business leaders and officials began working with a private consultant to pivot West Hollywood's image, and later the City Council voted to create a non-profit corporation to continue this process, called the West Hollywood Marketing Corporation (WHMC)¹⁴⁷¹⁴⁸. WHMC was founded to address the negative perceptions outside investors may have of the community, which included some of the very stereotypes that had been used against the community members who fought for the incorporation process. WHMC purposefully distanced the city from the image of AIDS in the gay community and the perceptions of the newly elected City Council as anti-business. Media coverage from January 1986, just two years after incorporation, noted that too much focus had been placed on the "city's homosexual minority...and its accompanying human rights issues," with one interviewee, who was also a real estate broker and member of the City Council's Ad Hoc Marketing Task Force, noting that the "special qualities that make this city unique are being ignored." The City Manager Paul Brotzman highlighted a desire amongst city politicians to secure bonds for future municipal projects and expressed concern that the "city's image" could get in the way of a favorable rating. Moving forward, WHMC set out to frame West Hollywood as a "creative city" with different districts, each highlighting a different aspect of design, music, dining and entertainment.¹⁴⁹

WHMC still oversees the image of West Hollywood under the 501© non-profit organization the West Hollywood Travel + Tourism Board, and as is stated on their website they currently "market the city as a first-choice visitor destination to business and leisure travelers by promoting an awareness of the city's unique location, image,

¹⁴⁷ L.A. Times Archives. "West Hollywood : City to Work on Its Image." Los Angeles Times, May 8, 1986. <https://www.latimes.com/archives/la-xpm-1986-05-08-we-4588-story.html>.

¹⁴⁸ Braun, Stephen. "West Hollywood Sets Out to Revamp Media-Bruised Image." Los Angeles Times, January 26, 1986. <https://www.latimes.com/archives/la-xpm-1986-01-26-me-253-story.html>.

¹⁴⁹ Ibid.

businesses and industries.”¹⁵⁰ It has been broken into three branded areas, the Design District, The Sunset Strip, and Santa Monica Boulevard, where visitors can “experience the freedom to be yourself and to live life your way”¹⁵¹ a marketing pivot that now embraces the area’s gay restaurants, bars and other commercial establishments. Within the contemporary plans of WHMC, the gay identity, paired with WHMC’s early promotion of West Hollywood as an entertainment and design district, is an element to drive economic generation.

¹⁵⁰ Visit West Hollywood. “Learn About Our Organization.” Accessed December 10, 2021. <https://www.visitwesthollywood.com/about-us/>.

¹⁵¹ Visit West Hollywood. <https://www.visitwesthollywood.com/>.

**EXHIBIT 4: PHOTOGRAPHS OF WEST HOLLYWOOD DINGBAT
TYPOLOGIES**



(Photographs by author)

EXHIBIT 5: INTERVIEW QUESTIONS

Overarching question: How will various offices work across partners and agencies to best serve renters during a disaster event, what the future of disaster preparedness looks like for renters and has this changed within the context of Covid response?

On Coordination and Preparedness

1. Do you think the County's and State's mutual aid systems will be adequate for service provision in a seismic event similar to the one predicted in the Great Shakeout Scenarios?
2. What is the distribution of the City's focus and resource allocation in regard to mitigation efforts (built environment and societal vulnerabilities) vs. response and recovery?
3. Do you think Covid has shifted priorities around disaster preparedness, at the City level and also at the State level? Are there elements of 'lessons learned' from Covid response that will/can be applied to earthquake response?
4. With the 'strategic downloading' of municipal systems to the private sector in the United States, how can more mitigation efforts be built into resiliency within this reality?
5. What is the best scale to address resiliency, and which agencies are best placed to help renters with disaster risk mitigation? Or should these movements come from 'bottom-up' efforts?

On Renter Vulnerabilities and Sheltering

1. What is the City's plan for the long-term displacement of populations from their homes during an emergency? What is the City's anticipated relationship with private actors in terms of sheltering provision in this regard?
2. In your opinion, what is the ideal scale to address gaps in renter protections in disasters? (City, regional, national?)
3. I am very interested in "valley" between short-term aid immediately post-disaster and long-term rebuilding efforts for renters, where studies have shown that existing sociospatial vulnerabilities and financial strains are exacerbated and many renters are displaced from their communities. What do you see as the City and Emergency Management Department's role in preventing this?

4. How is the City hoping to navigate informality in a recovery context? (Households with undocumented residents, unhoused residents or those living in vehicles) who may not have the legal documentation needed to secure sheltering or aid?
5. What are the best safeguards to prevent displacement when rebuilding post-disaster? What safeguards are needed?

On Building Stock

1. Based on other disaster recovery case studies with housing, I am worried that damaged housing stock, particularly soft-story or older builds that are more likely to have structural damage, will be viewed as an opportunity for the development of more expensive housing during post-disaster rebuilding. How is the city planning on preserving affordable housing post-disaster, particularly in areas with potential for gentrification during rebuild?
2. There seems to be great progress with the soft-story retrofit program, even during Covid, which is very impressive. However, the non-ductile retrofit, particularly given the size and uses of those buildings, will take longer- what do you see as the trajectory of this program? Have you gotten resistance from building owners and developers, given that these are often larger structures as opposed to smaller condos, and what have conversations been like with these groups?
3. Could there be room for an expedited rebuild permitting process in a post-disaster context as a way to counter displacement? What would it take to execute a program like this?

On The West Hollywood Context

1. As we know, West Hollywood has a very rich history of renter mobilization. What have you seen as the evolution of this in the neighborhood? Who is driving this now- is it still Coalition for Economic Survival, or other groups?
2. A root cause for renter precarity in West Hollywood is the lack of affordable housing and some have supported leaning towards more transit-oriented development. I understand this can be contentious, particularly in areas like West Hollywood, where there is a fear of density as a risk to the single-family homes and the image of a tight-knit community. What do you think it will take to get support for strategic densification in the community? Which groups have been allies and which are in opposition of this?

3. Do you see differences in how populations of renters, those who are in older housing stock and may have more financial precarity vs. those who are in newer buildings and may opt into renting over ownership, engage with the City? Have you found more resistance or support in one community or the other in terms of transit-oriented development and increased affordable housing? Is there unified support for affordability among renters as there has been historically, or has this split?
4. Though West Hollywood has a very strong rent stabilization program and robust renter protections, it seems everywhere across the County, programs like these are being canceled out by State measures like the Ellis and Costa-Hawkins Acts. What have been the challenges of trying to maintain rent control and protection in West Hollywood within this context? Do you think Covid recovery has/will change priorities at the State and City level around renter protections?
5. What role would you see the hospitality industry playing in affordability? Do you think they would ever partner on temporary housing measures? What about in the longer term?
6. What is your vision of the city moving forward in regard to renter protections and housing in the area?

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