



Voters reject bid to end rent control

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SACRAMENTO — California voters Tuesday overwhelmingly rejected the Proposition 98 property-rights initiative that would have banned rent control — an emotional proposal that drew low-income tenants to protests in the pricey Bay Area and spurred landlords to make big pro-98 donations in an otherwise relatively quiet primary election period

But in an unexpected development, not foreseen by

polls, voters also overwhelmingly embraced the only other statewide initiative on the ballot, also about property rights. --- Proposition 99- was put on the ballot by foes of Proposition 98 as a narrowly focused countermeasure. - , analysts --said.

Political experts said they expected voters to be confused by the two propositions — especially since rent control was secondary to the primary topic of Proposition 98 and was not mentioned in Proposition 99.


The Howard Jarvis Taxpayers Association, which sponsored Proposition 98, maintains its initiative was mostly about narrowing eminent domain, the power of cities to seize private land with compensation. The group says the U.S. Supreme Court went too far in 2005 when it allowed government to take over private land, then turn it over to other private interests such as shops, for the public good of collecting more taxes.

As a result, political groups representing cities and other local government agencies led the opposition to Proposition 98 and sponsored Proposition 99, which only will - ban the rare move of government seizing single-family homes, then turning them over to private use.

Melissa Michelson, a political science professor at Cal State Hayward, said she was "proud of voters for not being tricked" by campaign consultants ``who know that often the best way to kill a proposition is not to argue the facts in a clear manner, but to confuse the public."

Ted Gullicksen of the San Francisco Tenants Union, a foe of Proposition 98, said the election results "are a referendum on protection of rent control and send a message to conservatives who would try to abuse eminent domain."


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Jon Coupal, of the Howard Jarvis Taxpayers Association, said that Californians will soon "realize that Proposition 99 is only a virtual proposition" that will not stop abuse of eminent domain. The issue of rent control contributed to the failure of the association's Proposition 98, Coupal said, because advocates were unable to communicate the economically negative effects of rent control.

Analysts said both issues — eminent domain and rent control — are hot topics that Californians have faced in the past and will again in the future.

Tim Hodson of the Center for California Studies at Cal State Sacramento, said rent control is a "never-ending war" and that Proposition 98 was "simply the latest skirmish."

A 2006 ballot measure and legislation on eminent domain failed, while a string of lawsuits has entangled local governments' rent-control measures.

Several of the dozen cities in the state that cap apartment rents are in the Bay Area: Oakland, Berkeley, San Francisco and San Jose. Rent on spaces for mobile homes in parks throughout the region are controlled, as well. Many seniors on fixed incomes live in the parks. The others are in the high-cost areas of Los Angeles.

The two sides fighting over rent control and eminent domain spent roughly the same amount; with initiative qualification, costs will be in the \$15 million range combined. Many of the largest contributions on the pro-98 side came from out-of-state landlords, who feel that rent control is an unfair taking of their profits by government.

A Bay Area real estate investment broker and

apartment management company co-owner, Thomas Coates, donated nearly \$1 million to the pro-98 cause, saying that rent control doesn't deliver its supposed benefits as well as would the free market.

Hodson said the battles will continue because "both sides understand the importance of California nationally" on the issues.

"A long line of California legislative enactments and initiatives have set national standards and sparked international movements," Hodson said.

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