HJL is a community-led organization that seeks to build power among poor and working-class renters. Housing instability that people face is an inherent feature of capitalism, not some anomaly, and it will not be resolved by the reactionary State which serves this system, no matter who is in office. Capitalism’s anarchic system of production and exchange means our economy is not planned, and important needs like housing are not constructed or managed based on societal need, but in pursuit of profit. Private ownership, which allows individuals and corporations to profit off basic necessities like housing, must be challenged and dismantled. The people must fight to defend their homes and neighbors with this ultimate goal in mind, not to serve the political careers of performative populists.
Tenants’ Bill of Rights Package:

HJL is currently drafting a Tenant Bill of Rights package, informed by lived experience and supported by legal experts, to be passed by the Atlanta City Council. Renters make up 56.5% of the City of Atlanta residents (2015-2019 ACS), ranking third in the country for the largest proportion of renters to homeowners. The city of Atlanta is one of the most rent-cost burdened cities in the nation with 49.2% of residents of Atlanta paying more than 30% of their income for rent (2015-2019 ACS). This Bill of Rights package aims to address the housing issues renters face, especially related to affordability, access, health, and accountability. These protections will apply to rental properties across the city of Atlanta. Evictions, displacement, high rents, and exploitation of tenants in Atlanta have created a widespread and urgent crisis—thousands of renters are being pushed out of their homes and communities or forced to live in hazardous conditions that threaten their health and safety. Forced displacement and uninhabitable building conditions disproportionately impact tenants of color, and single mothers living with children. According to the Center on Budget Policy Priorities’ “Tracking the COVID-19 Recession’s Effects on Food, Housing, and Employment Hardships”: 1 in 5 renter households with children are not caught up on rent.

Seventeen percent of Black renters in metro-Atlanta (Housing Pulse Data October 2021) are not caught up on rent. Evictions increase the likelihood of mental health crisis, depression, lower birth weights, and poverty. Of those renters who are behind on rent, 70% of them expect to be evicted in the next two months. (Housing Pulse Data October 2021) Black women are more than twice as likely to have evictions filed against them as white people. Across metro-Atlanta, Black renters disproportionately bear the burden of this crisis. This October, 7 in every 60 Black renters in metro-Atlanta face an eviction in the next two months. 12% of Black renters applied for rental assistance. (Housing Pulse Data October 2021). Displacement and exploitation of tenants at the hands of landlords lead to negative public health and financial outcomes that impact the City of Atlanta as a whole. Tenants and families need comprehensive reforms to advance public safety, public health, and build community prosperity.

What Tenants Across Atlanta Are Asking For

I. Right to Counsel

Eviction proceedings historically have been unfair and imbalanced. In the courts, the odds are stacked against tenants: 90 percent of landlords are represented by legal counsel in evictions, but fewer than 10 percent of tenants have representation. Currently, tenants in Atlanta facing eviction do not have guaranteed access to legal representation to defend themselves in court. This means most tenants navigating an eviction, even those facing a potentially illegal eviction, do not have the means to argue on their own behalf and protect their right to stay in their home. This dynamic causes tenants who do not have the means to hire an attorney to be severely disadvantaged in the eviction process, where the laws in place already highly favor property owners. Across the country, municipalities have begun to mandate that tenants navigating an eviction should have the fundamental right to legal representation. Right to counsel measures for tenants in eviction proceedings have been enacted in seven cities to date: New York City, San Francisco, Newark, N.J., Cleveland, Philadelphia, Boulder, Colo. and Baltimore. And these measures work. 86 percent of tenants who had representation as a result of New York City’s right to counsel
legislation were able to remain in their homes. In San Francisco, the eviction filing rate decreased by 10 percent between 2018 and 2019, and of those receiving full representation, 67 percent stayed in their homes. Providing a right to counsel allows people and families to keep their homes and communities, and in the time of a pandemic, promotes public health. The City should provide funding for this legal representation.

II. Establishing a dedicated Office of the Tenant Advocate
Over the course of organizing, deep listening, and meeting with tenants at high risk of eviction and displacement, one of the most resounding issues renters emphasized was a fundamental lack of accountability for landlords who violate the law. Without local enforcement of existing tenant protections, tenants are left battling against the whims of bad-actor landlords who have far more resources to leverage, particularly in court. Tenants deserve to have dedicated municipal staffing to help them protect themselves and their families against abuse where they live. We want to see a new office established in Atlanta to focus on enforcing existing tenant protections to reduce the number of incidents of tenant and families living in uninhabitable conditions, or experiencing illegal evictions, discrimination, and harassment. While Georgia statute currently outlaws retaliation against tenants for organizing with their neighbors to improve their conditions or submitting code violation complaints, without dedicated local enforcement tenants continue to report consistent experiences of discrimination based on their race, gender, marital status, and ability, to name a few. By establishing dedicated municipal staffing who can oversee the enforcement of existing tenant protections, and ensuring that tenants are educated about their rights, tenants and families will be less vulnerable to abuse at the hands of some landlords who violate existing laws.

III. Informing Tenants of their Rights
Many tenants do not know what existing legal protections they are entitled to according to local, state, and federal law. Because of this, thousands of tenants end up paying illegal fees, navigating illegal evictions, or continue to live in hazardous conditions because they do not know the existing laws and how to defend themselves. We want property owners to provide tenants with information about their rights as tenants upon moving into their rental units. This is not dissimilar to workers who are informed of their rights to minimum wage and break rules under federal and state laws upon starting employment. This helps both property owners and tenants become more familiar with the laws that protect them.

III. Ban the Box
Past evictions currently act as a stain on the records of tenants, whether or not they were justified evictions. Evictions data demonstrates severe gendered and racialized disparities in who is most impacted by evictions. According to a 2013 study: Having children is the single greatest predictor of whether someone will face an eviction. According to a May 2021 Brief from the National Women’s Law Center: Before the pandemic, Black women renters with low incomes were nine times as likely to be evicted as low-income white women renters. Having an eviction on your record results in blacklisting, as many landlords will not even consider an applicant with a prior eviction filing, even if they won the case. Eviction records follow people for years, stigmatizing already vulnerable groups and blocking them from housing opportunities. A past eviction should
not be the sole determinant of whether a tenant and their family can access future quality housing. We are asking that discrimination on the basis of previous evictions be prevented in Atlanta.

IV. Rent Stabilization
Additionally, large real estate companies have free reign to purchase rental properties with the intention of redevelopment and increased rents. For long-time residents and those who are most vulnerable: parents with children, those with disabilities, and particularly elderly renters, this forces them into a dangerous, precarious situation where they can be removed from their homes at any point without any wrongdoing or missed rental payments.

VII. Right to Cure
Tenants now have 7 days after an eviction filing to cure nonpayment of rent, but must pay court costs, administrative fees and have an eviction filing record that follows them for decades. The City should advocate for state law that would provide for written notice and a 7-day right to cure before the eviction may be filed.

VIII. Right to Renew/TOPA
For many individual tenants, efforts to fight eviction can stall out when it comes to the end of their lease term. In Georgia, there is no statute protecting a tenant’s ability to stay in the homes they’ve built long-term. We believe that landlords should have to prove just cause to evict someone, and tenants should have the right to a comparable lease renewal.

TOPA, or Tenant Right to Purchase Act, is a measure introduced in jurisdictions like DC. It allows for tenants who have come together as an association to have the right of first refusal when a property owner moves to make a sale. It also gives them the liberty to decide whether the property remains renter-based, or tenants are able to pool together resources for ownership, after a period of mandatory negotiation with the landlord. The frequency of tenants of all backgrounds having their homes sold out from under them is causing instability all over the city. We need robust, audacious protections to shift this balance of power toward the people.