

Rethinking the landlord: from ‘folk devil’ to social relation

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Abstract

Landlord-tenant relationships—one of the key social relations in modern urban life—are in the midst of a transformation. Deepened and accelerated by the impact of COVID-19, this transformation is due to recent shifts in private rental housing provision including the growing financialization of rental housing (Aalbers, 2016; August & Walks, 2018), new short-term rental (STR) platforms including Airbnb (Combs et al., 2019; Wachsmuth et al., 2018), and the increasing presence and consolidation of housing ownership among large-scale transnational property owners (Beswick et al., 2016). And yet the popular image of the landlord oscillates between that of ‘folk devil’: a stereotype of the landlord as an individual ‘bad’ social actor which emerged in the mid-twentieth century (Allen & McDowell, 1989) and the landlord as a sympathetic small ‘mom-and-pop’ figure just trying to make ends meet (Hulse et al., 2020).

Over four manuscripts, utilizing key-informant interviews, and discourse analysis, this dissertation responds to these transformations by arguing in defense of the ongoing relevance of the term ‘landlord’ for understanding housing systems broadly and landlord-tenant relations in particular. Building on historical uses in scholarship and policy, this dissertation proposes a sharpening of how landlords and landlords and tenants are conceptualized by utilizing the lens of class. The landlord-tenant relation, much like its feudal equivalent, continues to be a class relation with the main source of conflict being over the means of *social reproduction*. A class-based understanding of landlords and tenants departs from existing understandings of certain binary or gradational categories of landlords as ‘less worse’ for tenants, instead pointing to the primary power disparity being effective control over the means of social reproduction.

The subsequent manuscript focuses on contemporary media representations of landlords and tenants, pointing to the fact that these media representations favor landlords and property owners more generally, while portraying tenants as vulnerable and discounting their potential collective power. Building on previous chapters, the final manuscript develops the concept of ‘housing fatalism’ among Phoenix policymakers. Phoenix and Maricopa County more broadly represent a context where rapidly increasing rents, record evictions, and a deadly climate for those without shelter has created a dire situation, one where because of state pre-emption of laws such as rent control or limits to short-term rentals, policymakers struggle to influence. Understanding how

‘housing fatalism’ influences policymakers provides openings to politicize understandings of landlords and tenants and create the context where Tapp’s (2023) ‘public real estate state’ may be possible. ‘Rethinking the landlord’ accordingly provides substantial insights into landlords and landlord-tenant relations with broader implications for researchers, planners, and housing organizers, pointing to the possibility of new interventions and the importance of changed ‘common sense’ understandings.

Résumé

Les relations entre propriétaires et locataires - l'une des principales relations sociales de la vie urbaine moderne – sont en pleine transformation. Approfondie et accélérée par l'impact de la COVID-19, cette transformation est due à des changements récents dans l'offre de logements locatifs privés, notamment la financiarisation croissante du logement locatif (Aalbers, 2016; August & Walks, 2018), les nouvelles plateformes de location à court terme (LCT), notamment Airbnb (Combs et al., 2019; Wachsmuth et al., 2018), et la présence croissante et la consolidation de la propriété du logement parmi les propriétaires transnationaux à grande échelle (Beswick et al., 2016). Pourtant, l'image populaire du propriétaire oscille entre celle du "folk devil": un stéréotype du propriétaire en tant qu'individu considéré comme un "mauvais" acteur ayant émergé au milieu du XX^e siècle (Allen & McDowell, 1989), et celle du propriétaire en tant que figure sympathique "mom-and-pop" qui essaie simplement de joindre les deux bouts (Hulse et al., 2020).

En quatre manuscrits, à l'aide d'entrevues avec des personnes clés et d'une analyse de discours, cette thèse répond à ces transformations en défendant la pertinence du terme "propriétaire" pour comprendre les systèmes de logement en général et les relations entre propriétaires et locataires en particulier. En s'appuyant sur les utilisations historiques dans la recherche et la politique, cette thèse propose de clarifier la façon dont les propriétaires et les locataires sont conceptualisés en utilisant la notion de la classe. La relation propriétaire-locataire, tout comme son équivalent féodal, continue d'être une relation de classe, la principale source de conflit étant les moyens de reproduction sociale. Une compréhension des propriétaires et des locataires basée sur les classes sociales s'écarte des interprétations existantes de certaines catégories binaires ou graduelles voyant certains propriétaires comme étant "moins pires" pour les locataires que d'autres, en soulignant plutôt que la principale disparité de pouvoir est le contrôle effectif des moyens de reproduction sociale.

Le manuscrit suivant se concentre sur les représentations médiatiques contemporaines des propriétaires et des locataires. Il souligne le fait que ces représentations médiatiques favorisent les propriétaires d'immeubles locatifs et les propriétaires en général, tout en dépeignant les

locataires comme vulnérables, ainsi négligeant leur pouvoir collectif potentiel. S'appuyant sur les chapitres précédents, le dernier manuscrit développe le concept de "fatalisme du logement" parmi les décideurs.euses politiques de Phoenix. Phoenix et plus largement le comté de Maricopa représentent un contexte où l'augmentation rapide des loyers, les évictions record et un climat mortel pour ceux et celles qui n'ont pas d'abri ont créé une situation désastreuse, sur laquelle les décideurs.euses politiques peinent à influencer en raison de la préemption par l'État de lois telles que le contrôle des loyers ou les limites imposées aux locations de courte durée. Comprendre comment le "fatalisme du logement" influence les décideurs.euses politiques permet de politiser les conceptions des propriétaires et des locataires et de créer le contexte dans lequel le "Public Real Estate State" de Tapp (2023) pourrait être possible. "Repenser le propriétaire" fournit donc des informations substantielles sur les propriétaires et les relations entre propriétaires et locataires, avec des implications plus larges pour les chercheurs.euses, les planificateurs.trices et les organisateurs.trices de logement, soulignant la possibilité de nouvelles interventions et l'importance de changer les compréhensions collectives.

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Contribution to Original Scholarship and Contribution of Authors

This dissertation consists of four manuscripts placed in conversation with one and another and the broader theories of landlordism by a detailed literature review. One of the manuscripts is a peer-reviewed and published article, two are currently under review and with one of those having received a revise and resubmit, and one is in preparation for submission. The dissertation contributes to original scholarship through the development of conceptualization of landlord, as well as the placement of landlords and landlord-tenant relations in conversations with Marxist, Feminist and Climate schools of theory. Below is a detailed overview of the manuscript chapters and their authorship:

Chapter three is a peer reviewed article currently under review that has been revised and resubmitted. I am the sole author.

Chapter four is a manuscript under review co-authored with David Wachsmuth.

Chapter five is a sole authored peer reviewed article published as ‘Don’t wake papa bear!’ Understanding media representations of landlord-tenant relations. *City: Analysis of Urban Change, Theory, Action.*, 26 (4), 587-609.

Chapter six is a manuscript in preparation for submission. I am the sole author.

Chapter 1: A brief overview

Landlord-tenant relationships—one of the key social relations in modern urban life—are in the midst of a transformation. Deepened and accelerated by the impact of COVID-19, recent shifts in private rental housing provision include the growing financialization of rental housing (Aalbers, 2016; August & Walks, 2018), new short-term rental (STR) platforms, including Airbnb (Combs et al., 2019; Wachsmuth et al., 2018), and the increasing presence and consolidation of housing ownership among large-scale transnational property owners (Beswick et al., 2016). And yet the popular image of the landlord oscillates between that of ‘folk devil’: a stereotype of the landlord as an individual ‘bad’ social actor which emerged in the mid-twentieth century (Allen & McDowell, 1989) and the landlord as a sympathetic small ‘mom-and-pop’ figure just trying to make ends meet (Hulse et al., 2020). While scholarly conceptions have complicated these images, this narrow understanding of the landlord remains predominant.

As homeownership is increasingly out of reach for growing segments of the population (Forrest & Hirayma, 2018), the recognition of the importance of the landlord as an actor in rental housing markets has led to renewed scholarly interest (August, 2020; August & Walks, 2018; Chilton et al., 2018; Desmond & Wilmers, 2019; Fields, 2022; Teresa, 2016; Teresa, 2019; Garboden & Rosen, 2019; Graziani et al., 2020; Grief, 2018; Hulse et al., 2020; Leung et al., 2020; Revington & August, 2020; Travis, 2019). Trends within housing systems, including the ongoing consolidation of rental properties by financialized firms, referring to the dominance of financial strategies tied to claims or contracts of future returns (Aalbers, 2016; Jacobs & Manzi, 2020: 185) and conflict over use and exchange values of rental housing seem to have only been accelerated by the COVID-19 pandemic. Increasingly, these trends are impacting middle-income households; however, those most likely to be negatively harmed by this obfuscation of property ownership and changing relations of landlords and tenants are those most reliant on the private rental sector for housing, notably women, low-income and racialized people (Kern, 2010; Schuetz, 2017).

Treated by markets as a commodity and increasingly an object of financial speculation, yet needed for life as the key infrastructure of social reproduction, housing represents a tension between those primarily valuing it for its exchange value and those requiring its use-values. Typically, housing is thought to be divided into three broad tenure types: homeownership; private rental and; public

rental, though with most Anglo-American residents being in the first two categories (Christophers, 2021). In reality, tenure is far more complex due to homeownership being complicated by degrees of ownership (for example, mortgages versus outright ownership) and alternative forms of housing such as community land trusts, limited equity cooperatives and housing squats. Since the Second World War, expanding homeownership has been a primary goal of countries of the Anglo-American sphere (Ronald, 2008), and as a form of housing contains an internal contradiction where owners have vested exchange and use value interests in their housing. Private market rental splits this tension between two groups, landlords on one side, interested in housing exclusively for its exchange value, and tenants, interested in the housing exclusively for its use-values.

Traditionally scholarship and policymakers have tended to assume that landlords are individual actors (corporate or individuals) in direct social relations with their tenants. Despite significant recent upheavals to private rental markets, this assumption underlies the literature on landlords across the 20th and into the 21st century (e.g., Allen & McDowell, 1989; Andersen, 2008; Shiffer-Sebba, 2020; Sternlieb, 1969; Sternlieb & Burchell, 1973; Travis, 2019). Moving away from a discursive construction of landlord as a type of ‘folk devil’ (Allen & McDowell, 1989) landlords are frequently binarily categorized between ‘good’ ‘small’, ‘amateur’, ‘mom-and-pop’ (Bierre et al., 2010; Chilton et al., 2018; Gilderbloom & Appelbaum, 1987; Graziani et al., 2020; Hulse et al., 2020; Shiffer-Sebba, 2020; Sternlieb, 1969; Sternlieb & Burchell, 1973) or ‘circumstantial’ landlords, and ‘bad’ ‘large’, ‘professional’ or ‘deliberate’ landlords (Chilton et al., 2018; Gilderbloom, 1985; Gilderbloom & Appelbaum, 1987; Shiffer-Sebba, 2020; Wijburg & Aalbers, 2017). ‘Small’ landlords are characterized as investors, trying to earn a little extra income for retirement, comparatively positive actors, whereas ‘large’ landlords are said to be driven strictly by profit motivation (Abood, 2018; Chilton et al., 2018; Gilderbloom, 1985; Gilderbloom & Appelbaum, 1987; Wijburg & Aalbers, 2017). These binary categorizations are further complicated as ‘large’ landlords themselves move to ‘rebrand’ as rental housing providers’ (Edmiston & Faris, 2018; Kalinowski, 2018) to avoid the scrutiny and stigma of the category of the landlord.

Part of the issue is a lack of an updated understanding of landlords and landlordism, despite rapid and significant changes in the structuring of housing systems. These changes include the large-

scale emergence of short-term rentals in urban areas, the rise and proliferation of massive transnational ‘rental housing providers’, and the emergence of financialized single-family home rentals (SFHR) at a scale previously unrecorded. While these private rental market actors have been scrutinized by academic research (August, 2020; Chilton et al., 2018; Fields, 2019; Revington & August, 2020; Wachsmuth & Weisler, 2018; Wijburg & Aalbers, 2017) and community groups (for examples see Abood, 2018; Ali et al., 2020; Lanctôt, 2019) there is a scholarly and regulatory gap in examining the under-theorized concept of the landlord and engaging with the ‘figure’ in a holistic fashion. The COVID-19 pandemic has increasingly stressed housing systems lacking adequate protections for tenants and exposed to speculative finance while bringing the conflict to the forefront through active resistance of evictions and increasingly visible tenant organizing (Agrawal et al., 2020; Ali et al., 2020). Accordingly, this research and its focus on the ‘landlord’ takes on an added importance.

Research goals and objectives

At its core, this dissertation is focused on how the landlord is understood and how conceptualizations of the landlord can be sharpened to improve housing research, policy, and outcomes. To do so, this dissertation primarily relies on key-informant interviews, embedded participant observation, media scans, and document analysis to address the following core questions: 1) What are contemporary conceptions of the landlord, and how has this conception been operationalized as both an analytical and regulatory category? 2) How have current trends – including the proliferation of STRs, the financialization of housing, and emergence of large-scale transnational ownership – challenged traditional understandings and conceptualizations of landlords? 3) How have these trends impacted landlord-tenant relations and landlords’ relations with government actors? In sum, this dissertation represents an attempt to ‘rethink the landlord’.

The design of this dissertation was to explore these emerging trends in landlordism by employing three empirical case studies—the growth and COVID-19-related retrenchment of short-term rentals in Montreal, the financialization of rental housing in Phoenix, and Berlin’s referendum on the socialization of large-scale residential property owners many of whom were transnational firms. The cases of Montreal, Phoenix, and Berlin were selected based on preliminary research having identified them as “archetypical” cases (Brenner, 2003), representing relatively extreme

instances of more general phenomena. At the time the study was designed, Montreal had the most commercialized STR market of any major city in Canada, Phoenix had the fastest-growing SFH rental sector, and Berlin community organizers and tenants were fighting to socialize large-scale, often transnational landlords. A Toronto, Canada case study was added because of the opportunity provided by the expansion and retrenchment of rent control policies over a short period as illustrative of media representations of landlords and tenants. To this end, 50 semi-structured interviews were conducted with key housing actors. 21 of these occurred in June and July 2019 in Montreal (with assistance from Charlotte Belot and Lou Seltz), 21 across Phoenix and the broader Maricopa County from March to May 2022, and 8 in Berlin in January and February of 2023. Media scans were conducted in Toronto, Montreal, Berlin and Phoenix. Participant observation occurred with tenant movements in Berlin and Phoenix.

While this dissertation is the sum of this effort the chapters that follow do not line up nearly with all four of these case studies. Instead, the chapters answer the core research questions, namely that contemporary conceptualizations of the landlord are inadequate, that a conceptualization based on the social relations of landlords and tenants should be adopted, and that while trends in landlordism have not fundamentally changed the structural inequalities of landlord-tenant relations, they have intensified them. Accordingly, this dissertation makes key contributions to housing studies by proposing the adoption of a class-based understanding of landlords and tenants. Further, this dissertation positions the study of landlords and tenants in conversation with different theoretical traditions, including Marxist, feminist, and climate studies. By doing so, it makes key contributions to the furthering of these theoretical traditions by showcasing the importance of landlord-tenant and landlord-government relations. Finally, this dissertation makes empirical contributions by detailing contemporary conceptualizations of landlords among scholars, popular media, and policymakers.

Thesis structure and description of chapters

This thesis is organized into eight chapters, including this one. The second chapter is the literature review, the first section of which examines historical understandings of landlords during the transition of modes of production from feudalism to capitalism, and the concepts of

‘land as property’ and land rent to ground understandings of landlord in the contemporary literature. The thesis then details how the literature has defined landlord, conceptualized landlord, and theorized the landlord across housing studies. I argue that ‘landlord’ is ill-defined and relies on a common-sense understanding. This common-sense understanding tends to be conceptualized in the literature in ways that lead to binary categorizations of landlords as worse or better for tenants primarily based on profit motivations. In general, I find that the literature argues housing studies tend to be under-theorized but that new theoretical poles are emerging both to help us better understand housing phenomena and contribute to theory building across disciplines. Afterwards, the literature review turns to previously identified emerging trends in landlord studies and I argue that studies treat these landlords as novel while many of the existing themes, notably categorizations of ‘worse’ and ‘better’ landlords remain present. Finally, I turn to the YIMBY/NIMBY debate in housing scholarship itself a subsidiary to a ‘supply side’ focus, arguing that it broadly represents a pushback against the sociological turn of landlord-focused scholarship and is a reassertion of the idea of housing a simple commodity one which this dissertation engages with and pushes back against.

Chapter three is a manuscript currently under review at a journal titled ‘In defense of landlord: Why the term ‘landlord’ continues to be essential to understanding rental housing’. This manuscript is responding to legislative efforts to replace the term ‘landlord’ in the states of California and Ohio. By refuting their arguments, that contemporary landlords are not like the landlords of feudal origin, that landlords ‘work’, and that the landlord-tenant relation represents a commodity transaction like any other I work to buttress the concept of ‘landlord’. Doing so helps locate the unique aspects of landlord-tenant relations, notably the ongoing feudal characteristics, as well as point to the class nature of landlord-tenant relations and the ongoing importance of ‘landlord’ as a regulatory and organizing concept.

Chapter four is a manuscript titled ‘Landlords and tenants: A class-theoretical approach to the relations of social reproduction’ co-authored with David Wachsmuth. This manuscript represents the core theoretical contribution of this thesis, that housing and social reproduction can be better understood by conceptualizing the landlord-tenant relation as a class relation, with the main source of conflict being over the means of *social* reproduction. Borrowing heavily from labour

class theory, a class understanding of landlord-tenant relations allows a better understanding of the political economy of housing and social reproduction.

Chapter five is a peer-reviewed published manuscript titled ‘Don’t wake papa bear!

Understanding media representations of landlord-tenant relations. The stated goal of this manuscript is to address the under-theorization of landlord-tenant relations by applying feminist scholarship on hegemonic masculinity (HM) and emphasized femininity (EF) to the case of the expansion and subsequent retrenchment of rent-control policy in Ontario, Canada in 2017-2018. Using discourse analysis, I found that landlords are most commonly portrayed as ‘rational’ and tenants most commonly portrayed as ‘vulnerable’, traits that broadly correspond with understandings of HM and EF, respectively. Arguably, this supposed landlord rationality (despite contradictory evidence) provides landlords with an advantage while dealing with media and policymakers, one where they can claim to speak for tenant interests. Further, it downplays the possibility of tenants as potentially powerful collective actors.

Chapter six is a manuscript being developed for publication titled ‘Housing Fatalism’ and the Creation of the Benevolent Landlord: understanding policymakers in Phoenix’s housing system. This manuscript makes a significant theoretical contribution by developing the concept of ‘policy fatalism’ of which ‘housing fatalism’ is subsidiary. The concept is developed from ideas of climate fatalism but applied to a policymaker context based on three main criteria: 1) the problem is well known but seems unsolvable, 2) the group with the most to lose from solving the problem in the short-term has effectively captured the policymaking institutions, 3) proposed solutions are narrow, tend to be technocratic, and treat those who have captured the policymaking institutions as ‘benevolent’ potential partners. Addressing policymakers, I end the chapter by arguing they have the capacity to change the paradigm and create a system that works in the interests of those most impacted by the crisis at hand, but it requires a politicized understanding of landlord-tenant conflict and a willingness to make use of their institutional powers.

Chapter seven is an overview of the findings of this thesis, emphasizing key themes, notably the utility of a ‘landlord as class’ understanding of landlords, drawing attention to the need to push

back against the obfuscation of landlords, which serves to depoliticize the landlord-tenant relation and challenge the imaginary of the ‘apolitical’ supply-side solutions that currently proliferate in housing policy discussions. Further, chapter seven attempts to highlight some of the thematic elements and narratives that run in the background of this dissertation project, notably the relation of landlord and property concepts, the proliferation of ‘landlord-tech,’ and the ‘small’ landlord. Finally, chapter seven addresses the ‘shadow’ cases of Montreal and Berlin, where fieldwork was conducted, but they do not have corresponding dedicated manuscripts. Chapter eight is the final chapter and briefly restates the key findings and the structure of the paper, as well as addresses future potential research directions and takeaways of the thesis.

Chapter 2: Literature Review: Introducing the landlord

In the Anglo-American context, our understanding of who or even what landlords are has taken on a strong ‘common sense’ meaning. Landlord itself as a term is rarely defined in literature or media and despite its internal complexity, landlord is frequently taken for granted as a self-explanatory and common term. The heterogeneity of who owns residential property and systemic inadequate access to property ownership data (St. Hilaire et al., 2023; Graziani et al., 2020; McElroy, 2020) are further complicated by emerging trends such as fractional ownership, REITs and other corporate ownership structures, large scale investment by pension funds, the rise of short-term rentals and the upscaling of consolidation of management (as opposed to direct ownership) by property management and arbitrage firms. Even when property ownership data does exist, corporate obfuscation and transnational ownership patterns make it difficult to understand who owns what and the compositions of various rental markets. Landlord itself is a term with origins in the feudal social relations of one specific context that tends not to directly translate into other languages¹.

Despite being at the core of private rental housing, historically the landlord and landlord-tenant relations have been a relatively minor focus of housing research compared to the two other main tenures of private homeownership, and public housing (Christophers, 2021; Desmond, 2016; Hatch, 2017; Rohe, 2017). The first significant scholarly wave of interest emerged in the 1970s and 1980s as private landlordism, and inner-city areas were facing a decline (Allen & McDowell, 1989; Beckman, 1972; Dreier, 1982; Gilderbloom, 1985; Gilderbloom & Appelbaum, 1987; Sternlieb, 1969; Sternlieb & Burchell, 1973; Krohn et al., 1977). Developing a better understanding of landlord behaviour was seen as one way to improve housing conditions and reverse a wave of decline and abandonment (Allen & McDowell, 1989; Sternlieb & Burchell, 1973). While largely unsuccessful in accomplishing these lofty goals, there emerged a relative consensus within the literature that landlords were a heterogeneous group (Allen & McDowell, 1989; Gilderbloom & Appelbaum, 1987) and that ‘small’ or ‘amateur’ landlords were better for tenants (Gilderbloom, 1985; Sternlieb, 1969; Sternlieb & Burchell, 1973).

¹ For example, the French term for landlord translates to ‘propriétaire’ linked to ownership and the German word for landlord ‘vermieter’ would most closely be translated to ‘renter’ (as in seller, i.e. the one doing the renting out of a property) albeit in practice tends to refer to the owner.

A contemporary wave of scholarly interest is emerging against the backdrop of an increasing importance of private-rental markets (in terms of the percent of households obtaining their housing from private-rental markets) (Forrest & Hirayama, 2015) and rapidly increasing housing cost (Marcuse & Madden, 2016; Wetzstein, 2017). This wave of scholarship is more broadly focused and seeks to understand emerging trends in different contexts (August, 2020; Beswick & Penny, 2018; Chilton et al., 2018; Teresa & Howell, 2020; Fields & Uffer, 2016; Kemp, 2015; Wijburg & Aalbers, 2017), subtypes of landlords (Fields, 2022; Revington & August, 2020; Teresa, 2016; Travis, 2019), and the multitude of negative impacts landlords can have on their tenants (Desmond, 2016; Desmond & Wilmers, 2019; Garboden & Rosen, 2019; Leung et al., 2020; Rosen, 2014; Tester, 2008).

This chapter provides an overview of the scholarship on landlords and their relation to the political economy of housing more broadly as well as emerging trends in landlord scholarship. By linking the feudal conceptualizations of landlord to contemporary emerging landlord types specifically financialized landlords generally and financialized single-family home landlords specifically, short-term rental operators and transnational, this literature review provides the key context and theoretical background for the chapters to come. Importantly, this chapter also engages with the resurgence of neoclassical economics in housing studies which represents a turn away from the lessons of scholarship broadly focused on landlords.

Section 2.1 of this chapter sets out to outline the relationship of the term ‘landlord’ to contemporary and historical conceptions of property by integrating the feudal origins of the term, its relations to the concept of ‘land as property’ and land rent concepts. The key resulting finding is that ‘land rent’ and ‘land as property’ are essential to understanding the contemporary political economy of housing and landlords’ comparative power over tenants.

The second section (Section 2.2) then details how landlords have been studied so far, specifically noting the lack of a formal definition and the assumed common sense meaning of ‘landlord’ in landlord scholarship, as well as the reliance on binary classification schema. Further this section explores the key findings of these studies, most notably that certain types of landlords are ‘worse’ than others (primarily based on the idea that they have higher profit motivations). Finally, this section engages with the level of theory in housing scholarship broadly and landlord

scholarship more specifically, arguing that while there is an increasing theory building occurring from housing and landlord-tenant scholarship, much of it remains focused on immediate policy concerns.

Section 2.3 then goes through ‘emerging’ landlord typologies, specifically financialized landlords, STR landlords, and transnational landlords. All three of these landlord types represent growing segments of landlords the Great Financial Crisis (GFC) of 2007-2008. Many of the same thematic elements are present, where these studies have generally identified trends among these landlords towards consolidation and increasing interdependence with financial flows.

Finally, section 2.4 discusses the prevalence of supply side understandings of housing cost and housing solution. It argues that these studies, increasingly prevalent in housing scholarship, represent a turn away from sociological understandings of the landlord and instead rely on rejecting much of the existing landlord scholarship for a return to the figure of the landlord as a purely rational ‘economic man’.

2.1— Landlords, property and land rent

2.1.1 - The origins of the landlord

“Every mode of production is structured, in a class situation, around a fundamental struggle between two classes: an exploiting class and an exploited class.” (Massey & Catalano, 1978: 23)

Landlord is a term with its origins in the prior dominant mode of production, feudalism. Landlordism at the time was typically associated with individuals who made up the landlord class. Primarily via hereditary rights or royal decrees, landlords had relationships to land that enabled them to extract the surplus of peasants, tenants and serfs who directly relied on the land for their own social reproduction.

Landlords, power was primary based on their (judicial) relationship to land giving them the ‘right’ (related to ownership) and ability to extract a surplus from serfs and tenants (Massey & Catalano, 1978). This surplus was extracted via rent, of which the simplest form was labour rent (Massey & Catalano, 1978). In England, landlords, over the course of the 16th to 18th centuries,

shifted their orientations from using ‘extra economic’ means to extract a greater surplus to more specifically orient their land holdings for profit and accumulation under market pressure (Wood, 2017). During this period, landlords moved to eliminate overlapping use rights and instead relied on wage labour and economic leases, thereby restructuring the ‘feudal’ landlord-tenant relationship (Wood, 2017). Tenants effectively became restructured as a wage-earning class, losing direct control over the means of their social reproduction via the disappearance of use rights to land. Accordingly, the landlord tenant relationship began to take on a more familiar context with non-owners increasingly limited in their ‘rights’ to land and dependent on wages to secure access. Landlords’ power to exploit remained, though it was based primarily on economic (as opposed to previous extra-economic) powers (Wood, 2017).

The transformation from feudalism to capitalism as the dominant mode of production induced rapid population growth in urban centres. This rapid population growth brought more attention to the ‘housing question’, specifically the increasingly dire conditions in cities and towns (Engels, 1970). Even when wages and the prices of basic goods fell or were stagnant, rents continued to increase, driven by “uncontrolled speculation” (Harloe 1985: 39). Despite these acknowledged urban ills, the importance of the urban landlord was largely dismissed as a biproduct of the mode of production and the landlord-tenant relation was reduced to a simple commodity exchange (Engels, 1970), a view that has been called into question (see chapter 4 in this thesis or Manning, 2021 for examples).

During the feudal mode of production, landlords were dominant politically and ideologically and while they (nor vestiges of the feudal relations) never completely disappeared by the time Massey & Catalano (1978) were writing, the capitalist mode of production was dominant in Great Britain. To some extent this caused a dismissal of the importance of landlords and rent among major classical political thinkers and economists. Marx tended to dismiss the importance of rent, suggesting that it was “simply portion of the surplus value created by workers that the “productive” industrial capitalist shared with the landowner rather than arrogating to herself as “profit”.” (Christophers, 2019: 313).

In contemporary economies, the balance may be shifting back to the landlord, and the rentier writ large. As Christophers (2020) notes, rentiers are increasingly central and ascendent in the UK's economy, albeit they are not just limited to landlords and financial services. The documented resurgence of the returning centrality to the economy has sparked a relative wave of landlord and private rental housing focused literature as documented above, although rarely does contemporary scholarship connect our current understanding of 'landlord' to its feudal origins directly (see Yamen et al., 2020 and Manning, 2023 for exceptions). In regard to landlords, a narrow conception of land as property is a significant part of the story.

2.1.2 - Land as property

While landlords themselves originated in feudal social relations, arguably much of which remains in the current landlord-tenant relation, the concept of land has shifted to one which allows greater commodification and alienability. Blomley (2004: 3) argues that across anglophone settler states it is nearly impossible to find land not "neatly assigned to either public or private forms of ownership". Land as property refers in part to the dominant "ownership model", in which "conception of property agglomerates property rights in a single identifiable owner, identified by formal title, whose interests are deemed presumptively superior" (Blomley, 2020: 38). Land as property represents the prevailing hegemonic conception of land as spatially divided into owned property, conveying a series of (primarily) exclusionary rights. The conceptualization of land as such remains largely under-interrogated in contrast to its importance in contemporary Western liberal democracies (see Krueckenberg, 1995 for an exception). This formalized recording and conception of property was first applied on a large scale within the United Kingdom's settler colonies, namely Australia and Canada before being systematically reimported and imposed at the national scale in the U.K. itself (Bhandar, 2018). Prior to this, in the U.K. context, land was formally vested in the crown, and there were far more diverse bundles of rights and allowances of uses associated with land (Bhandar, 2018).

According to Blomley (2004: 2), one of the foundations of the 'ownership model' of property is an assumption of a "unitary, solitary, and identifiable owner." At its core, this represents a mode of property that is based on a judicial legibility. To be the owner of property, you have to be able to be known as the owner. Such is the key element that enables one to possess the other key

characteristics of ‘land as property’ notably alienability and the right to exclude. Alienability is one of the core tenets a conceptualization of ‘land as property’ because it facilitates the exchange of property and the treatment of land as a good (Bhandar, 2018).

Another key foundational element of the conceptualization of land as property is the ‘right to exclude’ (Harris, 1993; Blomley, 2004). Under the premise of the ownership model, owners, backed by the power of the state, can forbid the use of land deemed their property without their permission (Blomley, 2004). Such a core tenet limits the ability of publics to make use claims to privately held land even in contexts where public use has been historical or ongoing. Instead, the power to exclude rests with the sole identified owner.

Continued illegibility of alternative relations to land have been identified as essential for capitalist reproduction through the built environment and facilitate the ease of commodification by property owners. But the creation of ‘land as property’ continues to be contested. Scholars have shown that Indigenous urban land claims (Blomley, 2004), squatters (Blomley, 2004; Starecheski, 2016) or even users of Terrain Vagues (Colomb, 2017) have threatened or complicated property’s alienability, and in turn exchange value by creating competing demands and challenging the ability of owners to exclude. Cities in settler states primarily depend on the revenue from property taxes for funding. Inherently they have an interest in reproducing clear relations to land for tax purposes (Krueckenberg, 1995; Blomley, 2004).

In addition, and importantly, the concept of ‘land as property’ was not only used to dispossess Indigenous peoples, but was also used to create a discourse of Indigenous peoples as ‘uncivilized’ (Bhandar, 2018). In the settler-colonial context, property became deeply intertwined with race, as Bhandar (2018: 4) argues “the evolution of modern property laws and justifications for private property ownership were articulated through the attribution of value to the lives of those defined as having the capacity, will, and technology to appropriate, which in turn was contingent on prevailing concepts of race and racial difference”. Property’s valorization and the dispossession of those without property has had wide influence. The continued link of property to citizenship (Blomley, 2004; Perin, 1977) and in turn race (Bhandar, 2018; Harris, 1993) represents a hegemonic understanding of land deployed in support of continued

dispossession of rights to specific places or alternative conceptions of property. Tomiak (2019: 104) argues that “property is one mode in which settler colonialism normalizes and invisibilizes its violence.”

The property paradigm continues to be weaponized against other groups labeled ‘transient’ more broadly. Scholars have shown that claims to space or place by unhoused people (Goldfischer, 2020), queer youth (Anderssen, 2015), and even renters (Rollwagen, 2015) have been challenged by labeling these groups transitory and subjecting them to greater policing and state violence. In the discourse around land-use and planning decisions, unhoused peoples and renters are frequently labeled outsiders or explicitly othered. Their presence is argued to lower neighbourhood stability and home values because they do not take care of their homes and neighborhoods as much as homeowners (Pendall, 1999; Rollwagen, 2015). These labels, in concert with homeowners clamouring that even the presence of renters or their ‘lifestyles’ will hurt home values, have justified residential segregation (Nguyen et al., 2013; Rolwagen, 2015). This discrimination strongly hints at a comparative state valorization of the right to profit from property in contrast to the well-being of othered non-owners. Of course, key beneficiaries of this continued right are landlords who benefit from the valorization of their own positions as owners as well as the general denegation of tenants and non-property owners who they exploit.

Land as property still acts as a current constraint on both material and imaginary possibilities. It reinforces a narrow hierarchy of those who own and those who do not and accordingly those right rights and those without. Importantly while land as property remains the dominant conceptualization of land based on ideas around private property, it remains ‘aspirational’, as actually existing property and land relations remain more complex (Blomley, 2004; Krueckenberg, 1995).

2.1.3 - Land rent

Understanding land as property additionally opens up a scholarly avenue that is often discussed in relation to landlords and land rent theory. Land rent theory purports to explain “... the relationship between the use and price of land” (Halia, 2016: xxii). Adopted to urban contexts

beginning in the 1970s, theorists sought to use it to explain the rapid increase in housing costs (Haila, 2016). Important in regard to landlords has been the idea of understanding rent as a social relation (Haila, 2016). While ‘land rent’ as a social relation is an important element and a guide for any reconceptualization of landlord itself, rent tends to abstract the social relation of rent away from the active class relations between landlords and tenants and the direct violence and harm such a relation can inflict. Theoretical innovations from land rent theory, notably monopoly and absolute rent, provide insight into why landlords may behave in certain ways, such as a landlord keeping housing vacant (Ward & Aalbers, 2016), but because of the abstraction from the class relations, these innovations do not stand alone as a sufficient definition of landlords.

The divergence between neoclassical and Marxist schools of land rent theory began with differing concepts of the relation of labour to value (Ward & Aalbers, 2016). Harvey (1974) introduced the concept of ‘class monopoly rent’ showing how rent can be generated through class conflict by limiting access to a specific resource by a class and, in housing, operating in part through the creation of (geographically) distinct submarkets. Other key innovations in urban rent theory have been to identify [land] rent as a social relation with distributional effects (Andreucci et al., 2017; Ball 1985; Haila, 2016); relating land rent to theories of capital switching (Ward & Aalbers, 2016; Andreucci et al., 2017) and exploring land rent’s ‘coordinative function in capitalism’ (Harvey, 1982; Haila, 1988: 82). Haila (1991: 352) goes as far as to introduce a typology of ‘investment in land and property’ to understand the relations of specific investors and monied interests to urban land rent and the uniqueness of land. Land rent as a social relation is particularly illuminating for examining private rental markets because of the focus it directs to class relations between landlords and tenants.

Much of the scholarship on land rent calls for a recentring of urban theorizing generally on the concept of urban land rent (Haila, 1988; Jäger, 2003; Ward & Aalbers, 2016), involving a greater focus on rent in relation to land, cities and capital (Ward & Aalbers, 2016), which variously appears to be taken up in waves. One subset of the scholarship has argued that land rent is increasingly able to perform a similar role as capital or land is increasingly being seen as a ‘pure financial asset’ (Haila, 1988: 82; Haila, 1991; Ward & Aalbers, 2016) but as Ward & Aalbers, (2016) and Haila (1991) argue, this convergence of actors’ perspectives doesn’t diminish the

unique nature of land. This argument echoes the idea of behavioural convergence among different categories of landlords themselves.

Arguably, there has been a swing back towards landlords and rentiers as once again increasingly powerful in the contemporary moment of production (Christophers, 2020; Harvey, 2006). As Harvey (2006: xvi) argues “class power is increasingly articulated through rental payments.” More broadly, Christophers (2020) notes how entire economies are being reoriented towards the project of rentiership. Despite the acknowledgement ‘landlord’ still remains under conceptualized and explored instead typically remaining undefined based on assumed ‘folk’ meanings.

Summary

Landlord as a concept has its origins in the previous dominant mode of production, feudalism, with landlords representing one pole of the key landlord-tenant (or landlord-serf) social relation. While capitalism became the dominant mode of production, and the landlord-tenant relation changed, vestiges of it have never completely disappeared. Contemporary landlord-tenant relations, based on market exploitation, are enabled by changing understandings of land, ones where land is seen as ‘property’ and former understandings of land and the different bundles of rights and responsibilities have been rendered illegible. Land rent represents an essential way that we can understand how market and economical coercive practices function in relation to land, and in turn enable an understanding of landlords and tenants beyond a simple commodity transaction because of the uniqueness of land as a commodity. Further understanding how ‘land as property’ developed helps us understand what alternative relations might have been precluded. Despite the value of understanding land and land rent, the landlord and in turn the landlord-tenant relationship are obscured.

2.2 – Defining, Categorizing and Theorizing Landlords

2.2.1 – Contemporary understandings of landlords

‘Landlord’ is rarely defined by scholars, assuming a common sense meaning that requires no definition. A lack of data on property ownership (or management) greatly complicates figuring

out who owns what let alone more specific characteristics, demographics or corporate structures of these owners (St-Hilaire et al., 2023; Graziani et al., 2020; McElroy, 2020). Despite the lack of data, current understandings of landlords are primarily based on individual or corporate attributes, such as demographic information including race and gender, nationality, or the number of units, the legal structure of their companies or their relationships to finance (Özogul & Tasan-Kok 2020). While these individual attribute-based classifications are an important lens to understand landlords, classifying landlords based on these attributes tends to obscure other important aspects, namely the social relations of these groups and their relationship to social reproduction. As already noted, housing scholarship itself a distinct subfield, is noted for lacking a unique theoretical basis (King, 2009; Kohl, 2018) and remains strongly focused on immediate and practical policy applications within existing structural confines. What theorizations exist tend to be primarily linked to housing's role within production, for example as an outlet in the 'secondary circuit of capital' (Harvey, 2006) or housing backgrounded as the physical and spatial site ('the container') where social reproduction occurs.

2.3.2 - How landlords are defined

Having feudal origins hundreds of years in the past, the term 'landlord' is assumed to connote a 'common sense' or 'folk' meaning. For example, formal definitions of landlords are missing from Sternlieb (1969) and Sternlieb and Burchell's (1973) books on tenement landlords, Desmond's (2016) *Evicted* and Harloe's (1985) study *Private Rented Housing in the United States and Europe* arguably key texts in studying private rental markets and landlords. The exception is studies that define landlord (see Allen & McDowell, 1989). Typically, these studies of landlords and private rental markets simply use 'landlord' and 'owner' as interchangeable (see Sternlieb, 1969; Krohn et al., 1977). More broadly this can be seen in light of Kemeny (1991)'s critique of housing studies more broadly, namely an overreliance on first order concepts and echoes a critique made by Christophers (2020) of the varied definitions and theorizations of rent itself.

Allen & McDowell (1989: 45) define the term landlord as one which "...possesses a commonplace meaning. Today it generally refers to a particular agents or individuals who let

residential or commercial property in exchange for monetary payment.” Complex ownership structures, such as Real Estate Investment Trusts (REITs), public companies owned by thousands of shareholders or housing units let by firms with a high degree of the automation of landlord tasks (Fields, 2019) could all arguably be excluded from this simplistic definition. Instead, Allen & McDowell’s definition remains rooted in the idea of an individual, conducting a series of ‘landlord’ tasks and is one which almost certainly includes is leasing agents or property managers and could include roommates renting a spare room and commercial operators of short-term rentals (STRs). The lack of definition then creates issues of clarity. For example, a study of landlords using Allen & McDowell (1989) might focus on property management firms or short-term rental operators.

A more commonly held idea of who the ‘landlord’ is seems to rest on the concept of property ownership, i.e. the owner of the property who lets it for commercial or residential use. This strict ownership conception leads some scholarship (such as the previously mentioned Sternlieb, 1969; Krohn et al., 1977) to use the term landlord interchangeably with landowner. Albeit similar to Allen & McDowell’s definition, the slight difference is the focus on the property owner as opposed to the ‘particular agents or individuals’ letting the property which could lead to different conclusions on who the landlord is. Manufactured housing, commonly known as mobile homes, represents another complication of the owner paradigm. For example, in the U.S., approximately “80 percent of mobile home park residents own their homes, but only 14 percent own the land beneath them” (Sullivan, 2017: 244).

Those engaging in landlord type tasks have been known by other names, further clouding definitional clarity and potentially reducing the utility of the term ‘landlord’. Both in popular media and scholarship accessory dwelling units (ADUs) in homes have been referred to as ‘mortgage helpers’ (Goodbrand & Hiller, 2018; Mendez, 2016) a term that reduces tenants to a financial asset and erases the figure of the landlord entirely, recasting them as homeowners. While seemingly more common among individuals purchasing and renting out housing units, landlords at all scales have been referred to as investors in popular media and scholarship (Hulse et al., 2020; Kerrigan, 2022; Özogul & Tasan-Kok 2020). Some landlords, most commonly through their advocacy and lobby organizations, have attempted to rid themselves of the term

landlord in favour of rebranding themselves as ‘rental housing providers’ (Edminston & Farris, 2018; Kalinowski, 2019). In the U.S. some transactions between landlords are classified as purely “financial deals” between different investors which are not subject to the same anti-trust regulatory scrutiny as other businesses (Tapp & Peiser, 2023). Furthermore, the COVID-19 pandemic has illustrated a high degree of fluidity of housing units between the short-term and long-term rental markets (Wachsmuth et al., 2020). Despite lack of ownership in some cases, and previously being called ‘hosts’, this group of (former) short-term rental operators are engaging in some degree of landlord tasks (Belot et al., 2023).

Rental housing literature currently does not clarify these definitional shortcomings. The weaknesses and lack of strong definitions of landlord impact scholarship and policy outcomes. Important aspects of control and benefit are backgrounded instead focusing primarily on strict cadastral and legal definition or by examining the most visible actors of the private rental market. Often, the lack of definitional clarity is compounded by scholars and policymakers who try and further divide up landlords into various subcategories.

2.2.3 - Categorizing landlords

Neoclassical economists have tended to model rental markets on the assumption of individual tenants and landlords as a ‘rational economic man’ basing decisions on high degrees of information and choice among competing companies and units (Gilderbloom & Appelbaum, 1988). Most critical scholarly analyses of rental housing have noted the significant power imbalance between landlords and tenants. This power discrepancy is based on information differentials, economic resources, and legal structures which typically favour landlords (Desmond & Wilmers, 2019; Fields, 2019; August & Walks, 2018; Hatch, 2017; Tester, 2008). These are further compounded by racial, gender, and generational differences, with renters in Anglo-American countries typically being among the groups most likely to face discrimination in other aspects of their lives and who are less likely to be wealthy, white, and in middle or old age (Aalbers, 2016).

Categorizing landlords was one way in which a strict ‘rational economic man’ assumption was challenged. By creating and studying sub-groups of landlords, based on the understanding of the heterogeneity of landlords as a whole, different motivations and behaviours that complicated neoclassical assumptions could be parsed out (Allen & McDowell, 1989; Krohn et al., 1977; Gilderbloom, 1985; Sternlieb, 1969). Landlord categorization allowed various studies to argue that different types of landlords had different primary motivations and attachments to their rental properties, and in turn their tenants, most notably ones not solely focused on profit maximization (Krohn et al., 1977; Allen & McDowell, 1989). For example, by identifying ‘ideal’ types of landlords, and laying out their complex and differing motivations, Allen & McDowell (1989) argued that rental submarkets with different concentrations would look very differently. These category-based differences would in turn lead to different reactions to external phenomena like local economic decline (Sternlieb, 1969; Allen & McDowell, 1989).

While frequently acknowledging the heterogeneity of landlords (Allen & McDowell, 1989; Bischoff & Maennig, 2010), landlords still tend to be categorized in academic scholarship in two binary ways, the first is a schema based on specific individual attributes of the landlord or landlords being investigated, the second is based on the landlords’ external relation to finance capital. The individual attribute categorizations tend to be based on either the size of the landlord, typically based on the number of units owned (Chilton et al., 2018; Kemp & Kofner, 2010; Gilderbloom & Appelbaum, 1987; Gilderbloom, 1985; Sternlieb, 1969; Grief, 2022; Balzarini & Boyd, 2021) or on the landlord’s corporate or legal structure (Travis, 2019; Krohn et al., 1977). Authors frequently use different category titles such as ‘amateur’ or ‘professional’ (Krohn et al., 1977; Gilderbloom, 1985), circumstantial or not circumstantial (Shiffer-Sebba, 2020), or ‘small’ and large (Decker, 2021; Balzarini & Boyd, 2021). Occasionally, studies utilize more gradational definition or set the binary categorization to be ‘local vs. foreign’ (see Özogul & Tasan-Kok 2020 for a summary)

Generally, ‘small’, ‘amateur’ or ‘circumstantial’ landlords are argued to be better for tenants because of a less prominent profit motivation (Shiffer-Sebba, 2020; Travis, 2019; Gilderbloom, 1986; Sternlieb, 1969), because of their lesser knowledge of market conditions or sensitivity to vacancies (Decker, 2021). This can be seen as a form of reduced power disparities and

speculation that they're less likely to evict because of closer relationships to their tenants (Shiffer-Sebba, 2020). With the exception of Sternlieb (1969), who noted other shortcomings with his small landlords' category, the authors cited have all variously argued that small, amateur or circumstantial landlords increasingly are or can adopt the behaviours associated with large, professional or deliberate landlords. Despite this convergence, their policy recommendations typically follow that 'small' or 'circumstantial' landlordism should (at least comparatively) be encouraged (Abood, 2018; Shiffer-Sebba, 2020; Sternlieb, 1969; Decker, 2021). When 'amateur' landlords are criticized, it is generally due to economic issues portrayed as out of their control, for example, that their units are generally in worse condition because of lack of access to funds or expertise (Allen & McDowell, 1989; Sternlieb, 1969) or, in rare cases, that 'amateur' landlords are more likely to heavily police tenants which can result in privacy concerns or sexual harassment (Tester, 2008; Allen & McDowell, 1989).

In contrast, 'large', 'professional' landlords have typically been portrayed as comparatively profit-maximising lines (Krohn et al., 1977; Allen & McDowell, 1989; Gilderbloom & Appelbaum, 1987; Gilderbloom, 1986), reducing the value of housing units to financial returns alone and engaging in strategies detrimental to tenants. Broadly speaking, the scholarly research concludes that small landlords are 'better', and large landlords are 'worse', despite the significant limitations of the simplistic categorization itself.

While adding a relational layer, specifically the relationship between landlords and finance, the literature on financialized landlords tends to make many of the same assertions as the literature that divides landlords between 'amateur and professional' or 'large and small'. This assertion is that financialized landlords are comparatively worse for tenants due to intensified profit motivation than the other type of landlord examined, in this case non-financialized landlords (for examples see St-Hilaire, et al., 2023; Teresa, 2019; August, 2020). The division between financialized and non-financialized landlords poses extra challenges due to the difficulty of classifying landlords as financialized or non-financialized in a context of limited data access (St-Hilaire et al., 2023). While the findings of these discussions will be discussed in more detail later on in this section, studies of financialized landlords have found that these landlords tend to evict at higher rates (Raymond et al., 2021), expose tenants to the risks of international financial

markets (Teresa, 2019) and emphasize strategies of ‘repositioning’ which lead to dispossession of existing tenants and higher rents (August, 2020).

Like studies categorizing landlords as ‘small’ or ‘large’, studies of financialized landlords tend to conclude with the argument that one category (financialized as opposed to just large) is worse for tenants than the other category of landlord (non-financialized as opposed to small). At the same time, scholars have continued to identify indicators of behavioural convergence, with corporate landlords adopting the business practices of financialized landlords (August & Walks, 2018). The fluidity between ‘large and small’ or ‘corporate vs. financialized’ categories or their limitations as a temporal snapshot remain largely unacknowledged with rare exceptions (see Graziani et al., 2020 for such an exception).

2.2.4 - Theorizing landlord

As already noted there tends to be a lack of distinct housing theory (King, 2009; Kohl, 2018) with a focus on policy prescriptions and a general lack of strong definitions or conceptualizations of landlord. Literature limited to making policy contributions (and ignoring theoretical implications) remains common and frequently overlaps with the use of simplified classification schema. Examples range from Travis (2019)’s investigation of LLCs (with policy recommendations based on LLC or not), Hatch (2017)’s examination of different statewide policy environments and the development of a classification schema or Grief (2018; 2022)’s examinations of how certain regulations of landlords can negatively impact tenants.

Landlords rarely figure prominently in the development of theory outside housing studies, despite their key role as one of the fundamental urban social relations. For example, theorization of social reproduction rarely engages with housing beyond the idea of housing as the key container in which much of social reproductive labour occurs (Blunt & Dowling, 2022; Matrix, 1984). More critical housing and finance literature tends to portray housing as the outlet of the ‘secondary circuit of capital’ (Harvey, 2006) or as simply the largest consumptive good, a distraction taking away the centring of ‘production’ (Engles, 1970). Arguably, both of these theories ignore or downplay the role of the landlord and the landlord-tenant relation’s importance

and theoretical implications. Instead, they emphasize a narrow ‘bricks and mortar’ conception of housing a documented issue with housing studies (Kemeny, 1991).

A call for housing as a distinct discipline emerged in the early 1990s with criticism of housing scholars ignoring major debates in disciplines such as sociology and political science (Kemeny, 1991). Critique of the lack of housing theory was built on by King (2009), whose primary complaint is that while there has been a comparative theoretical turn since the 1990s, theory is simply transposed onto one element of housing to explain a specific phenomenon. He summarizes this as follows: “In general, the ambition of this work has not been the *creation* of a theory but the *application* of theory to housing issues” (King, 2009: 45). Instead, he argues that “However, these aspects will not be new to the theory – they do not extent it – but are merely replications of it within the housing context. This means that the utility to be gained from engaging with theory is strictly limited. If we do not feel able to develop new theories or fundamentally extent existing ones, all we have left is to shift from one theory to another, applying them to the same housing issues to see if we can derive anything of interest” (King, 2009: 46). The ‘landlord’ was largely excluded from these discussions.

Of course, there are notable exceptions to this general argument of under theorization, especially as scholarly attention has turned back to rental housing. One avenue that has been productive has been linking forms of rent, most notably ground and monopoly, to struggles between landlords and tenants (Manning, 2021; Revington, 2021; Anderson et al., 2022). Engaging with ideas of class monopoly rent, these studies tend to provide evidence of the negative impact of ownership concentration and the power of landlords over tenants (Revington, 2021; Anderson et al., 2022). Monopoly rents’ origins to understand landlord-tenant relations largely originate out of the Marxist geography tradition (see Harvey, 1974) and are not new to rental housing theorization (See Harvey & Chatterjee, 1976). Further, while initially dismissed by Engels (1970), there has been a recent turn (or revival, depending on your perspective) to attempting to understand landlords (or tenants) as a class (see Manning, 2022; Tranjan, 2023; Risager, 2021; Soederberg, 2021). These class-based understandings differ in their own theoretical traditions and aims, with for example Manning (2022) proposing recentring landowners as one of capitalism’s three main

classes alongside capitalists and workers or Risager's (2021) integration of Italian operasimo or workerism and class composition into housing research.

Part of theorizing landlord, or housing more broadly, might then echo Kermeny (1991)'s call to interrogate received definitions of concepts and move away from policymakers' identified housing problems. As Tranjan (2023) and others have argued, the system is operating as designed.

Summary:

Scholarship has rarely felt the need to define 'Landlord', despite weaknesses and exceptions to the current accepted 'common sense' understandings of the term. These weaknesses are apparent in conceptualizations of landlords which tend to rely on binary categorization and division and make conclusions based on these divisions. In general, despite identified differences, generally one group of landlords is argued to be more profit motivated and comparatively worse for tenants. Scholarship has qualified these findings, noting the challenges of data access, as well as the fluidity of their categories (for example 'small' landlords can become 'large' landlords). Generally, housing scholarship and private rental and landlord scholarship in particular has had a noted lack of theoretical engagement, though this appears to be changing, with private rental markets increasingly being the site of theory building.

2.4 - Who owns what? Understanding trends in landlordism and private rental scholarship

As previously noted, the landlord and landlord-tenant relation tended to be a minor focus of housing research compared to private homeownership and public housing (Christophers, 2021; Desmond, 2016; Hatch, 2017; Rohe, 2017). Following the GFC of 2007-2008, this changed and rental housing as an object of scholarly inquiry grew rapidly. Part of this is likely due to the increased importance of private rental housing as the foreclosure crisis contributed to falling or stagnant homeownership rates across much of the OECD countries. During this post crisis period and more specifically from approximately 2014 onwards, certain landlord types' emergence in prominence notably financialized rentals and single family home rentals more specifically (see

August & Walks, 2018; Teresa, 2019; Fields, 2022 Mills et al., 2019; Raymond et al., 2018), short-term rentals driven by platforms such as Airbnb (Deboosere et al., 2019; Wachsmuth & Weisler, 2018; Combs et al., 202) and transnational landlords such as Akelius and Blackstone (Christophers, 2022; Janoschka, et al., 2020; Beswick et al., 2016). These emerging typologies represented a potential departure from the idea of the landlord established in the previous wave of landlord literature, that is the landlord as either an individual or corporation with strong ties to housing local markets (for examples see Sternlieb, 1969; Sternlieb & Burchell, 1973; Krohn et al., 1977). The following section explores how significant a departure from previously understood ideas of landlord these emerging landlord types represent.

2.3.1 - The financialized landlord

The impacts of the increasing financialization of housing is an emerging field of study, which initially primarily focused on the financialization of private homeownership (Aalbers, 2016; Forrest & Hirayama, 2015; Rolnik, 2013; Walks & Clifford, 2015; Wijburg & Aalbers, 2017). Borrowing St. Hilaire et al., (2023: 2)’s definition, “rental housing is generally considered to be financialized when it is owed by financial vehicles such as REITs, private equity firms, institutional investors or asset management firms (August, 2020).” Research specific to the financialization of rental housing has recently expanded and has concentrated on the impact of financialized investment strategies on tenants of buildings owned by financialized firms (August & Walks, 2018; Fields, 2015; Fields & Uffer, 2016; Teresa, 2016; Teresa, 2019).

Scholars have argued that the increasing financialization of housing is dramatically shifting our understanding of the functioning of housing markets (Aalbers, 2016), and have hypothesised ‘trickle down’ impacts regarding landlord behaviour (August & Walks, 2018). Notably, financialized landlords are argued to have intensified profit motivations when compared to ‘traditional’ landlords (Teresa, 2019; St-Hilaire, et al., 2023; August, 2020). This greater profit motivation has been linked to strategies of ‘upgrading’ where low-paying tenants can be ‘turned-over’ and replaced with higher paying tenants or ‘milking’ by reducing maintenance and administration costs (August & Walks, 2018; Teresa, 2016; Fields, 2015; Crosby, 2020). Arguably though, these strategies have long been identified in the literature (see Slater, 2009; Aalbers, 2006),

as have the arguments that certain more corporate landlords have greater profit motivations than others (Allen & McDowell, 1989; Krohn et al., 1977). It is also true that there have long been arguments of increasing behavior convergence between these highly profit oriented landlords and the category of landlords more broadly (Haila, 1988). More salient differences might be in the greater exposure of tenants to risk because of the high degree of securitization and exposure on volatile financial markets (Teresa, 2019; Fields, 2022), the comparatively shorter-term and more speculative outlook of some of these landlords (Teresa, 2016; Fields & Uffer, 2016), and the comparative difficulty of regulating these highly financialized landlords because of diffuse and obfuscated ownership with various layers of management and shell companies hindering clear accountability and even identification (St. Hilaire et al., 2023; Romaninville, 2017). The mass acquisition of rental homes by financialized landlords often represents a consolidation of rental markets and sub-markets (August, 2020; Hulse et al., 2018; Charles, 2020). All of these factors can complicate organizing efforts, but tenants continue to resist and have organized against financialized landlords by opening up new terrains of contestation and targeting landlords and policymakers (Teresa, 2016; Fields, 2015; Crosby 2020). Further, financialized landlords' powers might partially derive from facing different regulatory regimes (at least in the U.S.) as compared to 'traditional' corporate landlords, as Tapp & Peiser (2023) note that the classification of acquisitions as financial deals enable landlords to potentially avoid anti-trust scrutiny.

As increasingly the focus of private rental scholarly attention, the study of financialized rental housing has spread globally, with examinations of financialized rental housing across the global north and south. Generally, the conclusion is that local contexts still matter and that like other major processes before it, financialization unevenly lands and impacts local contexts, reflecting an 'actually existing financialization.' In her study of Canada, August (2020) notes that jurisdictions with weaker tenant laws tended to have greater penetration by finance capital. Many different subcategories of financialized landlord have also been identified (or the emergence of different landlord subcategories who are increasingly financialized). These financialized sub-categories include: financialized student housing (Revington & August, 2020; Revington & Benhocine, 2023); financialized senior care (August, 2021; August, 2022); financialized 'build-to-rent' (Nethercote, 2020; Goulding et al., 2023); financialized manufactured housing (Kear et al., 2023);

August 2020) and financialized single-family home rentals (Fields, 2022; Coburn et al., 2021; Mills et al., 2019; Raymond et al., 2018; Raymond et al., 2021).

In particular there has been an explosion of literature on financialized single-family home rentals. Single-family home rentals (SFHRs) have traditionally been an important, but marginal sector of private-rental housing markets in the US (Coburn et al., 2021; Charles, 2020; Fields, 2022; Mills et al., 2019; Raymond et al., 2018; Raymond et al., 2021; Chilton et al., 2018). In the US context, the historic status of SFHRs changed following the financial crisis of 2008-2009 (Fields, 2022), where SFHRs rapidly emerged as a significant segment of private-rental housing markets, particularly in rapidly growing cities across the American south and southwest (Coburn et al., 2021; Fields, 2022). Few studies on SFHRs exist elsewhere, though those from the Australian context suggest different ownership patterns and a lower degree of ‘sophistication’ (Hulse & Yates, 2017), albeit one moving towards consolidation (Hulse et al., 2018). The rapid growth of institutionally owned SFHRs was driven by three main factors: the widespread availability of foreclosed SFHs packaged and sold by banks (Coburn et al., 2020), increased demand for rental housing driven in part by the loss of housing equity and tighter restrictions of mortgages (Coburn et al., 2020), and technologies that enabled institutions to manage at scale and remotely, including rent collection and maintenance (Fields, 2022). Studies have linked these financialized landlords to increases in home prices and evictions (Mills et al., 2019; Raymond et al., 2018) and due to the automated management (Fields, 2022) complicate tenant recourse for mismanagement or landlord abuse (Coburn et al., 2020). Studies have found that institutional SFH landlords concentrate in certain neighborhoods which facilitate maintenance as well as allow these landlords to maximize class monopoly rent (Charles, 2020; Chilton et al., 2018; Pfeiffer et al., 2021).

2.3.2 - The short-term rental landlord

Prior to the proliferation of STR platforms such as Airbnb, urban holiday and short-term rental operators were primarily seen as a sub type of ‘landlord’ (Allen & McDowell, 1989). Since the arrival of STR platforms under the guise of the sharing economy, STR operators have been variously called ‘home-sharers’, ‘hosts’, and ‘hoteliers’, all relatively sympathetic portrayals obscuring the direct relationship between STRs and the long-term rental market. This argument persists under

the backdrop of significant financial (and regulatory evasion related) incentives for property owners to replace long-term tenants with short-term renters (Deboosere et al., 2019; Wachsmuth & Weisler, 2018; Mermet, 2017).

When they were first documented, Airbnbs and STRs tended to be labeled ‘disruptive’ and argued to primarily affect the hotel industry (Guttentag, 2015), Airbnb and other short-term rental (STR) platforms have been found to increase housing costs and lead to the displacement of tenants (Gant 2016; Grisedale, 2019; Wachsmuth & Weisler, 2018). Higher potential revenues from STRs (in neighborhoods attractive to tourists) encourages landlords and property owners to replace long-term renters with short-term visitors (Wachsmuth & Weisler, 2018). While literature thus far has focused on the difficulty of regulating STRs to limit their proliferation and negative effects (Guttentag, 2015; Crommelin et al., 2018; Gurran, & Phibbs, 2017; Leshinsky & Schatz, 2017; Wegmann & Jiao, 2017), few, with the notable exception of Aguilera et al. (2020), have investigated the political process of their enactments. In their study of Barcelona, Paris and Milan, they conclude that the mobilization of different constellations of actors, pre-existing policy instruments and the governing arrangements between different levels of government resulted in different outcomes, from government attempts to prevent housing loss, to those playing a role facilitating the proliferation of STRs to generate tourism revenues (Aguilera et al, 2020: 20).

While many initially suspected Airbnb operators were primarily made up of already existing landlords, or in smaller numbers, tenants leasing units (for examples see Wachsmuth et al., 2017; Leshinsky & Schatz, 2018), Belot et al (2023) found that there existed a significant and quickly expanding category of STR operators in agreements with the housing unit’s owners. Scholars have found that landlords partner with STR operators who act more like property managers or hoteliers by managing units on their behalf with various levels of formality, sophistication and distance between owner and operator (Cocola-Gant & Gago, 2021; Semi & Tonetta, 2021; Belot et al., 2023). These operators ranged in size from running two or three units to firms such as Sonder, which operate thousands of units and formerly advertise to property owners and developers to obtain their supply of STR units (Kerrigan & Wachsmuth, 2020; Aselmi et al., 2021). These strategies are employed for various reasons but include leveraging economies of

scale by consolidating the management of multiple properties and multiple owners under one firm (Cocola-Gant & Gago, 2021), and to shirk the responsibilities and regulations of long-term rental markets to maximize control and profit of their assets (Semi & Tonetta, 2021; Belot et al., 2023).

Since approximately 2018, the scholarly literature has noted an increasing consolidation and commercialization of STR rental markets (Combs et al., 2021; Aselmi et al., 2021; Katsinas, 2021). This increasing consolidation and commercialization is reflected in metrics including a greater concentration of revenue and ‘nights stayed’ among a smaller number of hosts (Combs et al., 2021; Aselmi et al., 2021), the general professionalization and outsourcing of tasks, including unit management (Cocola-Gant & Gago, 2021), and various ancillary real estate firms specializing in supporting the investment and growth of this industry such as realtors specializing in STR investment (Kerrigan & Wachsmuth, 2020).

STR markets were significantly impacted by the COVID-19 pandemic, with many former STRs reappearing on LTR markets, run by these same ‘non-landlord’ figure (Wachsmuth et al., 2020; Colomb & Gallent, 2022). The movement of units between the long-term and short-term rental markets highlights the porous and overlapping nature of the two groups and adds to evidence of long-term renters being displaced for short-term rental vacation units (Cocola-Gant & Gago, 2021; Wachsmuth & Weisler, 2018; Belot et al., 2023), as well as landlords using both long-term and short-term rentals to maximize profit and control of their properties (Belot et al., 2023; Gil et al., 2023). To some extent this trend has reversed with a significant growth in STR markets (Colomb & Gallent, 2022). Notably beyond potential to make use of the same housing units, there is emerging evidence that many aspects of STRs and STR markets are being transferred or applied to LTR markets and that long-term and short-term rental operators share many strategies. These include technologies and management practices for dispersed rental units (Fields, 2022; Cocola-Gant & Gago, 2021; Semi & Tonetta, 2021), increases in surveillance technologies to manage tenants (Dey et al., 2020) and increased consolidation and financialization of the sector (Gil et al., 2023).

2.3.3 - The transnational landlord

Closely related to the financialization of multifamily housing is the emergence of large transnational private rental companies operating across multiple jurisdictions as an object (or partial object) of study (see Christophers, 2022; Janoschka, et al., 2020; Beswick et al., 2016; August, 2020; August & Walks, 2018). The most (in)famous of these corporate transnational landlords tends to be Blackstone, but there are others such as Akelius and Vonovia. Not only seeing existing multifamily units as a purchasable asset class, major transnational firms are engaging in ‘build-to-rent’, and in some locations more readily than in ‘build-to-sell’ (Goulding et al., 2023). Janoschka et al., 2020 broadly argue that these transnational firms are worse for residents than non-local firms because of a greater willingness to use harmful profit maximizing strategies, though note trends towards behavioral convergence amongst landlords more generally. Somewhat in contrast, August (2020) and August & Walks (2018) do not make a significant distinction between transnational landlords and local REITs.

Like the literature more broadly, there is parallel documentation of growth in an emerging group of ‘small’ scale or ‘buy-to-let’ international landlord (Cocola-Gant & Gago, 2021; Semi & Tonetta, 2021) or at the very least governments trying to attract international investors into their private rental systems (Aalbers et al., 2021). While ‘golden visa’ or ‘golden passport’ schemes are somewhat implicated, this scale of investor or landlord is typically oriented to taking advantage of areas potentially marketable to non-locals that are comparatively affordable to them (Sigeler & Wachsmuth, 2016). This type of investment and gentrification has been expanded and intensified by the growth of short-term rentals (Cocola-Gant & Gago, 2021; Semi & Tonetta, 2021) and increasing flexibility of ‘digital nomads’ to work remotely (Colomb & Gallent, 2022). Cocola-Gant & Gago (2021) have documented disparate investments being managed by the same company enabling these small-scale investors to ‘invest and forget’ and simply treat it like any other passive investment.

Important to consider in this context of the flow of transnational capital, through both transnational landlords and national landlords, is private rentals’ association with ‘securing retirement income’. This occurs both at the scale of the individual investor, purchasing a

property for STR (Cocola-Gant & Gago, 2021) but also through the large transnational firms frequently backed by pension funds (Beswick et al., 2016; August, 2020; August 2022).

To a large extent these international investment moves can be seen as attempts by institutions and individuals to take advantage of wider rent gaps, ones operating on different spatial scales than in Smith's original neighborhood level theorization of the concept (Slater, 2017; Sigler & Wachsmuth, 2016; Beswick et al., 2016). Arguably, the closing of these international rent gaps looks different, depending on the firm or individual attempting to close them (Beswick et al., 2016). One can see this in the different strategies employed where large, financialized firms primarily represent international capital oriented to 'local' demand and smaller firms and individual investors use short-term rentals to cater to an extra local demand. Christophers (2022: 698) makes the argument that local regulatory and 'political economic' conditions are becoming less important to closing rent gaps for "... a singularly well-funded, determined and aggressive investor – an investor, that is, such as Blackstone."

Summary:

High-level findings are that the emergence of new categories of landlords, most notably financialized landlords, but also STR landlords have worsened conditions for tenants and have further driven imbalances in landlord-tenant relations. Financialized, transnational and STR landlords also represent areas where new technologies and strategies have been trialled. While enabled by new financial, state and technological contexts, these types of landlords do not represent a radical departure from previous landlord studies as evidence by the reappearance of many of the same or similar conclusions (generally towards consolidation and behavioural convergence) and instead represent intensifications of previous practices and dynamics.

2.4 - The return of supply side solutionism

While cities have implemented a variety of policy solutions to attempt to improve housing affordability including adding additional taxes on foreign buyers in Vancouver or attempting to regulate short-term rental platforms such as Airbnb in New York City, there is increasing

evidence that zoning is being identified by scholars as a key blockage to housing affordability, one which cities need to fix to ‘solve’ their housing crises (for examples or summaries see: Imbroscio, 2019; Been et al, 2019; Manville et al., 2022; Phillips et al., 2021). Based largely on neoclassical economic ideas of supply and demand, the basic premise is that restrictive land use and zoning regulations are increasing the cost of construction (Glaeser & Gyourko, 2003) and artificially hindering the supply of housing, therefore raising the cost of housing for consumers. Despite the continuing empirical and theoretical debates within housing scholarship surrounding the link between land use laws and housing cost (Aalbers, 2016; Been et al., 2019; Imbroscio, 2019; Glaeser & Gyourko, 2003; Roy, 2019; Rodriguez-Pose & Storper, 2019), politicians and policymakers across the two countries are debating, have proposed or have implemented new legislation to reduce restrictive zoning regulations to increasing housing supply and in turn reduce housing cost.

Limited research has been conducted regarding how ‘upzoning’ or reducing zoning regulations, championed by self-called YIMBYS (Yes In My Back Yard) gained prominence among policymakers, politicians (see White & Nadedkar, 2019 for a partial example) and how supply side solutions relate to the landlord tenant relation and the relative power of landlords. Instead, the focus across the literature has been directed at providing empirical models to ‘prove’ this link (Glaeser & Gyourko, 2003; Phillips et al., 2021), or in turn refute the simplistic assumptions regarding demand and zoning regulation many of these models rely on (Peck, 2016). By no means universally accepted, upzoning has still achieved a level of prominence in the debate around housing affordability seemingly disproportionate to the evidence of reductions in housing costs and despite earlier studies concluding that market concentration was a greater predictor of the cost of rents than vacancy rates (Gilderbloom & Appelbaum, 1987).

Increasingly the YIMBY/NIMBY debate, as its frequently reduced to, is emerging as a major issue in housing scholarship in addition to featuring prominently in popular media sources. While the terms have a longer history in urban planning (often initially related to environmental issues) (Lake, 1993), there has been a recent shift. Intensifying over the past five years, numerous articles have been published charting the status of debate, its influence over policy, and who or whom these YIMBYs represent (McElroy & Szeto, 2017; Tapp, 2021; Wyly 2021;

Tretter & Heyman, 2022; Teresa, 2022). YIMBYs tend to make simplistic arguments rooted in neoclassical economics that government, through lessening of regulations or upzoning just needs to let developers ‘Build Baby Build’ (McElroy & Szeto, 2017; Wyly, 2021). In turn this will lead to an ‘oversupply’ which will lead to lower prices (Tapp, 2021).

Tapp (2021: 2) found that organized YIMBY groups tend to be made up primarily of renters and “...led by Millennials who have been locked out of the housing market by the high costs of rents and homeownership” (Murphy, 2017). The policy perceptions and actions of YIMBYs tend to be diametrically opposed to emerging Tenant Unions who they dismiss as being NIMBYs (Not In My Back Yard), a term that historically has been associated with wealthy homeowners and YIMBYs tend to flatten any distinctions between the two groups (Teresa, 2022; McElroy & Szeto, 2017). In the Bay Area, the contention between these two groups of (primarily) renters has gotten to the point where commentators have described the dynamics as “a ‘civil’ war where ‘the only thing the Bay Area’s tenant activists hate more than high rent is each other’” (Grabar, 2017; Tapp, 2021: 1514).

This supply side focus can be seen somewhat in parallel to the previous dismissal of critical perspectives from gentrification research (Slater, 2006) or the production of ignorance around the effectiveness of rent control (Slater, 2021). It dismisses the new tools implemented by landlords that help them collectively set (and increase) prices (Gilderbloom, 1985) as well as the broader impacts they have on housing markets such as in regard to geographic sorting and eviction (Teresa & Howell, 2021; Immergluck et al., 2020; Rosen, 2014). Like market-oriented supply side research more generally, zoning reform and other ways to boost market rate supply rely on ‘trickle down’ or filtering as the mechanism by which all housing will become affordable (Been et al., 2019; Philips et al., 2021) which has long been a questionable assertion (Skaburskis, 2006; Turner & Wessel, 2019; Palm et al., 2021). As such, despite its prominence in housing scholarship, the lack of ‘landlord’ in supply focused studies is a major weakness, one that needs to be rectified to develop and understanding of housing systems and potential solutions to ongoing lack of affordability.

As noted previously, closely related to supply side debate is the reassertion of neoclassical understandings of housing markets is a scholarly resurgence of interest in rent control. Kholodilin & Kohl (2021: 1) argue that rent control “is back on the agenda of policymakers in light of rent inflation in many global cities.” Paralleling the YIMBY/NIMBY conflict, debates around rent control tend to primarily rest on the contentions on the applicability of simple neoclassical economic understandings to housing generally and private rental housing more specifically. As noted by Slater (2021:99) this argument primarily rests on a logic that “implies that *any* curtailing of the profits to be made from a sector will simply stop people investing in it.” As Teresa argues (2022: 310) “YIMBYism as a deregulatory project misrecognizes NIMBYism as a cause of housing problems rather than a symptom of them. Therefore, YIMBYism does not solve the housing question because pro-growth and pro-development approaches are but another phase in the process of uneven capitalist development, establishing and eliminating barriers to capital accumulation.” As such, the emphasis of supply and demand curves in isolation suggests an eviction of ‘landlord’ focused research from housing studies. Effectively, YIMBYism can be seen as the social movement representing a backlash to the sociological or critical turn of housing research, and a movement back to a simplistic neoclassical understanding of housing as any other simple commodity. As noted, research on landlords has greatly complicated the idea of a uniform class of rational economic agents responding purely to narrow information. Similarly, tenants are potentially powerful collective actors whose interests and actions cannot be captured by simplified supply-and demand models (Kerrigan, 2022).

Conclusion

The goal of this project is to investigate how useful ‘landlord’ and contemporary conceptualizations of landlord are to understanding private rental systems in particularly and social relations in housing systems more broadly. In this chapter I have detailed what underlies our current understanding of ‘landlord’, how this conceptualization is being impacted by ‘new’ types of landlords, and the interaction of landlord research with resurgent neoclassical understandings of housing systems.

Key findings from the literature include that there are limitations to how we categorize and study landlords and that these limitations continue to be reproduced in our studies of new landlord types. More importantly though, this chapter points to the importance of maintaining the landlord as a focus of study, while trends towards behavioral convergence and consolidation exist, it is important to note that the landlords are active participants, able to use their individual and collective power to exert greater control over their properties and maximize profits.

Chapter 3: In Defense of Landlord: Why the term ‘landlord’ continues to be essential to understanding rental housing

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A version of this paper is currently under peer review and has been revised and resubmitted from the original submission.

Abstract:

In Ohio and California, legislators have proposed replacing the terms ‘landlord’ and tenant in rental regulations. Landlords and landlord lobbyists argue that the feudal origins of the term don’t reflect the contemporary reality of renting. How seriously should tenant organizers, housing researchers and policymakers take these efforts to move on from ‘landlord’? While in their relative infancy, I argue we should take seriously efforts to rebrand as they expand beyond name changes in organizations to media and legislation. These changes seek to further obfuscate and muddle what is increasingly one of the key social relations of survival, the landlord-tenant relationship, to preserve and expand landlord power and pre-emptively prevent or complicate increased regulation or oversight. Accordingly, it is important to maintain the use of the term ‘landlord’. To support this conclusion, first, the paper explores the landlords’ flawed arguments for change, particularly their claims that landlord-tenant relations are a transaction like any other in which landlords –unlike feudal lords--work to provide a simple service to consumers with free agency. I conclude that in fact, landlords and tenants are inherently in an antagonistic and unequal power relationship (Kerrigan & Wachsmuth, 2023), more akin to feudal relations than to the neutrality or even benevolence associated with alternative terms. Retaining ‘landlord’ remains essential. To discard it is to discard years of successful tenant organizing and campaigns to illuminate the exploitative relationship that is the core of landlord-tenant relations.

Keywords: landlord, tenant, housing provider, rent

Introduction, replacing the feudal terminology of landlord

A recent opinion piece in the Columbus Dispatch (and related proposed Ohio legislation) argued for the abolishment of the term ‘landlord’, claiming that the replacement of ‘feudal terminology’ would “reflect the real relationship between people who provide and who need housing” (Valdez, 2021). Working on behalf of the Ohio Real Estate Investors Association (OREIA), a landlord lobby group, Valdez argues that landlord and tenant should be replaced in Ohio law with “housing provider” and “resident” respectively. Valdez’ argument rests on the idea that most landlords “are small family-owned businesses, not powerful land barons” and that “landlords” “are people who work hard every day to serve their customers are housing providers, not impersonal, wealthy interests bent on eviction.” Similarly, the California legislature passed a bill in amended form, which had originally called “to replace the term “landlord” with the term “lessor or lessor’s agent” and to replace the term “tenant” with “lessee” though simply resulted in the formation of a study of the matter (AB 2503, 2022).

And for landlords, the rebrand makes sense. Hamilton, Ontario landlords’ group representative Arun Pathak, noted that “[Landlord] just has a bad ring to it” and that “The term landlord conjures an image...of a callous and wealthy man collecting cheques each month and doing little else” and declared his groups’ intension to have landlords be called ‘rental housing providers’ (Edminston & Faris, 2018). The Berkeley Property Owners Association goes even further, arguing that “the continued use of the legal term “landlord” is a slander against our members and all rental owners” (Berkeley Property Owners Association, 2023). Johnson (2021) documents how landlords’ nomenclature preferences are expanding from their own branding to being adopted by “reporters, pundits and [news] editors” across several different Chicago news agencies. In another similar article documenting landlords partial push to rebrand, Read (2022) explains how Google Docs flagged ‘landlord’ as a term that may not be inclusive. Read speculates ‘landlord’ may have been flagged because of the gendered nature of the word but goes on to document a series of individuals and landlord organizations pushing to change the term.

How seriously should tenant organizers, housing researchers and policymakers take these efforts to shift the language of renting? Arguably, Valdez and other ‘rental housing provider’ lobbyists and advocates have a point in that we are hundreds of years removed from the feudal origins of

the term landlord. What is motivating this drive to change legal terminology in the early 2020s and what are the potential ramifications of adopting different language? Focusing on the contemporary Anglo-American and private rental context, this paper will attempt to answer these questions through exploring the merits of landlords' and landlords' proponents' arguments, as well as the 'fit' of various proposed alternatives to landlord, such as 'rental housing provider' or 'investor'. Ultimately, this paper concludes we should take seriously efforts to rebrand as they expand beyond name changes in their own organizations to media and legislation. These changes seek to further obfuscate and muddle what is increasingly one of the key social relations of survival, the landlord-tenant relationship, to preserve and expand landlord power and preemptively prevent or complicate increased regulation or oversight. Accordingly, it is important to maintain the use of the term 'landlord'. To support this conclusion, first, the paper explores the landlords' flawed arguments for change, particularly their claims that landlord-tenant relations are a transaction like any other in which landlords—unlike feudal lords—work to provide a simple service to consumers with free agency. I conclude that in fact, landlords and tenants are inherently in an antagonistic and unequal power relationship (Kerrigan & Wachsmuth, 2023), more akin to feudal relations than to the neutrality or even benevolence associated with alternative terms. The exploitative relationship represented by the term 'landlord' facilitates tenant organizing and popular understandings of what landlords do and their underlying social relationship to tenants. Although imperfect, the 'landlord' label remains essential.

Why and Why Now?

In popular media the landlord is a figure that has long been stigmatized. 'Slumlord,' a pejorative derivative, in formal use since at least the early 1970s (see Sternlieb & Burchell, 1973) and likely informally for most of the 20th century, is still commonly used (for recent examples see Ortiz, 2022 and Kenoyer, 2022). 70s and 80s punk band, The Dead Kennedys wrote and performed a song called "Let's lynch the landlord". And writing from the UK context, Allan & McDowell (1989) argued the most common image of the landlord at the time was that of a type of 'folk devil'. More contemporary commentary has labeled landlords 'social parasites' and suggested that "giving them [landlords] a prize is like giving Stalin a humanitarian award" (Samadder, 2018). Another opinion piece was titled 'Landlords are a Scum Class' (Golby, 2023). Graffiti

often makes local antagonism towards landlords visible. The side of one Montreal building simply declares ‘Landlords = Scum’, while another more commonly seen tag urged readers to ‘Eat yr landlord’. And of course, there is an online presence as well. When the Covid-19 pandemic hit, Montrealers took to Facebook marketplace to mock landlords as they moved their bunkbed and pool table filled short-term rentals back to the long-term market (Seltz, 2020) and an entire subreddit of 80,000 subscribers ironically named ‘LandlordLove’ serves as a repository of anti-landlord memes, images, and stories. It makes sense that many landlords would desire to escape such associations especially when these conceptions of what a landlord is contrast so strongly with landlords’ own self-image as good and just hardworking individuals (Stratton, 2016) or increasingly as savvy and deserving investors showing the way for anyone to make it rich.

Currently landlord lobby organizations range from using landlord in their name to the Berkeley Property Owners Association explicitly equating the term ‘landlord’ to slander. Large or comparatively professionalized organizations using ‘landlord’ appear more common in the UK, Canada, Australia, and New Zealand (such as UK’s National Residential Landlords Association and British Columbia’s ‘Landlords BC’) compared to the US, where the largest organizations tend to use ‘Apartment Association’ (such as California Apartment Association), or ‘Multifamily Association’ (such as Arizona Multifamily Association). Exceptions abound, Ontario, Canada’s largest landlord lobby is called the Federation of Rental-Housing Providers of Ontario. Some landlord lobby groups get more creative such as New York City’s ‘Small Home Owners Association’ (which has no indication of ‘landlordism’ or rent anywhere in the title). With the exception of ‘landlord’ appearing more commonly in lobby and association names outside the US, there do not appear to be any distinct patterns.

There does appear to be some movement to rid landlord from internal communications and generally push alternative terms. The aforementioned case of Hamilton landlords requesting media and others (including themselves) use rental housing provider is paralleled by the California Association of Realtors June 2023 replacement of ‘landlord’ with ‘housing provider’ on their forms (California Association of Realtors, 2023). Read (2022) identified San Diego based property FBS Property Management who “devote an entire section of its website to

encouraging owners to use housing provider.” Further, Indiana landlords appear to be organizing to propose legislation to completely replace ‘landlord’ and ‘tenant’ (modeling after neighboring Ohio) (Guy, 2021) though there is no actual evidence of proposed legislation or a formal lobbying effort.

If ‘landlord’ and the closely related term ‘slumlord’ have for so long carried stigma, why is a movement to change the regulatory and popular terminology emerging now? While it is difficult to know the exact reason, three partial explanations may factor into this recent shift. First is the prevalence of ‘small’ investors and their portrayal as the protagonists of the private rental system (Hulse et al., 2020). Research has documented the rise of ‘buy-to-let’ landlordism, typically associated with an increasing number of ‘private’ or ‘small’ investors buying property explicitly to rent to others including in the United Kingdom (Ronald & Kadi, 2018), Canada (Gold, 2022; Dingman, 2022) and Australia (Hulse et al., 2020). This growth of ‘small’ landlords appears to (at least before the increase in interest rates) occurring concurrently (though likely more slowly) than the documented growth of large REITs and major institutional landlords (August, 2020; Fields, 2022; JCHS, 2022). An important caveat to this information is differences across Anglo-American census categories, the generally low quality of ownership data, and in the US, the differentiation between individual investors and non-individual investors, which includes LLCs which are often individual investors (JCHS, 2022).

New platforms in the US such as Roofstock facilitate small-scale investment by individuals in single family home rentals. Others have entered the rental market renting to tourists and short-term guests via platforms such as Airbnb and VBRO. While landlordism has a long-standing association with securing income for retirement, landlordism (in both its short- or long-term orientation) perceived importance as the avenue for ‘middle-class’ people to escape declining real wages and secure extra income for retirement may be increasing. The proliferation of platform facilitated forms of investment (such as Airbnb and Roofstock) likely has decreased barriers to entry for those trying to generate income from residential property. As such, landlordism may be seen by individuals partaking in it as a necessary burden, creating resentment of being stigmatized for engaging in it and building a broader and more sympathetic

image especially among middle- and upper-middle class individuals, likely to have landlords as peers, family members and friends.

The second factor that might be driving an increasing resentment of the stigmatization of the term ‘landlord’ may be the increasing visibility of tenant organizing and landlord-tenant conflict. During the Covid-2019 pandemic housing’s necessity as a means of survival was brought to the forefront. Some governments reacted with eviction ‘moratoria’ and rent freezes, and while these moratoria and freezes were mostly partial, often with significant loopholes, they still restrained landlords’ control over their property (to varying degrees) and potentially threatened their financial stability.

This tension of course existed before the Covid-19 pandemic. When Hamilton, Ontario landlords declared themselves rental property owners instead of landlords in 2018, they explicitly mentioned the increase in tension from tenant organizing and rent strikes as part of the motivation for their decision (Edminston & Faris, 2018). Further, while tenant organizing has a long history, it is increasingly a powerful and visible force including in jurisdictions typically associated with homeownership (Tapp, 2019). The Los Angeles Tenant Union, Valley Tenants Union (based in Maricopa County), Ireland’s Community Action Tenants Union and Tenants Victoria (Australia) are among tenant groups that have used tactics including naming and shaming landlords, community eviction prevention (which has and can lead to physical confrontation) and protesting at landlords’ personal homes. Tenant unions have sprung up or becoming increasingly visible in smaller communities, such as Nelson Tenants Union in Nelson, a smaller city of approximately 10,000 people in British Columbia, Canada’s remote interior. Through building level organizations as well as tenant unions (including York South-Weston Tenant Union) and militant community organizations (Parkdale Organize!), tenants in Toronto have launched rent strikes to prevent evictions, substandard conditions, and significant rent increases (Vallis, 2023; Webber & Doherty, 2021). This is not to mention the multitude and long history of organized and militant tenant groups outside of the Anglo-American context. Accordingly, being a landlord may be coming with increasing difficulties and landlords may be more aware of the ‘risks’ of public exposure or stigma. Social media as well as online forums and networks might have made some of this animosity more visible or even allowed it to be

amplified in ways simple street graffiti cannot be. It makes sense then why some landlords may even be concerned about the potential damage to their personal reputations and businesses when there are examples such as the backlash towards HGTV's Tarek El-Moussaa or the coverage of Brooklyn's 'eco-yogi slumlords' (Read, 2020).

Finally, the affordability housing crisis is being increasingly discussed as homeownership rates stagnate or decline across the Anglo-American sphere and the high costs of housing and in particular, the drawbacks of renting, become a middle-income household concern. Frustration and blame over the last few years seems to have been primarily directed towards institutional or 'large' landlords with many articles noting institutional or 'wall street' landlords and their negative impacts (for examples see Mari, 2020; Luck et al., 2022) and commentary on single-family home rental buyers crowding out would be homeowners (Eason & Perry, 2023). These institutional or 'wall street' landlords tend to be harder to defend and for a moment, it even looked like the US federal government might pass a tenant bill of rights. Accordingly, landlords and their lobby organizations fear new policies oriented to protect tenants from the worst excesses of the private rental market, such as rent control. Shifting from the well-known and negative associations of 'landlord' serves to obfuscate the active strategies of landlords which result in material harms for tenants and evade association with the worst aspects of the ongoing housing crisis.

As such, it stands to reason that landlords may be more acutely aware of the stigma associated with their status as landlords. Despite this, evidence suggests that contemporary portrayals of landlords are at the very least mixed, with Kerrigan (2022) noting the prevalence of the landlord as a valorized 'rational' figure strictly responding to broader economic trends (and therefore largely without responsibility), with Hulse et al. (2020) going further to showcase a common 'mum-and-dad' image of landlords as 'essential housing providers.' Canada's national broadcaster has run a series of positive articles, largely devoted to the negative consequences for landlords who unable to evict their tenants in a timely manner (see Hwang, 2022; McInnes, 2022). While it seems likely the negative of association of landlord is increasing or at the very least more visible compared to the 1990s or 2000s, it is difficult to understand how heavily this stigma contributes to the landlord lobby attempting to replace landlord as a legal term.

What is the extent and reach of the rebrand? What is at stake?

As noted previously, both the Ohio and California state legislatures have proposed replacing ‘landlord’ and ‘tenant’ since 2020. At the time of writing no other states (to my knowledge) have proposed similar measures. Despite forceful rhetoric, both initiatives don’t specifically point to stakes beyond ‘more accurately’ naming the landlord-tenant relationship. California’s, proposed by a Democratic Party politician, argues that “In 2022, nearly a millennium after King William’s proclamation, the most progressive state in the United States of America continues to use the terms “landlord” and “tenant” to describe the legal parties to a rental agreement. The time is now that these archaic and medieval terms are put back in the very distant past where they belong” (AB 2503, 2022). Similarly, the primary justification put forward by Valdez (2021) is that the terms no longer ‘fits’. Despite this, Ohio’s Legislative Service Commission in their backgrounder on the proposed SB 272 suggests that it “Makes no substantive changes to the law” (Little, 2021: 1). So, then what are the stakes? Is it simply a moving to more accurate terms?

What both the proponents proposing changing ‘landlord’ and this paper agree on is that how we discuss the landlord-tenant relationship matters. The landlord-tenant relationship is associated with certain rights and responsibilities both parties take on. What proponents neglect to highlight is that shirking the term ‘landlord’ enables more obfuscation of the responsibilities and foundational relations between the two parties, as well as the explicit power differential between the two parties. Three salient examples of the impacts of rebranding can be seen in new terms facilitated by the rise of platform capitalism following the great financial crisis, namely gig workers as contractors instead of employees, and short-term rental operators as ‘home-sharers’ instead of landlords or hoteliers and through existing sympathetic categorizations of landlords via common tropes such as ‘mom-and-pop’.

Labelling (and regulating) gig workers as ‘contractors’ instead of employees has had significant detrimental effects influencing material outcomes. As Ravenelle (2019: 36) notes, classifying employees as contractors is driven by an employer desire to avoid responsibilities like “workers’

compensation, overtime, and disability accommodation” and involves a transfer of risk from employer to employee. Increasingly codified into law, the use of this rhetorical manoeuvre has allowed companies like Uber to portray a long-standing profession (taxi driver) and something ‘new’ and something that should therefore not be subject to existing rules and regulations, notably surrounding employment. Fundamentally this rebranding of employee as contractor further skews the power dynamic between employer and employee, providing the employee materially worse and more precarious conditions. To buttress the argument that ‘contractors’ represent a different category, Uber and other firms have frequently highlighted an employee benefiting from their flexibility as a ‘contractor’ making money in the spare time and defensively trotting out someone who relies on driving for their income that will be harmed by regulatory efforts. The replacement of ‘employee’ with ‘contractor’ is not limited to gig workers and other industries have also reclassified employees as independent contractors it is particularly common amongst ‘sharing economy’ companies potentially in part because they are most able to associate ‘contractor’ with innovation instead of simple exploitation.

More closely related to the housing sector is how short-term rental operators (on platforms such as Airbnb) have typically been called ‘home-sharers’. While true ‘home-sharers’ i.e. those occasionally renting a room in their private residence, may have been more prevalent early on in Airbnb’s history, the platform is increasingly dominated by relatively sophisticated commercial operators who act far more like hoteliers, managing numerous units, dynamically pricing, and standardizing units, as well as representing increasing percentages of revenue earned and nights stayed (Combs et al., 2021; Cocola-Gant et al., 2021; Belot et al., 2023). Despite this, the sector remains underregulated compared to the long-term rental sector, the primary alternative potential use of these housing units (Belot et al., 2023). While it’s difficult to attribute how much of this comparative under regulation is due to the label ‘home-sharer’, ‘home-sharer’ remains a key rhetorical term (and figure) deployed by short-term rental platforms and operators’ lobbyists, one which at least initially created a popular sympathetic image of Airbnb as innovative and beneficial both to individual ‘hosts’ and cities writ large. Importantly, the label ‘home sharer’ creates the idea that STR operators are something different and new, and therefore should be subject to different rules and regulations than hoteliers or landlords.

Landlords qualified sympathetically as ‘mom-and-pops’ seems increasingly prevalent and it is common to see the terms ‘mom-and-pop’ used in academic and media (Hulse et al., 2020; Johnson & Shirazi 2021). While not a full study, the term mom-and-pop is absent from historical major landlord-tenant studies including Allen & McDowell (1989), Sternlieb & Burchell (1973), and Krohn et al. (1977) and even from studies unabashedly sympathetic to landlords (see Lehrer 1990). Further, one of Canada’s major daily newspapers recently began using the bizarre term ‘artisanal’ landlord unironically (Dingman, 2022; Gold, 2022). Typically, these variations of landlord are used to differentiate categories of landlords primarily in sympathy inducing ways. ‘Mom-and-pop’ or ‘small’ are frequently combined with ‘landlord’ to challenge reform of landlord-tenant law by media or landlord advocates in an effort to put the class’s most sympathetic members at the forefront of the discussion (see Cuzzo, 2023; Moorcraft, 2023).

Accordingly, the similarity between all three cases is that a term which carries material and historical meaning (‘employee’, ‘hotelier’, ‘landlord’) is substituted or qualified in a way that allows the discursive construction of a sympathetic group (‘gig worker’, ‘home-sharer’, ‘mom-and-pop’), that benefits from less regulatory oversight. It does not matter if this constructed figure is a fraction of the overall group, companies and their lobbyists argue (often through individual members of these groups) regulations must be reduced. Of course, and importantly, the regulatory reform benefits not just these ‘sympathetic’ members but the broader category. While platform economy companies such as Uber and Airbnb have shrewdly (and essentially to their business models) managed to largely shut out the historic members of their categories (taxi companies and landlords, hotels or traditional bed-and-breakfasts respectively) from benefiting by cloaking themselves in ideas of innovation and disruption, the ‘mom-and-pop’ landlord tends to benefit the historic category of ‘landlords’ as a whole.

Yamen et al (2020) follow the ‘sympathetic member of a class deployment to garner sympathy for regulatory evasion for the whole class’ formula in their article ‘In Defense of *the* Landlord’ and make the potential regulatory stakes of landlord’s potential rebranding clearer. While simultaneously invoking the figure of the ‘mom-and-pop’ or ‘small’ landlord and select stories of tenant nonpayment and landlord hardship, they make the argument that ‘landlord’ should be replaced with ‘property owner’ and they should be treated like any other [property owner]. They

define property ownership as “the right to possess, use and dispose of it” (Yamen, et al, 2020: 289) and further emphasize property as the right to exclude. What this limited definition of ‘property ownership’ suggests is a changed legal and regulatory context, one that jettisons the responsibilities of landlordism, for the comparatively simple restrictions of property ownership more broadly. The remainder of their article challenges the legal basis of any restrictions to property owners’ capacity to fully realize profit, such as rent control or restrictions on repossession present in some US jurisdictions. It seems unlikely (though not impossible) Californian and Ohioan landlords would expend money and political capital for a narrow DEI rebranding. While trying to evade stigma associated with ‘landlord’ is likely part of the story, this section has shown that changing terminology can be part of a strategy to evade existing regulations and contest or diminish the potential of new ones.

As will be elaborated more fully in the following section, a wholesale legal rebrand to ‘rental housing provider’ or even owner or lessor has drawbacks, notably being a less accurate descriptor of the landlord and landlord-tenant relationship, further confusing and obfuscating existing understandings of the landlord-tenant relationship and creating a more landlord sympathetic discourse by adopting a term associated neutrality or even with non-profit housing providers. As the homeownership rates stagnate, renting is increasingly important to a wider segment of the population, terminology slippage has real possible implications for regulation, study and organizing in the private rental sector. The remainder of this paper will be structured as follows, an analysis of why the term landlord remains well-suited despite its feudal origins (though not without conceptual issues), an evaluation of alternative terms and finally a discussion of the term’s relevance to contemporary housing and tenant organizing.

Why ‘Landlord’?

‘Landlord’ is a term with powerful historical and discursive connotations and remains best suited to describe those who control and own residential property for rental income. In contrast to the stated arguments of those wishing to change the term, ‘landlord’ best captures the distinctly antagonistic relational class power, the origins of this power (control over land), and the specific form of work, (asset sweating) that landlords perform. Following Kerrigan & Wachsmuth (2023)

this paper defines landlord relationally as the class of actors who exist in an interdependent, antagonistic and exploitative relation with tenants over the control of the means of social reproduction.

The class powers of landlords over their tenants

As previously noted, landlord is a term that carries a historical weight from its feudal origins to popular portrayals of landlords as greedy, unfeeling and often evil (Stratton, 2016). While one can debate the application of these adjectives to individual landlords, the central aspect of the landlord-tenant relationship is built on the exploitation of tenants by landlords for monetary benefits (Kerrigan & Wachsmuth, 2023). As Kerrigan & Wachsmuth (2023) argue, the landlord-tenant relation can be seen as a form of class relation like many others such as capitalist and worker or lord and serf characterized by exploitation of tenants by landlords, antagonism of opposing interests over housing and mutual dependence.

With this power as a class derived from the state and according emphasis of rights of property, landlords like over serfs of old, have significant power to control the lives of their tenants. The comparative valorization of the landlords' (legal) right to profit and govern their property as compared to the tenants' (philosophical or moral) right to housing (Kerrigan, 2022) can be seen in the legal structuring of the relation. In many jurisdictions landlords have a legal basis to implement clauses forbidding guests, pets, and requiring onerous upfront deposits. While often technically or fully illegal, landlords can and do wield additional power often with implicit state support or limited repercussions. Examples include through the expansion of property technology ('prop tech'), which landlords can and do use to monitor tenants' comings and goings and lock them out of their homes. In some extreme cases, landlords have used their relative power to demand sexual services (Tester, 2008; Aviles, 2020; Zraick, 2021).

Most jurisdictions across Anglo-American countries allow landlords to terminate tenancies without cause including Australia, New Zealand and most of the United Kingdom and the United States and some Canadian provinces (Martin et al., 2018). Even in the cities, provinces and states with stronger tenant protections landlords are typically able to repossess units 'for own use' or as

in California if they simply want to leave the business of land-lording through what is known as the Ellis Act (Maharawl & McElroy, 2018). The power of controlling another's shelter is immense and can be and often is employed for financial gain but also in arbitrary and retaliatory ways.

Valdez and Yamen et al. (2020) make the argument is that the term landlord should be changed because about half of rental units are owned by 'small' or 'mom-and-pop' landlords. This argument relies on a repudiation of understanding landlords as a class as well as the legal frameworks which provide landlords so much power over tenants' lives. Neither Valdez nor Yamen et al. (2020), formally define 'small' or 'mom-and-pop' categories but signal they are relying on a census category of 'individual' vs. business entities. But the truth of the matter remains in Ohio and California's proposed legislation. Both proposals legislate that the term landlord will be changed for all landlords i.e. a regulatory framework that continues to recognize both business entities and individuals as belonging to the same category. Similarly, while invoking the 'mom-and-pop' figure throughout, Yamen et al., (2020) do not propose retaining 'landlord' for 'large' landlords and renaming 'small' landlords property owners. In their proposals all 'landlords' will become property owners. And this reflects the reality outlined in Kerrigan & Wachsmuth (2023) that the landlord and tenant relation remains a class relation where the fundamental class structure is landlord and tenant. Some interclass conflict or differences may exist, but landlords are overwhelming motivated collectively to maximize financial returns and control over their properties.

Landlord – lord over land

When Valdez and other landlords and landlord proponents, argue they are not like the landlords of old they tend to be referencing the feudal and agricultural origins of the term for examples of this argument see the initial text of California's AB 2503, Yamen et al., (2020) or Lehrer (1990). Typically, such an argument conjures images of estate homes like those from Downton Abbey, or even further back, historical images of nobles with serfs and indentured farmers. It is reasonable to infer that the bungalow down the street or the low-rise apartment complex downtown is different. As such proponents of replacing 'landlord' tend to abstract away the

unique aspects of property ownership and rent relations and try and portray landlords and tenants as entering a simple commercial transaction, like the buying and selling of a slice of pizza. For example, the original proposed text of California's AB 2503 (26)(f) argued that "A rental agreement is a contract for tenancy by which one person provides a service to another person." This is purposeful, as both Yamen et al. (2020) and Lehrer (1990) pivot from pointing out that the landlord-tenant relation is not the same as under the feudal mode of production to claiming that therefore landlords should no longer be subject to regulations such as rent control.

In his examination of the turn toward Rentiership in the United Kingdom's economy, Brett Christophers argues explicitly that because of vast increases in value of the land part (vs. the physical structure) of residential property "the label 'landlord' [is] more and more appropriate as time goes by" (Christophers, 2020: 332). The source of landlord rent therefore is not as much in the structure, whose impact is small, but in the fact that they control access to a piece of land. For example, in the UK, Christophers (2020: 331) notes that a century ago "the asset they were paying to let was almost exclusively the house itself", whereas as of 2020, the land underneath represented approximately 70% of the asset's total value. While the statistical categories have changed, the importance of land rentiers has only continued to increase (Christophers, 2020). As such, it is truly the control of land through which landlords are able to derive their income. Being the lord of the land gives them the power to extract wealth.

Even in contexts where land is comparatively cheap, like serf and landlord of old, property ownership conveys material benefits and privileges in society more broadly. Originally property ownership was tied directly to ones' 'full citizenship' including but not limited to voting rights across much of the Anglo-American sphere (Blomley, 2004; Krueckeberg, 2013; Perin, 1977). While no longer formally connected, property ownership remains linked to ideas of full citizenship and participation in one's neighborhood and relates to a material bundle of power enforced by the state. As Blomley (2004: 89) writes "It follows, then, that those who do not own property (or, more importantly, those who are imagined as nonowners) are not only incomplete citizens, but partial or deformed subjects."

Landlords would argue that unlike the serf, the tenant in this contemporary scenario has freedom, notably to roam the city looking for a different apartment to rent or to ‘transcend’ this status by purchasing a home. Such an image plays into normative associations of renting as a transitory and temporally bounded “wacky time of life” on the ladder to property ownership (McElroy, 2019; Forrest & Hirayama, 2015; Perin, 1977). What this temporal portrayal of renting neglects to note is the increasing difficulty for many to afford to purchase housing at any point in their lives, and the lack of alternatives (such as public housing) which forces them to remain reliant on private landlords or become homeless, literally threatening ones’ ability to survive. The true freedom of course rests with landlords, they can simply sell their residential property and invest in something else. Therefore, like feudal peasants of yore, tenants are largely dependent on landlords for the means to socially reproduce themselves as a class (Kerrigan & Wachsmuth, 2023). Wandering from one tenancy to the next does little to change the underlying relation of exploitation and domination that characterizes landlords and tenants.

This imaginary of renters as transitory non-subjects and landlords as valorized property-owning actors reflects the political conditions across much of Anglo-American countries. Landlords are portrayed as rational actors by popular media (Kerrigan, 2022) and tend to be treated deferentially by politicians across the mainstream political spectrum.

Landlord – lack of work

Pointing to the ‘passive income’ and lack of work of landlords isn’t a new phenomenon. Brett Christophers (2020: 350) here quotes classical economist philosopher Stuart Mill “Landowners, become enriched simply through the ‘ordinary progress of a society...independently of any trouble or outlay incurred by themselves. They grow richer, as it were, in their sleep, without working, risking or economizing. What claim have they, on the general principle of social justice, to this accession of riches?” (Christophers, 2020: 350). Similarly, classical economist Adam Smith (1776) argued that “As soon as the land of any country has all become private property, the landlords—like all other men—love to reap where they never sowed, and demand a rent even for their land’s natural product. (Smith, 1776).

While Valdez and other landlord proponents publicly make the argument that being a landlord is work to explicitly differentiate themselves from ‘lords’ of the feudal era, one of the most associated phrases with ‘property investment’ or ‘housing hacking’ is ‘passive income’. For example, one headline about a young landlord states “This 32-year-old grosses \$431,000 a year from his real estate investments – while traveling and living in a converted van” (Alabaum, 2022) and goes on to state “After paying my mortgages, property taxes, property management and maintenance fees, I earn about \$6,000 per month in passive income from my real estate portfolio.” Noting “The main goal of my real estate portfolio is to become 100% financially independent, or to cover all my expenses without working, even with future expenses taken into account [emphasis added].” Similarly, Lady Landlords, a social media community that the founder morphed into a landlord influencer marketing platform, combines ‘girl boss’ rhetoric and promises of financial independence and advice on “how you can manage your properties while sipping Margaritas [sic] in Bail” (Nova, 2023). Like Nova, Alabaum’s account is tied to a marketing campaign, Alabaum specifically for Roofstock (which facilitates property investment). The pitch of owning rental property to accumulate ‘passive income’ is a mainstay in promotional and real estate literature more broadly. Homes are advertised as ‘turn-key’ investment properties (i.e. suggesting the only work needed to be done to get them ready for renting is ‘turning the key’). Landlords are explicitly talking out of both sides of their mouths depending on their intended audience.

This speaks to the type of work landlords are now conceptualized as doing, by themselves and more broadly by policymakers and regulators. In her analysis of discursive constructions of landlords, Kerrigan (2022) found that landlords were not associated with blue-collar labour, such as repairing or constructing as one may expect and has been found in older studies (see Krohn et al., 1977). Instead, she found that stereotypes of landlords “...closely approximate Connell’s (1987: 181) conception of the new professional masculinity relying on a “combination of theoretical knowledge with technical expertise...” (Kerrigan, 2022: 16). As such she concluded that “The landlord has largely been remade from the figure who occasionally repairs your home or acts to improve its use values, paralleling the general remaking of the home away from its use-values to primarily an object of financial exchange” (Kerrigan, 2022: 16). In this case, it can be seen as the image of the landlord has moved further from actual direct work and more towards

the abstracted labour of sweating assets (in other words maximizing returns on existing assets via minimizing expenditures instead of reinvestment) described by Christophers (2020).

The lack of ‘work’ is further reinforced by landlords’ ability and propensity to demand tenant labour to improve their assets. Landlords often write contractual requirements into their leases for tenants’ labour, such as property maintenance or lawn care. These clauses are legal in some jurisdictions and illegal but enforceable in others because of the power inequalities and the threat of non-renewal or eviction. Tenants tend to be given responsibility to make their homes ready for sale and to arrange realtor visits. In effect, the work that landlords do perform is coordinating the labour of others be it the free labour of their tenants or the paid labour of plumbers, roofers and other maintenance workers which they directly financially benefit from via improvements of their assets. In the most extreme cases of this, landlords simply hire a property manager or invest in firms such as REITs. In these cases, landlords perform no work, instead they benefit from rising property values while collecting a regular income stream. Either way, landlords do not do productive work, if there is a problem in the home, the occupant would have to either perform that labour themselves or call someone to perform that labour. The landlord simply interjects themselves into the process, removing no steps for the tenant and more typically adding to the tenant’s workload be it because tenants need to ask permission or to be reimbursed or to coordinate a repair. As such, the landlord-tenant relationship and specifically the relationship to work is far closer to the feudal origins of the terms rather than being akin to simple commodity transaction such as buying a pizza.

Alternatives to landlord

Many alternatives to landlord have been proposed or are used to some extent, these include ‘rental housing provider’ or lessor. Frequently alternatives completely erase the figure of the tenant, including terms such as ‘investor’ or ‘property owner’ or referring to the housing unit itself as a ‘mortgage helper’ (Kerrigan, 2022; Holmer, 2016). ‘Mortgage helper’ in particular points to how it is in fact the tenant helping to provide housing for the landlord as opposed to the landlord providing housing for the tenant. Less frequently, landlords argue that ‘tenant’ needs replacing too, with alternatives such as ‘tenant-partner’ (Holmer, 2016) or ‘resident’ (Valdez,

2021) proposed. Such terms benefit landlords because they erase the historical negative connotations associated with the term landlord, obfuscate or erase the landlord-tenant relationship at the heart of rental housing and serve to discursively erase or diminish the power disparity between landlords and tenants. The most common alternatives proposed or used include ‘rental housing provider’, ‘property owner’ or ‘investor’ or ‘lessor’ and those will be the terms discussed below.

Rental Housing Provider

Rental housing provider suggests a neutral or even benevolent position namely that they ‘provide’ housing. Effectively, private landlords attempt to obfuscate the nature of their businesses by borrowing a term more typically associated with the non-profit sector. What landlords do is use state sanctioned power to camp on a key infrastructure of survival and social reproduction and sweat it for profit. There is nothing benevolent about private landlordism. The roles essential to housing provision are not landlords but the workers who construct and maintain it.

Even the non-profit housing sector has many characteristics that limit its ‘benevolence’ which the phrase ‘housing provider’ serves to obfuscate. While beyond the scope of this study, non-profit landlords possess many of the same powers as private sector landlords vis-à-vis tenants and frequently levy significant constraints such as restricting significant others from co-habiting and discriminating against those with criminal histories.

Property Owner

Property owner is frequently used synonymously with landlord, but it is not without problems. Landlord conveys rights and more importantly responsibilities to tenants that an ‘property owner’ does not. Property owner only hints at or conveys the general bundle of legal rights associated with property erasing the tenant from the equation. The use of ‘property owner’ is already causing regulatory issues, the most salient is the complications of fractional ownership which can be seen across different scales of ‘landlord’. Property ownership is diffused across numerous individuals and in the case of some REITs further diffused across pension holders.

How can one readily hold ‘property owners’ accountable in this scenario? Do the property owners (pension holders) have agency over the managing of units in this scenario? Further, in ‘smaller scale’ strictly treating landlords as property owners can open up potential avenues for evasion of existing regulations. In Toronto, Canada, a fractional property owner (1% of a home), attempted to evict existing tenants under an ‘own use’ provision. Eventually the tenant left without a legal ruling on the specific legality of an own use eviction based on fractional ownership (Mathieu, 2020).

Investor

Frequently, those who would otherwise be known as landlords are referred to as investors (Kerrigan, 2022). Investor is a term that typically suggests an element of wealth creation and ‘innovation’. An investor might be seen as someone providing funding for someone else’s new technology that makes a production line more efficient. Christophers (2020: 24) argues trying to reframe ‘investor’s image as “one of wealth creation versus wealth extraction” is a relatively common move amongst many categories of rentiers and ties this type of investment closely to passive wealth extraction. ‘Investor’ also suggests a ‘rationality’ with landlord decisions being portrayed as strictly economically motivated, and because of this strict economic motivation ‘rational’ despite as Kerrigan (2022) notes clear contradictions between actual decisions and stated motivations surrounding policy conflicts such as rent control. Investor represents a ‘bad fit’ for landlords, as it obfuscates the key relational aspect of landlordism and tends to convey ideas of economically rationality and wealth creation, neither which could be seen as a ‘good fit’ for most landlords.

Lessor and Lessee

Lessor and lessee are technically correct, and somewhat reflect terminology used in other countries and languages (such as the German Vermieter/mieterverein which effectively directly translates to renter/rentee). What lessor and lessee fail to encompass the specific power dynamic and historical relevance of the term landlord as well as relational aspect unique to control over another’s ability to survive. Instead, lessor and lessee emphasize a simple transactional relationship.

'Landlord' and organizing

Valdez (2021) argues the only ones interested in maintaining the term landlord are “Groups that benefit from evictions, like attorneys who represent defendants in such actions.” Adding “They like the notion that their clients [sic] is like a feudal “tenant,” bound to the land and subject to the whim of a lord.” While there is much wrong with Valdez’s assertions, notably including the fact that those who benefit most from evictions are those who initiate them (landlords) – he does understand the importance of maintaining the connection between the historical understanding and contemporary moment. The only ones who stand to benefit from (and are therefore interested in) getting rid of the term ‘landlord’ are landlords and their lobbyists, interested in obfuscating the unequal relations between landlords and tenants.

Using the term ‘landlord’, buttresses developing tenant power because of its historical connotations and the status of the landlord as a concrete point for tenants to organize around. The direct relationship of landlords and tenants, and the material impacts landlords have on tenants’ lives creates a knowable target for tenants to organize against (Piven & Cloward, 1977) and builds on successful historical organizing efforts.

Similarities can be drawn to other discursive debates in housing organizing. Notably Julian Park (2019) called for a replacement of the slogan ‘decommodify housing’ with ‘abolish rent’. Park (2019) favours ‘abolish rent’ because of its direct connection to common existing tactics, the immediate centrality of rent reduction as a way to benefiting tenants’ lives, and the fact that it is also a call to decommodify housing. In contrast calls for decommodification of housing obscure immediate tactics and relations in housing. Parallels can be drawn from landlord, which as noted earlier has a long history of negative connotation which immediately conveys the antagonism at the heart of landlord-tenant relations. Unlike decommodify housing which still points to the key underlying tension of housing as a need and housing as a commodified good, ‘rental housing provider’ serves to completely eject the core contestations over housing and more broadly the politicization of landlord-tenant relations. Terms such as rental housing provider, investor and others obscure and suggest a more benevolent or neutral relationship between the two parties.

And importantly tenants and tenant organizers do not seem to be using the landlords' chosen nomenclature. In September 2023, when the Berkeley Tenant Union rallied for tenant power as the Berkeley Property Owners Association hosted a party celebrating the end of the eviction moratorium, tenants correctly referred to them as landlords (Lehman & Mauhay-Moore, 2023). As FTC Manning (2021: 28) points out that housing struggles waged by proletarians of old are "land-based struggles, analogous to the struggles waged by peasants over rural land." Organizing for the continuing right to housing today reflects these housing and land struggles of the past. Maintaining the term landlord facilitates this accurate understanding of history and the struggles we continue to be a part of. To discard the term landlord is to discard years of successful tenant organizing and campaigns to illuminate the exploitative relationship that is the core of landlord-tenant relations.

Conclusion

"Naming isn't always a metonymic process," Delaney writes. That is a name doesn't tell you what something is so much as it connects the phenomenon/idea to something else." (Acker, 1996: ix)

The core argument of the movement to replace 'landlord' rests on the idea that it is an outdated term. It isn't. What they get right is that 'landlord' as a term reflects its feudal origins, what landlord proponents ignore is the ongoing feudal aspects that remain in the social relations of property. The movement to rebrand reflects broader trends of trying to move past ongoing injustices in the social relations of property by erasing evidence of their historical connections instead of the injustices themselves. Renaming 'landlords' something more ostensibly neutral won't erase the ongoing inequalities of landlord-tenant relations, just their connections to past struggles.

Arguably contestation over terminology becomes increasingly important as fractional ownership platforms and schemes allow partial ownership of someone else's home while pension funds pour money into REITs and other massive firms profiting off residential real estate. Landlordism has been linked to concepts of 'asset-based' welfare and social Keynesianism with many feeling

like becoming a landlord is their only way to make up for falling real wages. A proliferation of property technology has served to automate landlord tasks and processes and reduce face-to-face landlord-tenant interactions (Fields, 2022). What these changes within land calls for is not jettisoning landlord, but instead tenants and militant scholars working together to sharpen how landlord is conceptualized to better encompass and account for these changes

The term ‘landlord’ remains essential to understanding the social relations of housing. ‘Landlord’ connects the ongoing conflicts and social relations of private rental housing to the historical origins of the relation and related contestations of property and class. The movement to rebrand landlords only serves landlords themselves, as it further obfuscates the central pillars of the landlord-tenant relation, notably the exploitation and control of tenants by landlords and antagonism between landlords and tenants over housing as a site of social reproduction of financial profit. The project to rebrand landlords resembles platform economy initiatives where ‘contractor’ and ‘home sharer’ helped facilitate regulatory evasion and slippage and points to the material stakes and need for contestation of this effort. Landlord and the historical baggage appropriately conveyed by the term provides organizers with an already understood and essential concept, signals the ongoing valorization of private property in our legal and policy contexts, and conveys the inequality in this key social relation.

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How does ‘In defense of landlord’ relate to the broader dissertation?

In defending the term ‘landlord’ and its continued use, chapter three, lays out the contemporary meaning of ‘landlord’ and the contestation around its meaning. To explain the meaning of ‘landlord,’ this chapter grapples with competing ideas of what ‘landlord’ signifies, notably the social relation of landlords and tenants with its feudal vestiges and class structure. Proposed alternative terms only serve to obfuscate these key elements and the underlying social relations with tenants.

Chapter three makes explicit and implicit use of understandings of ‘landlord’ in the transition from feudal modes of production to capitalist modes of production. Further, the chapter heavily relies on the manuscript of chapter four, which provides a class-based understanding of landlords and tenants to argue that the powers of landlord are closer to feudal origins than any supposed benevolence of alternative terms such as ‘rental housing provider’. Chapter three additionally foreshadows chapter five by highlighting the importance of understanding how landlords are represented in media and what these conceptualizations mean for tenants.

Finally, chapter three “In defense of landlord,” discusses how understandings of landlords might change as alternative terms are adopted, which could lead to weakened regulatory contexts or increased difficulty in organizing for better housing outcomes. This weakened regulatory context or difficulty in organizing likely to be associated with alternative terms, reflects a consistent movement among landlords and their proponents to depoliticize landlord-tenant relations. Pushing back against this depoliticization and in fact, arguing for an intensified politicization of landlord-tenant relations, are key objectives of this dissertation.

Chapter 4: Landlords and tenants: A class-theoretical approach to the relations of social reproduction

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Abstract: *Current understandings of landlords and tenants are primarily based on individual attributes each group possesses, usually conceptualized as binary divisions or gradational distinctions. In this paper we offer an alternative: a relational, class-based concept of housing market actors. We argue that, much in the same way that a constitutive antagonism structures social relations with respect to control over the means of production, there is a constitutive antagonism that drives conflict over control over the means of social reproduction (specifically housing), and that by understanding this antagonism, we can better understand the political economy of housing and social reproduction. In the relational Marxian sense, landlords, tenants, and homeowners are housing classes. After identifying the weaknesses in gradational approaches to landlords and tenants, and laying out our relational alternative, We offer a set of examples which demonstrate the utility of employing a class-based conceptualization of landlords and tenants in contrast to the more common binary or gradational conceptualization, which point to different normative questions to be asked, and which highlight the social relations of social reproduction and facilitate a more integrated understanding of the political economy of housing.*

Introduction

Housing lies at the centre of the political economy of capitalism. It is a key site for social reproduction (Blunt & Dowling, 2022), and has simultaneously come to play a central economic and political role in the increasingly financialized national economies of the neoliberal order

(Christophers 2020). Housing research, however, has frequently been noted for lacking a unique theoretical basis (Kohl, 2018; King, 2009). What theorizations exist tend to be primarily linked to housing's role within production, for example as an outlet in the 'secondary circuit of capital' (Harvey, 2006) or housing backgrounded as the physical and spatial site ('the container') of social reproduction (Blunt & Dowling, 2022; Matrix, 1984). Missing from these understandings are the essential social relations of housing, most notably that between the landlord and tenant.

Landlords are the occasional empirical focus of housing research, but mostly in an atheoretical or unreflexively theoretical register. Housing scholarship tends to rely on various binaries or gradational frameworks to differentiate landlords based on individual or corporate attributes, such as the number of units owned, corporate and legal structures, or financialization of the company (For examples see: Gilderbloom 1985; Travis, 2019; Romainville, 2017). These attributes, while no doubt often meaningful, arguably obscure rather than illuminate the key underlying power relations in the housing system, which concern who has control over people's ability to secure adequate shelter.

If we acknowledge the essential nature of housing as an infrastructure of social reproduction, how can we better understand housing generally, and more specifically the landlord-tenant social relation which underpins it? The goal of this paper is to answer this question, by offering a class-theoretical approach to the relationship between landlords and tenants in the housing system, one based on the antagonistic interdependence which arises out of differential control over *the means of social reproduction*.

Three main points have to be proven to argue that a class-based conception of landlords and housing tenures may supplement traditional (or 'folk') binary and gradational understandings of landlords: first, that there are deficits in the current conceptualization of landlords and other housing actors; second, that the key dynamics of class relations can be adequately translated to housing tenures; and third that there is empirical and theoretical utility for housing and social reproduction scholars to adopt a class-theoretical approach to housing actors. Advancing these three claims is the agenda of the paper. We begin with a review of existing literature on the landlord to establish that there are weaknesses with current conceptualizations of landlords.

Next, we analogically apply Wright's (1997) relational class concepts to housing actors—specifically the antagonistic, exploitive and symbiotic core of landlord-tenant relations. We then discuss a set of examples which demonstrate the utility of employing a class-based conceptualization of landlords and tenants in contrast to the more common binary or gradational conceptualization, which point to different normative questions to be asked, and which highlight the social relations of social reproduction and facilitate a more integrated understanding of the political economy of housing.

Introducing the landlord

The landlord has long been a minor focus of academic research. And more generally, housing research has tended to neglect the private rental market in favour of a focus on private homeownership and public housing—although this has changed in recent years (Christophers, 2021; Hatch, 2017; Rohe, 2017; Desmond, 2016). In the Anglo-American sphere, one of the first significant waves of research interest in landlords emerged in the 70s and 80s (see Allen & McDowell, 1989; Gilderbloom & Appelbaum, 1987, Gilderbloom, 1985; Harloe, 1985; Dreier 1982; Sternlieb & Burchell, 1973; Beckman, 1972), a period when the private rental sector was in relative decline as a share of the overall housing system (Allen & McDowell, 1989; Sternlieb & Burchell, 1973). Broadly paralleling the first wave of deindustrialization in most of these countries, scholarly interest in landlords arose out of an alarm at the increasing housing abandonment, inner-city decay, and declining conditions for tenants in the sector (Allen & McDowell, 1989; Sternlieb & Burchell, 1973). A better understanding of inner-city landlords was seen as one possible way to alleviate and reverse these trends (Allen & McDowell, 1989; Sternlieb & Burchell, 1973). This narrowly focused research oriented to making limited policy recommendations, typically oriented to supporting a specific category of landlord, is characteristic of housing research's general emphasis on policy at the expense of theorization (King, 2009).

As housing prices have increased globally (Wetzstein, 2017; Marcuse & Madden, 2016) and homeownership rates have stalled in much of the European and Anglo-American context (Rohe, 2017), a contemporary wave of landlord literature has emerged which is primarily focused on

documenting the growing share of private rentals in Anglo-American housing systems (Hulse et al., 2020; Kemp, 2015; Ronald & Kadi, 2018); better understanding landlord behaviours and how they can negatively impact tenants through eviction (Rosen & Garboden, 2022; Desmond & Wilmers, 2019; Desmond, 2016) and detailing the emergence and proliferation of financialized landlords (typically held to be large institutional firms focusing on securitized rental housing) (St. Hilaire et al., 2023; August 2020; Revington & August 2020; Fields, 2022; August & Walks, 2018; Wijburg & Aablers, 2017; Fields & Uffer, 2016; Teresa 2016).

The existing body of literature on the landlord has enabled a better understanding of how housing systems function, the interrelated geographies of housing and possibilities for tenant activism. Scholarship on landlords has greatly complicated neoclassical economic interpretations of housing markets by providing evidence of how landlords can influence price (Gilderbloom & Appelbaum, 1987) and the dramatic negative impacts predatory landlords can have on the lives of their tenants up to and including sexual coercion (Tester, 2008). Desmond & Wilmers (2019) and Rosen (2014) have shown how landlords in the U.S. contribute to racially segregating cities through sorting their tenants. The liberal use of eviction as a profit-maximizing tool highlights landlords' power over their tenants' lives (Desmond, 2016; Garboden & Rosen, 2019). Despite these valuable contributions to understanding landlords, the body of literature on the landlord has limitations, in part based on the lack of definitional clarity of the concept itself.

Defining landlords

Nearly universally, academic scholarship takes for granted 'who' the landlord is. Likely because of largely uninterrupted use from its feudal origins hundreds of years in the past, the term is assumed to carry a 'common sense' and straightforward meaning. One of the few works to specify the meaning of landlord is Allen & McDowell (1989: 45), who define the term landlord as one which "...possesses a commonplace meaning. Today it generally refers to a particular agents or individuals who let residential or commercial property in exchange for monetary payment." Complex ownership structures such as publicly traded real estate investment trusts (REITs) owned by thousands of shareholders, firms that have automated a large share of common landlord functions (Fields, 2019), or even individuals who contract renting their homes

to property managers could all arguably be excluded from this definition. Moreover, Allen & McDowell's definition remains rooted in the idea of an individual conducting a series of 'landlord' tasks, and could include individual tenants renting a spare room and commercial operators of short-term rentals—groups not typically seen as landlords.

If a definition of landlords based on the tasks they perform leads to ambiguity, so too does a legal definition based on the principle of ownership. For example, is a shareholder of a publicly traded company renting residential units a landlord? Are retirees whose pension funds own large shares of residential housing companies landlords? Manufactured housing, commonly known as mobile homes, is another complication of the ownership paradigm. In the U.S., approximately "80 percent of mobile home park residents own their homes, but only 14 percent own the land beneath them" (Sullivan, 2017: 244). While manufactured housing park owners can charge rent for the land these largely and increasingly immobile structures sit on they also often have no obligation to maintain the home (Kear et al., 2022). Are these mobile home residents, who own their structures but not the land tenants? Are the park managers landlords? Residents of manufactured homes can effectively be evicted from homes they own with their homes either towed to a new site, or to the dump, or resold by park owners after seizure or abandonment (Kear et al., 2022; Sullivan, 2018).

The lack of definitional clarity around what is a 'landlord' is not simply a semantic issue. In one case in Toronto, Canada, the owner of a 1% stake in a rental property invoked an 'own use' clause to evict tenants in two different units on the property, relying on the fact that the legal definition of landlord under Ontario's Residential Tenancies Act is 'someone who owns all or part of a property' (Goodyear, 2019). Fractional ownership complications are only likely to increase as a variety of start-ups such as Lotly and Fractional facilitate such arrangements on a wider scale.

An additional complication in defining the landlord is that many of those engaging in 'landlord' type tasks are known by other names. Accessory dwelling units in homes have been referred to as 'mortgage helpers' (Mendez, 2016)—a discursive construction which reduces tenants to a financial asset and erases the figure of the landlord entirely. Landlords who buy and rent small

numbers of condominium units are often referred to as ‘investors’ (Kerrigan, 2022; Hulse et al., 2020). Landlord lobbyists have rebranded their trade associations, shirking the term landlord in favour of referring to themselves as ‘rental housing providers’ and attempted in some cases to replace the term ‘landlord’ in legislation (Kerrigan, 2022; 2023). Short-term rental hosts on platforms such as Airbnb, meanwhile, clearly perform some degree of landlord tasks despite not being referred to as landlords, generally not having a legal landlord-tenant relationship with their guests, and in some cases not owning the property out of which they are operating their short-term rental (Belot et al., 2023). Moreover, the COVID-19 pandemic drove a high degree of fluidity of housing units between the short-term and long-term rental markets (Wachsmuth et al., 2020), further blurring the lines between ‘landlord’ and ‘host’.

(A lack of) data on landlords

A further major limitation to understanding landlords is the lack of access to high quality property, ownership and lease data which compound to make it very difficult to pin down ‘who’ the landlord is (St. Hilaire et al., 2023; Graziani et al., 2020; McElroy, 2020). Qualitative research on landlords has tended to identify individual landlords via public records (Decker, 2021; Abood, 2018; Allen & McDowell, 1989; Sternlieb, 1969), investor-oriented corporate information (August, 2020), and snowballing techniques and outreach through events or personal networks (Rosen, 2014). These works tend to then record basic demographic information and information about specific landlords’ property holdings (Sternlieb, 1969; Rosen, 2014), neither of which can be generalized beyond this specific group. The result is that these scholars have only a limited idea of how representative the group they are interviewing is of the broader landlord population (Small, 2009).

Public datasets tend to be partial or incomplete and require researchers to stitch together various corporate registries, parcel information, and web scraped data to build their own databases (St-Hilaire et al. 2023). Even understanding who the ‘landlord’ is in an eviction can be difficult and require multiple steps despite the harm inflicted upon tenants (McElroy, 2020). Such an arrangement insulates the property owner from repercussions while making direct negotiation or bargaining between the landlord and tenant nearly impossible. Accordingly, the lack of publicly

available systematic information means researching and understanding who the landlord is in any systematic sense requires significant time and energy on behalf of researchers—and even then still might not be possible.

Research within the Anglo-American sphere has documented potentially contradictory growth within the rental housing sector. In the U.K. and Australia, research has found an increase in ‘small’ investor landlords who supplement their financial equity with additional rental properties (Arundel, 2017; Hulse et al., 2020; Kemp, 2015; Ronald & Kadi, 2018). Somewhat in contrast, research from Canada and the United States has focused more on the rapid growth of massive of financialized and transnational landlords purchasing a significant number of rental properties (August, 2020; Chilton et al., 2018). The lack of systematic data on property ownership and landlords (Gardboden & Rosen, 2018) makes it difficult to know if these contrasting findings simply reflect a difference in research focus, if there are different growth patterns across these countries, or if both categories of landlordism are growing.

Class structures of housing: The antagonistic, exploitive, and inter-dependent relations of landlords and tenants

Housing research has tended to lack a strong theoretical framework (Kohl, 2018; King, 2009), and this deficit is arguably most acutely felt regarding the social relations which constitute the housing system. One promising avenue for addressing this deficit is to (re-)embed housing within the broader framework of social reproduction (Katz, 2001; Bhattacharya, 2017; Gimenez, 2019); the household, after all, is widely understood to be a vital institution for the sphere of reproductive labour (Mohandesi & Teitelman, 2017). Social reproduction theory scholarship has not generally emphasized the social relations underpinning housing—notably the relationship of landlords to tenants—but several housing scholars have drawn connections between these two domains of critical research (August, 2022; Soederberg, 2018; 2021), and in what follows we flesh out these connections into a relational theory of housing actors.

Our core claim is that, much in the same way that a constitutive antagonism structures social relations with respect to control over the means of *production*, there is a constitutive antagonism that drives conflict over control over the means of *reproduction*, and that by understanding this

antagonism, we can better understand the political economy of housing and social reproduction. In the relational Marxian sense, landlords, tenants and homeowners are *housing classes*. The core conflict that structures housing classes is that between those interested in housing for its exchange value and those interested in housing for its use-value (Logan and Molotch, 1987). As Soederberg (2021: 17) argues, rental housing “is a historical social relation entailing two contradictory features: a place of survival of low-wage tenants and a site of social accumulation”.

This paper is not the first to attempt to understand housing actors through class. In 1872 in *Der Volkstaat*, Mulberger argued that “As the wage worker in relation to the *capitalist*, so is the *tenant* in relation to the *house owner*”, to which Fredrich Engels had a simple retort: “This is totally untrue” (Engels, 1935: 17). Engels dismissed the idea of ‘housing classes’ as derivative of labour class conflicts (Madden & Marcuse, 2016), and subsequent scholarship has mostly continued to subordinate housing issues to relations of production. The postwar era saw a modest debate around ‘housing classes’, where the key question was the salience of tenure in political analysis, and specifically the possible emergence of a new homeownership ‘middle property class’ (Saunders, 1984: 207). These works tended to either argue—from a Weberian perspective—that homeownership created distinct ‘middle’ class interests (Pratt, 1982; Thorns, 1981; Saunders, 1978) or argue that homeownership should be conceptualized as a crucial consumer good within an explanatory account resting on differential relations to the means of production (Saunders, 1984). Neither side of this debate took housing’s key role as the primary means of social reproduction seriously. More recently, the anonymous authors of *The Housing Monster* (Prole.info, 2012) applied class logics to better understand the political economy of housing, noting the tension between landlords and bosses within the capitalist class and locating this tension in part in their conflicting interests in the social reproduction of labour. Finally, Soederberg (2018: 298) explicitly tied the rent relation to economic class and social reproduction, exploring how class dynamics reproduce surplus populations through their links to capitalism as renters and debtors via “the multiple sites of violence inhabiting housing ranging from exploitation to evictions, to homelessness”.

We take a different approach here. Instead of following previous scholarship which uses class analysis to embed housing *substantively* within the relations of production, we develop an account which proceeds *analogically* from economic class to conceptualize ‘housing classes’ as structural positions with respect to the means of social *reproduction*. This account draws heavily on Wright’s (1997) synthesis of Marxist and Weberian concepts of economic class. Wright developed his class theory against the mainstream sociological concept of class as a “gradational” spectrum where an individual’s or household’s class position (e.g. lower class, middle class, upper-middle class, upper class) is defined by their income or wealth. The Weberian approach to class emphasizes broader contexts of social relations and legal rules which give different individuals and groups different access to power and resources. The Marxist approach, finally, insists on the interdependency of classes, and the centrality of domination and exploitation to that interdependency.

It is Wright’s relational, non-gradational concept of class, drawing on both the Weberian and Marxist traditions, which we argue can be fruitfully repurposed from sociology to housing research. We centre this account on the landlord-tenant relationship, which we will demonstrate shares the key features of the capitalist-worker relationship emphasized by Wright. Namely, it is *antagonistic*, based on *exploitation*, and a relationship of *interdependence*.

The antagonistic relationship between landlords and tenants

What does it mean that the relationship between landlords and tenants is antagonistic? While individual landlord-tenant relationships may often be characterized by animosity, antagonism here refers to a fundamentally zero-sum structure of opposing interests: a situation where “the realization of the interests of one class necessarily implies the struggle against the realization of the interests of another class” (Wright, 1997: 35-36). In the housing system, these opposing interests are landlords’ pursuit of profit maximization and tenants’ pursuit of stable, affordable housing to secure their social reproduction. To the extent that landlords are able to maximize their economic returns on renting apartments, this will come at the expense of tenants’ ability to have adequate and affordable housing, and vice versa. Of course, compromise is possible between these competing interests in housing. If landlords compromise on their maximization of

exchange value and tenants on their use values (through, for example, putting up with worse conditions) both sides may walk away happy, or at the very least with their interests satisfied. As Wright (1997: 36) argues, though, “What is impossible is not compromise, but harmony.” For one class to benefit, the other class must pay the price.

Eviction is the ultimate illustration of the difference between rental housing as a commodified good (the landlord’s interest) and rental housing as a need for survival (the tenant’s interest). To secure a higher rate of return, landlords can evict lower-rent tenants and replace them with higher-paying ones (August & Walks, 2018; Leung et al., 2020). For renters, a record of eviction can dramatically increase their difficulty finding quality and affordable housing (Desmond, 2016; Leung et al., 2020) and ultimately lead to homelessness and death. The ability of landlords to evict and unilaterally end tenancies for reasons beyond non-payment limits tenants’ temporal security and stability, leaving them vulnerable to displacement from their neighborhoods and communities (Rolnik, 2019; Wachsmuth et al., 2023)—networks essential for social reproduction.

The exploitation of tenants by landlords

Accordingly, while there are likely isolated examples of tenants being better off than their landlords, undoubtedly most individuals who are landlords are far better off than their tenants. While this inequality undoubtedly exists within the landlord-tenant relation, the concept of exploitation—which asserts a causal connection between the affluence of some and the poverty of others—helps us improve on this understanding (Wright, 1997: 26).

The crux of landlords’ ability to exploit tenants is the lack of alternatives tenants have to the private-rental market. Shelter is a necessary condition of social reproduction, and across much of the Anglo-American world, rising costs of homeownership and stagnant or shrinking non-market housing sectors have increased pressure on the private rental market to house low-income people. Securing the means of social reproduction for those who cannot afford homeownership thus requires entering into a specific (and unequal) relationship with a landlord. Landlords’ exploitation of tenants is expressed both through economic and non-economic means, and.

Through lease agreements and coercion, landlords have an immense amount of power to control what tenants can or cannot do in their homes (such as paint their apartments, have pets, smoke, have guests). Arguably this power is growing through the widespread proliferation of property tech, including video cameras and smart locks enabling landlord surveillance of tenants, opportunities for landlords to sell tenant data to generate extra profit, and digital platforms such as ‘Cozy’ and ‘Tenant Cloud’ which automatically assign late fees, force applicants to pay for credit and background checks and generally serve to remove the ‘human’ element supposedly mediating relations between landlords and tenants (McElroy, 2020).

Wright (2015: 54) argues that centering exploitation in class theory “emphasizes the ways in which exploiting classes are *dependent upon* the exploited class for their own economic well-being, and because of this dependency, the ways in which exploited classes have *capacities for resistance* that are organic to the class relation.” While this capacity for resistance or meaningful change has often been downplayed or ignored in media (Kerrigan, 2022), new research has emerged speaking to the collective power of tenants to resist displacement and influence policy (for examples see Tapp, 2019; Card, 2022; Vollmer & Guitierrez, 2022; Crosby, 2020; Fields, 2015).

The interdependence of landlords and tenants

Exploitation, Wright (1997: 75) notes, implies interdependency, and this is true of rental housing. Tenants depend on landlords for shelter, but landlords depend on tenants for their income (even if the latter may have the opportunity for exiting the economic relationship by selling their units if the interdependency is too unfavourable). A class reconceptualization of housing actors points to a significant source of tenant power in a way that more individualized interpretations do not: the power tenants have as a collective class. Renters represent a majority of residents in many Anglo-American cities, including Los Angeles, which previously had a reputation as a bastion of homeowner political power (Davis, 2006) and where landlord lobby groups had been successful in achieving policy goals. Recent policy gains by tenants including the regulation of rent increases statewide and achieving rent control in unincorporated Los

Angeles County have been driven by the emergence of broad-based tenant unions which have allowed tenants to successfully assert their collective power as a housing class (Tapp, 2019).

In sum, the categories of landlords and tenants represent the primary ‘class structures’ in the rental housing market—the broad categories to be filled depending on individuals’ class locations—equivalent to capitalists and workers in the labour market. These structures are defined primarily by their opposition based on the inherent antagonistic, exploitative and interdependent relations of these two classes.

Why use a relational understanding of class in the political economy of housing?

Although class analysis has rarely featured explicitly into housing research, much scholarship on landlords and tenants has operated with an implicit theoretical framework that categorizes landlords or tenants in a gradational or binary scheme. The gradational framework closely parallels sociological understandings of class: distinctions of household income or occupation which can be used to classify a population. Gradational understandings of tenants are common; the latter are generally categorized based on individual attributes, household incomes, and other demographic characteristics (see Kemp 2011; McKee et al., 2020; Power, 2017; Revington, 2021). While gradational frameworks are often also used to examine landlords—most commonly by dividing them into different bands based on the number of units that they operate (Berry, 2000; Rosen et al., 2021; Hulse et al., 2020)—landlord scholarship more frequently employs binary categorizations (such as ‘professional versus ‘non-professional’ landlords; see Travis, 2019; Shiffer-Sebb, 2020) or combinations of binary and gradational categories (Allen & McDowell, 1989; Decker, 2023; Gilderbloom, 1985).

Relying primarily on the example of the division of ‘small’ landlords versus ‘big’ landlords that has proliferated across landlord scholarship, here we argue that binary and gradational conceptualizations of landlords struggle to properly account for individual landlords’ positions within their class and their relationships with other housing actors, and that a class-based conceptualization of landlords serves as an effective complementary or alternative approach.

Categorizing landlords

Housing research generally portrays landlords as a highly heterogeneous category with many different types (such as inner-city landlord, financialized landlord, corporate landlord, institutional landlord, and mom-and-pop landlord) and further subtypes (single-family home financialized landlord, student housing financialized landlord, etc.). Even more variation is possible in terms of financial relationships (are the rental units owned outright or mortgaged), demographics of the individual owners, the makeup of corporate structures, strategies and relations with various governments, and local contexts.

This heterogeneity is recognized in housing research (Allen & McDowell, 1989; Bischoff & Maennig, 2010) but in operational terms the same literature generally reduces landlords to simple categorical dichotomies: either ‘professional’ versus ‘amateur’, typically based on the number of rental units (Chilton et al., 2018; Kemp & Kofner, 2010; Gilderbloom & Appelbaum, 1987; Gilderbloom, 1985; Sternlieb, 1969), or ‘corporate’ versus ‘individual’, based on the owner’s legal status (Travis, 2019). Gilderbloom (1985) labels landlords owning fewer than five properties as ‘amateurs’, and those owning five or more as ‘professionals’. For other researchers, such as Sternlieb (1969), the size of landlord holdings remains the main axis of analysis, but individual landlord demographic characteristics are layered on top of this axis. Within the last decade, an emerging strand of research on the financialization of rental housing has tended to label landlords based on the latter’s relationship to financial markets and the degree of securitization of their assets (August & Walks, 2018; Fields & Uffer, 2016; Teresa, 2016; Coburn et al., 2021). In sum, while a simplified classification scheme of gradations or binaries are not universal across landlord-focused research (e.g. see Allen & McDowell, 1989 for an exception based on Weberian ideal types), it remains predominant.

Researchers have often argued that ‘small’, ‘amateur’ or ‘circumstantial’ landlords are better for tenants because they have a less prominent profit motivation (Shiffer-Sebb, 2020; Travis, 2019; Gilderbloom, 1985; Sternlieb, 1969), because they have less knowledge of market conditions, or because they are more sensitive to vacancies (Decker, 2023). Except for Sternlieb (1969), who noted other shortcomings with his ‘small landlord’ category, the authors cited have all variously

argued that small, amateur, or circumstantial landlords are becoming more likely to adopt the behaviours associated with large, professional, financialized or deliberate landlords. Despite this convergence, their policy recommendations typically follow that ‘small’ or ‘circumstantial’ landlordism should (at least comparatively) be encouraged (Abood, 2018; Shiffer-Sebb, 2020; Sternlieb, 1969; Decker, 2023). When ‘amateur’ landlords are criticized, it is generally on the grounds of economic issues portrayed as out of their control, for example that their units are generally in worse condition because of lack of access to funds or expertise (Allen & McDowell, 1989; Sternlieb, 1969), or in rare cases because ‘amateur’ landlords are more likely to heavily police tenants which can result in privacy concerns or sexual harassment (Tester, 2008; Allen & McDowell, 1989).

By contrast, ‘large’, ‘professional’ landlords and the emerging category of financialized landlords have typically been portrayed as engaging in strictly profit-maximising behaviour (Abood, 2018; Chilton et al., 2018; Wijburg & Aalbers, 2017; Gilderbloom & Appelbaum, 1987; Gilderbloom, 1986), reducing the value of housing units to financial returns alone and engaging in strategies detrimental to tenants as a result (Abood, 2018; August & Walks, 2018; Teresa, 2016; Fields & Uffer, 2016). Broadly speaking, this research concludes that small landlords are ‘better’ and large landlords are ‘worse’ from a tenant perspective, while financialized landlords are yet worse versions of corporate landlords. The fluidity between these categories and the increasing use of rent setting algorithms and landlord technologies more generally across all categories of landlords usually remain unacknowledged (although see Graziani et al., 2020 for an exception).

The limitations of binary landlord categorizations

The oldest and simplest version of the landlord binary—the division between professional and non-professional—is arguably the most open to criticism. This division is usually premised on professional landlords having a comparatively greater profit motivation than non-professional landlords. While profit motivation clearly differs among different landlords, collapsing this issue into binary categories has arguably led housing scholarship to overemphasize the internal heterogeneity of landlords within each category (Allen & McDowell, 1989), and underemphasize the extent to which landlords can easily move between different categories as their holdings and

strategies shift (Graziani et al., 2020; Shiffer-Sebb, 2020). Moreover, there is accumulating evidence of convergence among landlord strategies and motivations (Halia, 1988; August & Walks, 2018; Graziani et al, 2020; Gilderbloom, 1985). Both Halia (1988) and August & Walks (2018) argue that the profit-maximizing strategies enabled by increasingly international and financialized markets are spreading to non-financialized corporate landlords, eroding internal differences among landlord categories. This is compounded by the coercive pressures of competition which operate on landlords particularly once they are exposed to financial markets which expect a certain rate of return on investment. As property and landlord technologies become more widespread, algorithms standardize processes of eviction, tenant selection and drive rent increases (So, 2022; McElroy & Vergerio, 2022; Vogel, 2022) likely leading to further convergence among landlord behaviours across landlords as a class. Graziani et al. (2020: 5) accordingly argue “It is time to dispense of the myth of “mom and pop” landlords”, noting the rapid growth and predatory acquisition strategies employed by many ‘small’ and family-owned landlords.

In comparison to the professional/non-professional binary, a relational, class-based approach to landlords offers a more powerful and straightforward analytical lens through which to evaluate the significance of landlord strategies. To the extent that small landlords are systematically less exploitative of their tenants than larger landlords, this a consequence of systematically smaller power disparities separating small landlords and tenants in comparison with the disparities separating large landlords and tenants. The issue is not size or professionalism, but rather effective control over the means of social reproduction. As technological, economic, and political developments give smaller landlords more access to the means of control over and exploitation of their tenants which are more commonly the domain of larger, more professionalized landlords, the salience of the professional/non-professional distinction will likewise diminish. This relational perspective similarly helps make sense of policy recommendations calling for more sympathetic treatment of ‘amateur’ landlords—which are a frequent outcome of studies employing the professional/non-professional binary. Policies which benefit small landlords do so by increasing their power vis-à-vis tenants, and thus are fundamentally a project to rebalance power between the broader landlord and tenant classes.

An inter-class relational perspective on homeownership

Although the focus of our argument has been on the relationship between landlords and tenants, a class-based approach to housing tenure is also helpful for adequately locating each of these housing roles with respect to homeowners—the numerically dominant tenure type in North America and much of the rest of the Global North. The line separating homeowner from tenant has never been entirely sharp—for example, the practice of taking on lodgers or boarders was a common feature of homeownership in the early industrial city (Goyette 2021)—but the emergence of short-term rental platforms such as Airbnb has blurred this line even further. At what stage does one become a landlord? Does one have to rent a housing unit which is separate from the one that satisfies one’s need for shelter? What if the unit is a suite with separate living areas but attached to the structure of main house? What about a room? What about renting other peoples’ apartments for tourists? Definitions of landlord rooted narrowly in ownership do not provide clarity.

By contrast, a class-based, relational approach to housing actors clarifies that the key questions are: who has control over the means of (their own or others’) social reproduction, and who benefits financially from that control? Tenants do not control their own means of social reproduction. Landlords control others’ (tenants’) means of social reproduction and benefit financially from that control. Homeowners occupy a middle position; they control their own means of social reproduction and derive some financial benefit from it, and are thus roughly equivalent to the *petite bourgeoisie* in the capitalist economy (Perrin, 1977)—small business owners who own or control significant aspects of their means of production but still are likely to provide their own labour power alongside their employees. What differs in the housing market is that, unlike the *petite bourgeoisie*’s position in the sphere of production, in many Anglo-American countries homeownership is the most common form of tenure and the primary focus of state housing policy (Ronald, 2008).

Homeowners own (directly or indirectly through mortgages) their means of social reproduction and may dabble in rentiership or landlording on different scales. Moreover, the arrival of “asset-based welfare” or “privatized Keynesianism” (Crouch, 2009; Doling and Ronald, 2010) means

that, regardless of whether homeowners deliberately deploy their housing ownership to recuperate rent, they have a significant interest in housing's exchange value that renters do not. Asset-based welfare refers to the bundle of policies in Anglo-American countries that attempted first to supplement and second to replace broad-based welfare programs with private housing equity. This transition has provided homeowners with greater access to credit and private equity. But it has further reinforced the wealth inequality between homeowners and others and has buttressed a general valorization of property ownership (Christophers, 2021) which reinforces the material advantages homeowners enjoy over non-owners, including rights of control and alienation (Saunders, 1984). These advantages create a shared class interest among those who own property in the ongoing increase of housing values (Rolnik, 2019). In other words, homeowners' interests in the exchange value of housing potentially supersedes their 'use value' interests. And indeed, a robust body of scholarship has demonstrated that homeowners frequently engage in collective action in the political sphere to protect their exchange-value interest in housing (Fischel, 2002; Davis, 2006; McCabe, 2016). Even amidst conflicts where use values seem to be at stake (for example concerning quality-of-life changes implicated in neighbourhood up-zoning processes), homeowners ultimately tend to complain about how such changes will negatively affect property values (Dear, 1992).

The result is that homeownership can be understood as an intermediate position on a continuum defined by lesser and greater exchange-value interests in property—or, in the conceptual language we have been using, lesser and greater exchange-value interests in the means of social reproduction. While homeowners lack the interdependent and antagonistic relationships with tenants which we have argued is central to the social relations of landlordism, they share with landlords the underlying exchange-value interests in property which is most intensively realized when entirely separated from use-value interests. We noted above how short-term rentals and other recent developments in the technology-property interface have made forms of landlordism more accessible to homeowners. But it is also true that landlordism has become an increasingly common means to secure retirement income and generational equity—benefits long associated with homeownership (Kemp, 2015; Hulse et al., 2020). The relational perspective on housing market actors we have developed offers an understanding of homeownership which better accounts for these blurred lines, by locating homeownership less as a third distinct subject

position alongside landlords and tenants and more as an intermediate position between the latter two.

Conclusion: Relational housing class politics

This paper has argued that common contemporary understandings of landlords suffer from both conceptual and definitional weakness. Landlords are generally understood as individuals defined by binary categories or gradational differences, and these understandings are increasingly difficult to reconcile with new developments in housing systems such as the increased financialization and diffusion of ownership of rental housing. In contrast, we have offered a relational, class-based concept of landlords, proposing to view the landlord-tenant relationship as an interdependent, antagonistic one structured by differential control of the means of social reproduction. We now conclude by following the implications of this concept to identify three respects in which a relational class approach to housing actors could enrich both housing scholarship and politics.

First, a class-based conceptualization may help us understand new trends in housing politics that contemporary scholarship has struggled to answer. Tapp (2021), for example, has noted the emerging division of tenant politics between those advocating for better rental protections and “YIMBYs” focused on supply side solutions to housing affordability. One way to approach this division would be to see it as an issue of class formation, and to engage with Wright’s (1985) ideas of contradictory class locations to better place the YIMBY movement and understand the respects in which its interests diverge from the tenant class location of its members.

Second, a class-based reconceptualization of housing actors has implications for political organizing in the realm of social reproduction, which thus far has largely ignored the specific relations dictating housing. Katz (2001: 718) notes that social reproduction’s “piecemeal and sprawling geography offers no particular site at which to organize. As fraught as workplace organizing is, there is a *there* there.” Centering housing as the key *means and site* of social reproduction provides a *there*, as emerging tenants’ movements have shown (Madden & Marcuse, 2016). In the aftermath of the Covid pandemic and the concurrent rise of working from

home, for many housing now represents both a site of production and reproduction. The underlying relationships of social reproduction should be centered to better understand the implications of such a shift.

Finally, scholars have noted how binary and gradational landlord definitions facilitate housing politics which valorize certain types of landlords as particularly worthy of public support. In the Australian context, Hulse et al. (2020: 996) argue that “investor-landlordism has been valorized politically and normalized culturally as ‘mum and dad rental investment’ with connotations of enterprise and self-sufficiency rather than landlordism which has a more negative image.” The sympathetic ‘ma-and-pa’ (Bierre et al., 2010), and ‘mom and pop’ (Graziani et al., 2020) have all found their way into the discourses of other Anglo-American contexts. Hulse et al. (2020), in turn, argue that this sympathetic image hindered the development and adoption of more balanced housing policies. By contrast, a relational and class-based understanding of landlords could direct both scholars and regulators to questions of housing class formation, of how landlord-tenant relations affect social reproduction, and of whether policy should continue to prioritize landlord desires to maximize exchange values at the expense of tenants’ need for shelter.

After all, one actor in this story already employs a class-based analysis. The political activities of landlord associations suggest that landlords understand themselves as a coherent class with coherent interests, and they engage in collective action to advance those interests. For example, on their website, the California Apartment Association (CAA) argues “we have a proven track record of defeating onerous proposals that threaten the rental housing industry”, while noting they represent 60,000 owners and industry professionals across “property management companies, developers, real estate investment trusts and thousands of independent apartment owners” (California Apartment Association, 2023). The CAA played a major role in lobbying for and passing Proposition 13 and the Costa-Hawkins rental act, the former to freeze property tax rates and the latter to pre-empt rent control legislation (Tapp, 2019).

Conceptualizing landlords as a collective class could shift the explanatory and policymaking spotlight away from potentially sympathetic individual landlords, and instead to the broader, currently obfuscated systems of exploitation through which landlords gain their collective power

over tenants. In a future where tenants are themselves more collectively empowered as a class, such a shift could ultimately identify ways to abolish the landlord-tenant relation entirely.

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How does “Landlords and Tenants: A class-theoretical approach to the relations of social reproduction” relate to the broader dissertation?

A core objective of this dissertation is to develop new ways of thinking about the landlord. ‘Landlords and tenants: a class-theoretical approach to the relations of social reproduction’ is central to this objective. Relational understandings of landlords and tenants help us ask a different set of questions and push for different solutions than current common ways of investigating and regulating landlords. The first draft of this paper was written in December 2020 and was developed from then onwards. As such, it has been central to the thinking, planning and writing of this thesis. All three of the other manuscripts explicitly and implicitly depend on this new understanding of landlords.

Chapter three makes heavy use of the ‘landlord as class’ concept, putting it in conversation with Christophers’ (2020) book on rentier capitalism to showcase the key elements of the feudal class relation still characterizing contemporary landlord-tenant relations. Further, this class understanding, shows how the argument that the term ‘landlord’ should be changed because many landlords only own a small number of units is a distraction that obfuscates how even proponents tend to treat landlords as a coherent class.

Chapter five represents a companion piece by proposing a way to understand the ‘common sense’ media representations of landlords from which landlords as a class benefit. Explicitly, chapter five notes how understanding how media representations correspond to hegemonic masculinity and emphasized femininity does not preclude a class understanding but instead complements it but helping understand how the material advantages of class are constructed hegemonically.

A class conception of landlords is foundational to understanding Phoenix’s housing fatalism, as detailed in chapter six, notably because it provides insight into how landlord and tenant interests are oppositional. This oppositional understanding is essential for moving past the idea that landlords can be benevolent partners.

Chapter 5: “Don’t wake papa bear!” Understanding media representations of landlord-tenant relations

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Abstract: Landlord-tenant relations are one of the core social relations of daily life yet are surprisingly under-theorized by housing scholars and geographers. This article begins to address this gap by applying feminist scholarship on hegemonic masculinity and emphasized femininity to the case of the expansion and subsequent retrenchment of rent-control policy in Ontario, Canada in 2017-2018. Through a discourse analysis of government policy documents and news media coverage, I demonstrate that portrayals of landlords and tenants broadly conformed to characteristics of hegemonic masculinity and emphasized femininity, respectively, with landlords most commonly portrayed as ‘rational’ and tenants most commonly portrayed as ‘vulnerable’. Landlords benefit from traits associated with hegemonic masculinity even if they themselves do not embody them. Similarly, landlords benefit from the portrayal of tenants as passive victims, in need of paternalistic government protection, as opposed to potentially powerful collective actors.

Keywords: Housing, landlords, tenants, social-relations, gender

Introduction:

In what can generously be described as a bizarre editorial, Toronto Star columnist Martin Cohn labeled Ontario’s Finance Minister Charles Sousa ‘papa bear’, arguing by finally taking action to combat the province’s housing crisis he was waking from his ‘housing hibernation’. The backdrop was the then government’s plan to strengthen rent control legislation, which they implemented in 2017. While not a direct gendering of either tenants or landlords, the article discussed the paternalistic need of ‘papa bear’ Sousa to protect tenants from “being hosed by

heartless landlords” (Cohn, 2017). Throughout media reports and editorials during the period of the Liberal government’s expansion of rent control and the following year’s retrenchment by the then newly elected Progressive Conservative government, stereotypes of vulnerable tenants needing protection, and ‘rational’ property owners and developers responding to economic incentives were at the forefront. These stereotypes adhere to classic associations of masculinity as rational and action-oriented and femininity as vulnerable and in need of protection, with the government portrayed as a paternalistic figure.

To better understand how landlord-tenant relations are discursively constructed and represented, this article utilizes the theoretical lenses of hegemonic masculinity and emphasized femininity as popularized by Raewyn Connell (1987). Hegemonic masculinity, originating from the Gramscian concept of hegemony, refers to the construction of an idealized set of traits associated with a form of masculinity, which “...is always constructed in relation to various subordinated masculinities as well as in relation to women.” whose “interrelation is centered on a single structural fact, the global dominance of men over women.” (Connell, 1987: 183). When translated to the private-rental market, hegemonic masculinity can be seen as centering landlords’ (men or women embodying the landlord position) continuing dominance and valorization in contrast to the subordinated and maligned figure of the tenant. Relatedly, emphasized femininity (EF) refers to a form of femininity that “...is defined around compliance with this subordination and is oriented to accommodating the interests and desires of men” (Connell, 1987: 183). Applied to landlord-tenant relations, EF could include tenants willing to act in a conciliatory fashion towards their landlords. It is important to keep in mind that stereotypes associated with each of these theoretical concepts are not static and instead reflect, as Demetriou (2001) argues, “a constant process of negotiation, translation, and reconfiguration....” (Connell & Messerschmidt, 2005: 844).

Private rental housing and the social relation of landlords and tenants, in particular, remain under-theorized (Christophers, 2021; Desmond, 2016; Hatch, 2017) despite the importance of this relation in everyday life. Employing a feminist theoretical perspective while building on existing housing literature, this article investigates the symbolic and gendered constructions of landlord-tenant relations, highlighting one potential departure point for better theorizing

landlord-tenant relations and the broader relations between gender and housing systems. Through a discourse analysis of each government's respective policy backgrounder and 52 articles from the three most widely circulated national newspapers, spanning approximately eight weeks surrounding the implementation of expanded rent control in 2017 and the eight weeks surrounding the retrenchment of the same policy in 2018, this article explores the hypothesis that the discursive construction of tenants as feminized subjects negatively affects those obtaining housing from the private rental market. Portrayals of landlords and tenants broadly conformed to characteristics of hegemonic masculinity and emphasized femininity, respectively, with landlords most commonly portrayed as 'rational' and tenants most commonly portrayed as 'vulnerable'. While one may note that not all landlords are men, and not all tenants are women, in describing Connell (1987)'s model, Schippers (2007: 86) argues masculinity (in a general sense) is a "social location that individuals, regardless of gender, can move into through practice." Therefore, landlords, regardless of their gender, can benefit from landlords as a category being linked with traits and attributes of hegemonic masculinity.

While the direction of causality is unknown, stereotypes of landlords and tenants reflect the material power disparities between these two poles of the landlord-tenant social relation, and HM and EF provide a useful conceptual tool to understand the ongoing valorization of landlord masculinity and general denigration of tenants. The discursive gendered construction of landlord-tenant relations can help us understand the ongoing power imbalance defining landlord-tenant relations in Ontario's housing system notably by enabling a deeper understanding of how actions by these groups are perceived by landlords and tenants themselves and society more broadly. It further builds on the work of feminist scholarship in pointing to the continuing gendered nature of our housing systems and provides a jumping-off point to more deeply integrate gender into studies of private rental tenure.

Landlords, tenants and gendered housing relations

Housing has a long history of being the object of feminist scholarship, as the site in which gendered labour is undertaken and as a shaper of gendered relations (Blunt & Dowling, 2006; Hayden, 2002; Massey, 1994; Matrix, 1984). These works have argued that the home is

potentially a constraining place for women, a site of unpaid reproductive labour, which is reinforced both by the design of the housing itself and its ‘typical’ spatial relation to sites of recreation and paid labour (Somerville, 1994). What is less well developed is what Blunt & Dowling (2006: 14) characterize as “the relations between social structures and experience of place.” As much of this body of work originated from middle-class women (for example, the self-acknowledged standpoint of the Matrix collective) describing their experiences, and as the private rental market was dramatically shrinking in relative importance in the United Kingdom, differences in outcomes or experiences of private rental tenure were largely absent beyond comments that lacking ownership is a constraint on the home as “almost the only place where you can impose something of your own individually on your environment” (Matrix, 1984: 1).

Noting the importance of gender to the home, feminist scholarship has also argued that certain urban processes or social relations are themselves gendered. For example, Bondi (1991: 195), in her work on gentrification, argued that “frontier mythology...casts the urban pioneer as a hero whose heterosexual masculinity can scarcely be in doubt ... [and] that which is encountered, whether viewed as an urban wilderness or as an eroticized “other” is feminine.” Therefore, Bondi (1991) characterizes gentrifiers as masculinized and those living in gentrifying neighbourhoods as feminized. Thus, gentrification is a (primarily) urban social relation that takes on gendered characteristics.

Across a substantial cross-section of scholarship (primarily critical, geographical scholarship), gendered relations to ownership have been identified, if not always fully explored. For example, Bhandar (2018: 5), in her study of colonial origins of property and race, notes, “In this way, property ownership can also be understood as complicit in fabricating racial difference and *gender identities*” [emphasis added]. Critical geographer Nick Blomley (2004: 144) adds that “That women and men stand in uneven relation to property is clear. Women are not only often denied access to ownership but can become objects of ownership themselves.” Being able to own property, a status that women and racialized subjects have typically been excluded from means in practice, many of these elements can be seen in landlord-tenant relations. As outside the valorized norms of homeownership, renters have been portrayed as socially deficient, morally questionable, less deserving of rights, and with weaker claims to citizenship (Kern, 2010;

Blomley, 2004; Perin, 1977). Perin (1977:66) argues, “Being “able to own” is a threshold criterion to social personhood that renters, by definition, do not meet; they partake of less citizenship and on that account have lower status.” These categorizations show that renters are seen as ‘less than’ homeowners or landlords and suggest a level of objectification. Renters-as-less-than is echoed in other studies, notably Tester (2008)’s investigation of sexual harassment of tenants by their landlords, which suggest that landlords see their women tenants as part of their property.

Housing scholarship has primarily investigated landlord-tenant relations from a substantially different starting point, notably following Anglo-American housing policy in establishing a hierarchy of different housing tenures and, importantly, contrasting the less desirable tenure of renting with the most desirable tenure of homeownership (Christophers, 2019). As such, it is important to understand that the value attached to ownership and rental tenures are themselves socially constructed and that these values reinforce both the gender differences and material inequalities associated with each tenure.² One could develop this argument further using hegemonic masculinity to understand this broader social construction of housing both within different tenure categories (i.e. the work on the influence of gender within homeownership well developed by feminist scholarship) as well as between them (the general valorization of ownership as compared to public or private rental tenures). Further to the hierarchy of tenures, Somerville (1994), argues that because of the strong link between owner-occupation and the nuclear family, as owner-occupation grew so too would the marginalization of ‘non-traditional’ households who would be associated with the rental tenure. The marginalization of renting and renters has been borne out in other studies (Powell, 2015; Clair 2021; McKee et al., 2020), with McKee et al. (2020) noting a particular absence of lower-income tenant voices throughout the literature.

More broadly, property ownership has long been linked, initially directly, to citizenship (Krueckeberg, 2013) and, in more recent years, symbolically (Blomley, 2004; Perin, 1977). Historically women have also been deprived of the rights to both and severely disciplined for property ownership up to and including death (Rose, 1994). Even following the Second World

² Thanks to an anonymous reviewer for pointing this out.

War female-headed families were blocked from obtaining American Federal Housing Administration backed mortgages (Hayden, 2002). This absence of property ownership leads to what Blomley (2004:89) characterizes as a perception of being “not only incomplete citizens, but partial or deformed subjects.” Accordingly, masculinity has been linked with property and homeownership (hooks, 1992; Hoch, 1979). However, women headed households and homeownership has remained relatively under-investigated with notable exceptions of Kern’s (2010) research on women’s condominium ownership in Toronto, Allen (2002)’s examination of racial and gendered differences in homeownership rates of rural areas, Clair (2021)’s research showing how reductions in rent supports in the UK context disproportionately impacted women-headed households, Meth et al. (2019)’s examination of the benefits and risks for women regarding housing formalization in South Africa and India and Wyly et al., (2009) showcasing how women (and racialized women in particular) were targeted by predatory loans during the (brief) expansion of low-income homeownership that preceded the 2006-2009 Great Financial Crisis (GFC). Ultimately, Kern (2010) concluded that women’s needs in housing policy historically weren’t taken into account because of the assumption of women’s status as renters being a ‘temporary’ situation on the path to male-headed family households. Such concerns have been echoed in calls for greater emphasis and understanding of the role of gender in housing policymaking (Women’s Budget Group, 2018).

Further evidence of the importance of a gendered understanding (and discursive construction) of landlord-tenant relations is provided in several studies highlighting tenant selection. For example, Feldman and Weseley (2013) found that landlords were more likely to respond to emails from prospective tenants based on perceptions of race and gender resulting from the name of the prospective tenant. Women were more likely to receive positive responses than men, but white and Asian women were most likely to receive responses. Of men, Asian men were most likely to receive responses. They hypothesized that this difference was likely the result of stereotypes associated with each race and gender. Landlords were most receptive to groups perceived as docile, quiet and passive and most hostile to groups stereotyped as aggressive, messy and strong. Broadly speaking, Asian women, in particular, are stereotyped as the former and Black women as the latter (Pyke & Johnson, 2003). These findings are echoed by Allen

(2002), who found single black women were discriminated against based on stereotypes of ‘the welfare queen’ and Desmond (2012), who found that lesbians were considered ‘tough’ tenants.

Throughout the second half of the 20th-century, homeownership rates rose dramatically across most Anglo-American countries and became deeply normalized as the aspirational standard, or in other words, part of the ‘American Dream’ (Ronald, 2008; Forrest & Hirayama 2015). One of the most common forms was the single-detached family home in a suburban setting. This isolated housing form with its emphasis on the home as a feminized private sphere and the nuclear heterosexual family structure was targeted for feminist critique and challenge (Matrix, 1984; Dowling, 1998; McDowell, 1991; McDowell, 1999), the valorization of suburban homeownership was also highly detrimental to other forms of housing tenure, notably renting. While homeownership and the domestic, conservative nuclear family it promoted had long been perceived as the most desirable tenure in the Anglo-American context (Hayden, 2002), the neoliberal turn signaled, especially in the United Kingdom, a dramatic policy shift away from public (or ‘council’) housing, that had served as the primary alternative tenure following the Second World War.

Part of the reason for this is that much of government policy has focused on ‘asset-based welfare’ (alternatively known as ‘privatized Keynesianism’) following the neoliberal turn during the late 1970s and 1980s (Aalbers, 2016). Asset-based welfare is the idea that financial assets such as an owned home will provide financial stability for households that previously was provided by traditional social welfare programs. Accordingly, those who do not own homes, more likely to be women and racialized people (Kern, 2010; Schuetz, 2017), will suffer the greatest consequences of retrenchment of the welfare state while having the least insulation, shown in for example Clair’s (2021) study of the reduction of rental supports in the United Kingdom. Because neoliberal retrenchment shrank public sector housing and other traditional supports, these groups are most likely to end up in the private rental markets in highly unequal relationships with the owners of the properties they are renting, their landlords.

Literature on landlord-tenant relations remains primarily focused on the material impacts for tenants (Desmond, 2016; Fields, 2015; August, 2014; Tester, 2008) of various motivations for

decisions made by landlords (Allen & McDowell, 1989; August & Walks, 2018) or the resulting social conflict between landlords and tenants (Fields, 2015; Desmond, 2016). While this literature highlights significant issues (almost all benefiting landlords at the expense of tenants) in the housing market, including rapid increases in housing cost (August & Walks, 2018), the financialization of landlords, encouraging consolidation and the deployment of more aggressive and speculative strategies (August & Walks, 2018; August, 2014; Fields, 2015; Aalbers, 2016) and housing instability (Allen & McDowell, 1989; Desmond, 2016; Fields, 2015; Powell, 2015), it also explores the issues of sexual harassment by landlords (Tester, 2008) and eviction (Desmond, 2016) which disproportionately impact women tenants.

The scholarship has found landlords tend to have more power because of greater information, including the credit and work histories of their tenants, tend to be more informed about the law governing landlord-tenant relations, and have more information about local housing markets (Allen & McDowell, 1989; Beckman, 1972; Tester, 2008). These ‘information’ inequalities can be more significant when the landlords are more professionalized and larger (think corporation with 1000s of listings versus a landlord with one spare unit) (Allen & McDowell, 1989). In most jurisdictions, legal structures and outcomes favour landlords (Desmond, 2016; Hatch, 2017).

As shown, housing systems, acting primarily through limits to ownership, have always had distinctly gendered (and racialized) patterns. Housing scholarship is in agreement that homeownership has been favoured in Anglo-American countries from the second half of the 20th century onwards (Ronald, 2008; Christophers, 2019). Tenants have long been marginalized, often made more precarious by government welfare reforms (Powell, 2015) and remain in direct and unequal relationships with their landlords. HM and EF provide insight into the portrayal of these unequal relationships and serves as a starting point to fill this gap of scholarship within a materially focused housing literature.

Using hegemonic masculinity and emphasized femininity to understand housing

Since their initial theorizations in the 1980s, Hegemonic Masculinity (HM) and Emphasized Femininity (EF) have been broadly applied to explain gendered relations at a variety of scales

(global, regional and local) and across a variety of organizations and fields, including management, criminology and schools (Connell & Messerschmidt, 2005). This article forgoes a strict linkage of gender to individuals and instead follows Connell (1987) and Schippers (2007) in arguing that conceptions of gender can be applied to structures, and essentially, as in this case, other social relations such as that of landlords and tenants. Accordingly, through the theoretical lens of HM and EM, this paper argues the imbalanced power relations between landlords and tenants are reflected and reinforced via landlords being associated with valorized qualities of masculinity and tenants being associated with complementary forms of femininity. This imbalanced power relation between landlords and tenants reflects the worse material outcomes for tenants and the ongoing policy favouring of homeownership within the Anglo-American sphere. As rent (and therefore legislation regarding its regulation) represents the essential foundation of the relationship between landlords and tenants, rent control expansion and retrenchment in Ontario provides a case to explore the contemporary discursive media construction of landlords and tenants.

As such, while gender is clearly a factor that impacts tenure status and the material realities of renting, it has not been applied as an explanatory factor in the comparative valorization of ownership or in terms of theorizing the social relations of landlords and tenants. One such possible framework is the interaction of hegemonic masculinity and emphasized femininity, first introduced by Connell in her 1987 book *Gender & Power: Society, the Person and Sexual Politics*. Hegemonic masculinity refers to the construction of an idealized set of traits associated with a form of masculinity, which “...is always constructed in relation to various subordinated masculinities as well as in relation to women.” whose “interrelation is centered on a single structural fact, the global dominance of men over women.” (Connell, 1987: 183) Relatedly, emphasized femininity refers to a form of femininity that “...is defined around compliance with this subordination and is oriented to accommodating the interests and desires of men.” (Connell, 1987: 183). Connell developed hegemonic masculinity and emphasized femininity in response to prior conceptions of the ‘sexual character’ of men and women, in other words, that “women and men as groups have different traits: different temperaments, characters, outlooks and opinions, abilities, even whole structures of personality” (p. 168).

Notably, hegemonic masculinity (HM) differs from previous conceptions of “a general ‘male sex role’” which can be thought of as historical myths of intrinsic male difference (men are from mars) in part because “...the cultural ideal (or ideals) of masculinity need not correspond at all closely to the actual personalities of the majority of men” (Connell, 1987: 184). Instead of purporting to describe the intrinsic personality or personal characteristics of men as a category, Connell suggests that hegemonic masculinity embodied in the stereotypes of fictionalized portrayals of men such as Humphrey Bogart or John Wayne “sustains their power” and, as hegemony implies, is supported by men broadly (i.e. has widespread consent among men) (Connell, 1987: 184). Effectively these figures serve as a model for other men, one whose valorization contributes to the hierarchical dominance of men over women more broadly (Connell & Messerschmidt, 2005).

While Connell argues that men tend to support HM for a multitude of reasons, including fantasy gratification or misplaced anger, it obtains broad consent and support in large part because “most men benefit from the subordination of women, and hegemonic masculinity is the cultural expression of this ascendancy” (Connell, 1987: 185). As noted in the original theorization of ‘hegemony’ by Gramsci and by Connell in relation to HM, hegemony is contested and does not obtain universal consent but tends to be successful in preventing the rise of alternatives while being “constructed in relation to women and subordinated masculinities” (Connell, 1987: 186). For many reasons HM is a more useful way to understand masculinity than the ideas of ‘sexual character’ that came before it. Notably, HM considers the adaptability of masculine stereotypes and the relations between a prized form of HM defined in opposition to ‘subordinated masculinities’ and femininities and essentially provides explanatory power for why individuals may benefit from the perpetuation of hegemonic masculinity and dominate others. “Consequently, “masculinity” represents not a certain type of man but, rather, a way that men position themselves through discursive practices” (Connell & Messerschmidt, 2005: 841).

Many of the stereotypes or characteristics associated with HM in its early theorizations feel like direct holdovers from the ‘sexual character’ conceptualizations of gender. Such traits include physical strength, ability to use violence, and authority (Connell, 1987; Shippers, 2007). Reflecting shifts in prized traits associated with masculinity, as the study of HM was expanded,

so too did the identified stereotypes, such as Collier (1998), who found HM associated with traits such as “unemotional, independent, non-nurturing, aggressive, and dispassionate” (Connell & Messerschmidt, 2005: 840). Applied to ‘business’, traits associated with HM included “abstract, rational, calculating, highly instrumental, controlling of its object, future-oriented, strategic, and, above all, masculine and wholly disembodied” (Collinson & Hearn, 2005: 300). Connell (1998) identified similar patterns in her study of transnational business masculinity, which she argued was “marked by egocentrism, highly precarious and conditional forms of loyalty, and a declining sense of responsibility (Collinson & Hearn, 2005: 297).” In sum, HM reflects a detached, calculating and rational conceptualization of masculinity, valorized across multiple fields and settings.

Emphasized femininity is “defined around compliance with this [global] subordination of women and is oriented to accommodating the interests and desires of men (Connell, 1987: 183). Scholars have argued compared to HM, EF remains relatively under-theorized (Shippers, 2007) despite Connell & Messerschmidt (2005) arguing the relationship between the two is central to both. They continue (p. 848), “Gender is always relational, and patterns of masculinity are socially defined in contradistinction from some model (whether real or imaginary) of femininity.”

Like ‘masculinities’, there are multiple forms of femininity, but as theorized by Connell (1987), no ‘hegemonic femininity’ exists. EF instead is “organized as an adaptation to men’s power, and emphasizing compliance, nurturance and empathy as womanly virtues, is not in much of a state to establish hegemony over other kinds of femininity” (Connell, 1987: 188). EF represents a desirable form of femininity “To complement these [HM] characteristics in a way that subordinates femininity to masculinity, femininity includes physical vulnerability, an inability to use violence effectively, and compliance.” (Schippers, 2007: 91). Other stereotypes include “the display of sociability rather than technical competence, ...[and] compliance with men’s desire for titillation and ego-stroking in office relationships” (Connell, 1987: 187). Similarly, to HM, not all women need to embody characteristics associated with HM, but “the symbolic relationship established through these hierarchical complementarities provides a rationale for social practice more generally” (Shippers, 2007: 91) and importantly also for how to coordinate,

evaluate, and regulate social practices, and therein lies their hegemonic significance.” (Shippers, 2007: 92).

Connell (1987) argued that individuals do not need to possess qualities associated with HM directly to benefit from the association. As noted in other studies of the application of HM to workplace relations, “Rarely, if ever, is it possible to reduce complex organizational processes and power relations exclusively to issues of gender and/or masculinity.” (Collinson & Hearn, 2005: 304). But as Collinson & Hearn (2005) argue that it is flawed to reduce complex power relations simply to gender, ignoring the gendered dimensions of these relations similarly leads to critical analysis of such power relations to be lacking and flawed. This paper follows the broad scholarly application of the concepts of HM and EF from the media representation of men (Connell & Messerschmidt, 2005), in regards to the relationship between masculinities and crime (Connell & Messerschmidt, 2005), international relations (Hooper, 1998) and business organizations and practices (Collinson & Hearn, 2005) by applying it to the field of housing.

As such, HM and EF, linked to landlords and tenants, can help us better understand the portrayals of landlord-tenant relations. While this paper does build on theories of HM and EF by expanding their reach and providing another application, the primary goal is to better understand how one of the most ubiquitous (and arguably under-theorized) social relations of our time, landlord-tenant relations, are popularly portrayed. Accordingly, this work follows Massey’s idea that “intellectual work as a feminist involves not only working *on* gender but also, and I think in the end perhaps even more importantly, it involves confronting the gendered nature of our modes of theorizing and the concepts with which we work” (Massey, 1994: 12). In this way, tenure and the concepts of the landlord and tenant are interrogated.

Case study and methodology

As noted previously, this paper analyses the discourse surrounding the expansion and retrenchment of rent control in Ontario. Discourse analysis has a growing and substantial application as a research method in housing scholarship (see Hastings, 2000 for an early summary). While frequently oriented to understanding specific policies (Batten, 1999) or

political actors (White & Nandedkar, 2021), little work has been done on the discursive construction of landlords or tenants. One notable exception is Ronald (2008: 78)'s work on the ideology of homeownership, where, placed in contrast with the 'proper' tenure of homeownership, argued that tenants were associated with insecurity, economic irrationality, and a lack of autonomy and control. Landlords as a specific group were excluded from his analysis. But Ronald provides a strong argument for investigating housing actors through discursive analysis, arguing further that "It is not only state discourses that constitute one form of tenure and resident as inferior or superior, but also those individuals that occupy these tenures. Arguably, this constitutes a process of 'tenure polarisation' in thinking and discourse. The flow of power is discursive, with residents of different sorts becoming both the subject and object of disciplinary power. The state's role is central, but it too is mediated, and its role in housing provision constituted, by normalizing discourses." (Ronald, 2008: 78).

Arguments based on neoclassical economic ideals (most notably simplified models of supply and demand) remain common and frequently employed by housing research (Aalbers, 2016) and seemingly dominant in the media. The most notable stereotype is landlords portrayed as rationally responding to economic incentives. Using alternative terms such as 'investor' or 'developer' or as advocated by Ontario landlords themselves 'rental housing providers' (Edmiston & Faris, 2018; Kalinowski, 2018) serve to shirk the negative connotations associated with the term landlord. This shirking of 'landlord' broadly reflects trends within Canadian private rental markets with a movement from landlord-tenant relations that are highly personal and individual to a technocratic abstraction with massive corporate landlords (August, 2020) difficult to associate with individuals at all.

Rent, paid to access a property contractually, remains the central link between landlord and tenants, and therefore control over rent increases fundamentally influences landlord-tenant relationships. In response to rapidly increasing housing costs, the Liberal Government of Ontario introduced and passed the Rental Fairness Act in 2017 as part of a larger plan to improve housing affordability. One of the key policy changes was the expansion of rent control to all units within the private rental market in contrast to previous policies where only buildings constructed before 1991 were subject to rent control. In 2018, the Ontario Progressive

Conservative Government partially reversed the expansion of rent control by removing rent controls from newly constructed units, arguing that the previous government's bill hindered the construction of new supply. Rent control typically describes a series of regulations regarding how much rent can be increased. Both the expansion and rollback of rent control protections against the backdrop of an increasingly unaffordable housing market generated a significant amount of media interest providing ample material to investigate the discursive construction of landlords and tenants.

Rent is a fundamental cornerstone of the relationship between tenants and landlords. Accordingly, policy changes to rent control legislation represent outside adjustments to the power relations of landlords and tenants and the ongoing class conflict of these groups regarding the use and exchange values of housing. The case of Ontario allows a discourse analysis of recent discussion over the expansion of rent control (broadly thought to favour tenants) and its retrenchment roughly one and a half years later (a policy broadly thought to favour landlords). A focus on articles pertaining to rent control narrows the scope and reduces articles on extreme landlord or tenant behaviours, enabling an investigation of the day-to-day discourses surrounding landlords and tenants.

Using a similar methodology as Saurette & Gordon (2013) applied to newspaper articles and each government's respective policy backgrounder instead of blogs, the following discourse analysis consists of 2 policy documents, 52 news articles, opinion pieces and letters to the editors (referred to from this point as simply 'articles') from the three "flagship" newspapers of Canada's three largest print media corporations. These include the *Toronto Star* (the largest daily paper in Canada by circulation), the *National Post* and *The Globe and Mail*. A timeframe of six weeks before the legislation change and two weeks after was used to maximize the number of articles analyzed and the likelihood of including policy debates in the lead up to the implementation of legislation. Using the LexisNexis newspaper search engine returned 101 articles for the 2017 period and 54 articles for the 2018 period. After duplicates, articles about rent control in different contexts and articles where rent control was mentioned but not discussed were removed, 52 articles remained. The breakdown of these articles is shown in Table 1.

Table 4.1: A breakdown of the news articles by paper

	Toronto Star	National Post	Globe and Mail
April 15 - Jun 15, 2017	15	13	15
Oct 1 - Dec 1, 2018	7	1	3

Of these articles, rent control was the primary topic in twenty-one of them (dedicated entirely to the subject of rent control policy), and a partial topic in thirty-one (discussed at least somewhat, usually in the broader context of housing affordability). Twenty-five of these articles were news articles, twenty-three were opinion pieces, written by columnists or editorial boards, and four were letters to the editor.

Policy context and analysis

Introduced in 2017, Ontario’s Rental Fairness Act was the legislation updating the Residential Tenancies Act of 2006, the legal framework governing the private rental market. Assented into law on May 18, 2017, the main provision of the act was the expansion of rent control to all rental units, which served to limit the amount landlords could raise rents each year to 1.5%, with an exception for major renovations or upgrades (Government of Ontario, 2017). Prior to this legislation, there had been an exception on rent control for units constructed after 1991. In addition to rent control, the bill contained provisions to create a standard lease to “help tenants and landlords know their rights and responsibilities”, increasing the penalties for landlords’ misuse of reoccupying their units as a way to illegally evict tenants (known as landlords’ own-use provision) in addition to other smaller changes (Government of Ontario, 2017).

The Rental Fairness Act, 2017, represented two points of a broader 16 point Affordable Housing Plan (Ontario Ministry of Finance, 2017) primarily focused on making homeownership more affordable. In the government’s backgrounder document describing the rental protections, there is evidence of discursive portrayals of tenants and landlords. The background speaks of the need to “protect tenants” while “ensuring predictability for landlords” (Ontario Ministry of Finance,

2017), speaking to a government portrayal of tenants as vulnerable and landlords as informed decision-makers requiring more information. The Rental Fairness Act press release contained similar phrasing such as “protecting tenants” but in contrast to the broader affordable housing backgrounder hinted at the morally objectionable behaviour of landlords by characterizing their behaviour as “abuse” of existing legal mechanisms (Government of Ontario, 2017).

As part of the ‘2018 Ontario Economic Outlook and Fiscal Review’, Ontario’s new Progressive Conservative government introduced changes to remove rent control from newly occupied units. In the backgrounder document, the government characterized this move as a “balanced approach to protect existing renters while creating the right conditions to increase the supply of rental units” (Ontario Ministry of Finance, 2018). The term landlord was absent from the document. Arguably, much of the portrayal of tenants and landlords (despite their being discursively rendered opaque) reflected the same stereotypes as the Ontario Liberal Government roughly 18 months prior. Tenants and renters were vulnerable, landlords (or developers, investors, or condo owners) were rational, responding to economic incentives. This outlook was illustrated by the following quote used in their document, “Rent control is the exact opposite of what the GTA [Greater Toronto Area] market needs. We need more rental markets not less. If history is a guide, such a policy will mostly hurt the people it’s trying to protect.” In contrast to the previous government’s rhetoric was an absence of noting morally questionable or exploitive behaviours on the part of landlords.

Government positions helped inform the discourse analysis of the media representation of both policy changes. Clear arguments that renters were vulnerable, that landlords were rational (and being rendered invisible) emerged. Additionally, the arguments the two governments employed to justify their different policies, namely the 2017 argument that rent control helps protect tenants and it’s 2018 inverse that rent control hurts tenants were clear.

Results: rational landlords and vulnerable tenants

Out of the 52 articles examined, the most common argument employed was that rent control hindered the supply of housing, appearing in roughly 77% of all articles. The second and third

most common arguments, respectively, were that rent control protects tenants, present in approximately 31% of articles and that rent control has no impact, or a limited impact on the supply of housing which appeared in 23% of all articles. Finally, arguments that rent control hurt tenants and hurt landlords were also relatively common, with 19% and 15% of articles making these arguments respectively.

Table 4.2: The number of articles where each argument on rent control was present (% of total number of articles):

Hinders supply	Protects tenants	No impact on supply	Hurts tenants	Hurts landlords	Other
40 (77%)	16 (31%)	12 (23%)	10 (19%)	9 (17%)	11 (21%)

Present in 77% of articles analysed, ‘rent control reduces rental housing supply’ reflects an increasingly common argument in housing scholarship and policy debates, that the current housing affordability crisis is a crisis of supply (Imbroscio, 2019). This argument relies on simple economic models around supply and demand, arguing that rent control disincentivizes both ‘developers’ and ‘investors’ who would otherwise construct and rent housing units from doing so because with rent control there is less profit potential. Accordingly, it reflects an idea of landlords, or ‘would-be landlords’, as rational economic agents, responding to policies in an attempt to maximize financial returns motivated by few if any other concerns. When the arguments are centered on supply, the immediate well-being of tenants is erased from the discussion; instead, vague arguments are made that a lack of controls will somehow help future potential renters.

For example, many articles arguing against the expansion of rent control (or for its retrenchment) stated that the expansion of rent control would cause ‘rational’ housing developer cum landlords to suddenly stop producing housing. “If you’re concerned if you can rent them out [at] an economic rent... they’re not going to get built,” said Brian Johnston, chief operating officer of Matamay Homes. “It’s going to constrain supply.” (Giovannetti et al., 2017). “Supply is the key

word. The long-term answer to the affordability crunch is to build more places to live. Expanding rent control risks choking off the supply of new rental housing when it is needed most. The dismal scientists are right. Rent control is a thoroughly awful idea” (Gee, 2017). These arguments were made despite the fact that new construction was exempt under the 2017 expansion of rent control. The same arguments were present in 2018 in support of the PC’s governments retrenchment of rent control,” To fix our supply problem and create more rental housing in the GTA, change needs to be made to the existing rent-control regime that encourages more investment and construction of new rental housing” (Irwin, 2018). These discussions reflect more generalized arguments around the effectiveness of rent control (Slater, 2020)

It is important to note that landlords and developers were being consistently portrayed as rational in threatening to shut down housing production or abandon the private rental market in response to the potential of strengthened rent control laws alone. The complexity of decision-making processes and other factors influencing decisions to rent or build were absent (such as demand for rental housing or government incentives for construction). Instead, landlord and developer ‘economically’ driven decisions were always rational. A quote from after rent control was strengthened illustrates that other factors may have been more important to developers “Similarly, rent control was expanded in Ontario last year we were told the usual stories: 1,000 units were lost, projects were canceled and landlords would stop renting. But reality is a funny thing: one year later, far from cratering, rental housing development has surged to its highest levels in decades” (Dent, 2018).

Perceived rationality is one of the traits most closely linked to hegemonic masculinity. Landlords benefit from this association with rationality (whatever their actions may be) which facilitates policy crafted explicitly in their interests. Effectively, landlords making reactive and irrational statements (as shown in the previous paragraph) was popularly portrayed as ‘rational’, facilitating them holding a province hostage to get their preferred outcome. Simplistic economic ‘rationality’ serves as a cloak to obfuscate more in-depth and holistic understandings of actions taken by these individuals (either as individual landlords or individuals within corporations).

Table 4.3: The number of articles where each portrayal of tenants was present (% of total number of articles):

Vulnerable	Not portrayed	As objects/no agency	Exploitive	Fearful	Other
25 (48%)	16 (31%)	13 (25%)	4 (8%)	2 (4%)	4 (8%)

If landlords are constructed hegemonically in a hierarchical relationship with their tenants, then ideal tenants would be discursively constructed much in the same manner as emphasized femininity, complementing the landlords through being portrayed as possessing limited agency and needing to be protected. Both the arguments that rent control protected tenants (present in 19% of articles) and that rent control hurt tenants typically (present in 15% of articles) tended to convey the notion that tenants were vulnerable. The portrayal of renters as ‘vulnerable’ was present in nearly 50% of articles examined (25 articles total) and was the most common portrayal of tenants by a substantial margin. For example, Toronto Mayor John Tory argued: “There are a lot of tenants who are finding it hard to make ends meet and there are some who have faced these extraordinary increases which are, in my view, kind of ridiculous,” (Benzie, 2017) conveying a level of economic vulnerability that rent control would help eliminate. Other examples included, directly arguing that tenants were ‘vulnerable’ and that they would be protected by rent control “Under the new rules, announced Thursday, all occupied private rental units built after 1991 will now be protected by rent controls, or no longer vulnerable to an exemption that allowed landlords to boost the rent to whatever amount the market or their tenants could bear” (Mathieu, 2017). Similar arguments were present in 2018, “tenants deserve to have the security of knowing they won’t be evicted from their homes because they can’t afford an overnight doubling in their rent,” Toronto City Councillor Josh Matlow said in an interview” (Kiladze & Gray, 2018).

In contrast, many articles argued that rent control would hurt tenants and make them more vulnerable. For example, one columnist wrote, “Ah, well. I have rent control. All is well. They’ll haul me out of this place in a coffin in 60 years. Unless the owners sell it to someone who wants to live in it, that is, in which case I’ll be flung out into a rental market that could be even tighter than it is now... thanks, in some part, to rent control” (Selley, 2017). Or, building on the idea that developer-landlords would respond ‘rationally’ to these new set of economic incentives

“Because landlords face limits on how much they can raise rents, they often skimp on maintenance. That’s renters, who have to live in deteriorating housing. Because developers face limits on what they would earn from rental projects, they build fewer of them. That’s bad for renters, too, because apartments are harder to find” (Gee, 2017). In this scenario, tenants are portrayed as passive, silently suffering with deteriorating housing due to the unchallenged calculating rationality of their landlords. While individual tenants do have less power in landlord-tenant relations, their portrayal as vulnerable suggests a dependency on government and landlords and a lack of collective agency, an association of femininity supporting the current paradigm of landlord-tenant relations. Shippers (2007), noted that EF is closely linked to vulnerability and compliance. Media discourse around the expansion and retrenchment of rent control closely associates tenants with this vulnerability and assumed compliance towards landlords. Tenant agency to improve their conditions through collective action is downplayed. Only the government can fill a paternal and protective role while balancing the ‘rational’ interests of the landlord class.

While ‘no portrayal’ of tenants was the second most common portrayal, this was often associated with a portrayal of tenants as objects. This ‘no portrayal as object’ argument may seem contradictory, but frequently the “non-portrayal” of tenants discussed “revenue sources” and “income” for landlords detached from their human source, tenants. Landlords become the protagonists of the discourse around housing policy (Rosenthal, 2021), with landlords’ exchange values being portrayed as the central housing issue. The figure of the landlord serves as a ‘neutral’ or perceived objective subject which political leaders feel comfortable trying on, especially considering almost 20% of Ontario provincial legislatures are themselves landlords (Mastracci, 2021). Tenants in contrast, were seen primarily as the object, lacking agency, being spoken for by government officials. Particularly salient, during the 2017 rent control expansion, tenants in the neighborhood of Parkdale launched a rent strike. This tenant action was only mentioned in one of the 52 examined articles, and this article was the only one examined that suggested tenants had agency. Accordingly, in portraying landlords as rationally responding to financial incentives, tenants were portrayed as a captive and often unlimited resource without agency. Housing was reduced purely to its exchange value. This object portrayal reflects Tester

(2008)’s argument that landlords saw tenants as ‘part of the property’ and as dehumanized an object to be acted upon, reflecting the passivity associated with EF (Shippers, 2007).

Other less common portrayals of tenants included that tenants are deceitful and exploitative (8% of articles), that tenants are fearful (4% of articles), or purely a political constituency to be won (4% of articles). Tenants were portrayed as exploitative in that they would remain in ‘cheap’ units for ‘too long’ if rent control was passed, “Further, artificially low prices encourage people to stay in their rental apartment in prime locations for longer than they otherwise would, and not make room for others who would move in” (Goldreich, 2017). This idea of individual ‘tenants as exploitive’ for staying in homes “longer than they otherwise would” stands in stark contrast to the portrayal of landlords who, responding to ‘negative’ economic incentives, were predominantly portrayed as ‘rational’. Tenants could easily be portrayed as similarly rational, responding to ‘positive’ economic incentives, but instead, are tarred as exploitive. This differing perception of rationality speaks to tenants not being seen as potential full citizens (Blomley, 2004; Perin, 1977) or subjects but instead being relegated to an othered status.

Table 4.4: The number of articles where each portrayal of landlords was present (% of total number of articles):

Rational	By other names	Exploitive	Victims	Different portrayal based on size	Other
37 (71%)	20 (38%)	13 (25%)	11 (21%)	7 (13%)	10 (19%)

In addition to commonly being portrayed as ‘rational’ economic agents, landlords were characterized as exploitative (25% of articles). ‘Landlord as exploiter’ broadly fits with popular representations of landlords as ‘folk devils’ (Allen & McDowell, 1989) or as malicious and greedy individuals. For example, “In the condominium market, individual investors have long used the tactic of moving into their own units to evict tenants. The tenant leaves, the landlord temporarily moves in and then rents the unit again - this time at a higher price” (Marr, 2017).

Similarly, landlords were portrayed as vindictive in roughly 10% of the articles. One such portrayal was written by a tenant activist in an opinion piece “Without rent control, most of the laws that protect tenants are useless. Trying to force your landlord to do maintenance or respect privacy? You might get hit with a massive rent increase in retaliation. That’s what was happening in Ontario before last year’s expanded rent control” (Dent, 2018). These aggressive and uncaring characterizations further reflect the traits identified with HM. Here the perceived role of the government to mitigate or referee the social relations between landlords and tenants is clear.

One unexpectedly common finding was the characterization of landlords as victims (present in 21% of articles). While some landlord literature from periods of relative disinvestment in housing acknowledges the financial hardship and difficulties associated with small scale landlordism (notably Sternlieb, 1969), this is far less common in contemporary scholarship. ‘Landlord as victim’ narrative is occasionally present in nightmare tenant stories (for example, see Mathieu, 2014), but it was unexpected in debates surrounding rent control. One dramatic opinion piece argued that “The promise to expand rent controls will kill the purpose-built rental construction industry overnight” (Annibale, 2017). The ‘landlord as victim’ provides a notable exception to other associated traits which more closely adhere to ideas around HM though frequently relies on the same conceptions of landlords as rationally responding to supply-side incentives. For example, landlord victimhood effectively reflects reduced profits or the sale of real estate in lieu of other investments, not a threat to health or wellbeing as it does for tenants.

Only one article contained explicit gendering of any of the actors involved, and the gendering was not of landlords or tenants. This article, an opinion piece by Toronto Star columnist Martin Cohn described Ontario Liberal Finance Minister Charles Sousa as ‘Papa Bear’ throughout. While portraying a paternalistic idea of the role of government in the housing sector, the article’s author does not seem to suggest an altruistic motivation for protecting tenants. Instead of altruistic, Cohn (2017) argues Sousa had a political motivation, “Fearing the opposition NDP would gain traction from recurring stories of tenants being hosed by heartless landlords and low vacancy rates, Papa Bear responded by crying Uncle Bear.” A paternalistic portrayal of government seems relatively common with both Ontario’s and British Columbia’s Premiers

referred to as ‘Premier Dad’ during the COVID-19 pandemic (Jeffords, 2020; Palmer, 2021) and, in this case, primarily emphasizes the relative vulnerability of tenants.

Discussion and Conclusion

The discursive analysis showed that landlords tended to be associated with ‘masculine’ stereotypes of rationality and aggression despite the (ir)rationality of their actual actions. In contrast, tenants were associated with feminine stereotypes such as vulnerability, passivity and object status and not associated with rationality. HM and EF provide insight into how unequal tenant-landlord relations are discursively constructed. Like men more broadly, landlords benefit from traits associated with HM even if they themselves do not embody them or they themselves are not male. Similarly, landlords benefit from the portrayal of tenants as passive victims in need of paternalistic government protection. What this means is that landlords benefit from traits associated with HM and tenants being associated with EF. These portrayals are, in turn, representative of existing unequal power dynamics of landlord-tenant relations and, through this construction, may impact the material outcomes from those obtaining housing in the private rental market. More broadly, this paper highlights the continuing importance and relevance of building on existing feminist scholarship regarding housing and using gender to understand housing systems.

The role of the state is to mediate between these two social groups, occasionally appearing as an outside and paternalistic figure. Appeals to landlord rationality are straightforward, fitting largely within the dominant neoclassical economic discourse and are accordingly valorized. And as shown by Powell (2015), when these assumptions are uncritically applied to policy creation can have negative results for both landlords and tenants. Landlord demands tend to be far more legible to the state, being within the realm of typical policy action favouring a reduction of regulation and appearing to be in the general economic interest. In contrast, arguments on how to protect vulnerable tenants are more contested. For example, as shown above, rent control was argued to both harm and protect tenants. The former of these arguments is aligned with the ‘rational’ landlord. It is of course telling that tenant advocates are never the ones advancing this ‘rent control hurts tenants’ argument but their real-life experiences and on the ground knowledge

of landlord tactics are dismissed in the name of economic rationality. In contrast, tenants were not portrayed as rational, even when their actions (such as remaining in less expensive housing for longer) could be seen through the same lens of neoclassical economic rationality.

Stereotypes of landlords in the literature closely approximate Connell's (1987: 181) conception of the new professional masculinity relying on a "combination of theoretical knowledge with technical expertise..." which "has been constructed historically as a form of masculinity: emotionally flat, centered on a specialized skill, insistent on professional esteem and technically based dominance over other works." What is interesting is the lack of any discursive construction of landlords' blue-collar skill sets. Not once within the 52 articles were skills in trades discussed. Blue-collar masculinity was erased through labels alternatively used for landlords, such as 'investor' or 'developer' which have no association with manual tasks, construction or trades but do have associations with power, wealth, and rationality. The landlord has largely been remade from the figure who occasionally repairs your home or acts to improve its use-values, paralleling the general remaking of the home away from its use-values to primarily an object of financial exchange.

Similarly, as noted earlier, 'landlord' is a highly heterogeneous category. Some landlords as individuals can be kind, caring, or may be demure or passive in the face of aggressive tenants. Some landlords may actively be expanding rapidly, relying on aggressive profit maximization schemes, while others might have inherited their rental property. Landlords as a whole still benefit from a general association with HM, and similarly, landlords benefit from tenants being associated with EF. In effect, this paper echoes the work of Graziani et al. (2020: 5) who argue, "It is time to dispense of the myth of 'mom and pop' landlords", noting the ongoing argument of convergence among landlords in terms of strategies employed and motivations (Halia, 1988; August & Walks, 2018; Graziani et al, 2020; Gilderbloom, 1985). While as Powell (2015) points out, different *relative* relations between landlords, tenants and governments remain, landlordism (universally), in effect, is rendered a 'masculine practice' which enables landlords (all landlords) to produce masculinity from performing these practices and benefit from its comparative hierarchical position (Schipper, 2007) to the femininely rendered renters. It also allows

landlords and the type of masculinity they embody to be legible to policymakers and others with a vested interest in perpetuating the power of masculine rationality.

Schippers (2007: 91) argues that the characteristics of hegemonic masculinity “guarantee men’s legitimate dominance over women only when they are symbolically paired with a complimentary and inferior quality attached to femininity.” From the perspective of landlords and tenants, this appears to be the case. Tenants are and remain stigmatized from multiple locations, notably through their lack of property ownership, challenging claims to citizenship, through their portrayal as vulnerable and passive agents in the discourse, and through continued policymaker prioritization of homeownership while portraying renting as an inferior form of tenure.

Alternatively, class may be another lens to investigate the inequalities between landlords and tenants, but class alone does not appear to encompass the gendered elements of the discursive representations of landlords and tenants. As shown, docility and object status are associated with tenants, but traits closely linked to forms of emphasized femininity and less closely linked to class alone. As such, Federici (2004: 14) provides an understanding of how landlord-tenant relations can be impacted by both class and gender arguing that “...gender should not be considered a purely cultural reality but should be treated as a specification of class relations.” Accordingly, a class-based investigation (or discursive lens) likely adds complimentary understanding to the gendered discourse surrounding landlord-tenant relations.

Associations of EF may impact material relations between landlords and tenants via decreasing tenants’ understanding of their collective power and instead reinforcing portrayals of tenants as powerless and passive. Many tenants feel forced into the false decision of attempting to make use of inadequate government protections or attempting to appease and be conciliatory to their landlord as a form of survival strategy. Findings of tenants constructed as powerless and passive echo self-reported attitudes among young renters who felt the need to convince their landlords that “they were a ‘good tenant’ (McKee et al. 2020: 1481) because of a lack of alternative housing options.

As such, the imaginary of tenant action is precluded by their portrayal of being reliant on government protection and as atomized. Landlord deployment of legal loopholes or extralegal actions can result in successfully forcing tenants from their homes in contravention of the spirit of various laws, one example being the likely illegal use of N12 provisions (allowing a landlord to evict for own use or immediate family member use) in the Ontario context (Dingman, 2019). The only body with the legal power to close this loophole is Ontario's provincial government which has thus far been unwilling to act reflecting the idea (and often material realities) of tenants as victims of landlords relying on external forces to check landlord power. The discursive construction as such serves to close alternative solutions for tenants, namely the potential for collective power through organizing. As in the original Gramscian theorization, Connell (1987) discusses the rise of challenges to HM and the possibilities of counter-hegemonies. Organized tenants are proving that decisions to acquiesce to landlords or wait for better government policy are a false dichotomy. In Ontario alone tenant groups have blocked evictions (Tunney, 2021) and successfully fought rent increases through a rent strike (Webber & Doherty, 2021). More research is required, but tenant actions in Ontario and elsewhere, such as the Los Angeles Tenants Union (LATU) or Berlin's Deutsche Wohnen & Co Enteignen! movement to expropriate privately owned apartments may signal significant changes in landlord-tenant relations which may show up in discursive constructions of landlord-tenant relations.

There are several potential avenues of future research. One such would be a simple expansion of this discourse analysis either through more articles, or more articles and locations. Notably, a comparative case with a society where renting is comparatively more valued and more associated with the middle class may help illuminate intersections between housing tenure and race and class that were not directly discussed in this paper. As Doreen Massey (1994: 2) argued, "Geography matters to the construction of gender, and the fact of geographical variation in gender relations, for instance, is a significant element in the production and reproduction of both imaginative geographies and uneven development." Additionally, there is very little information collected on the demographics of landlordism. While the limited studies that collect demographic information suggest that landlords are majority men (for example see: Rosen, 2014; Gilderbloom, 1985) future research on gender differences in landlordism would may reveal that

women landlords are more like to embody a form of masculinity in which they are stigmatized as being 'aggressive' (Schippers, 2007: 95) which reduces their challenge to male dominance.

Noted by Massey (1994: 183), in her discussion of place, "the hegemonic spaces and places which we face today are not only products of forms of economic organization but reflect back at us also – and in the process reinforce – other characteristics of social relations, among them those of gender." Hegemonic masculinity and emphasized femininity provide an important theoretical lens for examining social relations between landlords and tenants, one which may help to build a broader theory of housing and illuminate the continued valorization of homeownership at the expense of other tenures. HM and EF serve to create a type of Gramscian 'common sense' (i.e. commonly held beliefs without the positive connotations) surrounding what landlords and tenants are and importantly, what their range of action is. Identifying the gendered nature of private-rental markets and its impacts on landlord-tenant relations is the first step in challenging them.

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How does 'Don't wake papa bear!' relate to the broader dissertation?

One of the key interventions of the overall thesis is a response to the documented lack of theory or engagement with theory in housing scholarship (King, 2009; Kohl, 2018). 'Don't wake papa bear!' responds to this documented under-theorization by utilizing the theoretical concepts of hegemonic masculinity and emphasized femininity to understand landlords and tenants. This paper further discusses how feminist theory has generally been applied to housing scholarship.

Additionally, using the concepts of HM and EF to understand landlord-tenant relations also points to how landlords' and tenants' media representations are 'depoliticized' into 'common sense' understandings of what landlords and tenants are. While helping the overall dissertation clarify what the landlord is, understanding the supposed 'neutrality' of our institutions and landlords and tenants helps to develop new or transformed understandings and push back against the inequality at the heart of this relation. This depoliticized understanding reflects the ideological power of landlords, who like (Hulse, et al., 2020) are argued to be seen as the protagonists of housing policy and how this understanding continues to be reproduced.

Finally, 'Don't wake papa bear!' like much of this dissertation, works against the idea that renting is a temporally bound 'Wacky time of life' (McElroy, 2019). This idea of renting as non-normative and temporarily bounded hurts all renters, but especially those who are not able to transition to a different tenure. The fact that renting is increasingly permanent, especially in Anglo-American countries with limited non-market or public housing stocks and increasing costs of homeownership, speaks to this dissertation's general claim that renting and renters cannot be treated as an afterthought.

Chapter 6: ‘Housing fatalism’ and the creation of the benevolent landlord: understanding policymakers in Phoenix’s housing system

By: Danielle Kerrigan

September 2023

Abstract:

The summer of 2023 in Phoenix was notable for at least two reasons, sustained record-breaking temperatures, and evictions reaching a 15-year high. The year before, Phoenix rent and housing cost growth was among the highest in the nation. And while the problem is well documented and visible on Phoenix’s streets, local policymakers largely tinker with existing inadequate programs and policies or discuss tinkering with existing inadequate programs and policies. Policymakers’ responses are driven by a series of interrelated factors, notably legal constraints on alternative housing policies, such as rent control or inclusionary zoning, and a path dependency bias towards existing, inadequate programs and solutions. In turn, these constraints and policy choices are driven by policy capture of landlords who maintain oversized political and cultural influence in Maricopa County (of which Phoenix is the largest city). These factors have created a context of ‘housing fatalism’, a framing borrowed from climate scholarship, whereby policymakers believe that nothing can substantially change and instead react by treating those benefiting from the crisis (landlords) as benevolent potential partners. The ‘housing fatalism’ of Maricopa County policymakers provides insight into why cities are struggling to grapple with the ‘housing question’ but also that policymakers do have capacity to act to improve outcomes for tenants. Tapp’s (2023) concept of a public real estate state shows such a potential avenue but requires a re-politicization of landlord-tenant relations and an understanding of the factors driving ‘housing fatalism’.

Introduction:

In 2022, conservative estimates suggested that nearly 800 unhoused people died in Maricopa County (of which Phoenix is the largest city), a 42% increase from the year before (Rihl, 2023). During the record-breaking heat wave in the summer of 2023, the City of Phoenix employees continued to destroy the tents and shelters of the unhoused, their only means of shelter and protection against sustained above 110-degree Fahrenheit (approximately 43 degrees Celsius) temperatures (Fortin & Gahan, 2023). And while these horrors were ongoing on the city’s

streets, Maricopa County's eviction machine was in full swing. Befitting the record-breaking heat, during the summer of 2023, evictions in Phoenix reached a 15-year high (Reagor, 2023). Even these grim numbers drastically underestimate the housing problem of Maricopa County. Formal eviction measures exclude the mass of involuntary displacement occurring as tenants have no protection from rent increases or lease non-renewals. Waitlists for housing choice vouchers (HCVs) are mostly closed, and even obtaining a voucher does not guarantee finding a landlord who will accept it, as the number of housing units active in these HCV programs have plummeted across the county's municipalities. Tenants have no ontological security in their homes and, often, nowhere else to go.

The response of government and NGO policymakers and experts has been disproportionate to the level of crisis. Despite the widespread and immediate needs, as Maricopa County renters and the unhoused struggle, government policy and housing experts have conceived of the solutions to rising costs primarily by creating more favourable conditions to build more housing, either by actively working to decrease NIMBY resistance or by making it financially more appealing to build more housing and to incentivise the participation in already existing programs, notably the Housing Choice Voucher (HCV) program. Most policymakers, NGO employees, and even landlords see conditions further deteriorating, even if these policies are implemented.

I argue that these inadequate responses are because of a series of interrelated factors, notably legal constraints on alternative housing policies, such as rent control or inclusionary zoning, and a path dependency bias towards existing, failing programs and solutions. In turn, these constraints and policy choices are driven by policy capture of landlords who maintain oversized political and cultural influence in Maricopa County. These factors have created a context of 'housing fatalism', a framing borrowed from climate scholarship, whereby policymakers believe that nothing can substantially change and due to their constrained capacity to act, feel they must rely on those benefiting from the crisis (landlords) and recast them as potential benevolent potential partners.

Housing scholarship in general, has been noted for being under-theorized (King, 2009; Kohl 2018). Adapting theoretical concepts from other fields can help us better understand how private-

rental markets function and in this case helps us to understand policymakers' views of and treatment towards landlords. Climate framing is particularly apt for understanding Phoenix because of how the climate and housing crises are deeply intertwined, particularly in this desert city with its historical growth driven by real estate boosterism (Ross, 2011). Using Mayer and Smith's (2019) definition of 'climate fatalism', which they use to "refer to personal beliefs that climate change is unstoppable and related lack of agency to make an impact." I argue that climate fatalism can be operationalized into policy via three key characteristics, 1) a belief among policymakers that they are largely unable to solve the significant problem at hand; 2) effective capture of the political imaginary and intuitional context by those who stand to lose most from solving the problem in the short- to medium-term, and 3) resorting to policies and solutions that are unlikely to have an impact, which treat the antagonist (or capturing group) as a potential benevolent partner.

To explore the conceptual fit of 'housing fatalism' amongst Maricopa County policymakers and landlords, I rely on 21 semi-structured interviews with landlords and key housing policy actors conducted between March and May 2022, in addition to key document analysis. I conclude that 'housing fatalism' provides us with strong insights into policymaker's understandings of their own roles and ability to influence the course of Maricopa County's private rental system. Further, this 'housing fatalism' contributes to the predominant understanding of landlords as potential benevolent partners, who through education and moderate incentives may be able to provide adequate housing to some low-income and other households even against their own material and financial interests. Following Tapp (2023), I argue that Maricopa County policymakers and others have the potential to remake their landlord and real estate industry driven 'real estate state' (Stein, 2019) into a 'public real estate state' but need first to recognize that landlord-tenant interests are oppositional (Kerrigan & Wachsmuth, 2023) and that landlords, instead of benevolent potential partners are the antagonists, benefiting from tenants' collective precarity.

I argue that 'housing fatalism' could help us understand how housing policy gets made beyond the Maricopa County experience and how to challenge what appears to be a fatalistic default. While each context is different and represents an interaction between structural forces such as

financialization and local contexts (see August, 2020), in an era where possible solutions are so narrowed, forms of ‘actually existing’ housing fatalism are likely shared by much of the Anglo-American world.

The paper is structured as follows: I first discuss existing literature on policymakers’ and planners’ influence over governing decisions as well as contemporary attitudes towards landlords and landlord organizing. Next, I discuss the development of a type of ‘policy fatalism’ based on the literature surrounding climate fatalism, arguing there are three key aspects as well as noting that fatalism is also present in urban studies literature. After detailing the paper’s methodology, I provide details on the Maricopa County context, briefly outlining the history of the local political economy of housing and the contemporary legal and regulatory framework governing landlord-tenant relations. The next three sections represent the core of the paper’s findings, showing how Maricopa County policymakers feel unable to solve the crisis, how the institutions have largely been captured by those who oppose solving the crisis, and how this results in a policymaker understanding of landlords as benevolent potential partners. The final section argues that a form of ‘housing fatalism’ does not need to be policymakers’ default attitude. Instead, they do have the power to remake their institutions into a form of ‘public real estate state’ that can shift the dynamics of housing systems in favour of those with the most need. I argue though, that this shift has to be politicized. Policymakers need to understand at the core, tenants and landlords are in antagonistic conflict. Accordingly, to change the dynamics of the system instead of reinforcing existing power relations, policymakers must pick a side.

[Literature Review: The policymaker and the landlord](#)

Broadly, housing scholarship is in agreement that governments (be they federal, state, or local) play a role in shaping housing systems (Bernt, 2022; Madden & Marcuse, 2016; Stein, 2019; Hatch, 2017). Some see the role as primarily negative based on the imposition of various regulations, standards, zoning codes, and rent control (see Glaeser & Gyourko, 2003 for an example), what Madden and Marcuse (2016) refer to as the myth of the meddling state. Others have noted how local policies can influence the interaction between highly localized housing segments and broader economic trends such as housing financialization (August, 2020) or state-

driven gentrification (Stein, 2019). Less is known about how attitudes of key policy actors in local housing sectors shape these policies.

Historically, urban governance was primarily theorized to be a by-product of ‘pluralist processes’ or one where “universal suffrage turns politics into an open and penetrable process, yielding to those who become active around particular interests salient to them” (Stone, 2005: 310). This neutral telling supposes an almost invisible bureaucracy ready to act on the whims of governing coalitions. Logan and Moloch (2007) tell a contradictory story via the development of their theory of the ‘urban growth machine’ pointing to the fact that growth (typically via land use intensification) is a shared goal of most place-bound urban elites, a group who tend to dominate local government in large part because they have the most to gain or lose from land-use decisions. Whether governance is driven by elites or is a pluralist process both perspectives sideline planners and policymakers from their analysis be they state, municipal or NGO employees.

What is the role or ability for policymakers to influence or set policy? Policymaker is of course, a broad category, one that could include politicians, urban planners, managers of affordable housing programs or employees managing NGOs. Stein (2019: 9), in his analysis of city planners and their relation to the real estate state, argues that “...planners are still beholden to politicians and their political appointees. Their agendas almost always tend to favor their most powerful supporters—a group that usually includes some strain of real estate capital.” Further, he goes on to argue that while planners do not seek to serve the interests of real estate capital (and that they are mostly nice people), that is often exactly what they do (Stein, 2019: 26). The consensus becomes that planners and other policymakers have little capacity to challenge macro trends (for example deference to market logics) within formal institutional guidelines, but instead may be able to act outside of them to support different outcomes (Stein, 2019; Laskey & Nicholls, 2019). Somewhat in contrast, both Adams & Tiesdell (2010) and Tapp (2023) argue that planners could be more powerful and make better use of their institutional positions. Tapp (2023: 178) warns that not using this institutional power has potential consequences, notably that “when the state shirks from its mandate, it cedes public power to private actors.”

While it has been established that landlords' interests tend to be well represented in municipal and state policy (Logan and Moloch, 2007; Stein, 2019) the relationship between this and policymakers' attitudes is under investigated. In general, and especially in contrast to an emerging body of literature on tenant organizing influencing policy (Card, 2022; Vollmer & Gutiérrez 2022; Huron, 2018) there seems to be little acknowledgment or engagement about the potential for landlords and their interest groups to shape state policy and attitudes (see Gurran & Phibbs, 2015; Hochstenbach, 2022; and Risager, 2021 for exceptions). Hochstenbach (2022: 337) found that Dutch landlord lobbies "pushed a narrative that the removal of institutional barriers would enable landlords to provide housing for the squeezed middle class." In contrast, Risager (2021) found that Hamilton landlords attempted to change their image by attempting to convince the public (and themselves) to use the term 'housing provider' instead of 'landlord'.

More recently, there has been a series of studies trying to understand how landlords are discursively constructed popularly, most importantly in the media (Hulse et al., 2020; Kerrigan, 2022) and by political debate (Roberts & Satsangi, 2021). Writing from Australia Hulse et al. (2020: 996) identifies an 'everyman' archetype where buy-to-let landlords have been politically valorized "with connotations of enterprise and self-sufficiency." Similarly, writing from Canada, Kerrigan (2022) found that landlords were portrayed as rational despite their actual actions and speculated like Hulse et al (2020) they were likely seen as the 'protagonists' of housing policy. Somewhat in contrast, Roberts & Satsangi (2021) bring up the presence and persistence of the idea of the 'bad landlord' in Scottish parliamentary debates, noting that critiques' are often heavily qualified ('not all landlords') but that such an image serves a political and potentially populist backlash.

Theoretical Framing: Climate Fatalism

There is clear consensus that climate change is real and that without significant interventions, it will lead to untold disaster. The impacts of climate change are already visible on the streets of Phoenix, with record-breaking heat waves and fears of water shortages. Phoenix is becoming less inhabitable and according to Ross (2011) is the 'least sustainable city'. One study found, if a sustained blackout occurred during a heat wave, nearly 50% of Phoenix residents could end up in the emergency room and there would be a significant number of deaths (Stone et al., 2023).

Despite a heat wave blackout being genuine risk (the same report found grid failures increased 150% between 2016 and 2021), and the ongoing high heat mortality of its unhoused population, all three levels of government are doing very little to mitigate or prevent climate change. For example, the city's climate change plan boasts of spending \$30 million to replace streetlights and \$16.9 million on a "state-of-the-art compost facility" (City of Phoenix, 2021: 5). These plans seem inadequate in a city where nearly everything residents consume has to be imported and which continues to grow by transforming desert on the edges of the urban boundary continue to be transformed in tract housing (Ross, 2011). The city's climate report is full of background information pointing to the imminent and real dangers of climate change. Why then are the solutions pushed to the distant future and focused on tinkering around the edges of the problem with market mechanics?

Mayer and Smith (2019: 512) argue that "several different, diverse theoretical perspectives have postulated that a feeling of efficacy or control is a strong predictor of behavioural change to ameliorate complex problems. Though the specifics vary, these perspectives imply that worry or concern about a problem is not enough to motivate significant behavioural change. Rather, people must feel a sense of agency and efficacy before they modify their behaviour, either in terms of individual actions or endorsement of public policies." Similarly, Doherty and Webler (2016: 879) note that "Surprisingly few individuals who are highly concerned about climate change take action to influence public policies." Mayer and Smith (2019) argue that these feelings broadly constitute 'climate fatalism' which they use to "refer to personal beliefs that climate change is unstoppable and related lack of agency to make an impact." They go on to argue that it is impacting "behavioural change and a willingness to pay" (Mayer & Smith, 2019: 518). While both Mayer and Smith (2019) and Doherty and Webler (2016) focus on general populations, more might be gleaned from focusing on the individuals who tend to hold policymaker positions.

I propose expanding this conceptualization of 'climate fatalism' to broadly encompass not only inaction because of fatalistic beliefs but also actions out of proportion to the scale of the problem. This expanded conceptualization then encompasses the suite of individual actions taken by those with consumptive choice (who would largely be characterized as middle- and upper-class individuals in the global north) or cities and policymakers replacing (some) streetlamps

while the power grid runs on fossil fuels. Such actions largely fit within Mayer and Smith's (2019) definition. Accordingly, to characterize a policy direction as driven by 'fatalism' ('policy fatalism') we can look for a context in which the problem is well diagnosed but seems impossible to resolve politically, that there is a high degree of institutional capture by those who would suffer from dealing with the problem at hand, and therefore there is a narrowing of the imaginary of potential solutions, which leads to 'politically possible' policies (often just largely continuations of existing policies in which the problem arose) which primarily rely on market mechanisms and rhetorical performance of attempting to resolve the issue at hand.

Examples of climate fatalism are present in Phoenix and Arizona more broadly. Phoenix is a city that imports virtually everything its residents consume, in the middle of the desert where having working air conditioning is a matter of survival (Stone et al., 2023; Ross, 2011), and hundreds die of heat related illness each year. The potential to radically transform the city and the state into a hub of solar production is stymied by a captured state legislature "and the monopolistic might of major utility companies" (Ross, 2011: 247). Municipal policymakers react by setting goals to become a net zero city by 2050, while almost entirely relying on price incentives to encourage corporations to build the infrastructures and businesses to accomplish this (City of Phoenix, 2021). One example of what they label a 'significant climate action' is to "attract businesses that turn waste into resources" (City of Phoenix, 2021: 6).

Transposing this working conceptualization of 'policy fatalism' onto housing, I argue that 'housing fatalism' is characterized by three main aspects.

- 1) The problem is well diagnosed but seems insurmountable to resolve for most (most frequently the working class)
- 2) There is in effect, 'policy capture' of the institutional power to do something significant by the group most likely to be negatively impacted by meaningful actions to resolve the problem in the short term
- 3) Accordingly, the solutions proposed by policymakers are primarily technocratic, and tend to rely on unequal partnerships with the group who has obtained policy capture

Ultimately, policymakers largely understand that these policies will not resolve the problem for those most vulnerable and impacted at any scale.

There is some evidence this fatalism is already present in discussions of urban governance. For example, Wilson & Wyly (2023: 136)'s *Towards a Dracula urbanism* in which they describe a 'Dracula urbanism' "as a deep-reaching, human-punishing unfolding that co-works in revanchist-persistent times with flagrant forms of human immiseration." They go on to argue that "it is simultaneously a state of mind, a mode of institutional operation, a vision of people, one gaze onto growth's true needs and a kind of growth produced." Dracula urbanism represents a kind of fatalistic death spiral of hope for an urban governance centred on well-being.

Methodology

To understand Phoenix and Maricopa County's private rental system more broadly, I conducted 21 semi-structured interviews with key policy actors, each between 45 minutes and an hour and a half. These interviews were conducted between March and May of 2022. These key policy actors included politicians, housing researchers, housing service providers, real estate firm employees, and landlords. These key policy actors were identified via an extensive media scan and chosen based on their position in Maricopa County's private rental system or because of representativeness of a key group of actors. While simplified, the landlords I spoke to range from 'house hackers' (those who live with their tenant) to actors within major real estate firms. I also spoke to employees of multiple municipalities, to affordable housing providers, to developers, real estate agents, tenant organizers, and advocacy organizations.

Interviews covered how the participant had become involved with housing in a professional capacity, understandings of landlords and tenants and their relations in Maricopa County, attitudes and opinions towards each, the state of the regulatory environment as well as a series of questions asking them to speculate broadly on the future of landlord-tenant relations and private renting in Maricopa County. Landlords were additionally asked questions around their relations to other landlords, other businesses, finance and tenants. Interviews were either conducted in person or by Microsoft Teams and recorded and transcribed with the interviewee's consent. Transcripts were then coded using Delve.

I interviewed eight landlords and real estate sector professionals, six policymakers or government employees and ten non-governmental organization employees or community organizers. Several interviewees fit within multiple categories, i.e. housing researchers who were also landlords. For simplicity and to protect the identities of my participants, interviewee names and identities were pseudonymized.

Further, while not the focus of this paper, I also performed an extensive media scan of articles from the local paper of record (the AZ Republic) from 2002 onwards that discussed landlords and tenants. This media scan enabled an understanding of how the discourse around rentals has evolved over the previous two decades as well as contextualize the differences in discussion of landlord-tenant relations before and after the GFC of 2007-2008. Additionally, I analysed key policy documents, including state and Maricopa municipality housing plans, as well as policy interventions by various interest groups and advocacy organizations including the main landlord lobby (Arizona Multihousing Association), the Morrison Institute, and the AZ Housing Coalition, among others.

Phoenix and Maricopa County Context

The fate of Phoenix has always been deeply intertwined with its dominant industry, real estate. Leading up to the 2008 Financial Crisis, this focus was on the tenure of homeownership and the rapid production of homes for sale at the city's edges (Gober, 2006; Ross, 2011). During this period, very little was written about it from an academic perspective. Still, there was acknowledgement of a growing class of renters in part due to the rapidly increasing demand for real estate investment. Renters and the landlords who rented to them tended to be seen as a potential threat to home values in the suburbs (see Van Der Berg, 2006 for an example). Maricopa County remains characterized by low-density housing and an auto orientation, though it does have an expanding light rail line network and nodes of density in specific centres such as Tempe. Maricopa County was hit particularly hard during the foreclosure crisis of 2008, with many area renters and homeowners losing their homes.

Generally, the Phoenix market is seen as comparatively unique because of the significant presence of single-family home rentals and the high degree of ownership of this rental subtype

(single-family rental homes) by institutional rental firms such as Invitation Homes and Tricon (Pfeiffer et al., 2019). Phoenix and Maricopa County, more generally, were also the site of a high degree of investment by ‘i-buyers’. In addition to quickly increasing housing costs, Maricopa County is notable for an eviction filing rate above the national average (Kurtz et al., 2022). Overall, Maricopa County has a diverse rental stock, with traditional 2-3 story walk-up ‘garden’ style apartments, which used to make the bulk of the rental housing stock, a high number of single-family home rentals, the emergence of a significant purpose-built student accommodation (PBSA) stock in Tempe and new ‘build-to-rent’ single family home developments on the urban fringe.

Maricopa County’s homeownership rate is relatively close to the national average, with the ACS’s 5-year estimate (2017-2022) reporting a homeownership rate of 63.8% in Maricopa County compared to a national homeownership rate of 64.6% (Census.gov, 2023). Within Maricopa County, there are variations in the homeownership rate, with the City of Phoenix having a rate of 56.1%, Tempe (an inner suburb and the location of Arizona State University) having a homeownership rate of 39.6%, compared to Buckeye (an exurb)’s homeownership rate of 84.1% (Census.gov, 2023). Proportionally, Maricopa County renters are far more likely than homeowners to be ‘cost-burdened (spending more than 30% of their income on housing costs) (Kurtz et al., 2022).

In recent years, the metropolitan Phoenix area has had some of the fastest-increasing housing costs across the US, both in terms of rental and homeownership (Kurtz et al., 2022). According to the Joint Center for Housing Studies of Harvard University, between 2020 and 2021, Phoenix rents increased by 24%, and home prices appreciated by 32.5% for the September year-over-year (Joint Center for Housing Studies of Harvard University, 2022). The rent growth appeared to continue into 2022, with a 45.6% year-over-year growth from August, 2021 to August 2022 (Tracy & Gifford, 2022) though recent reports have suggested rent growth has recently slowed or even flattened (Archer, 2023).

In comparison to other US states, scholarship has classified Arizona as occupying a ‘contradictory’ position in regard to the balance between pro-tenant and pro-landlord legislation

(Hatch, 2017) or even as having among the ‘highest levels of renter protection’ (McCollum & Milcheva, 2023: 2). While this might be true in a comparative perspective, Arizona’s legal landscape almost entirely favours landlords and a right to profit and provides tenants with very few meaningful protections. State laws have pre-empted municipalities from adopting any form of rent control or limits to rent increases, from limiting short-term rentals, from adopting any mandatory forms of inclusionary zoning (Gentry et al., 2021). Further, “the ‘Private Property Rights Protection Act’ prevents state and local governments from enacting a land use law that reduces the fair market value of private property without providing just compensation to the owner.” (Gentry et al., 2021: 3). Eviction laws also heavily favour landlords, with evictions for non-payment taking as few as five days, and other lease violations taking as few as 10 (McCollum & Milcheva, 2023). Further, Arizona landlords can unilaterally non-renew leases, in addition to facing no limits on the amount of the increase they can demand upon lease renewals or between different tenancies.

The few legal rights tenants have in comparison to other states include a state maximum amount of rent for a security deposit on a one-year lease (1.5 months), the right to withhold rent for repairs and failure to provide essential services, and a 48-hour notice required for entry (McCollum & Milcheva, 2023). Ultimately, these protections add up to very little security for renters in Arizona. Requesting repairs or withholding rent can result in retaliatory evictions or rent increases. Outside of specific lease agreements, tenants lack any stability, not knowing what landlords might demand or even if they will be willing to renew leases. Like elsewhere in the United States, the lack of tenant protections is compounded by the fact there is a policy reliance on private landlords to house most low- and moderate-income households (Rosen & Garboden, 2022), some with the assistance of housing choice vouchers, but most without.

The problem is hopeless but well known

As noted in the context section, housing costs surged between 2021 and 2022. This surge led to widespread documentation in local media (see Reagor, Qin, Boehm, 2022; Rihl, 2023; Reagor, 2023 for examples) and policy and research reports (see Gentry et al., 2021; Kurtz et al., 2022; William E. Morris Institute for Justice, 2020 for examples) and reflected an increasing

acknowledgment that there was a problem in housing. But for renters and those precariously housed, the problem is long standing.

As already noted, existing legal rules are heavily stacked in favour of landlords, with limited meaningful tenant protections such as rent control or the right to renew a lease. Rules governing eviction processes represent a salient example of the general lack of tenant protections. These rules are written to get tenants out of their homes as quickly as possible as Mike, an NGO employee, notes:

“Landlords hold all the cards in the equation. You know in a lot of cases they’re going to be able to jack up rent, put people into vulnerable situations and then they’re going to be able to get them out quickly with almost no resistance.”

Mike – NGO employee/community organizer, April 2022

Mike continued:

They don't have enough attorneys, and even with designated funding to get more attorneys at court doing this work, they're just there's so much unmet need for help. And when you have that, there's no counterbalance, right, like the landlords can just do whatever they want when they can go unfettered and every predatory, illegal, discriminatory corner cutting practice that they implement can be put into play, they, you know. If there's no cost to doing it because no one's calling them on it or checking them on it.

Mike – NGO employee/community organizer, April 2022

In a 2020 study examining 1,097 cases, the William E. Morris Institute found that approximately 94% of landlords had attorney representation in comparison to two tenants who had representation (approximately 0.2%), that tenant attendance was low, and that even in the cases where tenants were present judgment was overwhelmingly for the landlord (76% of cases). Much like in 2005 (when they wrote a previous report) the Morris Institute found that most eviction cases were about one minute each, but a judge could have as many as 150 scheduled for the hour

hearing time (William E. Morris Institute for Justice, 2020). With the odds stacked against tenants, many don't even attempt to exercise their limited rights, instead concentrating on the most important thing, securing shelter:

“The tenants just they don't have any options, even if they do fight, they're not gonna win. And so like most of them are uncontested, even if they, if they legitimately did have like a fighting chance of winning, they don't even bother to try because their biggest concern is finding a place to live .”

Robert – Government/ Policymaker, April 2022

Further existing programs, long acknowledged as inadequate, are failing. The failure of existing programs is best illustrated by the difficulty of Maricopa County municipalities in finding landlords willing to accept Housing Choice Vouchers (HCVs). The Housing Choice Voucher program is a federal program that pays via a local public housing agency a certain percentage of rent directly to landlords on behalf of certain eligible low-income, elderly, and disabled households (HUD, 2023). Tenants make up the remainder of the difference between the federally subsidized component and the ‘market’ rent, albeit, and importantly ‘fair market rent’ is determined on a yearly basis by the Department of Housing and Urban Development, which tends to lag actual market rent.

First and foremost, there are not enough vouchers for Maricopa County residents who need them, and even comparatively, Phoenix is allotted fewer than cities with similar populations (Reagor, Qin, Boehm, 2022). Most of the municipalities’ voucher wait lists are closed and even while on the waitlist, the process can take years (Reagor, Qin, Boehm, 2022). Even if one gets a voucher, the County’s municipalities are having trouble finding landlords willing to accept them, and voucher holders must find a landlord to accept them within three to six months or they might lose the voucher entirely. A major issue has been loss of landlord participants and a change in the profiles of the landlords participating in the HCV program. Notably, as here illustrated by Harold, Geoff and Elizabeth employees at three of the municipalities housing agencies:

For [municipality name retracted] it was around 2017 when we saw a steep drop off in [landlord] participation and no real recovery point. So whatever happened in the market at that time and has continued to happen.

Harold – Government/ Policymaker, April 2022

You know there's really been that massive shift from you know ...So because that that demographic of participating landlords has shifted from large, you know large corporate complexes to the mom and pops, we've got way more in landlords but way fewer units.

Geoff – Government/ Policymaker, April 2022

And the prices being so high, you know, unfortunately we do come across when with the larger landlords that hold or that rent to more voucher holders, oftentimes we're seeing. Investors coming in and buying out some of those complexes. Umm. And choosing to no longer rent to individuals who have a rental subsidy and unfortunately you know that that definitely And it impacts negatively impacts our residents with, with, with, with vouchers.

Elizabeth- Government/Policymaker - April 2022

Elizabeth's quote is particularly illustrative that significant flows of investment into Maricopa County's housing stock, demanding higher returns. Without rent control, landlords can remove HCV holders by simply increasing the rent beyond the level covered by the HCV. As Geoff notes, this has created a situation where multi-family owners have left the various municipalities' HCV programs.

The eviction courts' rapid churn and the intensifying inability of the HCV program to provide a backstop represent evidence for housing professionals in Maricopa County of the direness of the situation. Accordingly, there was a pervading sense of hopelessness and pessimism among the interviewees. This was even more evident amongst interviewees who themselves were tenants and, therefore, far more likely to be exposed to the crisis in their personal lives as well.

For example, Marie-Anne, an NGO employee making an above-average income but a tenant herself, noted the dynamics created by power structures which nearly entirely favour landlords:

“It’s very hard to go after your landlord, especially in Arizona, because Arizona is very much on the side of the landlord. So. Um.. it’s not a tenant state so they’re going to protect the landlord. And the knowledge you have to have to navigate that system is a lot. And you know. It might require a point where if you were really going to challenge your landlord you’d have to get the law involved and like. I don’t even want to do that and I am an educated person. Like let alone someone who is being evicted. Like who has the time and money and resources to do that.”

Anne-Marie – NGO employee/community organizer, March 2022

She continues that the fear of retaliation compounds the anemic tenant protections:

“And there’s also a fear of retaliation as well. So like let’s say you do win something or do get your way with your landlord but then your landlord can find another way to evict you. Even with the rental assistance for covid. We had a moratorium in place and people were still being evicted and it was still ok because the moratorium didn’t cover all kinds of evictions just evictions about not paying your rent. And so your landlord could still evict you for any other thing that they wanted to. Like. It’s just so. I don’t know. It’s just so... Yeah it’s just not a tenant state at all.”

Anne-Marie – NGO employee/community organizer, March 2022

The results of this power structure led to a situation where tenants feel helpless, even relatively well-resourced and educated tenants such as Marie-Anne, as she continues:

“I don’t know anyone who has like “oh my landlord did this I am going to report that” it’s just like I think it’s more of a sense of powerlessness here. Here it’s like oh my landlord did this thing I have to either leave or accept it. I think that’s more the sentiment.”

Anne-Marie – NGO employee/community organizer, March 2022

Even amongst the landlords and real estate firm employees, there was concern at the rapidly increasing housing costs. For example, one real estate professional, despite describing herself as a libertarian (and explicitly not a liberal), the scale of the housing problem led her to argue:

But housing is a basic human need, and if you cannot provide housing for your population, you will have an uprising. And so if you don't wanna be run out of town, do you might wanna ensure that everybody has a job, a house, food and entertainment. Those are the only things we really ask for is a population to be entertained. Is that too much to ask and to have a roof over her head with something to eat?

Samantha – Landlord/Real estate professional - April 2022

So, while policymakers were aware either professionally or in both their professional and personal lives of the dire housing context for non-owners, they are also aware of state pre-emptions. Geoff sums up the problem facing Maricopa County municipalities:

“We have no ability to require include to do inclusionary zoning. We have no ability to require anybody to do anything. We have no ability to what I think is Prop 207 that says the government can't do anything that would lower your property value or we have to write you a check for the difference. We have no ability to do tax increment financing. You know we pretty much have zero carrots and giants sticks. If we do something the legislature doesn't like, oh and no rent control either.”

Geoff – Government/Policy maker, April 2022

While phrased confusingly, the sticks and carrots he is referring to are those of the state government. In other words, municipalities have no ability to implement policies such as rent control and inclusionary zoning (and no incentive to do so) and, instead, would face significant penalties.

Speaking to the increasing direness of the housing crisis, Martha, an NGO employee, argued:

“I think that’s what some people are in denial about. ‘Well it can’t go on like this forever’. No it actually can. No actually, nobody is going to force the landlords to charge less, nobody is going to force somebody to take less money for their house. No, it can go on forever.”

Martha, NGO employee/community organizer, April 2022

One community organizer speaking from the perspective of the broader municipal and NGO ecosystem put the hopelessness of the situation plainly:

“Well, we can’t do anything because the state pre-empts us.”

Andreas, NGO employee/community organizer, May 2022

Capture by landlords

Contrasting the dire mindset among policymakers is the cheery advice targeted at Maricopa County renters. ‘With a SodaStream, you can make soda and carbonated drinks at home and customize flavors’ (LeVinus, 2022a) or while referring to hosting a Superbowl party ‘It’s important to keep everyone fed to avoid emotions running high during the big game (LeVinus, 2023). Since at least 2019, Courtney LeVinus, head of the Arizona Multihousing Association (AMA), the main statewide landlord lobby has had a guest column in Arizona’s main paper of record the Arizona Republic. Typically writing between one to two approximately 500-word pieces a month, the state’s main lobbyist has written on topics ranging from spring cleaning and ‘Scaring up some apartment home Halloween fun’ (LeVinus, 2022b) to ‘How to ensure a successful owner-tenant relationship’ (LeVinus, 2022c). This is in addition to LeVinus, or another AMA representative being quoted in nearly every story regarding rental housing in Arizona as well as writing pointed editorials against specific potential policies (for examples see Dao, 2023, Lum, 2021 and LeVinus, 2022d).

And while the head of the AMA providing decorating advice, via a regular column in Phoenix’s main daily newspaper is one way which they flex their power. One of the most salient examples of capture relates to the legal framework of eviction and eviction process in Arizona:

“It's very, very, very heavily stacked in favor of the landlord. Yeah, like Hull, doctor evictor. He wrote parts of the Landlord Tenant Act. Like, really in so many ways, the landlord has, [...] a really huge advantage, whether it's having lawyers, whether it's having access to constables, whatever, it's just. It's a pretty strong stranglehold.

Tony – NGO employee/community organizer, May 2022

As Tony notes, self-branded ‘Dr. Evictor’ Andrew Hull helped revise and write several sections of Arizona’s Landlord-Tenant Act in the mid-1990s, including those ‘streamlining’ the eviction process (Wood & Philip, 2018). Hull’s firm, Hull, Holiday and Holiday is itself a member of the AMA, “providing customized assistance and representation to property owners and managers throughout Phoenix and Tucson” and explicitly notes that the firm does not provide services to tenants (HHH, 2023). In 2018 this firm was filing approximately 2000 cases a month in 2018 (Wood & Philip, 2018).

Further, there are close relations between the individuals carrying out the evictions and the Arizona Multihousing Association (AMA). In Arizona, constables carry out eviction orders overseen by the ‘Constable Ethics Standards and Training Board’ itself administered by Capitol Consulting, which shares the same CEO as the Arizona Multihousing Association (Boehm, Reagor & Chapoco, 2021). There is a requirement that there be a representative from the AMA on the board, but no similar requirement for a tenant advocate (Boehm, Reagor & Chapoco, 2021). While few complaints have been filed against constables, the board has never sided with tenants making those complaints (Boehm, Reagor & Chapoco, 2021).

While one might suspect landlords to have significant control over the institutions and structures that directly relate to their ability to evict, landlords through their lobby organization are also deeply embedded in organizations that one would expect to be neutral or even to be advocating on behalf of tenants. There are two notable examples, one is the fact that the director of the Arizona Department of Housing at the time of this study was Tom Simplot, former Phoenix city councillor and head of the AMA for 9 years, preceding the current AMA head (and AZ Republic

guest Columnist) Courtney LeVinus. The second notable example is the presence of the AMA, in addition to other landlords and Zillow as members of the AZ Housing Coalition:

“The Arizona Multifamily Association, who create a lot of issues like for the Members that are advocating for renters. Yeah, there's just different priority. Profit and landlords over people.

June – NGO employee/community organizer May, 2022

Interviewees consistently identified the AZ Housing Coalition to be the organization that most closely represents the interests of tenants publicly in the Arizona context (albeit interviewees tended to have far more difficulty identifying a tenant advocacy organization than a landlord advocacy organization). The identification of the AZ Housing Coalition with tenant interests was particularly true among landlords, real estate professionals and government employees whereas community and tenant organizers were more likely to suggest their own organizations as most closely representing tenant interests. June, the NGO employee, spoke more broadly to the political capture of government on behalf of landlords in Arizona:

Well, landlords have a lot of power. In our political structures in Arizona. They have a pretty loud voice in a generally heard by lawmakers and I think. It comes down to principles of economics, you know, and I think a lot of our lawmakers are probably property owners themselves. And I think there's that bias. And just generally like the culture, I guess, like within Arizona. Around social justice issues is that we just don't have traditionally and historically just not had the support. As much as we have for policies that protect personal wealth.

June – NGO employee/community organizer May, 2022

This reflects what Hulse et al., (2020) and Kerrigan (2022) have noted the trend of the landlord being constructed as the ‘protagonist’ of housing policy. Middle-class law- and policymakers are more likely to be or know landlords themselves and see landlords as the main actor.

Capture is of course not total, and landlords and their representative organizations work to maintain their dominance. As Mike notes:

We do always joke about it because every time we're fighting about a new policy or a new statute that would help people, you know, the Arizona Multihousing Association will always talk about the mythical mom and pop landlord, you know, like, that's always example.

Mike – NGO employee/community organizer, April 2022

This was well illustrated in the fight over a new policy to prevent discrimination via source of income that took place in Tucson and Phoenix earlier in 2023. AMA's CEO released a statement referring to the protections as reported by a local ABC news affiliate (Dao, 2023):

They remain unlawful today. Under these ordinances, families who have invested in real estate are losing control of their own property. That's unfair and, more importantly, it's illegal.

She continued that:

This compelled government program is wrong for the housing industry and for Arizona. It drives away future development, which results in fewer homes and apartments being built. That will make our housing crisis exponentially worse.

Note that despite claiming the laws are illegal (which the AG of Arizona found they were not), LeVinus suggests that income protections will hurt 'families who have invested in real estate'. There is no rule of course that these families have to accept a lower income and the fundamental problem of not enough vouchers and vouchers not covering market rate remain. What is at stake is the slight reduction of control over their property that these landlords would experience if they accepted voucher holders. The use of a created category of 'investor families' (explicitly not using the term landlord) is deployed to elicit sympathy and solidarity among the middle to upper-middle class. Corporate and large landlords are inherently backgrounded (even though many

‘family’ landlords are quite large) to make sure that this law is seen as a contest between ‘good’ ‘investor families’ and ‘undeserving’ voucher holders.

She then uses the argument that landlords are simply at the whims of market forces, and any change will drive away investment, making it worse for tenants. LeVinus creates a situation where the landlords’ most sympathetic members are used to discuss a law impacting all landlords as well as insinuating that landlords want to help solve the housing crisis but any change to the balance of power between landlords and tenants will prevent investment.

Accordingly, Arizona landlords, are deeply embedded in the state’s power structures and institutions. The AMA’s relations to the paper of record, the main housing advocacy organization and the institutions of eviction are examples of how they have been able to amass direct political power. The ongoing lack of meaningful regulation of private rental markets in Arizona and landlords’ influence over eviction rules represent their formal power. These informal and formal powers are compounded by the fact that they are operating in a broadly pro-market ideology and the Anglo-American context which generally valorizes property ownership over non-owners even in comparatively pro-tenant contexts (Kerrigan, 2022).

Supply Side Solutions and the Benevolent Landlord

In discussing solutions, the imaginary of policymakers and politicians was narrow. The context and limitations imposed by Arizona’s state government were seen as immovable. Instead, policymakers’ proposed solutions and efforts tended to be directed towards programs that benefited landlords and developers with the stated goal of ‘trickle down’ benefits for tenants.

Overwhelmingly, policymakers proposed ‘build, build, build’ solutions while often acknowledging that this would not represent any short-term or medium-term reprieve for tenants.

Everyone has to keep building as fast as they can on the market rate builders and the affordable housing builders. Because even when [...] there's not enough high-end units, the people that can afford that buy it the next tier down and then it cascades, right and

people at the bottom can't find a unit at all. So, I they need to build everything and I think they will.

Martin – *Government/ Policymaker* – May 2022

This sentiment, that reduced regulations is the primary way policymakers can solve the housing problem, reflects the findings of Gurran & Phibbs (2015), who further associate it with policy capture on behalf of landlords and homeowners. In Maricopa County, ‘Build Build Build’ is the consensus solution put forward by local NGOs (Kurtz et al., 2022), state policymakers and experts (Gowan et al., 2022), and landlords themselves (LeVinus et al., 2022e).

And in Maricopa some take it further, believing the market needs no intervention to eventually ‘correct’ itself. For example, one government employee noted:

I foresee the market correcting itself just as we've seen it. You know, in, in, in trends in the past.

Maria – *Government/ Policymaker* – April 2022

Such a ‘solution’ provides insight into just how much faith is placed in the market and helps us understand who gets erased from policymakers’ minds when they picture a ‘corrected’ market. Both of Martin and Maria’s opinions speak to an attitude of relative indifference, somewhat in contrast to the despair of those more directly involved with attempting to help tenants find affordable homes or renters themselves. The short- and medium-term precarity and disaster for renters in this view is seen as tragic but inevitable. In part, this reflects the ‘soft’ power of a general favouritism to landlords and an unyielding belief in landlords’ preferred policy responses to the housing problem.

Therefore, the only solution is to hope that if they give the landlords enough incentives or reduce enough regulations that things will improve. One expert, Peter, argued that rent control is ‘inherently political’ and ‘will make things worse over the long-term’ adding “those kind of policies [referring to rent control and growth boundaries] seem like easy political solutions, they’re not” (Peter *Government/Policymaker*, March 2022). Peter of course speaks with an

ideological bias that one set of solutions benefiting tenants is ‘political’ while his preferred course of action, benefiting the group that already has amassed political power, is ‘apolitical’.

Broadly speaking, the policymaker class in Maricopa County agrees with Peter when he argues “There is no good solution that can effect things quickly”. So, they do nothing, writing off any short- or medium-term solutions while they tinker with existing inadequate programs or zoning regimes. Like elsewhere, Maricopa County residents, especially those who may be able to influence change, look away as renters are forced into increasingly precarious and desperate situations or, in extreme albeit common enough situations, end up unhoused. Instead, landlords benefiting from, and influencing the context are simply seen as potential ‘benevolent’ partners.

Part of conceptualizing landlords as benevolent in the face of mass evictions and worsening housing conditions for renters relies on understanding them as facing the same structural constraints as the policymakers. To be benevolent despite actions such as these, landlords themselves must be conceptualized by policymakers as actors purely at the whims of ‘natural’ market forces. This was evident in the responses of experts, for example, Anne-Marie argued:

“It’s almost just like the landlords are doing what everyone else is doing. There just keeping up with the market. So, the issue becomes what’s wrong with the market and how do we address it.”

-Anne-Marie, -- NGO employee/community organizer -- March 2022

Kerrigan (2022) found that in Ontario, Canada, landlord action, most notably threats to stop construction or remove units, in response to an expansion of rent control, was portrayed as ‘rational’ and purely responsive to a change in the market conditions. As Kerrigan (2022) notes there was no evidence that landlords did respond in this way, and in fact counter evidence notes that it was one of the greatest booms in the construction of purpose-built rental housing. Further research has shown that landlords have agency in rent setting (Gilderbloom, 1985), evictions (Decker, 2023) and tenant sorting (Rosen, 2014). In other words, landlords have significant control over their immediate actions (even ‘small’ landlords), in addition to influencing policy that ‘sets the rules governing landlord-tenant relations.

Returning to the challenges that Maricopa County municipalities are facing placing voucher holders June illustrates the key tension, landlords, no matter if they are ‘good’ or ‘bad’ are still leaving the HCV program.

“You know there are issues, of course. There's the slumlords. Landlords that do terrible things and don't treat renters right. But there's also good landlords. And the fact that we just need more landlords to be renting, especially when it comes to low-income renters, renters with vouchers or subsidy. That is another thing that is incredibly, incredibly difficult right now. Like we just don't have the willing landlords. And so we have to, we have to maintain that relationship and it becomes very difficult when it comes to policy work

-June – NGO employee/community organizer – May 2022

Structurally, the power belongs to the region’s landlords. The HCV program offers landlords rent that typically is below the actual market rent and introduces more oversight to how they control and manage their units (through having housing quality inspected), but participation in the program provides relative stability of income because of the regular government subsidy, especially when compared to other low-income households. With rapidly increasing rents, this gap between an HCV payment and a market rent payment has only widened. Stability becomes far less attractive (and necessary) than the potential higher returns, and further, maintaining as much control as possible, as many landlords are betting primarily on capital appreciation of the underlying asset. The HCV program relies on the opposite, that landlords will value stability and lower returns (and control).

With a lack of options to mandate participation in the program, to prevent units from being purchased and removed from the program, or reduce the gap between the potential market rents and existing HCV rents cities struggle to place HCV holders. The lack of landlords participating means that policymakers are largely relying on short-term financial incentives and moral arguments.

For example, one of the concrete policy responses of municipalities in Maricopa County to landlords leaving their program is to offer cash to landlords to participate in the program. A City of Phoenix press release illustrates this strategy by declaring, “Turn your rental units into cash” (City of Phoenix, 2023), hoping to attract more landlords to participate in the program with a \$2000 cash bonus with a housing manager at the city adding “The Section 8 Housing Choice Vouchers help the landlords just as much as they help the tenants.” This is, of course, untrue. HCV vouchers help desperate tenants obtain and maintain shelter that would otherwise be impossible for them to afford, whereas for landlords, it is simply one potential stream of income from owning a residential property, one with viable alternatives such as market rate rental, or in some cases short-term rentals.

For municipalities unable or unwilling to offer cash bonuses, the other strategy is to convince landlords to act against their financial interests. Municipalities are left to try and capitalize on a moral argument and leverage professional relationships, as Geoff and Harold note:

And it's just, you know, it's we employ full time housing navigators whose entire job it is, is to go out and work with. Landlords introduced the programs. Are you willing to work with our folks? Here's the benefits of it.

Geoff— Government/ Policymaker, April 2022

“No matter how many incentives we throw at a landlord they’re going to be worried their asset which is this person’s home or potential home is going to be damaged and its protecting their business and wanting their livelihood to be maintained but its at the point where we’re discriminating against people because of their income and just working, working at changing their mind”

Harold – Government/ Policymaker -- April 2022

Concern among policymakers, is not necessarily with the structural constraints of the system but with a specific, ‘blameable’ subset of landlords. For example, one study noted that the market had changed, listing things such as rising rents and a “changing rental scene with more out-of-state landlords and the unwillingness of some property managers to participate in the federally

backed rent program” (Reagor, Qin, Boehm, 2022). Given the fact that the federal Housing and Urban Development (HUD) department launched a nationwide task force in 2018 and released a nationally focused guide to address the falling participation of landlords in the HCV program, it seems less likely that this issue is one of local landlords versus non-local landlords. Similarly, it suggests networking and financial incentives as the primary means of recruiting new landlords to the program (HUD, 2020: 17)

The lack of alternative means speaks to the real and perceived structural constraints facing Maricopa County’s municipalities. As Harold notes:

“Because at the end of the day when you can’t build your own homes and fill them like they do in Eugene, which we can’t do that here, we have to have participants or else our voucher holders can’t go. They can’t find a home here in [municipality retracted]. So then they’re [landlords] are critical and we need them. So it’s created this realization, that we’ve always already known it but how can we deepen our relationship with these landlords, to provide better service, what are their needs and what do they want.”

Harold – Government/ Policymaker -- April 2022

The unsolvable problem transforms itself into keeping the ‘benevolent’ landlords happy. And the operationalization of this ‘benevolent landlord’ as the understanding amongst policymakers means that tenants lose, and landlords win.

Analysis and Conclusion

Fatalism doesn’t just represent doing nothing in the face of crisis. Fatalism also represents deciding that you cannot do anything meaningful. ‘Housing fatalism’ is present among Maricopa County policymakers who, because of the scale of the problem and the regulatory constraints feel unable to take actions that would alleviate suffering in the near- or medium-term. Instead, they exist in a context where landlords, who have effectively captured the institutions, become benevolent potential partners. “They just need more cash up front, less scrutiny so they’ll participate in the HCV program.” “If we appeal to their better side they won’t evict their tenants!” “If we can just convince them to build more apartments!” And of course, these tactics

aren't working at any meaningful scale. Policymakers have ceded the terrain of political contestation and resigned themselves to technocratic tinkering around the edges of failing programs and policies.

Developed here 'housing fatalism' parallels emerging research on 'climate fatalism'. The problem is thought to be 'too big', the limit to action 'too strong'. Part of the explanation tends to be that intuitions are effectively captured by those whose short-term interests are best served by not acting or actions that reinforce existing power disparities. This capture has led to primarily a policymaker class seeing the only way forward is to partner and conceptualize those who've captured the institutions and at the heart of it, whose profit orientation is the cause of the problem, as potential benevolent actors. Maricopa County policymakers serve as an example of this 'housing fatalism' framework.

State policymakers identified a gap of approximately 270,000 homes as of December 2022, or in other words building nearly 10% of the already existing housing stock (Gowan et al., 2022; Census.gov, 2023). All six of the recommendations of this bipartisan report are focused on zoning reform. Private developers are seen as the only way to achieve this goal, and yet the goal is impossible to achieve with private development alone. Why would developers ever build beyond what maximizes their profitability? Why would zoning changes help when developers have long been able to build on the edges to their heart's content? How does zoning reform help when tenants have no protections or security in their homes? As Stein (2019: 39) puts it "But the parameters for planning are painfully narrow: land is a commodity and so is everything atop it; property rights are sacred and should never be impinged; a healthy real estate market is the measure of a healthy city; growth is good—in fact, growth is god."

What then is to be done? Tapp (2023), pushing back against the fatalism present in Wilson & Wyly (2023) and to a lesser extent Stein (2019), calls for a 'public real estate state'. Speaking to the potential of, and high degree of resources still present Tapp (2023: 178) argues "Rather than privatizing and liquidating assets, the state needs to experiment, explore, and invent new ways to create public value and redistribute wealth." She goes on to point to the fact that "Cities own a gold mine of real estate assets. Their extensive holdings often make them the largest property

owners in town. They own everything from housing to offices, schools, vacant lots, and more.” (Tapp, 2023: 178). Building on this she points to how if cities act as a ‘public real estate state’ policymakers could make use of these resources to facilitate the development of infrastructures of survival (housing and other) that could combat the “excesses of financialization” (Tapp, 2023: 178) and invokes the example of Vienna, a city that has used non-market and subsidized housing as well as strong tenant protections to blunt the worst effects of private markets.

Tapp (2023) provides a roadmap to the possibility of a non-fatalistic policymaking class. And even in Maricopa County, the seeds of such a movement exist with community land trusts such as Newtown. What is missing is the necessary politicization. The ‘benevolent landlord’ leaves little room for policies that help tenants. Why would policymakers create the ‘public real estate’ state if the private or ‘actually existing’ real estate state is seen to also represent the interests of tenants by benefiting landlords? Part of this relies on policymakers actively seeking to reduce the information asymmetries that tend to characterise policy capture (Gurran & Phibbs, 2015), seeking sources beyond their local and national contexts and more critically engaging with a literature beyond the supply side. Further, the local needs to be politicized. Kerrigan and Wachsmuth (2023) argue that landlords need to be conceptualized as in an antagonistic, exploitative, and mutually dependent class relation with tenants. Such a conceptualization centres the fact that these groups have different interests. Understanding landlord-tenant relations means policymakers have a side to choose. A politicized understanding of landlord-tenant means policymakers can see how their institutional limitations are shaped by active landlord-driven interests.

Of course, the interests of policymakers are not entirely uniform. For those who are homeowners, there is more likely to be a separation of professional and personal aspects of the crisis. Homeowners know housing is in crisis, and even though the crisis is visible on the streets and in the media, it remains remote. To some extent they benefit personally from rising property values. Further, there is the chance that policymakers themselves are landlords and therefore have directly conflicting interests. It’s unlikely that they see themselves as anything but ‘one of the good ones’ confirming in their minds the myth of the benevolent landlord. Accordingly,

while the interests of landlords and tenants are oppositional (Kerrigan & Wachsmuth, 2023), policymakers potentially occupy a contradictory position.

Despite the presence of fatalism, even in Maricopa County, there is cause for optimism. The aforementioned partnership between several Maricopa County municipalities and CLT Newtown suggest the seeds of a potential ‘public real estate state’. And while policymakers may occupy a contradictory position, tenants increasingly understand their collective potential power and the class nature of their relations with landlords.

There's, I mean, yeah [...] that's why we kind of organize one of the things we always say is that landlords are already organized.

-Tony – NGO employee/community organizer, May 2022

Ham, a community organizer argued it is important to push back on the fatalism, that there is an alternative to tenant despair being used to justify giving landlords more funding and more power.

The narrative tenants just get used and like this tenant story gets used and mutilated in whatever like the neoliberal idea of like housing wants, you know, It's like we can't allow for this kind of tenant narrative [of] despair, you know, we don't want to feed into it. The tenants have power. We are collectively organizing... if you're a tenant, you can, you don't have to just accept it or just, like, have a bad thing happen to you, you can do something.

-Ham – NGO employee/community organizer, May 2022

Building the ‘public real estate state’ will be a political project. Policymakers embarking on this fight will need to pick a side, they need to understand who the antagonists of private rental housing are and who are their potential allies. The stakes are too high to continue to tinker around the edges and design and implement policies that only further the power of landlords to the detriment of imagining any different futures where housing is more than just a way for a particular class to get rich. Tenants are leading the fight. Policymakers need to follow.

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How does “‘Housing fatalism’ and the creation of the benevolent landlord: understanding policymakers in Phoenix’s housing system” relate to the broader dissertation?

The primary contribution of this chapter to the broader dissertation is regarding landlords’ relations with government actors and the operationalisation of landlords as both an analytical and regulatory category.

The ‘benevolent’ landlord represents how policymakers operationalize landlords in Phoenix and Maricopa County more broadly. Policymakers, with the benevolent landlord in mind, use a variety of mild incentives and education to attempt to convince or induce landlords to take certain actions that will help tenants. These mild incentives do not work at any sort of scale and reflects an apolitical conception of landlords and landlord-tenant relations.

Chapter six refers explicitly to chapter four (class understandings of landlords) to argue that policymakers should adopt a new conceptualization of landlords and landlords and tenants, specifically one that is relational and understands the antagonism and conflict at the heart of that relation. Such an understanding is essential to a meaningful change in policy direction.

Chapter six also engages with how trends in housing systems have impacted landlord-tenant relations, suggesting that while the fundamental structures of landlord and tenant relations have not changed, the power imbalance between landlords and tenants has intensified. This intensification is for a variety of reasons that include macroeconomic trends, notably a significant increase in capital flowing into the Maricopa County housing system, the proliferation of property technology, and decreasing availability of rental units vis-à-vis overall demand growth and the conversion of LTR units to STR units.

Chapter 7: Discussion of findings: emphasizing key themes

This dissertation project sought to find out if emerging trends including the proliferation of STRs, the financialization of housing, and the emergence of large-scale transnational ownership, were fundamentally altering landlord-tenant relations. They aren't. These trends represent an intensification of already existing power structures and dynamics which have long been present in private rental systems. Undoubtedly, the intensification of existing power structures and dynamics favouring landlords over tenants have made things worse for those relying on the private rental market to obtain shelter.

Understandings of landlords, with assumed common-sense meanings, conceptualized based on binary categories which overemphasize behavioural heterogeneity are inadequate to the task at hand. These understandings were traditionally used to suggest one type of landlord was better for tenants than another but in the end, they obfuscate the core of the issue, contestation between landlords and tenants over the means of social reproduction.

Throughout, this dissertation attempts to draw attention to the ways which landlords seek to obfuscate and depoliticize their relations with tenants. And they already have a significant advantage, namely a lack of publicly available comprehensive ownership data in most jurisdictions (St. Hilaire et al., 2023; Graziani et al., 2020; McElroy, 2020). Rebranding 'landlord' to 'rental housing provider' or any other alternative term is part of this project.

We can see evidence of another wing of this project in the emphasis of supply-side solutions, which deemphasize the antagonism and exploitation central to the landlord-tenant relation and instead propose a technocratic solution. Part of this project is, in its most simplified version, the creation of an understanding of the landlord as purely at the whims of macroeconomic forces, responding 'rationally'. And of course, the actual 'rationality' of their actions is questionable (see chapter five). A key theme emphasized throughout this dissertation is that landlords have agency in essential ways that shape housing systems.

Even in the improbable scenario that private construction could approach anything close to ‘housing abundance,’ the landlord-tenant relationship, and existing power dynamics would remain intact (albeit less intensified). Considering supply-side proponents' rhetorical emphasis on giving property owners more freedom and control, without changed tenant protections, tenants would remain precariously housed. Landlords could evict tenants or non-renew leases or propose rapid rent increases for nearly whatever reason they chose. And there is some evidence that landlords are unwilling to concede any control over their properties, even for financial stability, as evidenced by the loss of housing units from housing choice voucher programs detailed in chapter six.

Landlords are a heterogeneous category made up of many individuals and corporations. Some act more aggressively, break the law, and impose terrible conditions on their tenants. Some maintain reasonable rents and are accommodating to the realities of their tenants’ lives. ‘Bad’ and ‘good’ are not useful concepts for understanding landlords. Landlord benevolence (as outlined in chapter six) is potentially fleeting and not a potential foundation for housing policy. Landlords can treat certain tenants differently. Economic or personal shocks can change the situation immediately. ‘Benevolence’ like many other individual characteristics of landlord, represents a temporal snapshot that becomes outdated the moment after it is taken.

As is thematically present in most of the chapters of this dissertation, there is a risk that the horror stories of these ‘good’ landlords are weaponized against tenants as a whole (see chapter three for an explicit discussion of this). This weaponization happens when policymakers, politicians, and landlords themselves capitalize on anecdotal evidence to argue that landlords’ power vis-à-vis tenants should be increased.

Instead, broadly, this dissertation proposes an understanding of landlords based on their relationship to tenants, specifically the class-based nature of this relationship, the core aspect of landlordism. As outlined in chapter four, “To the extent that small landlords are systematically less exploitative of their tenants than larger landlords, this a consequence of systematically smaller power disparities separating small landlords and tenants in comparison with the disparities separating large landlords and tenants. The issue is not size or professionalism, but

rather effective control over the means of social reproduction. As technological, economic, and political developments give smaller landlords more access to the means of control over and exploitation of their tenants which are more commonly the domain of larger, more professionalized landlords, the salience of the professional/non-professional distinction will likewise diminish” (p. 79).

After briefly expanding on some of the key themes present throughout the manuscripts of this dissertation, notably ‘property and the landlord’, landlord-tech, and the small-landlord and ‘own-use’ evictions, this chapter will also outline some of the influences of the ‘shadow cases’ of Montreal and Berlin on the project.

Property and the landlord

Lurking just out of view of the focus on the landlord is the influence of property (and more specifically, the narrow understanding of land as property) on the landlord and landlord-tenant relation. ‘Land as property’ as outlined by Blomley (2020: 38) refers in part to the dominant “ownership model”, in which “conception of property agglomerates property rights in a single identifiable owner, identified by formal title, whose interests are deemed presumptively superior”. The outcomes of a largely uncritical adoption of ‘land as property’ and in turn property as sacrosanct appears in each manuscript in different ways.

In chapter three, “In defense of landlord”, one can see that a narrow understanding of property is used by Yamen et al., (2020) to justify removing codified responsibilities of landlords to tenants from legal codes. Of course, in reality, property ownership almost always comes with some limits (for example, zoning codes preventing toxic uses on a standard residential lot). However, property’s conceptualization tends to narrowly emphasize the ‘rights’ of property ownership above all else. As seen in chapter five, part of this is likely due to associations of property ownership with whiteness (Harris, 1993) and masculinity (hooks, 1992; Hoch, 1979). These represent three valorized and linked concepts, likely creating self-reinforcing norms. As noted in chapter five, landlords benefit from ownership in a discursive sense.

Chapter four, landlords and tenants: a class theoretical approach to the relations of social reproduction makes explicit that landlords' benefits are not just discursive but material as well. Property gives landlords state-sanctioned powers over tenants. Ultimately, though, ongoing vestiges of the feudal landlord-tenant relation complicate Lockean understandings of 'land as property' because they do represent a bundle of rights and responsibilities in some jurisdictions where land is not completely alienable as well as based on the fact that landlords do not perform productive labour (see chapter three), instead often tenants do. In sum, while understandings of property tend to reinforce the valorization of landlords over tenants, actual examination of landlord-tenant relations could actually complicate narrow understandings of land as property.

Technology

Landlords and property management companies increasingly rely on property technology – or 'prop-tech', a category of information and physical technologies used for the management of property – from algorithms dictating what units to acquire and which tenants to rent to, to management platforms automatically assigning late fees and handling maintenance requests, and smart locks providing detailed information on occupants' comings and goings and enabling landlords to lock out their tenants instantly. Accordingly, the landlord-tenant relation no longer requires substantial human interaction between landlord and tenant. Instead, prop-tech facilitates a decision-making process that is increasingly obfuscated or outsourced, creating a gap of understanding for not only policymakers and academics but also for the direct participants themselves.

The proliferation of technology is of course, occurring at different rates and in different ways in local contexts. In Phoenix, landlords from 'house-hackers' (those living with their tenants) up to large SFH institutional renters were making use of various platforms and technologies. In Montreal, property technology was present in short-term rentals by 2019 and is increasingly evident in the mass proliferation of 'ring' and other doorbell cameras. In Berlin, it was primarily the state property companies as well as the major institutional companies that made use of 'portals' and 'platforms' to manage rent collection and maintenance. Despite this, we know very little about the extent of technological adoption among these landlords or how this may be changing landlord-tenant relationships. What we do know from research on large landlords

suggests such an adoption would have primarily negative consequences for tenants, negatively impacting tenant privacy (McElroy & Vergerio, 2022), leading to algorithmic bias and discrimination (So, 2022) and facilitating new forms of “socio-spatial stratification” (Fields & Rogers, 2021: 79)

Landlord tech, as it becomes increasingly common, lurks in the background of each of the separate manuscripts of this dissertation. As noted in chapter four, it is likely to lead to behavioral convergence among landlords as they increasingly rely on the same tenant screen and rent setting algorithms. Prop- and landlord-tech further reduces the work performed by landlords, reinforcing the feudal aspects of the landlord-tenant relation highlighted in chapter three. Accordingly, the broadening roll out of ‘landlord-tech’ represents a sight of potential intensified conflict between landlords and tenants already evident in cities such as New York (McElroy & Vergerio, 2022). The digitalized landlord, no matter what the scale, moves the landlord-tenant relation further from one of accountability and face-to-face interactions, to one that is primarily digitally mediated.

The ‘small’ landlord and ‘own-use’ evictions

In certain contexts, in particular those with relatively strong rent protections, ‘small’ landlords tend to have expanded powers vis-à-vis tenants when compared with corporate or non-individual landlords. There is long-standing documentation of ‘small’ landlords being more likely to invade tenant privacy, feel more entitled to control tenant actions (Allen & McDowell, 1989) as well as noted issues with ‘small’ landlords undermaintaining properties (Sternlieb, 1969; Krohn, et al., 1973). A less explored but increasingly notable example as the valorization of the ‘mom-and-pop’ landlord continues is the ‘own-use’ provision, which tends to allow landlords to evict their tenants if they or a close relative need to live in their apartment.

In at least two jurisdictions own use evictions are growing at substantial rates. In Toronto, Canada, a jurisdiction with rent control and automatic lease renewals, there has been a documented surge in ‘own-use’ evictions (Alsharif, 2023). Alsharif (2023) noted that in 2023 Ontario’s Landlord and Tenant Board received 5,508 own-use eviction applications, up from 3,913 in 2019. The 3,913 applications in 2019 were already a record, with that year alone

being greater than the 3,906 applications for own-use evictions filed between 2015 and 2018 (Mathieu & Bailey, 2020). Similarly, in Berlin, there has been a rapid increase in ‘own-use’ evictions known as *Eigenbedarfskündigungen* (Rada, 2023). Many of these own-use evictions are likely fraudulent. In their Canadian study, Wachsmuth et al., (2023: 76), based on a comparison with a jurisdiction with less stringent landlord regulations and tenant reports concluded that own-use evictions are the “most vulnerable to misuse by landlords acting fraudulently or in bad faith.” Further, it was to the extent that several participants in their study preferred ‘large’ or ‘corporate’ landlords who could not utilize ‘own-use’ provisions.

Evidence of the valorization of ‘mom-and-pop’ landlords was present in each manuscript. Accordingly, it is important to push back and show how ‘small’ landlords disproportionately benefit from this valorization. Understanding how ‘small’ landlords are able to translate this valorization into material advantages is not an argument to suggest that ‘small’ landlords should face more stringent regulations than ‘large’ landlords, or that ‘small’ landlords are worse for tenants than ‘large’ landlords, it is to argue that ‘small’ landlords should not benefit from regulatory exceptions. ‘Own-use’ laws disproportionately harm tenants by increasing ‘small’ landlords’ control over the means of social reproductions, with limited repercussions even when these landlords are breaking the law.

The shadow cases of Montreal and Berlin

As noted in the introduction, fieldwork was conducted in Montreal and Berlin as part of this dissertation. While individual case studies are not present for these two field sites, both sites influenced the dissertation’s general arguments and theorizing. The following section outlines two ways these ‘shadow’ cases influenced the existing manuscripts.

Montreal and the short-term rental (STR) landlord

Much can be learned about the long-term rental market from studying short-term rentals. As noted in the literature review, initially, Airbnb was broadly seen as a positive thing, part of the larger ‘sharing economy’ and ‘disrupting’ traditional accommodation providers like hotels (Guttentag, 2015). This image has largely been reshaped, as there is a significant and increased

documentation regarding the impact of STRs on housing costs (Baron et al., 2018; Benítez-Aurioles, 2020), that STRs incentivize the displacement of residents (Wachsmuth & Weisler, 2018; Cocola-Gant & Gago, 2021), and issues with potentially disruptive tourists in traditionally residential areas.

While potentially unsurprising, as STRs are effectively a sub-market of the long-term rental market, many parallel trends are occurring. Arguably, STRs represent a trial ground for technologies and strategies that make their way to the LTR market. For example, by 2019, price-setting algorithms were relatively common among STR operators. Dynamic pricing helped maximize revenues and occupancy in ways that were less present among STR hosts previously. Increasingly, there is documentation of price-setting algorithms in the LTR market. Notably, Vogell, et al. (2022) found that RealPage's 'YieldStar' software likely drove rapid rent increases by pushing managers to raise the rent far more than they otherwise would have. Similarly, one can see physical surveillance and landlord technologies such as ring cameras, smart locks, noise and smoke detectors all having arrived (at least in the Canadian context) first in STRs. One can see major real estate firms having also adopted platforms to manage tenants that resemble Airbnb and other popular STR platforms (see Liv.Rent as an example). The proliferation of automated tenant screening applications and websites reflect the ratings and forms of trust creation that Airbnb previously relied on.

Explicitly addressing the short-term rental operator in chapter four, 'landlords and tenants: a class theoretical approach to the relations of social reproduction' was largely cut for conciseness. The argument that short-term rental operators are equivalent to landlords is relatively straightforward. Short-term rental operators, be they formal owners or not, control housing units (a key means of social reproduction) for profit. Similarly, as noted in chapter three, "in defense of landlord", both STR operators and landlords as a class, rely on fore fronting their most sympathetic members ('home sharers' and 'mom-and-pop' landlords, respectively). Further, as has been documented, there is fluidity, with the same housing units moved between long- and short-term rental markets (Wachsmuth et al., 2020). Returning to the class understanding of landlords and tenants, what does that make short-term rental guests? Are they tenants?

Some short-term rental ‘guests’ are tenants. For example, some stay in ‘short-term rentals’ over the medium- to long(er)- term because of the difficulties of finding long-term accommodation (see Roach, 2023 for an example). This can be because of the difficulty in finding a long-term unit that meets their requirements or because of discrimination on the long-term rental market (lack of local references, an eviction record etc.). Increasingly, there is evidence of networks of long-term rentals on STR platforms in a way that seems transparently oriented to regulatory evasion. One Toronto case for example ruled that long-term ‘guests’ at an Airbnb did not qualify as ‘tenants’ and therefore were not subject to rental protections (Warren, 2023).

What about tourists or actual short-term guests? Arguably, they serve as tenants in this transaction (no matter what their primary housing class location where they are from), being potentially subject to a high level of domination and control through prop tech, and house rules. Uniquely, though, their ability to and willingness to pay more per night than long-term tenants skews the power relation of landlords and tenants even further towards landlords as it provides landlords an option to go with another type of tenant. Landlords can threaten to transform units from long-term to short-term rentals, which can, therefore be used to coerce regular tenants into less favorable situations or into illegal rent increases. Well potentially an extreme analogy, short-term rental guest could be seen occupying a role akin to a ‘scab’ in the labour market.

Berlin, the power of enteignen [socialization] and the ‘immo’ [real estate] lobby

Berlin’s housing system (encompassing both the federal and local contexts) has many substantial features that differ from most Anglo-American housing systems. Notably, for example, Berlin has a far higher proportion of renters (approximately 85% of its households) and (likely) relatedly tends to have far stronger tenant protections.

With the exception of chapter four, the scope of the remaining manuscripts are narrowed to an extent which precluded integrating many of the direct findings or examples learned from the research in the Berlin case. ‘Enteignen,’ which roughly translates to ‘socialization’ serves as a possible powerful example of the potential of the ‘public real estate state,’ and political capture on behalf of the ‘immo’ or real estate lobby. The culmination of three years of organizing,

Berliners voted in 2021 to socialize, or in other words force companies owning over 3000 housing units to sell their units to the city's government, representing approximately 200,000 apartments (Bernt & Holm, 2023). Enabled by the fact that the referendum was not legally binding, the two different governing coalitions who have been ruled Berlin's state government since the referendum passed have refused to act. An expert commission, struck by the SPD-led coalition that was in power between September 2021 and February 2023, primarily composed of legal experts, confirmed that the expropriation and socialization of these housing companies were possible and that it was an "appropriate action in the face of the scale of the crisis" (Matthews, 2023).

Expropriation could represent the apex tool of Tapp's (2023) 'public real estate state'. According to Bernt and Holm (2023), authors of a study on what the impacts of socialization would be in the Berlin case, socializing would lower Berlin rents (even beyond the actual socialized units), help those looking for a home, and reduce segregation. Unfortunately, in the case of Berlin, government officials are clinging to the 'build, build, build' paradigm (known in German as 'bauen, bauen, bauen'), moving to subsidize private construction in return for temporary affordable housing. Clinging to the 'build' paradigm is occurring even as Vonovia (one of the major landlords in Berlin) has stopped construction on 60,000 apartments because of high building costs (ZEIT Online, 2023).

The insistence on pursuing a course of inaction that is not working in the face of popular demands for alternatives reflects the ongoing dominance of market logics and the power of Berlin's real estate lobby. The final outcome remains to be seen. Despite the current government's unwillingness to act, socialization is not dead. In September 2023, exactly two years after winning the first referendum, Deutsche Wohnen & Co activists announced their intention to hold a second referendum, this time legally binding (Jürgens, 2023) arguing, "We're closer than ever you know? We're almost there" (Matthews, 2023).

While not every jurisdiction has legally binding popular referendums, a success in Berlin could buttress the justification for other jurisdictions taking similar action. Tools such as expropriation and the 'right of first refusal' are already in use, both by municipalities (such as Los Angeles and

Montreal), and via TOPA (tenant opportunity to purchase act) legislation, by the tenants themselves.

Conclusion

This chapter highlighted some of the key takeaways and themes lurking across the different manuscripts, emphasizing the utility of ‘landlord as class’ to understanding emerging issues in landlord-tenant relations. Further, this section detailed how the shadow cases of research performed as part of the broader dissertation project influenced the manuscripts and the potential for projects more directly linked to these cases.

Chapter 8: Conclusion

Over the course of this thesis, I have contributed to a better understanding of the landlord. Moving from analysing the existing literature on the topic, to reasserting the ongoing relevance of the term, to proposing a new class-based understanding, to addressing how landlords and tenants are represented and to how they are treated by policymakers, each of the four manuscripts represents a separate intervention to ‘rethink the landlord.’ Collectively, they seek to fundamentally work to address the noted under theorization of housing studies (King, 2009; Kohl, 2018) in ways that are fundamentally rooted in the material realities of landlord-tenant relations. As such, this dissertation represents a call to conceptualize the landlord differently, so different questions can be asked, so different futures can be imagined. The following section briefly outlines the chapters of this dissertation then pivots to a possible future research direction, landlord organizing, before concluding.

In the introductory chapter, I provided a brief overview of the impetus for this dissertation investigating how emerging landlord archetypes were impacting private rental markets. To this end, this dissertation primarily relied on key-informant interviews, embedded participant observation, media scans, and document analysis to address the following core questions: 1) What are contemporary conceptions of the landlord, and how has this conception been operationalized as both an analytical and regulatory category? 2) How have current trends – including the proliferation of STRs, the financialization of housing, and emergence of large-scale transnational ownership – challenged traditional understandings and conceptualizations of landlords? 3) How have these trends impacted landlord-tenant relations and landlords’ relations with government actors?

The second chapter reviewed a broad range of landlord and property-focused literature, the first section of which examines historical understandings of landlords during the transition of modes of production from feudalism to capitalism, and the concepts of ‘land as property’ and land rent to ground understandings of landlord in the contemporary literature. The thesis then details how the literature has defined landlord, conceptualized landlord and theorized the landlord across housing studies. I argued that landlord is ill-defined and relies on a common-sense

understanding. This common-sense understanding tends to be conceptualized in the literature in ways that lead to binary categorizations of landlords as worse or better for tenants primarily based on profit motivations. In general, I found that the literature argues housing studies tend to be under-theorized but that new theoretical poles are emerging both to help us better understand housing phenomena but contribute to theory building as well. Afterwards, the literature review examined previously identified emerging trends in landlord studies and argued studies treat these landlords as novel while many of the existing themes notably binary categorizations of ‘worse’ and ‘better’ landlords remain present. Finally, I detailed the YIMBY/NIMBY debate in housing scholarship, itself a subsidiary to a ‘supply side’ focus, arguing that it broadly represents a pushback against the sociological turn of landlord-focused scholarship and is a reassertion of the idea of housing a simple commodity.

Chapter three is a manuscript currently under review at a journal titled ‘In defense of landlord: Why the term ‘landlord’ continues to be essential to understanding rental housing’. This manuscript responded to legislative efforts to replace the term ‘landlord’ in the states of California and Ohio. By refuting their arguments, that landlords are not like the landlords of feudal origin, that landlords ‘work’ and that the landlord-tenant relation represent a commodity transaction like any other, I buttress the concept of ‘landlord’. Doing so helps locate the unique aspects of landlord-tenant relations notably the ongoing feudal characteristics as well as point to the class nature of landlord-tenant relations and the ongoing importance of ‘landlord’ as a regulatory and organizing concept.

Chapter four is a manuscript titled ‘Landlords and Tenants: A class-theoretical approach to the relations of social reproduction’ co-authored with David Wachsmuth. This manuscript represents the core theoretical contribution of this thesis, that housing and social reproduction can be better understood by conceptualizing the landlord-tenant relation as a class relation, with the main source of conflict being over the means of *social* reproduction. Borrowing heavily from labour class theory, a class understanding of labour-tenant relations allows a better understanding of the political economy of housing and social reproduction.

Chapter five is a peer-reviewed published manuscript titled ‘Don’t wake papa bear! Understanding media representations of landlord-tenant relations. The stated goal of this manuscript is to address the under-theorization of landlord-tenant relations by applying feminist scholarship on hegemonic masculinity (HM) and emphasized femininity (EF) to the case of the expansion and subsequent retrenchment of rent-control policy in Ontario, Canada in 2017-2018. Using discourse analysis, I found that landlords are most commonly portrayed as ‘rational’ and tenants most commonly portrayed as ‘vulnerable’, traits that broadly correspond with understandings of HM and EF, respectively. Arguably, this supposed landlord rationality (despite contradictory evidence) provides landlords with an advantage while dealing with media and policymakers, one where they can claim to speak for tenant interests. Further, it downplays the possibility of tenants as potentially powerful collective actors.

Chapter six is a manuscript being developed for publication titled ‘Housing fatalism’ and the creation of the benevolent landlord: understanding policymakers in Phoenix’s housing system. This manuscript makes a major theoretical contribution by developing the concept of ‘policy fatalism’ of which ‘housing fatalism’ is subsidiary. The concept is developed from ideas of climate fatalism but applied to a policymaker context based on three main criteria 1) the problem is well known but seems unsolvable, 2) the group with the most to lose in the short-term has effectively captured the policymaking institutions, 3) proposed solutions are narrow, and treat those who have captured the policymaking institutions as ‘benevolent’ potential partners. Addressing policymakers, I end the chapter by arguing they have the capacity to change the paradigm and create a system that works in the interests of those most impacted by the crisis at hand, but it requires a politicized understanding of landlord-tenant conflict and a willingness to make use of their institutional powers.

Chapter seven is an overview of the findings of this thesis, emphasizing key themes, notably the utility of a ‘landlord as class’ understanding of landlords, drawing attention to the need to push back against the obfuscation of landlords which serves to depoliticize the landlord-tenant relation and challenge the imaginary of the ‘apolitical’ supply-side solutions that currently proliferate in housing policy discussions. Further, chapter seven attempts to highlight some of the thematic elements and narratives that run in the background of this dissertation project, notably the

relation of landlord and property concepts, the proliferation of ‘landlord-tech,’ and the ‘small’ landlord. Finally, chapter seven addresses the ‘shadow’ cases of Montreal and Berlin, where field work was conducted but they do not have corresponding dedicated manuscripts.

Future Research Directions

In general, there are several potential avenues of future research which could build on the work of this dissertation. Notably, the case studies of this dissertation project exclusively dealt with ‘landlord-tenant’ relations in countries of the imperial core, Canada, the United States, and Germany and primarily engaged with Anglo-American and European literature. Testing the theoretical and conceptual lenses more broadly would assist in judging their utility beyond this specific geographic context. Narrow hegemonic understandings of ‘land as property’ are the scaffolding on which contemporary landlord-tenant relations are built, and other understandings of property, therefore, may lead to different landlord-tenant relations. The potential of one project, primarily building on the understanding of landlords as a class, is outlined below.

Landlord organizing

Despite the highly visible presence of landlord lobbies in various jurisdictions and their reported and suspected influence over politicians, landlord organizing (of which lobbies represent the most visible outlet) remains under investigated. This under investigation of landlord organizing is readily apparent when one looks at the comparative wealth of literature on tenant organizing impacting housing policy (Card, 2022; Vollmer & Gutiérrez 2022; Huron, 2018) as well as the literature on policy capture by various housing groups, be they homeowners (Been et al., 2014; Davis, 2006) or landlords (Gurran & Phibbs, 2015). Further, despite the widespread acknowledgement that states shape housing context among housing studies (Bernt, 2022; August, 2020), there seems to be little research on how landlords and their interest groups organize to shape state policy and attitudes.

Touching on it towards the end of their book, Allen & McDowell (1989) make a two-part argument, that landlords are too heterogeneous to have their interests coherently represented by one group and secondly, that most do not possess the “economic means to mobilize for their

particular interests” (Allen & McDowell, 1989: 163). At the same they acknowledge that the landlord lobby at the time has successfully been able to mobilize and push a general laissez-faire ideology and influence housing policy and that “their respective interests are perceived in general terms and ‘spoken for’ by political parties and other groups within the housing lobby.” (Allen & McDowell, 1989). Similarly, Bernt (2022) downplays the effectiveness of the landlord lobby in Germany by arguing landlords do not have identical interests, and even if they did that these interests would not be able to be mobilized to common action. Both Allen & McDowell (1989) and Bernt (2022) are of course, correct in their argument that landlords are heterogenous and some of their interest may vary as well as ideas on how to accomplish these interests.

What this does not diminish is that landlords do collectively advance their perceived interests via lobby organizations primarily in ways oriented to maximize short-term profit and control over their properties. All landlords tend to benefit from these general orientations, even if landlords also frequently create lobby organizations based on geographic location or size. Even if not the focal point of the research, scholarship has documented multiple examples of landlord organizing in their collective interests. Crosby (2020) notes how Ontario’s major landlord association organized informational seminars for members on how to deal with tenant organizing. Further, documenting the case of rent strikes in Hamilton Ontario, Risager (2021) notes how landlords attempted to rebrand from ‘landlords’ to ‘housing providers’ to improve their image.

Accordingly, studying how landlords organize, how they contest tenant organizing, how much they understand their interests as collective, and how these landlord lobbies are able to influence government policy would be a productive avenue for future research. It would be valuable for policymakers to understand and, therefore more readily recognize the political nature of these tactics as they were occurring, as well as for other key policy actors in housing, most notably tenant organizers and housing justice movements.

Conclusion

Landlord-tenant relationships—one of the key social relations in modern urban life—are in the midst of a transformation. This transformation represents an intensification of already existing

power imbalances favoring landlords. Over four manuscripts, utilizing key-informant interviews, and discourse analysis, this dissertation responded to these transformations by arguing in defense of the ongoing relevance of the term ‘landlord’ for understanding housing systems broadly and landlord-tenant relations in particular. Building on historical uses in scholarship and policy, this dissertation proposes a sharpening of how landlords and landlords and tenants are conceptualized by utilizing the lens of class. The landlord-tenant relation, much like its feudal equivalent, continues to be a class relation with the main source of conflict being over the means of *social reproduction*. A class-based understanding of landlords and tenants departs from existing understandings of certain binary or gradational categories of landlords as ‘less worse’ for tenants, instead pointing to the primary power disparity being effective control over the means of social reproduction.

The subsequent manuscript focused on contemporary media representations of landlords and tenants, pointing to the fact that these media representations favor landlords and property owners more generally, while portraying tenants as vulnerable and discounting their potential collective power. Building on previous chapters, the final manuscript developed the concept of ‘housing fatalism’ among Phoenix policymakers. Phoenix and Maricopa County more broadly represent a context where rapidly increasing rents, record evictions, and a deadly climate for those without shelter has created a dire situation, one where because of state pre-emption of laws such as rent control or limits to short-term rentals, policymakers struggle to influence. Understanding how ‘housing fatalism’ influences policymakers provides openings to politicize understandings of landlords and tenants and create the context where Tapp’s (2023) ‘public real estate state’ may be possible. ‘Rethinking the landlord’ accordingly provides substantial insights into landlords and landlord-tenant relations with broader implications for researchers, planners, and housing organizers, pointing to the possibility of new interventions and the importance of changed ‘common sense’ understandings.

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